a report showing how equal pay affects women's financial security. The report showed that lower wages impact women all throughout their working lives, and these lower lifetime earnings translate to less security in retirement.

According to the JEC report, the average annual income for women age 65 and older, including pensions, private savings, and Social Security, is $11,000 less than it is for men. Social Security retirement benefits are based on a person's lifetime earnings. The average monthly benefit for female retirees is 77 percent less. The same thing goes for pensions. A woman's pension income is 53 percent that of men. Women also receive smaller pension checks from Federal, State, and local government pension plans.

Finally, a recent study showed that the average woman was able to save less than half of what the average man was able to save in an IRA. So what we have here is, first of all, women are making less to begin with. That is what we are talking about today. That means they save less and have less money in Social Security. Secondly, they live longer. That is great, but it means they are going to have less money. Then, finally, we have the fact that they are often a single breadwinner in 40 percent of households. The fact that they take time off often to have children—that is the third factor that leads to less savings.

What we should be doing is looking at how we can address the savings gap. There are ways we can address it by making it easier to save and making it easier to set up 401(k)s and IRAs and looking at the millennials and how we can respond to what is an increasingly different economy for young people. But we also can simply make sure women make the same amount as men when they do the same job.

It was the late Paul Wellstone of my State who famously said: ''We all do better when we all do better.'' I still believe that is true today and so do my colleagues who join me. We need to be focused on how we can help more women share in our economic growth and share in the American dream. I ask my colleagues to support and pass the Paycheck Fairness Act.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I come to the floor with my colleague from Minnesota and my colleague Senator MURRAY from Washington, along with our other colleagues who have already been here to speak about the important issue of paycheck fairness.

It is truly shameful this kind of discrimination still exists. We have heard the statistics about what the pay gap means, but literally over someone's career—over a 40-year career—a woman in my state could lose as much as $500,000 in income. An Asian American woman could lose $700,000 over a 40-year career and a Native American woman could lose as much as $900,000 over the same time period. So, yes, when women are discriminated against, it costs them and their families.

The gender pay gap issue is a family issue. Women are breadwinners too. Women today still earn only 79 cents for every $1 paid to a man. This means less food on the table, less money to buy clothing for their children, or less money for insurance premiums. What we need to do is make sure we are listening to these stories and taking action.

Here is a story from one of my constituents, Adrianna from Olympia. She said:

> In 1993, when I was in college, I was working at a restaurant. . . . This job enabled me to pay my way through school with no student loans. A young man several years younger than me with less experience was making a larger wage and I found out about it. I politely confronted the owner as to why this fellow was making more money than me. The owner was caught off guard and could give me no reason whatsoever. . . . The thing that really stuck in my craw was that the young man told me he only worked there so he could get money to gamble. . . . Of course, I had no other choice and worked 7 days a week for 5 years to get a Bachelor's degree.

Unfortunately, this story isn't unique. Wage discrimination affects a wide range of professional fields, including realtors, educators, administrators, and even CEOs. For example, male surgeons earn 37 percent more per week than their female counterparts. In real terms, that female surgeon earns $756 less per week than her male colleagues, and this adds up. And this does not apply only to high-paying, male-dominated careers: Women are 94.6 percent of all secretaries and administrative assistants. Yet they still earn only 84 percent of what their male counterparts earn per week.

My colleague Senator MURRAY brought up the U.S. Women's National Soccer Team that helped bring this issue to the forefront. Despite being more successful and attracting more viewers than the men's team, the U.S. women's soccer team still is paid 25 percent less than the men's team.

In fact, one of my constituents last week—an 11-year-old girl soccer player from Washington—asked: If I keep playing sports, am I going to get fair pay?

Young women are asking us to do our job and make sure we pass legislation that helps. That is why we commend Senator MIKULSKI for introducing the Paycheck Fairness Act and for her tireless efforts on this legislation. I am proud to be one of its cosponsors.

The Paycheck Fairness Act requires that pay be job related and not discriminate based on gender. It would strengthen the penalties for discrimination and give women the tools they need to identify and confront unfair treatment. It would make sure we recognize women are breadwinners, too, and that they get the equal pay they deserve.

That is why my colleagues are coming to the floor today to say we should pass this bill this year. We don't need to commemorate another day of what women have done for our country; women need to receive equal pay for the equal work they are doing. I thank my colleagues for helping to bring attention to this issue, and I encourage the passage of this legislation.

With that, Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AMERICA'S SMALL BUSINESS TAX RELIEF ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 636, which the clerk will report.

The bill clerk read as follows:

> A bill (H.R. 636) to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

Pending:

> Thune/Nelson amendment No. 3464, in the nature of a substitute.
>
> Thune (for Gardner) amendment No. 3460 (to amendment No. 3464), to require the FAA Administrator to consider the operational history of a person before authorizing the person to operate certain unmanned aircraft systems.
>
> Cantwell amendment No. 3490 (to amendment No. 3464), to extend protections against physical assault to air carrier customer service representatives.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL EQUAL PAY DAY

Mrs. GILLIBRAND. Mr. President, after another whole year, a very unfortunate milestone has once again arrived. Today is Equal Pay Day. This is

the day in 2016 when the average working woman, after all last year and the first 3 months of this year, finally earns as much money as the average man did only during last year. So if we started the clock in 2015, the average woman had to work an extra 103 days to earn the same amount of money as a man.

Imagine two people were both hired at a company. They both work hard. They have the same amount of experience and the same qualifications, but they have one very important difference: One of those workers is a man, and the other is a woman. As a result, they will not be paid the same.

Right now, on average, for every dollar a man makes, a woman makes only 79 cents. That is the average for all women. Many other groups of women have it even worse. Working mothers earn only 75 cents for every dollar working fathers make. African-American women earn just 60 cents for every dollar a white male makes. And our Latina women have it the worst. They earn just 55 cents for every dollar a white male makes. The United States of America still doesn't pay its men and women equally for the same exact work, and it is unacceptable that in the year 2016 we are still fighting to fix this basic problem.

Think about how this pay gap affects our families. More women than ever are earning their family's paycheck. Four out of every ten mothers are either the primary breadwinner of the family or the only breadwinner in their family. Because of this pay gap, their children are getting shortchanged.

We need equal pay for equal work. It shouldn't matter if you are a nurse or a lawyer or even one of the best female athletes in the world. Just a couple weeks ago, the women's national soccer team filed a Federal lawsuit against the U.S. Soccer Federation over wage discrimination. I strongly support these women, and they are doing the right thing. They are raising their voices about a serious injustice, and I urge all of my colleagues in this Chamber to listen to these women—listen to the women in their States, and listen to the women in this country that deserve equal pay for equal work. The women on our national soccer team are some of the most successful American athletes alive, and even they have to deal with this pay gap.

It is shameful and inexcusable that women are still paid less than men for the exact same work in this country. I urge everyone here to support the Paycheck Fairness Act. Let's get with the times. Let's finally make it illegal to pay our women less than our men for the very same work.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I rise today to address the Senate's ongoing effort to reauthorize the Federal Aviation Administration. The bill before us today was described in the Washington Post as ''one of the most passenger-friendly FAA reauthorization bills in a generation'' thanks to its robust new consumer protections. But even more importantly, this bill includes strong new security measures that address the threat ISIS and other terrorist groups pose to airline passengers.

In the wake of the Brussels attacks, travelers are understandably nervous about the threats they face when flying, especially given terrorists' preference for targeting transportation. Here in the Senate, we are doing everything we can to address that threat. I am proud that this bill includes new protections to prevent an attack like the one in Brussels from happening at a U.S. airport.

The FAA Reauthorization Act includes the most comprehensive set of aviation security reforms since President Obama first took office. To prevent airport insiders from helping terrorists, we have included measures to improve scrutiny of individuals applying to work in secure airport areas. This is especially critical as many experts believe the bombing of a Russian passenger jet leaving Egypt had help from an aviation insider.

We have also included provisions to better safeguard public areas outside security in airports and to help reduce passenger backups. These reforms could help prevent a future attack like the one in the Brussels terminal last month, which targeted a crowd of passengers in an area where the attackers didn't even need tickets.

Because staying ahead of threats needs to be a priority, we also included additional cyber security provisions and added anti-terrorism security features for new aircraft.

The security reforms in this legislation were actually developed months ago as followups to congressional oversight, independent evaluations of agencies, and the study of existing problems. But these reforms have gained new urgency in the wake of recent attacks by ISIS. We need to constantly monitor and stay ahead of threats so that we can continue to ensure that our air transportation system is the safest in the world.

More than any other reason, I support the Federal Aviation Administration Reauthorization Act of 2016 because it will make the traveling public safer. For all of the many ways it improves our air transportation system, the provisions to keep Americans safe stand out as especially deserving of our support and as heightening the need to send this legislation on to the House.

I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

NATIONAL EQUAL PAY DAY

Mr. CORNYN. Mr. President, today is Equal Pay Day. I am proud of the fact that one of our Members on this side of the aisle, Senator DEB FISCHER, is taking the lead and pointing out that this is not a partisan issue. I know people find that hard to believe here in Washington, where everything seems like a partisan issue, but the fact is, both Republicans and Democrats and the unaffiliated believe that people who perform the same work ought to be compensated in the same way. So I am proud of the work Senator FISCHER is doing.

I just wanted to make note of the fact that this is Equal Pay Day. I know some of our colleagues across the aisle maybe have a different view and think they have a better way to deal with this, but it is purely a difference in tactics, not in terms of goals, which is equal pay for equal work.

NATIONAL CRIME VICTIMS' RIGHTS WEEK

Mr. President, yesterday I spoke about the fact that this is also Crime Victims' Week, and that is what I want to talk about now a little bit more.

There are a lot of people who come to Washington—big companies, people can hire lobbyists, lawyers, accountants, other experts—to try to make their case to Congress, but we don't have a crime victims' lobby per se. We have organizations—volunteer organizations, by and large—that try and provide a voice to the voiceless and people who need to be represented here, but the fact is, by listening to those victims of crime and to those who volunteer to help them here in the Nation's Capital, we can make a big difference in the lives of crime victims in this country.

I highlighted the Justice for Victims of Trafficking Act as an example of what we can accomplish when we get past the partisan talking points and instead focus on a common goal. I pointed out that legislation, which is the most—I think the major—the most significant human trafficking legislation passed in the last 25 years, actually broke important ground. It uses the penalties and the fines paid by people on the purchasing side of the sex slave trade to be able to fund the resources to help heal the victims, typically a girl the age of 12 to 14, somebody who has maybe run away from home, who thinks maybe they have fallen in love with somebody new, only to find themselves trapped in modern-day human slavery. We were able to pass that legislation by a vote of 99 to 0 in the Senate, and now it is the law of the land.

I mentioned yesterday that some of the provisions, including the hero program, which was designed to provide

incentives for returning veterans of the gulf war, Iraq, and Afghanistan—some of them bearing the wounds of those wars—to be able to use the skills they have acquired in the military to help go after child predators and other people who would take advantage of the most vulnerable in our society. But I wish to talk about another opportunity where I believe Congress can come together to rally behind victims and move legislation that could help save lives.

On the first day of December 2013, Kari Hunt Dunn brought her three young children to a hotel in Marshall, TX, a city east of Dallas near the border with Louisiana, to visit with her estranged husband. Sadly, this visit turned into tragedy. According to reports, Kari's estranged husband started to attack her and while he did, one of Kari's daughters did what her parents and family taught her to do in an emergency, which is to dial 911. She called for help repeatedly, but she didn't realize that, as in many hotels, first you need to dial 9 before you can dial out. So she kept dialing 911 to no avail, not recognizing that she needed to dial 9 to get an outside line. By the time help finally arrived, Kari was unresponsive and later died, leaving her three young children behind.

Obviously this is a terrible, heartwrenching story, and I wish I could say it was an isolated event, but it is made that much more tragic because the family will never know what the outcome might have been had that first 911 call actually made its way to the proper authorities.

Following her death, Kari's father Hank decided he had to do something to correct the problem so tragedies like this could hopefully become a thing of the past. This is where we have a role to play. I know some people might say: Well, there are a lot more important things for Congress to be doing than dealing with this issue, but this is something we can do. It is not partisan, and we should do it on an expedited basis.

So earlier this year, I joined with several of my colleagues, including the senior Senators from Nebraska and Minnesota, to introduce legislation called Kari's Law, a bipartisan bill that already has a companion in the House. This legislation builds on a law passed last year by the Texas legislature, and several other States have followed suit as well.

