



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 161

WASHINGTON, FRIDAY, JULY 24, 2015

No. 117

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 27, 2015, at 12 p.m.

## Senate

FRIDAY, JULY 24, 2015

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord our God, You soar upon the wings of the wind. Increase our faith, hope, and love that we may receive Your promises.

As our lawmakers seek to humbly do Your will, impart to them Your strength. Lord, pursue and overtake their adversaries, so that Your will may be done on Earth. Show our Senators Your loving kindness, enabling them to serve Your purposes for their lives in this generation.

Sustain us all in the day of calamity, for we find our delight in You. Show mercy to the merciful, purity to the pure, and justice to the upright.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. CAPITO). Under the previous order, the leadership time is reserved.

### HIRE MORE HEROES ACT OF 2015— MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the pending business.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 19, H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. Under the previous order, all time is yielded back.

The question is on agreeing to the motion.

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Tennessee (Mr. CORKER), the Senator from Arkansas (Mr. COTTON), the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), the Senator from Ohio (Mr. PORTMAN), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Delaware (Mr. CARPER), the Senator from Delaware (Mr. COONS), the Senator from New York (Mrs. GILLIBRAND), the Senator from Massachusetts (Mr. MARKEY), the Senator from Missouri (Mrs. MCCASKILL), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), the Senator from Vermont (Mr. SANDERS), and the Senator from New York (Mr. SCHUMER), are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 26, as follows:

[Rollcall Vote No. 252 Leg.]

### YEAS—51

Ayotte	Feinstein	McCain
Baldwin	Fischer	McConnell
Barrasso	Franken	Perdue
Boxer	Gardner	Peters
Burr	Graham	Risch
Capito	Grassley	Roberts
Cassidy	Hatch	Rounds
Coats	Heitkamp	Schatz
Cochran	Hoeben	Sessions
Collins	Isakson	Shaheen
Cornyn	Johnson	Stabenow
Crapo	King	Sullivan
Daines	Kirk	Tester
Donnelly	Klobuchar	Thune
Durbin	Lankford	Tillis
Enzi	Leahy	Whitehouse
Ernst	Manchin	Wicker

### NAYS—26

Bennet	Brown	Cardin
Blumenthal	Cantwell	Casey

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S5565

Cruz	Murkowski	Scott
Heinrich	Murphy	Shelby
Hirono	Paul	Udall
Kaine	Reed	Warner
Lee	Reid	Warren
Merkley	Rubio	Wyden
Mikulski	Sasse	

## NOT VOTING—23

Alexander	Flake	Murray
Blunt	Gillibrand	Nelson
Booker	Heller	Portman
Boozman	Inhofe	Sanders
Carper	Markey	Schumer
Coons	McCaskill	Toomey
Corker	Menendez	Vitter
Cotton	Moran	

The motion was agreed to.

## HIRE MORE HEROES ACT OF 2015

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

## AMENDMENT NO. 2266, AS MODIFIED

Mr. MCCONNELL. Madam President, I call up amendment No. 2266, as modified with the changes at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2266, as modified.

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, as modified, is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Developing a Reliable and Innovative Vision for the Economy Act" or the "DRIVE Act".

## SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into 8 divisions as follows:

(1) Division A—Federal-aid Highways and Highway Safety Construction Programs.

(2) Division B—Public Transportation.

(3) Division C—Comprehensive Transportation and Consumer Protection Act of 2015.

(4) Division D—Freight and Major Projects.

(5) Division E—Finance.

(6) Division F—Miscellaneous.

(7) Division G—Surface Transportation Extension.

(8) Division H—Budgetary Effects.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Definitions.

Sec. 4. Effective date.

## DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

## TITLE I—FEDERAL-AID HIGHWAYS

## Subtitle A—Authorizations and Programs

Sec. 11001. Authorization of appropriations.

Sec. 11002. Obligation ceiling.

Sec. 11003. Apportionment.

Sec. 11004. Surface transportation program.

Sec. 11005. Metropolitan transportation planning.

Sec. 11006. Statewide and nonmetropolitan transportation planning.

Sec. 11007. Highway use tax evasion projects.

Sec. 11008. Bundling of bridge projects.

Sec. 11009. Flexibility for certain rural road and bridge projects.

Sec. 11010. Construction of ferry boats and ferry terminal facilities.

Sec. 11011. Highway safety improvement program.

Sec. 11012. Data collection on unpaved public roads.

Sec. 11013. Congestion mitigation and air quality improvement program.

Sec. 11014. Transportation alternatives.