Before us we have a clearer, albeit a discrete, problem, and we have an obvious solution. This bill would ensure that people have the ability to directly call 911, even in hotels and office buildings, without having to dial an extra number. By making this simple change, we can ensure that children, like Kari's daughter, can make the call for help, to call for the assistance of law enforcement and emergency personnel to save valuable time that can make the difference between life and death and the prevention of another tragedy.

We should follow the example of States like Texas that have already done this. We could do this on a national basis. We know there are lives at stake, like Kari's, and I believe we have an obligation to act to keep tragedies like Kari's from happening again.

So as we continue to look for ways to better support victims of crime this week, I hope we will take another small step to help victims by advancing this legislation. In so many instances, they are what seem like small steps that can have tremendous ramifications.

I mentioned yesterday the reforms we have been able to do in terms of testing the rape kit backlog. It had been reported that as many as 400,000 untested rape kits are sitting in evidence lockers in police stations or perhaps in labs untested, and I talked a little bit about the fact that in Houston alone, thanks to the leadership of the then mayor and the city council, working with State and Federal authorities, they were able to eliminate the rape kit backlog testing and come up with 850 hits on the database that showed there were individuals whose DNA was tested and located on this forensic evidence that was already in this FBI background database known as CODIS. There are things we can do that may seem small but can have a dramatic impact on the lives of our constituents.

So I suggest that we don't give up and we continue to do what we can, where we can, when we can, and passing Kari's Law would be another important step in that direction.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO BEVERLY CLEARY

Mr. WYDEN. Mr. President, today Beverly Cleary, a storied and award-winning author, is going to be celebrating her 100th birthday. Throughout her 66-year career, Beverly Cleary has written more than 40 children's books, selling over 90 million copies by enchanting readers of all ages with the escapades of Ramona, Henry, Ralph S. Mouse, and so many wonderful characters. With enduring and relatable themes of adventure, adolescence, and friendship, Ms. Cleary's novels have withstood the test of time and have established their place in the pages of Oregon's cultural heritage.

Beverly Cleary was born on April 12, 1916, in McMinnville, OR. At an early age, she moved to Portland, where she developed a passion for Oregon that shines throughout the pages of her stories. For years, Beverly Cleary's characters have called Portland home, and for the countless children who grew up with her writing, Ms. Cleary's stories have been their haven. Her book series ''Ramona'' and ''Henry Huggins'' are both set in Portland and continue to serve as important threads throughout Oregon's literary fabric.

Ms. Cleary's impact on the State of Oregon and the city of Portland have not gone unnoticed. Her honors include a public K–8 school in Portland, the Beverly Cleary School, which some of my staff actually attended, and a public art installation at the Hollywood branch of the Multnomah County Library which features many of her books' neighborhood landmarks. Portland's Grant Park is home to a public sculpture garden with bronze statues of Ramona Quimby, Henry Huggins, and Ribsy.

It is Beverly Cleary's unbound passion and dedication to children's literature that have earned her numerous literary awards, including a National Book Award, a Newberry Medal, and a National Medal of Art. In 2000 the Library of Congress even named her a ''Living Legend.''

Just as original Beverly Cleary fans enjoyed reading about the lives and adventures of her characters, each new generation of young Beverly Cleary readers finds a similar connection with those same characters. Ms. Cleary's books have sparked the imagination of so many children across America, helping instill literary skills that last a lifetime.

When it comes to literacy, the importance of reading at an early age simply cannot be overstated. An early introduction to reading is one of the most significant factors influencing a child's success in school. It is linked to better speech and communication skills, improved logical thinking, and increased academic excellence. It is clear that young children who develop a love for reading have an upper hand both in the classroom and later in life.

Thanks to Ms. Cleary, generations of kids across the world can experience Oregon from a literary perspective. One would be hard-pressed to find another author who has made such a lasting impact on children's literature. So it is an enormous honor and a great personal pleasure for me to come to the Senate floor this afternoon to honor Beverly Cleary's contribution to literary history, to Oregon, and to children everywhere, and to wish her a very happy 100th birthday.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOLD KING MINE SPILL

Mr. BARRASSO. Mr. President, last August several Western States and Indian tribes suffered an enormous environmental disaster. It was called the Gold King Mine spill. In this disaster, the U.S. Environmental Protection Agency caused a spill of 3 million gallons of toxic waste water into a tributary of the Animas River in Colorado.

This photograph shows the before and after. People all across the country remember this picture and the poisoning of this river by the EPA. This plume of toxic waste threatened people in Colorado, New Mexico, and Utah. It stretched to the land of the Navajo Nation and the Southern Ute Indian Tribe.

When the Indian Affairs Committee held a hearing on the Gold King Mine spill last September, we heard testimony from Russell Begaye. He is the President of the Navajo Nation, which has lands roughly the size of the State of West Virginia, a very large piece of land. President Begaye told our committee that for the Navajo people, water is sacred, and the river is life for all of us.

He said: Today, we are afraid to use the river—with an emphasis on the word ''afraid.'' The EPA caused that spill more than 8 months ago because it made crucial mistakes, critical mistakes. It failed to take basic precautions.

Well, we still have not gotten answers to some very important questions. Now that the snow in the Rocky Mountains is beginning to melt, people in this very area, in the course of this river, are worried that they are being victimized once again by the failures of the U.S. Environmental Protection Agency. They want to know if melting snow is going to stir up the lead and the mercury and the other poisons that have settled to the bottom after this poisonous spill.

They want to know if this blue river is going to turn bright yellow again. Well, next week I am chairing a hearing in Phoenix, AZ, and it is a field hearing of the Indian Affairs Committee. We are going to be looking at the Environmental Protection Agency's unacceptable response to Indian tribes. This includes inadequate handling of the Gold King Mine disaster. It includes the Agency dragging its feet on cleaning up the cold-water uranium mines across the Navajo and the Hopi reservations.

The members of these tribes deserve to hear directly from the EPA. They want answers about what is being done to fix this blunder. From what I have seen lately, I expect the Environmental Protection Agency will be doing its best to avoid giving any answer at all. When we, the Indian Affairs Committee, first invited the Agency to send a representative to this hearing to update us, they refused. It is astonishing; they refused. They said they would send written testimony instead.

I don't think the EPA understands how this works. We are holding this field hearing to do oversight on this catastrophe that the EPA caused. This is not optional for them. This is not supposed to be just another chance for the EPA to show how uncooperative and unhelpful they can be. So tomorrow the Indian Affairs Committee plans to issue a formal subpoena for the EPA Administrator, Gina McCarthy, to appear at the field hearing.

Ms. McCarthy testified last year. When she testified before our committee in Washington last September, she said that the Agency was taking—her words—''full responsibility'' for the spill. Today, the Agency will not even come and look these people in the eye. Does that sound as though it is taking ''full responsibility''?

When this disaster first happened, the EPA did not notify the Navajo Nation until a full day after the spill. After 4 days, the EPA still had not reported to the Navajo leaders that there was arsenic in the water. This disaster happened more than 8 months ago. No one—no one at the Agency has been fired. No one has even been reprimanded for their failure.

What has the EPA done? Well, here is a headline from the Wall Street Journal on Friday, April 8: ''Toxic-Spill Fears Haunt Southwest.'' In the southwestern part of the country, according to this article, it has been months since the Agency has been back to test the safety of the well water for the families near the river. Officials in New Mexico and in Utah say the EPA has failed to spearhead a comprehensive plan to manage the spring runoff or even to conduct long-term monitoring.

The States and the tribes are having to monitor the water quality themselves. Why, you ask? Well, it is because the EPA was not planning to test enough sites or provide real-time data. That is what people need. What good is the data if it is not telling people that the water they are drinking right now is safe? Why tell people that the water they drank a week ago or a month ago was contaminated? They need to know about the water today.

There are 200,000 people who drink from the river system that the EPA poisoned last summer. Why has the Environmental Protection Agency walked away from these families? Why is this Agency not taking full responsibility for making sure this mess has been cleaned up? I am not alone in asking that. This article about the ''Toxic-Spill Fears Haunt Southwest'' in the Wall Street Journal on Friday goes further.

They actually quote the State environment secretary from New Mexico, who lives there, lives on the land, and knows the situation. This is the State environment secretary. He says: The fundamental problem is, there is no engagement from the EPA. None.

This is a specific, definite, concrete, environmental disaster. It was caused by specific people at the Environmental Protection Agency. This is about a government agency failing to do its job. They took their eye off the ball. They caused this toxic spill. They still have not focused on cleaning up the mess that they caused.

Like so much in Washington, DC, the EPA has grown too big, too arrogant, too irresponsible, and too unaccountable. People in America deserve accountability. We all want a clean environment. That is not in dispute. We all know the original mission of the Environmental Protection Agency was a noble one. Somewhere along the line, this Agency lost its way. It got preoccupied with other things, and it lost sight of its real job, which is to protect the environment.

Instead, we get this. When President Begaye of the Navajo Nation testified before the Indian Affairs Committee last fall, he was very clear. This is what he said: The Navajo Nation does not trust the U.S. EPA, and we expect it to be held fully accountable. Let me repeat. The Navajo Nation does not trust the U.S. EPA. We expect it to be held fully accountable.

I think the Navajo Nation and other tribes in the West are right to not trust the EPA. They are right to expect it to be held fully accountable. That is exactly what we intend to do with this field hearing next week. Indian Country and all of America need to know if the EPA can do its job. From what they see here, they have serious, serious doubts. These people do not need a written statement. They need to hear straight from the people in charge and that means from Gina McCarthy, who is the head of the EPA.

Next Friday, April 22, is Earth Day. According to press reports, Administrator McCarthy is planning to go to New York that day for a big media event around the Paris climate change treaty. That is what she is planning for next Friday, the day of this important hearing—a day when the EPA just wants to send written testimony.

It is her preference to be in New York talking about what happened in Paris instead of going to Arizona to face the people her Agency has abandoned. That is what she thinks is more important. That is the way this administration prioritizes its activity—a photo op in New York, not meeting with the people whose lives her Agency has devastated. The director of the EPA still does not have her priorities straight. It should not have to come down to a subpoena. The Environmental Protection Agency should have done the right thing from the very beginning.

It is up to the EPA to do the right thing now. On Earth Day, of all days, we need to hear from the Administrator of the Environmental Protection Agency.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DONNELLY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DOMESTIC STEEL INDUSTRY CRISIS

Mr. DONNELLY. Mr. President, I rise today to talk about the severity of the crisis facing our domestic steel industry. Workers are losing their jobs, families are losing their homes, and communities are suffering.

For several years our domestic industry has been under constant attack. Our steel industry is in the midst of a crisis more severe than the one experienced nearly two decades ago. Global demand for steel has not kept pace with global production. As a result, many of the global producers have come here to the United States to try to dump their steel. As a result of that, domestic producers continue to lose ground, surrendering a record-high 29 percent market share to foreign-made steel last year. The industry currently has about a 65-percent capacity utilization rate, and in Indiana we saw an 8-percent downturn in production last year.

As a Senator from Indiana—a State that accounts for one-quarter of all domestic steel capacity—I visit with steelworkers and their families to listen to their concerns about the impact of illegally traded steel flooding our market. Hoosier families are worried. Steel plants are idling, and more than 1,000 Hoosier workers have been laid off as a direct result of the illegally dumped steel that flooded our market last year. These are workers who come up to me at church on Sundays or stop by my office. They look me in the eye and ask me to explain how other nations get to produce and sell steel under a different set of rules. These workers have never asked me or anyone else for a handout; they simply ask that all parties compete on a level playing field because these Hoosier steelworkers know how valued their steel products are here and abroad.

Congress and the Obama administration must work together to not only prevent further job losses but to allow the steel industry to grow. When families face the uncertainty of a plant idling, they must prepare for the worst. All the while, small businesses that reside in communities relying on the steel industry's success suffer because families are no longer able to purchase goods and services, such as groceries and clothes and things for their home, because they are just trying to survive.

The current situation only reinforces my long-held belief that strong trade policies strengthen communities and ensure good employment for our workers, and they maintain a level playing field to foster the kind of fair competition that leads to robust markets. However, as we know all too well, such policies only work when everyone plays by the same rules.

I appreciate the work of my colleagues here in the Senate and across the Capitol in the House who have come together and worked in a bipartisan fashion to provide the administration with the significant tools they need to combat this historic influx of foreign-made steel.

As my colleagues may recall, Congress recently passed the Leveling the Playing Field Act and also the ENFORCE Act to help our steel industry investigate and better fight unfair trade practices. While there is more to be done, the administration should use these important tools we have provided to vigorously defend our domestic industry from those who willingly do not play by the rules. Strict enforcement of the law is necessary to protect our domestic industry now and to deter bad actors from abusing the system in the future.

Good, strong communities and good, strong cities like Portage and Gary and Crawfordsville and Rockport are relying on the Senate to do the right thing. We must double down on our efforts to combat the illegally traded steel coming into our market. We must do so together not only for the businesses and workers impacted by the onslaught of illegally traded steel but for the communities of children and families who have been linked for generations to the success of our Nation's steel industry. They are counting on us, and we cannot let them down.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAXES AND THE NATIONAL DEBT

Mr. BLUNT. Mr. President, it is springtime in Missouri. Whether it is in our State that joins the Presiding Officer's State of Oklahoma or in Iowa, we are seeing trees begin to bloom. It was great to be home the 2 weeks we were home and again last weekend and see the flowering trees sort of move from north to south and, I guess, south to north. It is one of my favorite times of the year, as it is for a lot of people. Particularly during the 2 weeks we were home, we would not see the blooms of the Dogwoods, and then a couple of days later we would see them farther north in the State than we had seen them before.

People like the spring. They like the great weather, they like to get out and do things with their family—only to be reminded sometimes just how fickle the spring weather is. One thing a lot of people—including most of us—dread at this time of year, however, is that spring comes at about the same time that they have to file their taxes. That date comes this week, and if the weather is not predictable, the increasing reach of the Tax Code should be predictable and is predictable.

Ronald Reagan said that Republicans believe every day is the Fourth of July, and our friends on the other side believe every day is April the 15th. We are having the income come in now and seeing what happens with it. It is the time of year we ought to look at what is happening with the hard-earned dollars American families work for.

It is estimated that Americans will pay about $3.3 trillion in Federal taxes and about half that in State and local taxes. A total of almost $5 trillion—or 31 percent of all the national income in the country—goes to taxes. If, at various levels of government as a country, we are taking 31 percent of the money every family earns, we ought to be thinking about what happens with that and justify every penny of it. Another way of looking at it is that Missourians, and people across the country, will spend more on taxes this year than they spend on food, clothing, and housing combined.

A lot of people might ask where the taxes are coming from. After all, in 2001 and 2003 Congress cut taxes. But that doesn't seem to be the case when we pay the tax bill. While we did cut taxes as a country in 2001 and 2003, in 2009 we put a lot of taxes in place. One prime example of what happened in 2009 is the $1 trillion tax hike in the President's health care bill. Now, $1 trillion over 10 years is a lot of money. It is $100 billion a year that the government hadn't been collecting in taxes but now is.

A few years ago the Ways and Means Committee asked the Congressional Budget Office, along with the Joint Committee on Taxation, to look at what the ObamaCare taxes really meant, and they revised that estimate up. They listed 21 tax increases, including 12 tax increases on the middle class, and those 21 tax increases amounted to a $1 trillion tax hike. A few of those taxes have been delayed for a little bit. We were able to slow down the silly tax on medical devices. Whom they thought that would help when people who voted for that bill and that tax, I don't know, but an extra tax on medical devices seems unreasonable to me. I don't know a single person who ever bought a medical device because they thought they were going to have a good time with it. They bought a medical device because they thought it was necessary for their health.

Then, not only do we collect this money, not only do we collect 31 percent of all the money people work for in taxes, we see the national debt continuing to increase. The national debt held by the public stands at about $13.5 trillion, but the national debt is really closer to $19 trillion because we owe a lot of money as a country and people to the places it has been borrowed from—the Social Security trust fund—and all $19 trillion has to be paid back.

It is hard for most of us to even begin to think how much money that is, $19 trillion, but the gross domestic product—the total value of all the goods and services produced in the country—is less than that. GDP is estimated to be about $17.9 trillion.

Another way to look at the national debt is that we have managed to accumulate a national debt that is more than equal to everything the country produces in a given year. Everything Americans work to make, everything we produce—the value of not just the products we make but the goods and services we make—is now exceeded by the national debt. There is no credible economic measure that would indicate that a country is stronger if the debt is bigger than the value of what it produced as a country.

We have the debt, and then we have the deficit spending. Deficits occur when the government spends more money than it generates in revenue.

Balancing the budget two decades ago wasn't all that easy to do. It required hard choices. But we as a country were able to reach a bipartisan consensus that surpluses are preferable to deficits and that a country is far better off as a result; that a growing economy is better than a stagnant economy; and that the economy is more likely to grow if the government isn't constantly sapping, for no defensible reason, the economic opportunity of people spending their own money to advance themselves and their families forward.

One thing that every model shows is that it is easier to pay off the debt and it is easier to pay the bills of the country if you have an economy that is growing. But regulators who are out of control, and deficit spending hurts economic growth.

If we look at the first year of the Obama administration, adjusted for inflation to today's dollars, that deficit ran about $1.6 trillion. Following that, during the first term it was $1.6 trillion, then $1.4 trillion, then $1.3 trillion, and then $1.1 trillion. That sounds as if the deficit is going down, but it is $1.1 trillion over a budget that just 20 years ago was balanced. It is $1.1 trillion over a budget that a little more than a decade earlier had been a balanced budget.

If we accept this year's number, the average deficit over the last 8 years is $963 billion—right at $1 trillion—and we are borrowing that money and the $19 trillion that came before it at almost the lowest interest rate imaginable. What happens if the borrowing rate goes from where it is to, say, 5 percent? We already see that the interest on the debt is quickly becoming the third biggest government payment—Social Security, Medicare, paying the debt. Things like defending the country, a transportation system that works, health care research—all of those things are way below just the interest we would have on the debt, and that is at the lowest rate ever.

Federal borrowing is really nothing more than a tax on the future. Federal borrowing is nothing more than saying: We want to have what we want to have right now, and we are willing for somebody else to pay the bill for what we want to have right now.

As people sit down and file their taxes over the next 48 hours or so and make final calculations and look at what they made and look at what they are paying—as they have done over the last few weeks and will do over the next couple of days—it is an important time for them to talk to the people they elect to public office: What do you think you are gaining by not making the tough choices? What do you think you are gaining by not doing the things we have already agreed we need the government to do and doing those really well rather than coming up with yet another program that may or may not produce results?

The health care plan is one of those. I had a hospital group in this morning. They had done a calculation of what part of the bill people were paying with their personal money as opposed to insurance that they had to try to protect themselves against health care costs before the Affordable Care Act and what they are paying now. What they found is that before the Affordable Care Act, they were paying 10 percent of the bill with personal money. After the Affordable Care Act, the average person with insurance was paying 20 percent of the bill. So the highest, fastest growing level of debt that hospital had was people with insurance who weren't able to pay the bill because their deductible was so high.

So we managed to raise $1 trillion in taxes, insure almost no one in terms of total numbers—we still have about 30 million people who are uninsured—and in many cases, the people who are insured don't have the coverage they had before.

People need to be asking what we are doing to mortgage the future and what are we getting out of that. Just as Missourians have a responsibility to ensure that their taxes are paid by April 15, we have a responsibility to ensure that their tax dollars are wisely used or not taken from them at all.

I think the fiscal policy of the Obama administration over the last 8 years has been an irresponsible way to spend people's money. The cost-benefit analysis we asked for comes back with silly things, like we evaluate how much people worry about something or we evaluate how much people's feelings are hurt. What we ought to evaluate is what we get out of these excessive rules and regulations and regulators and inspectors that truly is a benefit as opposed to what do we get that is just one more additional burden that people are asked to pay for and, even worse than that, that then their children and grandchildren are asked to pay for by seeing this accumulated debt.

We hear from our friends on the other side that it was necessary to engage in excessive spending to keep the economy afloat following the recession—the only way to do that is for the Government to play a bigger role in the economy. And what do we have to show for that? The economy is still struggling, the recovery has been unbelievably sluggish at best, and wages are stagnant for middle-class families. Why? One of the reasons is high taxes, combined with the onslaught of red-tape, and regulators that are out of control. The policies coming out of this administration have really made any possible stimulated growth in the economy hard to find.

The challenges of getting healthy economic growth and getting our fiscal house back in order will only become more daunting as the direct and indirect costs of things like the President's health care plan accumulate. I think we ought to all commit ourselves here, as people are coming to the end of this tax-paying season, to work together, to work on both sides of the Capitol and at both ends of Pennsylvania Avenue to find solutions for an overtaxed middle class, for out-of-control spending, unsustained long-term debt and interest payments. We need a flatter, fairer, less complicated, and more competitive tax structure.

If we are going to ask the American people to send in 31 cents out of every dollar they make at all levels—some people send in a lot more and some people send in a little less, but 31 cents out of every dollar of income in the country goes to government—the government has a real obligation to see that every one of those 31 cents is spent for a good purpose or not taken from people at all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS CHOICE ACT

Mr. MORAN. Mr. President, just a month ago, I was on the Senate floor talking about the struggles of a number of Kansas veterans as they attempted to utilize the Veterans Choice Program that Congress passed nearly 2 years ago. That program is being implemented by the U.S. Department of Veterans Affairs. We looked for many opportunities to try to provide better service, more efficient service, more timely service to our veterans, and Congress ultimately came together and passed the Veterans Choice Act.

As I indicated a month ago and numerous times on the Senate floor, that legislation, that law says if you are a veteran who can't receive the medical services you are entitled to, you have the opportunity to receive those services at a medical facility, a clinic, a physician, or a hospital at home. As an individual Senator who comes from a State as rural as most and more rural than many—and certainly as rural as the Presiding Officer's home State and the home State of the Senator from Missouri—we have a real interest in trying to make certain our veterans who live long distances from a VA hospital can access that medical care.

I thought we took great satisfaction in the passage of that legislation. I certainly did. What we have discovered since then in its implementation has been one handicap, one hurdle, one bureaucratic difficulty, and one challenge after another. While maybe it is difficult for the Department of Veterans Affairs to implement this legislation, they are the ones who ought to suffer the challenges of doing so, not the men and women who served our country.

During my conversation on the Senate floor a month ago, I talked about a number of veterans in Kansas and called them by name. One of those veterans was Michael Dabney, a Kansas veteran from Hill City, KS, in northwest Kansas, in the part of the State that I grew up in.

A piece of good news is that Mr. Dabney is eligible for the Veterans Choice Program because he lives more than 40 miles from a VA facility. So Mr. Dabney qualifies under that Veterans Choice Program, and Mr. Dabney needed surgery and elected to use the Veterans Choice Program. There is a community-based outpatient clinic hosted by the VA in Hays, which is about an hour away from his hometown. He was receiving care and treatment there. The indication was he needed the surgery, and they suggested that he travel to Wichita—another couple hundred miles—for that surgery. But Mr. Dabney suffers from PTSD and indicated that he didn't feel comfortable and capable of traveling that extra 200 miles to receive the surgery.

His primary care provider at the outpatient clinic in Hays indicated to him this: Well, you live more than 40 miles from a facility. You qualify for the Veterans Choice Act. You can have these services provided and this surgery provided at home.

Mr. Dabney elected to do that. Rather than driving another 200 miles for surgery in a city far away, he had the surgery performed at home. That seems like the way this is supposed to work. But the end result was that, according to the VA, he didn't receive preauthorization. So despite his primary care provider telling him that he qualified for the Veterans Choice Act, after getting the service at home, he then started receiving the bills for that service.

In frustration, he then contacted our office, and the folks in my office went to work. Here was an example that I thought we could be successful in solving. The record clearly indicates that his primary care provider, his VA primary care provider indicated he should utilize the Choice Act and have the services, the surgery provided at home. He did so. The VA then declined to pay for those services, and he began receiving the bills.

So we went to bat for Mr. Dabney. Despite our efforts and despite his efforts, he has been told that those bills are due to be paid by him because he didn't get preauthorization. My point today is that the Department of Veterans Affairs ought to be the Federal agency that bends over backwards to help our veterans.

I remember when the current Secretary testified before our Veterans' Affairs Committee in his confirmation hearing, and he indicated that he was going to run the Department in a way that was all focused on meeting the needs of veterans. Yet, just a few weeks ago, Mr. Dabney was told this by the VA. I don't know if they said they are sorry. They simply said: You didn't get preauthorization. You don't qualify. Those bills are your responsibility.