Sec. 11015. Consolidation of programs.

Sec. 11016. State flexibility for National Highway System modifications.

Sec. 11017. Toll roads, bridges, tunnels, and ferries.

Sec. 11018. HOV facilities.

Sec. 11019. Interstate system reconstruction and rehabilitation pilot program.

Sec. 11020. Emergency relief for federally owned roads.

Sec. 11021. Bridges requiring closure or load restrictions.

Sec. 11022. National electric vehicle charging and natural gas fueling corridors.

Sec. 11023. Asset management.

Sec. 11024. Tribal transportation program amendment.

Sec. 11025. Nationally significant Federal lands and Tribal projects program.

Sec. 11026. Federal lands programmatic activities.

Sec. 11027. Federal lands transportation program.

Sec. 11028. Innovative project delivery.

Sec. 11029. Obligation and release of funds.

## Subtitle B—Acceleration of Project Delivery

Sec. 11101. Categorical exclusion for projects of limited Federal assistance.

Sec. 11102. Programmatic agreement template.

Sec. 11103. Agency coordination.

Sec. 11104. Initiation of environmental review process.

Sec. 11105. Improving collaboration for accelerated decision making.

Sec. 11106. Accelerated decisionmaking in environmental reviews.

Sec. 11107. Improving transparency in environmental reviews.

Sec. 11108. Integration of planning and environmental review.

Sec. 11109. Use of programmatic mitigation plans.

Sec. 11110. Adoption of Departmental environmental documents.

Sec. 11111. Technical assistance for States.

Sec. 11112. Surface transportation project delivery program.

Sec. 11113. Categorical exclusions for multimodal projects.

Sec. 11114. Modernization of the environmental review process.

Sec. 11115. Service club, charitable association, or religious service signs.

Sec. 11116. Satisfaction of requirements for certain historic sites.

Sec. 11117. Bridge exemption from consideration under certain provisions.

Sec. 11118. Elimination of barriers to improve at-risk bridges.

Sec. 11119. At-risk project preagreement authority.

## Subtitle C—Miscellaneous

Sec. 11201. Credits for untaxed transportation fuels.

Sec. 11202. Justification reports for access points on the Interstate System.

Sec. 11203. Exemptions.

Sec. 11204. High priority corridors on the National Highway System.

Sec. 11205. Repeat intoxicated driver law.

Sec. 11206. Vehicle-to-infrastructure equipment.

Sec. 11207. Relinquishment.

Sec. 11208. Transfer and sale of toll credits.

Sec. 11209. Regional infrastructure accelerator demonstration program.

## TITLE II—TRANSPORTATION INNOVATION

## Subtitle A—Research

Sec. 12001. Research, technology, and education.

Sec. 12002. Intelligent transportation systems.

Sec. 12003. Future interstate study.

Sec. 12004. Researching surface transportation system funding alternatives.

## Subtitle B—Data

Sec. 12101. Tribal data collection.

Sec. 12102. Performance management data support program.

## Subtitle C—Transparency and Best Practices

Sec. 12201. Every Day Counts initiative.

Sec. 12202. Department of Transportation performance measures.

Sec. 12203. Grant program for achievement in transportation for performance and innovation.

Sec. 12204. Highway trust fund transparency and accountability.

Sec. 12205. Report on highway trust fund administrative expenditures.

Sec. 12206. Availability of reports.

Sec. 12207. Performance period adjustment.

Sec. 12208. Design standards.

## TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

Sec. 13001. Transportation Infrastructure Finance and Innovation Act of 1998 amendments.

## TITLE IV—TECHNICAL CORRECTIONS

Sec. 14001. Technical corrections.

## TITLE V—MISCELLANEOUS

Sec. 15001. Appalachian development highway system.

Sec. 15002. Appalachian regional development program.

Sec. 15003. Water infrastructure finance and innovation.

Sec. 15004. Administrative provisions to encourage pollinator habitat and forage on transportation rights-of-way.

Sec. 15005. Study on performance of bridges.

Sec. 15006. Sport fish restoration and recreational boating safety.

## DIVISION B—PUBLIC TRANSPORTATION

## TITLE XXI—FEDERAL PUBLIC TRANSPORTATION ACT

Sec. 21001. Short title.

Sec. 21002. Definitions.

Sec. 21003. Metropolitan transportation planning.

Sec. 21004. Statewide and nonmetropolitan transportation planning.

Sec. 21005. Urbanized area formula grants.

Sec. 21006. Fixed guideway capital investment grants.