I am here once again trying to highlight what happened. We went to the intermediary TriWest. They thought they could help us accomplish this and get the information that Mr. Dabney acted on and that this ought to be sufficient for the VA to pay the bill. And even with their help, the results from the Department of Veterans Affairs, through their Wichita hospital, said that Mr. Dabney obviously didn't understand the rules, and, therefore, they were not going to see that his bills were paid by the VA.

This seems outrageous to me. The VA, through its employees, indicated he qualified. He relied upon that information, their assurance that he qualified, to have the surgery done at home. He is a veteran who needed surgery. He suffers from PTSD. He would be deserving of all the care, the treatment, and the consideration that could be given a man who served our country so well and suffered the consequences. Yet, despite the assurance that he should use the program, this decision was made: I am sorry, but you didn't dot the i's and cross the t's.

I ask my colleagues to help me as we work our way through the implementation of the Veterans Choice Act. It is discouraging to me—the number of veterans who tell me how disappointed they are with the Veterans Choice Act—when I thought it was such a great opportunity for their care and well-being. The end result is that many are discouraged, giving up on the Veterans Choice Act and not receiving the care and attention they need from the VA, deciding that the VA should not be their provider. The point is that we are failing them once again. We are failing them veteran by veteran, one at a time.

The consequence is that the program is still not working. You cannot not meet the needs of a veteran and then have an expectation that we have done something useful and beneficial for that veteran.

There is a discussion going on in the Veterans' Affairs Committee, and there are bills led by Senators ISAKSON and BLUMENTHAL that address many of the issues plaguing the VA, ranging from their appeals system to accountability, to remedying the problems associated with the Veterans Choice Act. I urge my colleagues not to allow this opportunity to bypass, to go away. We must take these actions. In my view, this is an example of this problem that the VA should solve on its own. They should find a way to make this work. In their absence to do so, as Members of the Senate—certainly, I, as a member of the Committee on Veterans' Affairs—we have the obligation to continue to do battle for those who battled for our freedoms and liberties.

I apologized to Mr. Dabney that he has been treated the way he has been by the Department of Veterans Affairs, by his government, and I will continue to fight on a case-by-case basis. But we do have a real opportunity as Republican and Democratic Senators to come together and agree upon a legislative solution to these and many other problems that plague us and plague our veterans.

I simply am here to make the case, hopefully to the Department of Veterans Affairs, that they should find a way to care for this man who served his country and also to ask my colleagues to work together to make certain—in whatever ways legislatively we need act to meet the needs of those who served our country—that we do so.

I thank the Presiding Officer for the opportunity to address this issue and the cause of this veteran and many others.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. AYOTTE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Madam President, before I turn to my prepared remarks, I wish to note that the minority leader came to the floor this morning to complain, again, that the Senate is following the Biden rules on the Supreme Court vacancy.

As I have said before, there is not much that makes the minority leader more mad than when his side is forced to play by its own rules.

So, I won't dwell on his daily missives. Most us around here have grown used to it and don't pay him much mind, especially given his record of leading a Senate where even some Members of his own party were never allowed to offer a single amendment. He voted 25 times to filibuster judicial nominees—including a Supreme Court Justice, and at the time argued there is nothing in the Constitution requiring the Senate to vote on nominees.

And, of course, he will be remembered as the leader who did more damage to the Senate than any other leader in history when he invoked the so-called nuclear option in November of 2013.

''I think just from reading the cases you'll acknowledge that there's politics in legal rulings.'' That is what President Obama said last week when he visited the University of Chicago.

The President met with law students and answered their questions. They asked him about judicial nominations, including his decision to make a nomination to fill Justice Scalia's seat on the Supreme Court. His responses were revealing. I agree with President Obama that too often politics seep into legal rulings. He is right as a factual matter. In fact, I said the same thing on the Senate floor a few days before the President did.

Oddly, those on the left who were up in arms over my remarks were silent on the President's. I suppose that is because, unlike the President, I think it is a bad thing that there is politics in judicial decisionmaking these days. Politics in judicial rulings means that something other than law forms the basis of those decisions. It means the judge is reading his or her own views into the Constitution.

Unlike the President, I believe the biggest threat to public confidence in the Court is the Justices' willingness to permit their own personal politics to influence their decisions. This isn't the first time the President has talked about how he believes Justices should decide cases. He has repeatedly said they should decide cases based on something other than the Constitution and the law. His views on this subject are clear.

When Chief Justice Roberts was confirmed, then-Senator Obama said that in the really hard cases, ''the critical ingredient is supplied by what is in the judge's heart.'' In 2009, President Obama said he views ''empathy'' as an essential ingredient for Justices to possess in order to reach just outcomes. And before he made his most recent Supreme Court nomination, the President said that where ''the law is not clear,'' his nominee's decisions ''will be shaped by his or her own perspective, ethics, and judgment.'' But what is in a judge's ''heart,'' or their personal ''perspective [and] ethics'' have no place in judicial decisionmaking.

The President's idea of what is appropriate for Justices to consider is totally at odds with our constitutional system. We are a government of laws and not a government of judges. I have said before that we should have a serious public discussion about what the Constitution means and how our judges should interpret it. President Obama and I have very different views on those questions. Politics belongs to us—it is between the people and their elected representatives. It is important that judges don't get involved in politics. That is because, unlike Senators, lifetime-appointed Federal judges aren't accountable to the people in elections. It is also because when nine unelected Justices make decisions based on their own policy preferences, rather than constitutional text, they rob from the American people the ability to govern themselves. And when that happens, individual liberty pays the price.

To preserve the representative nature of our government and our constitutional system, our judges need to return to their limited role, and decide cases based on the text of the Constitution and laws that the people's representatives have passed.

President Obama last week described the justices' power as an ''enormous'' one. That is true in a sense. But the Constitution limits the Justices' power to deciding controversies in specific cases that come before them. President Reagan talked about this on the day that Chief Justice Rehnquist and Justice Scalia were sworn in. He recounted how the Founding Fathers debated the role of the judiciary during the summer of 1787. As President Reagan said, the Founders ultimately settled on ''a judiciary that would be independent and strong, but one whose power would . . . be confined within the boundaries of a written Constitution and laws.''

For decades now, the Supreme Court has been issuing opinions purportedly based on the Constitution where the Constitution itself is silent. This kind of judicial decisionmaking usurps the right of Americans to govern themselves on some of the most important issues in their lives. That is what happens, for example, when the Court ''discovers'' rights in the Constitution that aren't mentioned in its text and weren't observed when the Constitution was adopted. The same thing happens with ordinary statutes that Congress passes. If the Justices limited themselves to saying what the Constitution or statute says about the case before them, their power wouldn't be so ''enormous.'' President Obama says it is not so simple. He says the cases that really matter are the ones where there is some ambiguity in the law. In those cases, President Obama thinks a justice needs to apply ''judgment grounded in how we actually live.''

Again, I disagree. When judges ask what a law should mean, the meaning of a law will change, depending on the judge's ''life experiences'' or what judge happens to hear the case. The people lose control of what their laws say. It is not consistent with our system of self-government.

James Madison—the ''Father of the Constitution''—explained the same thing in a letter to Richard Henry Lee. He said that ''the sense,'' or meaning, ''in which the Constitution was accepted and ratified by the nation'' defines the Constitution. He said that is the only way the Constitution is legitimate. That is because, in Madison's words, ''if the meaning of the text be sought in the changeable meaning of the words composing it,'' the ''shape and attributes'' of government would change over time. And importantly, that change would occur without the people's consent. It wouldn't be consistent with the way we govern ourselves through our representatives.

That is a very different view than the President suggested in Chicago last week when he said that ambiguous cases ask a judge to consider ''how we actually live.'' In President Obama's view, the judge isn't asking what a law meant when it was passed, but what it should mean today. President Obama described this as his ''Progressive view of how the courts should operate.'' With respect to the President, it is my view that the courts shouldn't operate in a political way at all. Not a progressive one, not a moderate one, not a conservative one. Instead, in my view, the courts should operate in a constitutional way that ensures government by the people.

Again, when Chief Justice Rehnquist and Justice Scalia were sworn in, President Reagan touched on this very subject. He said that for the Founding Fathers, the question about the courts was not whether they would be liberal or conservative. The question, President Reagan said, was ''will we have government by the people?'' Judges have a role in ensuring that we have government by the people. They fulfill that role when they try to understand what a law meant—either a statute or the Constitution—when the people's representatives enacted it. If the Justices decided cases that way, there would be a lot less politics in legal rulings. Unlike the President, I think that would be healthy for our democracy. But more important, it was the understanding of those who wrote and adopted our Constitution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Madam President, I ask unanimous consent that Senator TESTER and I be allowed to engage in a colloquy for the next approximately 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Madam President, I rise to encourage support for the Hoeven-Tester air ambulance relief amendment, which is legislation of importance to people living in both rural and urban communities who need urgent and timely medical care. The need for this amendment arises from the fact that Federal law preempts States from regulating air ambulance services pursuant to the Airline Deregulation Act, which was passed in 1979.

While some air ambulance providers enter into agreements with insurers, a growing number have decided to operate as out-of-network providers and practice what is known as balance billing. That means consumers, not the insurance companies, are responsible for the majority of the medical bill.

In recent years, State insurance departments have been fielding consumer complaints related to large balances left to them from charges not covered by insurance providers for air ambulance services. Patients in need of life-saving air medical services have been

left with balances of more than $25,000 when an air medical provider opts out of agreements with insurance providers.

Let me share a couple of examples of what I am talking about with my colleagues. In one case, a young couple had a premature child who was in need of intensive care at another hospital. The couple was insured and assumed that the 1-hour helicopter flight to the other hospital was covered by their insurance. The air ambulance company presented them with a bill for almost $40,000, but because the company had not entered into an agreement with the couples' insurance company, they were reimbursed only about $15,000 of that bill, leaving them $24,000 that they needed to pay when they thought they had insurance coverage for the bill.

In another case, a woman suffered a snowmobiling accident and was airlifted off a mountain. The charge was $40,000. Her insurance paid about $15,000, and so she was responsible for the $25,000 balance to the company. Now, in that case she negotiated with the company and got it down to a balance of $13,000, but that $13,000 she then had to pay.

In a third case, a father and his daughter were airlifted from the hospital where they were to another hospital because they needed additional care. The young person's condition was deteriorating and she needed specialized care so they had to airlift her to another hospital. They had a single pilot who took them on the flight. After they returned home by car, they got a check from the insurance company for $6,800, so the insurance company paid $6,800. That left them with the balance of a bill that was almost $70,000. Again, they thought they were covered under their insurance. So my colleagues can see that this is a real concern and a real issue.

Many consumers with health insurance coverage assume these medical bills will be taken care of and don't think to ask if the air transportation company is a participating provider because obviously they are in an emergency situation. Unfortunately, as a result, after the patient has stabilized and is in recovery, they learn they will be faced with an expensive medical bill they hadn't anticipated.

In the last session of our State legislature in our State, the State legislature made an effort to address this problem in State law. What essentially the State law said was that the hospitals would have a list of providers that accept insurance as payment in full and insurance companies that do this balance billing, so then the hospital and the patient can be informed and make their decision as to the air ambulance provider. The problem is the State law was struck down in Federal court because the Airline Deregulation Act of 1978 took precedence, meaning it is a Federal issue, which we understand. Obviously, airplanes cross State lines, so we understand there is a Federal aspect to it.

Our amendment would allow hospitals to provide information so patients could determine which air ambulance providers accept the insurance payment as payment in full and which ones don't. Then hospitals could have that information available and patients could make their decisions accordingly.

It is a very simple, straightforward amendment that would allow State legislatures to make sure that information is available for patients in their State.

There are a number of organizations that are supporting this commonsense amendment, including the National Association of Insurance Commissioners, the American Health Insurance Plans, Blue Cross Blue Shield Association, American Heart Association, American Stroke Association, Consumers Union, and Families USA.

That is the legislation in a nutshell, and I have taken a minute to explain it.

Now I wish to turn to my colleague from the State of Montana and ask him—as a cosponsor of this legislation I know he has run into this problem with his constituents. So I would ask him to comment both in terms of the situations he has run into in Montana and his thoughts on how we can best address it.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I wish to thank the Senator from North Dakota for working on this important issue that in fact speaks across this country but especially in rural America.

Senator HOEVEN and I are on the floor working this afternoon to provide a voice to those who feel the well-being of ordinary Americans is being taken advantage of. These are folks who are honest and work hard and play by the rules, but they find themselves victims of an unchecked industry with too many bad actors. That is right. They are not all bad actors, but some are. The folks who survive the fight of a lifetime are waking up the next morning only to find themselves in a new fight—a fight to keep their home and their financial well-being.

In rural America, we are seeing more and more troubling reports of families losing nearly everything to rising air ambulance bills. In my home State of Montana, over the past 10 years, we have seen more out-of-State independent and for-profit air ambulance companies in operation. These companies are moving into my State, and they are not affiliated with local hospitals. They do not always have contracts with insurance companies, and they are taking financial advantage of families who are in crisis—families who may be forced to cash out their retirement accounts, drain their life savings, and even sell their homes to cover air ambulance bills that can climb up to $100,000. This has been well-documented in the State of Montana. Occurrences of people getting billed enormous sums of money after an air ambulance trip have been well-documented.

So what is the upshot of all this? The upshot is we are a rural State. Oftentimes you can't get to a hospital in time by road, so you have to call an air ambulance. If you call the wrong one, you end up with a bill you can't pay. So people have to make literally life-and-death choices at a time when they shouldn't have to. Oftentimes, because of this experience they are saying: You know what. We are between a rock and a hard place. We will take a chance. The wife or the spouse may be purple because they can't breathe, but they say: We will take a chance. They will pile in the car and drive an hour to the hospital and hopefully they will survive. A child may come in from an accident, having potentially lost a limb, who may be bleeding profusely, but they say: We will take a chance and not call the air ambulance.

This system is broken, and it needs to be fixed. It is broken for the patients, it is broken for the providers, and right now in this country there is no tool to address it.

We have a solution. Senator HOEVEN and I have an amendment to tackle this issue and put it on the FAA bill and get it done. Our amendment would provide States the ability to decide whether they want to create rules regarding air ambulance rates and services. Right now, States are prohibited from regulating air ambulances, but families have made it clear that something must be done to prevent these companies from raking families over and collecting exorbitant bills. A one-size-fits-all solution from Washington, DC, is not the answer, and that is why the good Senator from North Dakota and I believe each State should have the opportunity to address this growing problem in their own way.

Our amendment will provide incentives for these air ambulance companies to be better neighbors, as we like to say in Montana. It will encourage them to work with local hospitals and insurance providers to ensure that the lifesaving services they provide will not cause that family to lose their home.

This amendment is supported by State officials across the Nation and by folks on both sides of the aisle.

With that, I ask Senator HOEVEN to yield for a question.

Mr. HOEVEN. Certainly.

Mr. TESTER. Why is this legislation so important to Senator HOEVEN and his constituents in North Dakota?

Mr. HOEVEN. Madam President, I would respond to the good Senator from Montana that I think we have both described the importance in terms of the costs that people may face, particularly in a time when they are in an emergency or crisis situation. It is very difficult for them already. So, look, we need to do everything we can to make sure they can get quality medical care and that they are as informed

as possible in making those decisions and trying to make those decisions easier for them, particularly at a time when they are faced with a life-threatening situation or crisis situation.

The good Senator from Montana really put his finger on it when he said that we are not asking for a Federal one-size-fits-all solution. Instead, we are saying: Let's empower the States to do what they can in terms of helping people when they are faced with this kind of emergency situation.

So if one really looks at this amendment—and we have done a fair amount of work on it with health care providers, talking to the ambulance association and others, and we will continue to work on it. But essentially we are saying: Make sure people have that information readily available so that when they are in an emergency or crisis situation, they can make a quick and good decision that fits their needs, and let the providers compete for the business.

This goes to empowering people in terms of choice and deciding what kind of care they want, and then they can make an informed decision about what they want. If they are in a situation where health insurance has to cover it, then they make that decision accordingly. If they want some other service in a particular circumstance and they are willing to pay out of pocket, then they can make that choice too.

This really is about making sure that people have the information, particularly at a critical time when they really need it, so they get the health care they need and they also have some of those—what costs they are going to face. That is what it is all about. That is true in our States, which are more rural States, but it is true in the urban States as well.

Mr. TESTER. It certainly is, and I can say that what we have heard in Montana is that there is a problem out there. We need some help.

Last summer, I had a woman by the name of Christina from Missoula, MT, who called me. She and her husband both work full time. She pays $1,000 a month for her health insurance. She was being responsible, doing everything she was supposed to do, but an emergency struck, which could happen to anybody, and her daughter needed to be airlifted to Seattle, WA.

The cost of the flight was the last thing on Christina's mind. She cared only about the health of her daughter. In the back of her mind, she knew she had health insurance, so she knew she would be OK. When Christina and her daughter returned from Seattle, they found a bill waiting for them for $85,000, a little bit less than twice the average that an American earns every year. Think about this—getting a bill from a service that you had no choice but to take and then finding out that it cost you twice as much as you make in 1 calendar year.

Unfortunately, the story of Christina is not unique. Each year, more and more Montanans have a story exactly like Christina's. That is why it is critical that we get this problem addressed through this bipartisan amendment that will provide certainty and justice for families like hers. These folks really have nowhere else to turn.

If we can get this amendment on the FAA bill—and I know we are working with the committee right now, tweaking it, trying to make it work so that people are more at ease with it—we can begin to address this issue that has haunted too many families.

I would just tell you this. I had an accident when I was young, and it wasn't the kind of accident that was life threatening. My folks had only a 15-minute drive to get to the hospital. I could tell you that if I had been a little bit more unlucky and we had put it into the 21st century and my folks would have had to get an air ambulance—which is absolutely necessary in rural America sometimes; it is necessary depending on what problem has happened—it would have put the family in a position where they literally could have lost the farm. This isn't right. This isn't what this country is about. All it takes is just a little bit of tweaking, a little bit of knowledge, a little bit of transparency, and that is what this amendment does. I think we can get this problem fixed, and it is simply the right thing to do.

I want to thank Senator HOEVEN for his leadership and his hard work on this issue.

I yield back to Senator HOEVEN.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Again, I would like to thank the Senator from Montana for joining in this bipartisan legislation and just ask that our colleagues work with us to get a good commonsense solution to solve this very urgent need.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Madam President, I would like to speak in support of several amendments that I am offering to the FAA reauthorization bill.

You may recall that in 2011 some of my colleagues and I offered a bipartisan amendment to a section of the bill that called for the FAA to develop a process to integrate unmanned aerial systems, UAVs or unmanned aerial vehicles, into the NAS, the National Airspace System.

That legislation included drafting a plan to develop air traffic requirements for all unmanned aerial systems at test sites; certification and flight standards at nonmilitary UAS test sites, as well as the National Airspace System; and making sure that the U.S. integration plan is incorporated in NextGen, the administration's project to modernize the American air traffic control system.

Importantly, it also called for the agency to designate six test sites to help accelerate the NAS integration plan.

These test sites were established in December of 2013, following a competitive process that encouraged some of the very best in the fledgling field of unmanned aerial systems to apply and compete for the test sites.

I am proud to say that Grand Forks in my home State of North Dakota made the cut and is one of the premier test sites and hubs for UAS research and development in America. The work they have done there and at the other five sites across the Nation has been nothing less than remarkable, which is why I am here today to make the case for some additional amendments to help them maintain their momentum.

The first is Hoeven amendment No. 3500, which extends authorization for the six test sites for another 5 years. The previous FAA bill from 2012 authorized the test sites for 5 years, and the legislation before us extends that just an additional few months, through September 30, 2017. Our amendment would extend this authorization by an additional 5 years, through September 30, 2022.

The Northern Plains UAS Test Site in North Dakota has some important achievements to point to: supporting NASA's UAS-related research; research and testing at up to 1,200 feet across the entire State of North Dakota, far above the limits for commercial small unmanned aerial systems; nighttime UAS operations; and approval to fly multiple types of UAS in the same airspace. Nevertheless, there is plenty of work left to do in support of integrating UAS into the national airspace, and that will require investment and support from industry partners. They will be much more likely to use the FAA test sites if they can be sure those test sites will be operational beyond the end of next year.

My second amendment is Hoeven amendment No. 3538, the private aircraft exemption, which will help to expedite testing of private industry aircraft by not requiring them to lease their aircraft to the test site in order to fly.

The six UAS test sites are intended to work with the UAS industry to perform research necessary to integrate the UAS, unmanned aircraft, into the national airspace. What are we trying to achieve here? We are trying to achieve concurrent use of the NAS, national airspace. Right now we obviously have manned aircraft flying all over the United States, but where we are going is we will have manned and unmanned aircraft flying at the same time, concurrently in the national airspace. We have to make sure that is done safely. We have to make sure that we address the privacy issues.

There is a whole gamut of issues that have to be addressed to do this safely and well. That is what the test sites are developing so that we can move to that new paradigm. It is vitally important.

We fly unmanned aircraft all over the world through our military, but we have to figure out how to do that safely and well in our airspace with civilian aircraft. That involves a lot of things—commercial aviation, general aviation, and unmanned aircraft for a whole myriad of uses. This is not an easy proposition, so we have to figure it out.

If we don't do this, we will pay a huge price because right now the United States is the aviation technology leader in the world. The United States leads aviation technology globally, but if we don't figure out how to do this, somebody else will, and we can't afford to forfeit our leadership in aviation technology. We can't afford it from a military standpoint, and we can't afford it from a civilian standpoint if we are going to continue to lead in technology, job growth, the jobs of the future, and the strongest, most innovative, dynamic economy both now and in the future.

We are working on the test sites to make this happen, but currently you have to lease your aircraft to the test site. You can't just come to the test site and get approval to fly. That is what we need to change.

Currently, as I say, any private industry partner seeking to fly at a test site must first lease their unmanned aerial system—their plane or drone or whatever you want to call it, RPA, remotely piloted aircraft—they have to lease that to the test site. As a public entity, it can then clear the aircraft to operate as a public aircraft while at that test site.

The problem is that the UAS industry is understandably reluctant to release their UAS aircraft to the test site for research work and has particular concerns about losing proprietary information through the leasing process. Remember, this is the latest, greatest new technology. Companies are investing hundreds of millions and billions of dollars in this new technology. They want to keep it proprietary. They don't want to disclose it to all of their competitors. At our test site right now, we have not only Northrup Grumman but General Atomics—manufacturers of Global Hawk, Predator, and Reaper—doing this kind of research and development. They need to protect those proprietary technology developments.

Obviously this is an important issue for them as they are working to develop the aircraft of the future. My amendment would provide an exemption for the test sites to fly civil aircraft subject to whatever terms and conditions the FAA Administrator deems appropriate for public safety and subject to the terms of the certificate of authorization already granted to the test sites.

Remember, the test sites have to get approval from the FAA to fly all of these different aircraft at the test site, so the FAA has already provided that prior authority. We don't need to have the additional work of in essence making these test aircraft public aircraft. These terms govern the airspace and conditions under which the test sites can operate with unmanned aerial systems.

This amendment is common sense. Current procedures block the test sites from assisting industry in developing technology that integrates into the national airspace. This amendment would enable the test sites to perform as originally intended; that is, as a bridge between industry and the FAA to develop concurrent airspace use for unmanned aircraft, which is a key part of the future of aviation.

Test sites will have the same responsibilities for safely managing the operation of UAS under their certificate of authorization as they do today. So this is about doing things in a more efficient way without any effect on public safety.

In addition, the FAA already grants numerous exemptions on a case-by-case basis to industry partners, known as section 333 exemptions. This amendment effectively serves as a test site 333 exemption, which should help decrease demand for the FAA to press the other exemption requests, again streamlining the process, making it work.

Finally, I filed Hoeven 3543, which leverages test site and center of excellence participation in the unmanned traffic management pilot program. The underlying FAA legislation establishes an FAA-led pilot program to develop an unmanned traffic management system, which will be essential to the final goal of integrating the UAS into the national airspace. This is how we manage traffic—manned and unmanned aircraft—in the same airspace. How do we manage that safely and well?

The amendment would require the FAA Administrator to leverage to the maximum extent possible the capabilities of the FAA's UAS center of excellence and the six UAS test sites when developing and carrying out the pilot program. So we are saying to the FAA: Work with the test sites and the national center of excellence, which we have developed for unmanned aerial systems to move this technology forward.

Right now, the FAA is behind the curve. The technology is racing forward, and we have to maximize our use of these resources to make sure that we are developing UAS the right way, in a way that the public feels is safe, that respects privacy rights, and that addresses all of the different potential concerns. Again, it is about doing things right and well with this new technology.

Again, this is a commonsense amendment. The FAA should use the capabilities Congress has put at its disposal, along with its interagency and industry partners, to advance development of unmanned traffic management systems. My amendments give our UAS test sites the tools they need to stay up front, which will ultimately yield research benefits on behalf of our country.

We have all seen and read in the media about how these remarkable new aircraft are playing a big military role in the security of our Nation. They achieve military objectives without putting our men and women in uniform in harm's way. We are also seeing how they play an important role in border protection and other security operations. Less well known is their use in precision agriculture, disaster mitigation, traffic safety, building inspections, energy infrastructure monitoring, and many uses that have yet to be imagined.

The UAS industry is anxiously awaiting the approval of rules to begin operating small UAS at low altitudes. This is an important step, but it is just one step. It is limited, which is why we need the test sites for the research and development necessary to move forward. The UAS test sites and the center of excellence are in a position to stay ahead of the curve. Doing the research will enable the next phase in UAS integration from flying at night and beyond line of sight to flying higher and farther using larger aircraft.

These amendments are important for the success of an exciting and rapidly growing segment of aviation in our country. The goal is to make UAS a fully working component of not only America's larger aviation system but also of our economy. As I said, we are the world's leader in aviation technology. We must continue to forge ahead to maintain that leadership.

I will close by saying that almost all of us now have an iPhone or Android—some type of phone in our pocket. It is so much more, isn't it? It is a full-blown computer. Think back 10 years. We had no idea that we would all have these cell phones or that they would have all of these amazing capabilities. But look at how much we use it every day in our lives. Well, I make that analogy with unmanned aircraft. What is it going to look like 10 years from now? What is it going to be like? Well, we don't know yet. We don't know what all these applications and what all these uses are going to be. But what we do know is that the United States needs to be the leader in aviation technology development. That is what we are talking about with these test sites—making sure that we can do it safely and well and that we can maintain that global leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I would like to speak on an amendment I have submitted that will ensure the implementation of what is already required by statute: a biometric exit system for the United States. The law has

required a biometric—that means a fingerprint, as opposed to biographic, which is name and birth date—system that allows us to know who is coming into this country on a visa and whether they left when they were supposed to leave. It is absolutely critical to the safety of the United States. It is something the 9/11 Commission recommended as a high priority. Ten years later, when they did their Review Commission report to see how their recommendations had been carried out, they noted that one of their top concerns was the failure of Congress to complete the system.

Right now when you come into the United States, you put your hand on a screen and they clock you in biometrically, and then when you leave, there is no system that clocks you out.

It is just like going to work every day. You take one of these iPhones. It has got this place on the bottom where you put your finger. I put my thumb on it. I don't have to put in my pass code; it simply reads my fingerprint. This is done all over America. These screens are not expensive. They don't require a lot of space. It is something that should be done. It has not been done.

The first requirement for this was in 1996 through the Illegal Immigration Reform and Immigrant Responsibility Act. The requirements were largely ignored, and eventually modified until the terrorist attacks on September 11 caused us to focus again on the issue.

Congress responded by once again demanding that government implement an exit system with the passage of the USA PATRIOT Act, which stated that an entry and exit data system should be fully implemented for airports, seaports, and land border ports of entry ''with all deliberate speed and as expeditiously as practical.'' Fifteen years ago, that occurred. Congress then reiterated its demand for a biometric entry-exit system in 2002 when it passed the Enhanced Border Security and Visa Entry Reform Act. This bill required the government to install biometric readers and scanners ''at all ports of entry of the United States.'' Subsequently and consistent with the recommendations of the National Commission on Terrorist Attacks Upon the United States, Congress passed the Intelligence Reform and Terrorism Prevention Act of 2004, which mandated that the entry-exit system be biometrically based. That was 12 years ago.

Despite the relative successful implementation of a biometric entry system, the Department of Homeland Security has largely failed to implement this required biometric exit system. To date, Homeland Security has only implemented a handful of pilot programs. They have had one excuse after another, and failed to do so.

There have been some promising developments in recent months, I would note.

Of primary importance is the fact that Congress passed the Consolidated Appropriations Act of 2016. This created a dedicated source of funds for the implementation of a biometric exit system. It has been estimated that this fund will result in approximately $1 billion that will be available solely for the implementation of the biometric exit system required by law. Yet, even with this significant source of funding, the administration continues to dawdle. My amendment will end that delay and bring this matter to a close. It will complete the system that the 9/11 Commission said was essential for our national safety and security.

My amendment simply states that no funds from the FAA bill that we pass can be obligated or expended for the physical modification of existing air navigation facilities—that is, a port of entry—or of the construction of a new air navigation facility intended to be a port of entry, unless the Secretary of Homeland Security certifies that the owner or sponsor of the facility has entered into an agreement that guarantees the installation and implementation of such a facility not later than 2 years after the date of the enactment of the act. In other words, they have to complete the contract to make this system work, and then we give them 2 full years to accomplish it. That is more than enough time.

The amendment allows Customs and Border Protection officers at each airport that serves as a port of entry to create a solution that works specifically for the needs of CPB and the airport. It gives them some flexibility to work these things out. It does, however, require—finally and I hope fully—an agreement that guarantees that the system will be installed and implemented at the airport in 2 years.

These airports drag their feet. Airlines drag their feet. They do not like to be bothered about this. It is not in their priorities, but it is not going to cause them great problems. It is not going to cause the airplanes great problems.

Somebody needs to be representing the national interest around here, what is in the public interest. They don't get to undo a law passed by Congress 20 years ago that should have already been implemented years ago. It is that simple.

This deal could be done in 6 months if we had an administration that was determined to get it done. The equipment is already available all over the country. Many police officers have these screens in their cars. They arrest someone for DUI, and they make them put their hand on the screen, and it runs a check throughout the United States. They find out that someone arrested in Alabama has a warrant for murder in New York City. That is the way the system is working today all over the country. We can't make this work at an international airport to ensure people who have a limited-time visa in the United States actually leave when they are supposed to? And when we find out someone may be a terrorist or connected with some illegal enterprise or terroristic plan, we want to know if they actually left the country or are still in the country. This is something law enforcement—the FBI and Homeland Security—needs to know about.

I was told by one company that there are many competitors who would bid for this work. There are all kinds of systems out there. One manufacturer suggested we should host in the Capitol a products day and let all these companies bring in their systems so staffers and Members of Congress can go out and see what the possibilities are and erase forever this idea that this is somehow impractical, not feasible, and can't be done.

If Apple and Samsung and others can implement technology on your cell phone, on your mobile phones to access them, you can be sure the U.S. Government could work with the airports to complete a biometric exit system, as the law has long required. Such a system will not have large space requirements. U.S. Customs and Border Protection can work with the larger airports with international terminals and install physical equipment at their departure gates. CBP can work with smaller airports to deploy handheld systems at gates handling international flights.

Ultimately, all a passenger exiting the United States needs to do is place his or her hand on a simple screen or, with some devices, even just wave their hand in front of it. We had an expert tell us they have a system you don't even have to touch the screen. You can wave your hand in front of it, it reads the fingerprints, and the device will biometrically identify the passenger as the person exits.

Somebody can take your name, go to the airport, and exit the country with some sort of ID and claim they exited as you were supposed to exit, without this biometric check, because you can use any name. If they clear this screening area, they move into the boarding area. They will be allowed into the boarding area. If there is a hit because the boarder is on some no-fly list because of some danger, the passenger can be denied boarding or removed from the plane before it takes off, and their baggage can be removed from the plane. Importantly, the United States would then have a unified, automatically produced list of those who have departed on time and those who have overstayed their visas.

Colleagues, I would note we are having a huge surge in the number of people who come to this country on a visa and don't go home. It now amounts to over 40 percent of the people illegally in the country who came on a visa, promising to go home at a certain time, yet who are not going home.

We had a Democratic debate a few weeks ago when former Secretary Clinton said: Well, if you are found in the United States unlawfully you should only be deported if you have been indicted or charged with a violent felony.

How did this become the law? You are not allowed to stay in the country. You can't stay in the country if you overstay your visa. That is the law. You are deportable right there, whether you are a good person or not, and even if you never committed a traffic offense. Now we have leadership in this country so detached from law, so detached from the will of the American people, they are saying you can come in and stay for years after overstaying your visa and only be deported if you commit a violent felony.

This has to be brought to a conclusion. The American people want a lawful system of immigration—are they wrong to ask for that?—one that serves the interests of the American people, one that is worthy of a nation that validates the rule of law, or do we just give in? Do we capitulate to lawlessness, and anybody who comes and can get into our country—even for a month, presumably—and who commits a $50,000 bank fraud is not going to be deported because it is not a violent crime, even though the law says otherwise?

Let me just note that for a host of reasons the system should be based on the fingerprint system where we maintain our extensive database. There are eye systems that will read your eyes, we have systems that will read your face, but, colleagues, do not be led into that. We are not ready to do that. There is no data system that supports a face system. Let's stay with the fingerprints, as experts have told us.

Let me also note that numerous countries around the world, including New Zealand, Singapore, and Hong Kong, use a biometric system now. This is proven. There are approximately 17 countries.

Ending this failure has bipartisan support. My subcommittee—the Subcommittee on Immigration and the National Interest—held a hearing on January 20 entitled ''Why is the biometric exit traffic system still not in place?'' During the hearing, we got promises from the administration but no commitment regarding when such a system would actually be deployed.

Just a few weeks later, Secretary Johnson of Homeland Security made statements directing the Department of Homeland Security to begin implementation of the system at our airports by 2018—begin the implementation by 2018. So this is another mere promise—the kind of promises that have never resulted in the production of a system, and that uncertainty must end. The obvious missing piece is an actual completion date. This bill would create that. It is these kinds of lulling comments we have heard for all these years that have kept us from actually following through on the system.

If Congress would like to know why the American people are not happy with their leaders in Washington, this is a good example of it, a very good example. Congress promises to fix a problem, we even vote for a bill to fix it, and in this case we voted for bills to fix it, they passed and became law and require the problem to be fixed, but it doesn't happen. As decades go by, we sit by and nothing ever happens. A special interest group speaks up here and a special interest group speaks up there and somehow it never happens.

It is time to fulfill the promise and commitment to the American people. We promised the American people a system that would demonstrably improve our national security. As noted by former Commissioners on the National Commission on Terrorist Attacks Upon the United States in a report issued in 2014, ''Without exit-tracking, our government does not know when a foreign visitor admitted to the United States on a temporary basis has overstayed his or her admission. Had the system been in place before 9/11, we would have had a better chance of detecting the plotters before they struck.''

We have long known that visa overstays pose serious national security risks. A number of the hijackers on September 11 overstayed their visas. The number of visa overstays implicated in terrorism since then is certainly a significant number. A new poll came out earlier this year that indicates that three out of four Americans not only want the Obama administration to find these aliens who overstay their visas—not just the ones who have committed violent felonies—but also deport them. The same poll indicates 68 percent of Americans consider visa overstays as a ''serious national security risk,'' and 31 percent consider visa overstays as a ''very serious'' national security risk. And there is little doubt about why.

The risks to our national security are too high for us to maintain the status quo. We are having more and more people traveling by air to the United States from around the world. We simply allow them to come on a very generous basis. They commit to leaving after a given period of time. Whether it is for a vacation or a job, they then plan to return to their home country, and we need a system to know if they are complying with that. We must fulfill the promise we made to the American people and do all we can to complete this system. My amendment would do so. It would finally bring this to a conclusion because it would say to the Air Force: We have money to help you do your runways, expand your airports, and do the kinds of things you would like to, but we want this agreement in place first.

Mr. President, I understand that some on the Democratic side intend to object to calling up this amendment. It was my intention at this time to call up this amendment. I don't see any Democrat here, but I have been told that is what they want to do, and they passed that word along. So in an act of courtesy, I will not call up the amendment at this time, but we need to bring it up. Every Democratic member of my subcommittee who attended the hearing—Senators SCHUMER, FEINSTEIN, and FRANKEN—all said they favored fixing this. I think we have a bipartisan agreement if we can get a vote, but, once again, we may not be having a vote. That would be very distressing because I don't see how anybody could oppose the final completion of this much needed product.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from New Hampshire.

NATIONAL EQUAL PAY DAY

Ms. AYOTTE. Mr. President, I rise because it is Equal Pay Day, and I would like to talk about the importance of finally ending gender-based discrimination in wages. It is unfortunate that in the year 2016, this is still an issue we need to address in this country, but it is.

I had the privilege of serving as our State's first female attorney general. I think it is the right thing to do and the obvious thing to do, and under our laws this already exists—that equal pay for equal work should be the standard. All of us should be judged in the workplace by our experience, our qualifications, and our capability of doing our job and nothing else.

Women face many challenges in balancing work and family life. I know that firsthand, being the working mom of two young kids. On top of those challenges, no woman, whether she is a mother or not, should ever face gender-based pay discrimination in the workplace. Today, more than half of New Hampshire's women serve as the primary or coearner in their household. That just underscores the serious need to address this problem.

Men and women should receive equal pay for equal work. It is that simple. Your salary should be based on how you do your job. Because of that, I introduced the Gender Advancement in Pay Act, or GAP Act, along with Senators CAPITO, PORTMAN, BURR, and HELLER, and I thank my cosponsors for supporting this effort.

What we did is we built on a highly successful bipartisan pay equity law that was signed into law in my home State of New Hampshire in 2014. The GAP Act makes it clear that employers must pay men and women equal wages for equal work, without reducing the ability of employers to provide merit pay and reward merit, which all of us want. Having been the first woman attorney general, I want to give women the opportunity to outperform their male counterparts as well because I know we can.

Today, there is a patchwork of laws that govern equal pay and an employee's ability to discuss their pay without fear of retaliation, and differing court opinions have led to a situation where some employees receive protections not available to others simply based on where they live. As such, the

GAP Act is a sensible approach to updating, clarifying, and strengthening these laws.

For 20 years the Paycheck Fairness Act has been around in the Congress. It has never passed. One of the reasons, I think, was described very well in 2010 by the Boston Globe. It said that the Paycheck Fairness Act, as a whole, was too broad a solution to a complex, nuanced problem, but that a narrower bill that would stiffen some penalties and ban retaliation would be helpful. That is exactly what the GAP Act is—a bill that stiffens penalties, bans retaliation, and clarifies the law so that we can ensure we have equal pay for equal work.

In short, my bill updates the Equal Pay Act's ''factor other than sex'' clause. Currently, employers can explain away pay differentials by pointing to a number of factors. One of those was ambiguously written to be a ''factor other than sex.'' Our bill closes this loophole and clarifies that any factor other than sex must be a business-related factor, such as education, training, or experience. It makes sense; doesn't it? Why would you allow a defense of a ''factor other than sex'' that has nothing to do with your job? To me, that seems to be inviting discrimination. That is why we should clarify the law to make clear that it has to be a factor related to your job—such as education, training, or experience. This would clarify the law for employees and protect the rights of employees, and, also, employers would clearly have this provision defined.

The GAP Act also creates a penalty for willful violations. This is actually one step further than New Hampshire's bipartisan pay equity law. So it would put teeth into it, and I think that is important. Employers that knowingly act with the intent to discriminate should have to pay a penalty. What we do with the funds from this penalty is to take the funds and, rather than putting them back in the General Treasury, we are going to study the wage gap issue, make sure we have the best research on what is causing it and what is happening, and find more ways to expand opportunities for women in the workforce with better paying jobs.

The GAP Act would also promote salary transparency. According to the Institute for Women's Policy Research, about half of workers were discouraged or outright prohibited from discussing their pay with coworkers. When employees are allowed to discuss their pay, they are more likely to uncover incidents of discrimination. Yet, if I am not allowed to discuss my pay and I find a coworker who is the same situated as me yet making more money—a male counterpart—and I am not allowed to raise this because I can't discuss pay comparisons, then how am I going to raise a claim of discrimination? So we need to make it more transparent. We need to ensure that employees are allowed to discuss their pay. This will make it more likely to uncover incidents of gender-based pay discrimination.

So our bill prohibits retaliation against employees who discuss their pay, and tells employers they can't institute secret pay policies and they can't ask an employee to bargain away their right to be able to talk about their pay if they choose to.

Importantly, after getting feedback from stakeholders in our States, we made sure that provision is strong. The cosponsors of this bill reintroduced an updated version of this bill this week to ensure that there are stronger provisions for salary transparency and to make it clear that employers cannot sidestep provisions that ban retaliation against employees who discuss their pay. It prohibits pay secrecy policies that could encourage this kind of behavior.

On Equal Pay Day, today, it is very important that we all work together to do anything we can to end the gender wage gap. One of the things we should do is to stop the political posturing. Let's stop using this incredibly important issue as a political football, because legislation like the Paycheck Fairness Act has been around 20 years.

I am glad to introduce the GAP Act, because I believe this is a commonsense piece of legislation that gets at the issue by clarifying our laws in a way that benefits employees. It makes sure it is clear that if you willfully violate our laws, you are going to have to pay a penalty. We are going to take that money, and we are going to put it back into research to further help us address the pay gap. We are also going to make clear for plaintiffs that, if you want to file an EEOC claim and you also want to file an equal pay claim, we will make sure you can do both, and your rights will be protected to do both by staying the statute of limitations while the EEOC claim is going forward. This will help plaintiffs not have to litigate in two forums. This will also allow the EEOC to do their job and, if they find discrimination, to be used in an equal pay act claim. This is another important step for plaintiffs and also to clarify that those who are victims of discrimination are able to bring their rights forward.

On Equal Pay Day today, I hope we can stop making this a partisan issue and start actually passing legislation that will make a difference. In 2014 New Hampshire passed an important law. I was glad New Hampshire did that. I was glad that I could introduce what New Hampshire did here in the Senate on a bipartisan basis and build on that to introduce the GAP Act with some of my colleagues.

I hope today, on Equal Pay Day, we will take up legislation like the GAP Act and address gender-based pay discrimination. We are in 2016. I have an 11-year-old daughter. I don't want to be discussing this 20 years from now. I would like us to work on this in a serious, bipartisan manner, to address this, and to end gender-based pay discrimination once and for all, because equal pay for equal work just makes sense. It is the right thing to do, and it should be how our laws work.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FLAKE. Mr. President, I rise to speak in support of Flake amendment No. 3556.

The amendment is simple. It simply strikes the newly added prohibition in the Visa Waiver Program on citizens of Visa Waiver Program countries who are also dual nationals of certain other countries, such as Iran, Iraq, Sudan, and Syria.

To be clear, this amendment keeps in place all other provisions added to the Visa Waiver Program to improve the security of the program, such as requiring greater information sharing. However, the dual national provision does not provide any meaningful security benefit and, instead, is a detriment to the country and the vast majority of dual nationals who provide a great benefit to the United States.

The problem with the dual national prohibition is twofold. It is both imprecise in its application, and it is difficult, if not impossible, to administer. One reason the prohibition is imprecise is because it prevents travel under the program regardless of travel history. For example, a dual national of Iran who is prohibited from using the Visa Waiver Program need not have ever been to Iran to be prohibited. In fact, there is no clear definition of who qualifies as a dual national, and it demonstrates how this prohibition is impossible to administer.

Many groups have pointed out that there is no international agreement on the rules of nationality, and that many people are dual nationals even if they do not wish to be. For example, there is no automatic way to relinquish one's Iranian nationality. It can only be accomplished if the individual is allowed to do so by the Iranian Council of Ministers and fulfills a number of requirements, including the completion of national military service. Does this sound likely or possible for an individual who has never resided in Iran?

Now, the administration has recently stated that they will determine each potential visitor's nationality on a case-by-case basis. According to them, ''the U.S. government need not recognize another country's conferral of nationality if it determines that nationality to be 'nominal.' ''

They also said ''DHS assesses whether an individual is a national of a country based on an individual's relationship to that country, such as if an individual maintains allegiance to that

country.'' However, the administration would not specify what counts as ''maintains allegiance.''

These examples show that the Visa Waiver Program is gaining nothing when it comes to actual security, and, instead, unfairly prohibits individuals' participation based on meaningless standards.

Furthermore, of greatest concern is the potential for reciprocal treatment of U.S. citizens. Just today, the European Commission asked European Union governments and European lawmakers to suggest what actions the Commission might take due to the lack of visa waivers for some EU citizens. Now, while there are a number of concerns when it comes to reciprocity, this dual nationality provision has not gone unnoticed. Specifically, the Commission stated: ''In parallel to discussing full visa reciprocity, the Commission will continue to monitor the implementation of the changes in the Visa Waiver Program.''

After expressing concerns about the negative consequences of these changes on ''bona fide EU travelers,'' the Commission invited the United States to consider the Equal Protection in Travel Act of 2016 in order to mitigate restrictions imposed on dual nationals. This amendment is that act.

I agree that we should mitigate these restrictions on dual nationals and mitigate the chances of reciprocal treatment for U.S. citizens. The U.S. passport is the most powerful in the world, and we need to ensure it remains that way. We should not threaten that status for a provision that is both imprecise and impossible to administer.

I hope we can have a vote on this amendment, and I hope my colleagues can support it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SULLIVAN. Mr. President, I rise today to speak in support of the Federal Aviation Administration reauthorization bill which is before the Senate and which we have been debating over the last week. Ensuring that our great Nation—States such as Colorado and Alaska that have important aviation industries—has a healthy and safe general aviation community and comprehensive aviation infrastructure is exactly the type of issue this Congress needs to be working on and the type that has been a top priority in previous Congresses.

In my State, aviation has a very rich history and is an incredibly important driver of our economy but also an important element of connecting the entire State. Many aspects of our lives in Alaska rely on commercial and general aviation. Living in a State of such enormous scale with numerous remote communities gives Alaskans a very deep appreciation for air travel, which in many cases provides the only means for transportation for many residents.

One of the things that is very much an honor being in the U.S. Senate is how different Senators come and describe life in their States so all Americans have a better understanding of how the entire country is knitted together, how we work together, but what unique challenges different States have.

For more than 100 communities in Alaska—including regional centers such as Bethel, Nome, Barrow, and Kotzebue—aviation is the only means of getting in or out of those communities since there are no roads. Most States don't understand that. There are no roads, no ferry service, so aviation is critical. Alaska is unique in its dependence on aviation, and we have a very busy, what we call highway of the skies. There are more pilots per capita in my State than any other State in the country. So that means everything from mail, to groceries, to baby diapers has to be flown in by plane to many communities. If someone gets sick and needs to see a doctor, oftentimes that can only be done by air. There are over 400 general aviation airports across Alaska, 250 of which are owned and operated by the State of Alaska, and that doesn't include hundreds of heliports that support mining, timber, the oil and gas industry, and others.

General aviation and aviation infrastructure are critical components of our economy and our quality of life in our State, in Alaska. It is fundamental in terms of connecting people and communities and promoting and sustaining economic development. Indeed, estimates show that the general aviation community contributes over $1 billion a year in economic activity to the State of Alaska's economy and supports over 47,000 jobs; that is 1 in 10 jobs in the entire State.

This is a very important bill. It is an important bill for the State of Alaska, but it is also an important bill for the United States of America. The FAA reauthorization bill will expire in July, and it is important to avoid the uncertainty of more short-term extensions by passing the authorization bill we have had on the floor of the Senate over the last week.

I thank Chairman THUNE and Ranking Member NELSON for all the work they have been doing night and day, really for months on this important bipartisan bill. So far the process has been a model of how the Senate should work.

Our friends in the media love to write the stories about nothing working in the U.S. Senate. I don't think so. There are a lot of important bills moving—the highway bill, the Education bill, human trafficking. Now we are looking at a bipartisan way to address a very important bill for the country; that is aviation, that is aviation infrastructure, and that is aviation security.

Let me talk about some of the substance more broadly for the country and why this bill is so important.

One aspect of the bill is the Pilot's Bill of Rights 2. Building off the success of the initial Pilot's Bill of Rights, this provision continues to make essential reforms for pilots—mostly general aviation pilots who are so important to my State—streamlining an overly burdensome medical certification process, increasing transparency and access to additional information for pilots in all the different aspects of their requirements as to being pilots in the general aviation community. There are provisions that also balance and make essential inroads toward rebalancing the relationship between the FAA and general aviation pilots.

One thing this Senate bill does not do—there has been a discussion over in the House—is it does not transfer the air traffic control services that are so important to many of our States—particularly rural States—to a private corporation.

This bill also, very importantly, strengthens safety for pilots and passengers across the country. You can't pick up the news and not see how important this issue is. From the terror attacks in Brussels, at the airport there, to the Russian flight out of Egypt that went down because of a suspected ISIS attack, to instances of criminal behavior even among U.S. airport employees, events around the world have underscored how important the need for stronger security measures for our Nation's air travel is.

What is really important is this is the Senate taking proactive action. This is not a bill on aviation security where we are reacting to some horrible tragedy, God forbid, in terms of aviation security, whether an accident or a terrorist attack at one of our airports. What we have been doing is looking at the challenges in these areas and taking proactive measures so we don't have to react when there is a terrorist attack or an accident.

So these are comprehensive airline security reforms that are some of the most important that have occurred and that we have debated in this body for over a decade. Let me list just a few of them.

The bill includes several measures for the security of passengers by improving airport employee vetting to ensure that potentially dangerous individuals don't have access to secure areas in our airports, expanding the enrollment in the TSA PreCheck Program so passengers move through security lines into more secure areas more quickly—we saw how important that was in Brussels—and enhancing security for international flights bound for the United States.

Overall, this legislation addresses a growing concern in terms of security, including the cyber security threats facing aviation and air navigation systems for our commercial airlines. The

bipartisan FAA Reauthorization Act does more for passengers and more for security than any bill, at least in the last decade. It is an important bill, it is a good bill for America, and it is a good bill for Alaska. It will advance measures to keep us safer. That is why I am supporting this bill, and I encourage my colleagues to do so as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

NATIONAL EQUAL PAY DAY

Ms. HEITKAMP. Mr. President, as we have heard all day, today is Equal Pay Day. What does that mean? That means that today is the first day women in the workforce—if we separated male and female workers—would actually get a paycheck in the year. That is pretty remarkable, and it is a disparity we have been working on for decades in this country but still have not achieved the parity that we believe is absolutely essential if we are going to be a family-friendly and forward-looking country with a growing and prosperous middle class.

I think way too often the issue of pay equity—the issue of equal pay—is characterized as a woman's issue. It is characterized as something that only elite women care about, and it is characterized as something that is not something for the government to address. Well, I am here to dispel all of those myths. I think we can only fairly say that by shortchanging women, employers are also shortchanging working families. Families need a full salary so they can put food on their table and make sure children have the medical care they deserve.

We have all heard the stark statistic that nationally women only earn 79 percent of what White, non-Hispanic males are paid. In North Dakota, the numbers are even more dramatic. The pay equity there is 71 percent. Women earn just 71 percent of what men make in my State. It is unacceptable. It is unacceptable at a time when—according to a recent study from the Pew Research Center—women are now the leading solo breadwinners in 40 percent of households. That compares to just 11 percent in 1960. It does not make sense that we are still struggling to make the same amount as men for equal work.

Additionally, in North Dakota, 74 percent of children live in households where both parents work. Both parents need to work in order to support their families. When women don't make as much as men, it doesn't just hurt them, but it hurts their children and families across the country.

What is Congress to do about this disparity? We need to pass a paycheck fairness bill. We need to make sure we have this critical piece of legislation, which responds to this concern, in our laws and in the statutes of the United States of America.

What does paycheck fairness do? It would help close the pay gap by taking critical steps to empower women to negotiate for equal pay. I can't tell you the number of times I have heard women in my State say: Well, I just didn't know I wasn't getting paid what a man was getting paid. And employers saying: Well, she didn't ask and he did. I think we need to be able to give the tools to women so they know when there is disparate treatment. We need to close the loopholes the courts have created in the law, we need to create strong incentives for employers to obey the laws that are in place, and we need to strengthen Federal outreach and enforcement efforts.

Looking at pay is only one part of the equation. We also need to pass other family-friendly policies, such as the FAMILY Act, which would establish a Federal paid leave policy.

I can only imagine what the debate was in this body when somebody came up with the idea to introduce employment insurance. I am sure there were a lot of discussions about yet another program and yet another system that would actually add to the payroll tax and add to burdens put on families.

Who today in this body would propose that we eliminate unemployment insurance? It has been a valuable transition opportunity so our workers can look for that next job without disrupting their family payment. As a person whose father was a seasonal construction worker, I know how critical that benefit was to my family when I was growing up. I know unemployment insurance frequently gave our family the ability to put food on the table in my household.

Let's talk about what happens when someone has a baby. Let's talk about what happens when someone's mom gets sick. Let's talk about what happens when we have a catastrophic illness of our own. Many people in my State—in fact, the majority of people in my State—do not have 1 day of paid leave. So their choice is to take care of their family's health conditions or to take care of their newborn child and just quit their job or go on unpaid leave and actually not receive a salary.

How many people can go on unpaid leave and not receive salary? Not a lot. What it means is that frequently when people have to transition away from work, all of a sudden that person qualifies for food stamps, qualifies for Medicaid, and qualifies for other government assistance programs. The cost to the employer for those government programs is equal to the price of a cup of coffee a week. For $1.50 a week per employee, we can provide this benefit. How do we know we can provide this benefit? Because we have States that have done it. California, which restricted their payment, I believe, to 50 percent to families who used this insurance benefit, recently upped that amount to 70 percent. This bill would put it at 66 percent.

The FAMILY Act is also a critical piece of legislation that moves our employment economy into the 21st century. It actually recognizes that women are in the workplace, and they are in the workplace for real and permanently. It recognizes that when we have family-friendly policies, we have a better workforce, we have a more economical workforce, and we have an opportunity for employers to keep their businesses.

Recently, in North Dakota, Senator GILLIBRAND and I traveled around the State talking about our paid leave policy in the FAMILY Act. We were in a small business with less than 10 employees. The owner said he would love to provide this benefit, but there was no way he could economically afford it. If anything happened to one of his employees, there would be no way he could give this benefit and also hire a temporary worker. If he had the opportunity to share that risk broadly with all small employers in the country, that shared risk would then make this benefit available to him, and he could keep his employees. He could keep those employees whom he trained, and he could make sure they were better employees when they came back because they have that benefit.

We need to understand this isn't just about the girls. This isn't just about the women of the Senate standing up. It is about a shared experience we have all had. It is a shared experience of having to choose between going home and taking care of your mother or actually feeding your family. That is not much of a choice. When we look at why people are angry in America today and why they feel like they are not getting ahead, it is because they are falling further and further behind because we aren't adopting 21st century policies, such as the FAMILY Act, equal pay for equal work, and recognizing the value of what women do.

I will close with a true story. When I was in college, between my freshman and sophomore year, I was a nanny. It was very rewarding. I loved the kids, but it was hard work and it was 24/7. After working as a nanny, I was a construction worker. Do you know why I worked construction? I was paid better and the work was not as difficult. I worked in a factory cleaning pipes, I worked on road construction, and I worked on rural water construction. Yes, that is hard work, and I was a laborer in all of those jobs. It is hard work, but none of it is as hard as taking care of children, sick people, or the elderly. Yet in America those jobs pay less.

It is time we evaluate what is happening in the workplace and what is happening to America's families so we can adopt these family-friendly policies. In fact, we need to listen to our constituents so we can have empathy for the challenges of American families. When that empathy finds its way to public policy in the halls of Congress, people will once again feel reconnected to their government.

I encourage everyone who hasn't taken a look at pay equity and hasn't yet taken a look at the FAMILY Act to

understand and appreciate what this can do for their constituents, what this can do for the American workplace, and how we can help small businesses provide the services and benefits they need to provide so they can compete in this very competitive workforce environment.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 3464, AS AMENDED

Mr. MCCONNELL. Mr. President, I move to table the Thune amendment No. 3464.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

AMENDMENT NO. 3679

(Purpose: In the nature of a substitute)

Mr. MCCONNELL. Mr. President, I call up substitute amendment No. 3679.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. THUNE, proposes an amendment numbered 3679.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion for the substitute amendment to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 3679.

Mitch McConnell, Daniel Coats, Roger F. Wicker, Roy Blunt, Orrin G. Hatch, Thom Tillis, John Hoeven, Rob Portman, James Lankford, John Thune, Mike Rounds, John Cornyn, John Barrasso, Johnny Isakson, James M. Inhofe, Jerry Moran, Kelly Ayotte.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion for the bill to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 55, H.R. 636, an act to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

Mitch McConnell, Daniel Coats, Lamar Alexander, Bob Corker, Roger F. Wicker, Orrin G. Hatch, Thom Tillis, John Hoeven, Kelly Ayotte, John Thune, Mike Rounds, Roy Blunt, John Cornyn, Pat Roberts, John Barrasso, Johnny Isakson, James M. Inhofe.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 3680 TO AMENDMENT NO. 3679

Mr. THUNE. Mr. President, I call up amendment No. 3680.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. THUNE] proposes an amendment numbered 3680 to amendment No. 3679.

Mr. THUNE. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strike and replace section 4105)

Strike section 4105 and insert the following:

SEC. 4105. ADS-B MANDATE ASSESSMENT.

(a) ASSESSMENT.—Not later than 1 year after the date of enactment of this Act, the Inspector General of the Department of Transportation shall assess—

(1) Administration and industry readiness to meet the ADS–B mandate by 2020;

(2) changes to ADS–B program since May 2010; and

(3) additional options to comply with the mandate and consequences, both for individual system users and for the overall safety and efficiency of the national airspace system, for noncompliance.

(b) REPORT.—Not later than 60 days after the date the assessment under subsection (a) is complete, the Inspector General of the Department of Transportation shall submit to the appropriate committees of Congress a. report on the progress made toward meeting the ADS–B mandate by 2020, including any recommendations of the Inspector General to carry out such mandate.

MORNING BUSINESS

THREAT TO INDONESIA'S ORANGUTANS

Mr. LEAHY. Mr. President, a December 16, 1997, New York Times article entitled ''Asia's Forest Fires, Scant Mercy for Orangutans'' described the widespread illegal logging and slash and burn agriculture that posed an existential threat to the orangutan, one of the world's only four species of great apes. It was after reading that article and speaking to scientists who had devoted their lives to saving the orangutan from extinction that I started a program in the foreign aid budget to help protect their rapidly shrinking habitat.

Orangutans live in only two places on Earth, Borneo and Sumatra, and since I first learned of the threats they are facing, the U.S. Agency for International Development has provided millions of dollars to nongovernmental organizations in Indonesia to try to ensure their survival in the wild.

Important progress has been made. Back when the program started, it was feared that the orangutan would be extinct in the wild within 15 years if nothing was done. That has not happened, but their survival is far from assured, as an article in the April 6, 2016, edition of the New York Times entitled ''Adapting to Life as Orphans, Fires and Corporate Expansion Threaten Indonesia's Orangutans,'' describes. It reminded me of what had sparked my attention 20 years ago and how much more there is yet to do.

Orangutans and humans share 97 percent of the same DNA. They are extraordinarily intelligent animals and physically far stronger than humans, but today, like all species, their survival depends on humans.

The Indonesian Government has taken steps to change people's attitudes toward orangutans, so they are recognized as deserving of protection, not as pests to be killed or captured and kept as pets. In many ways, the orangutan is or could be Indonesia's equivalent of China's Giant Pandas which are protected and admired around the world.

Among the biggest threat to orangutans today is the palm oil industry, which is responsible for the destruction of huge areas of tropical forest where orangutans live. The fires used to clear the forest for the planting of palm oil trees has caused havoc on the environment and public health, contributing not only to the destruction of species but widespread drought.

The New York Times describes this increasingly precarious situation. I want to quote a few passages from that article:

''The blazes destroyed more than 10,000 square miles of forests, blanketing large parts of Southeast Asia in a toxic haze for weeks, sickening hundreds of thousands of people and, according to the World Bank, causing $16 billion in economic losses.''

''They also killed at least nine orangutans, the endangered apes native to the rain forests of Borneo and Sumatra. More than 100, trapped by the loss of habitat, had to be relocated. Seven orphans, including five infants, were rescued and taken to rehabilitation centers here.''

''Indonesia has approved palm oil concessions on nearly 15 million acres of peatlands over the last decade; burning peat emits high levels of carbon dioxide and is devilishly hard to extinguish.''

''Multinational palm oil companies, pulp and paper businesses, the plantations that sell to them, farmers and even day laborers all contribute to the problem.''

''While it is against Indonesian law to clear plantations by burning, enforcement is lax. The authorities have