

Federal regulations and then provided necessary consumer protections. That is what people want. Now, maybe some of these big financial interests don't want it because the plans the States head up will be a lot cheaper than the private sector plan, but we have to adapt to the 21st century. Any way we can help people with security in their golden years with retirement savings, we should.

Here is another issue. We hear a lot from our colleagues on the other side of the aisle about States' rights. This regulation doesn't force the States to do it. It allows the States to do it. It gives them a choice. This CRA vote would re-regulate the States.

My Republican friends—who spare no opportunity to decry regulation and exhort States' rights—will impose a new regulation on States from Washington. My Republican friends talk about increasing Americans' freedom of choice in all sorts of matters. What about their choice in terms of retirement, one of the most important things to the American people. Middle-class incomes are squeezed in so many different directions. It is harder to scrape and save for retirement when the cost of college, medicine, and other essentials go up while take-home pay is stagnant. It makes sense to give Americans a choice to start saving earlier, at a lower cost, for retirement. That is why 23 State Treasurers from States across the political spectrum—across Utah and Kentucky, our two speakers before me—have written to their Senators opposing this CRA. Red States and blue States alike want to pursue this option. Polling shows that across party lines, 77 percent of voters support State-facilitated retirement savings, but Republicans want to block it. We haven't heard one good reason—one good reason. We know the real reason. Financial institutions don't want competition, particularly if it is a little cheaper for the worker.

Another example of special interests taking hold of the Republican agenda: Almost every one of these CRAs has been at the behest of a narrow special interest over the interests of working Americans. Unfortunately, it is a metaphor for both the new Trump administration and how our Republican colleagues are marching in lockstep to support the wealthy—people doing great—over the middle class and working people who need help.

President Trump promised over and over again in his campaign to stick up for working Americans. He said he would be their voice and their champion. Since he has taken office, President Trump sure hasn't governed that way. He is pursuing policy after policy that would help the wealthy and hurt the middle class, breaking promise after promise after promise to working Americans. I ask him to veto this legislation.

Leader PELOSI and I are putting out a statement that asks just that. Stand up for working people. There is no good

argument against what the Obama administration did. There is no good argument against letting workers decide on their own volition that they want a retirement plan and are willing to put some money into it.

This CRA is another test. If our President and our Republican colleagues were truly a champion of working men and women, they wouldn't support this resolution. If President Trump were truly a champion of working men and women, he would veto this resolution. We call on him to do so.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

REMEMBERING ROSE LANDRY LONG

Mr. CASSIDY. Mr. President, I rise to pay honor to Rose Landry Long. This past week, the State of Louisiana lost a caring mother, loving grandmother, supportive spouse, and, to me, my wife, and so many back home, a dear friend. Rose Landry Long left us too soon, but she will always be remembered. My wife Laura and I had the pleasure of knowing Rose and her wonderful family for over 10 years. We taught two of her grandchildren in our Sunday school class.

Rose was born in Natchitoches, LA, to a French-speaking Cajun family. English was her second language. She graduated from Gueydan High School and became the first person from her family to attend college. There she met her husband, Gerald Long, at Northwestern State University.

A sidenote about Gerald: He is a member of the famous Long family, which includes Huey Long, Earl Long, Speedy Long, Jimmy Long, and many others—respectively, Senators, Governors, Congressmen, and State elected officials.

When Gerald was elected to the Louisiana Senate, Rose came to Baton Rouge and befriended everyone, Republicans and Democrats alike. Just out of being so concerned and loving toward others, she quickly became the center of activity and encouragement for so many. Rose had a way of reaching out to people, connecting with them and making them understand how much she cared for them. You could see each person respond to that care and love.

Rose was a tremendous woman of God. She loved the Lord and was always interested in sharing her love for Him with others. She led Bible studies in every town in which she lived. In Baton Rouge, she led a Bible study for Senate staff, legislators' spouses, which my wife Laura attended. Her

commitment to Jesus Christ was embedded in her values and made her the great woman we will remember. Her ability to pass these values to friends and family will live on as a part of her legacy.

Rose Landry Long will be remembered as a great mother, grandmother, and wife, but more than anything, as someone who served others by loving others.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Connecticut.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MURPHY. Mr. President, I am on the floor today to talk about the CRA resolution pending before the Senate today.

I really can't keep track of when my colleagues on the Republican side are for State innovation and when they are against State innovation.

When it comes to Medicaid, the Republicans seem to be very willing to hand a bunch of money over to the States, no strings attached, and let them figure out what to do with it. That is the essence of the bill that cuts \$800 billion from Medicaid that is pending before the House of Representatives today. When it comes to retirement, right now we are engaged in a debate that would rip away from States the ability to innovate on behalf of their constituents to try to get them access to retirement savings.

I can't figure out when my Republican friends want States to innovate and when they want to take away from States the ability to deliver results to their constituents.

Let's be honest. We have a retirement crisis in this country right now. The majority of Americans barely have enough money saved to last 2 or 3 years after they retire. Everybody knows this. And the people who are affected by this retirement crisis aren't exclusively Democrats. They aren't exclusively Republicans. They aren't just liberals. They aren't just conservatives. No matter where you live, today you are more likely than not to not have enough money in order to retire. So States have figured this out. My State is one of them.

Many States have recognized that one of the biggest barriers to retirement savings today is the fact that if you work for a small employer, you probably don't have an employer-sponsored retirement plan. In fact, there are over 50 million Americans today who do not have, through their employer, a retirement plan available to them.

Why is that a big deal? Well, it is a big deal because that is the most likely way you save today. In fact, for those 50 million Americans who don't have access to retirement through their employer, only 5 percent of them are going outside of their employer to set up a retirement plan. There are a variety of reasons for that. Sometimes,

people who are working for a company that doesn't offer retirement are making such a small amount of money, they simply don't have the means to save, but many more simply look at the private retirement savings industry as so convoluted and confusing, so opaque, that they don't even attempt to intersect with it.

So we know we have a problem on our hands. We know there are all these Americans who cannot get retirement through their employer, largely because they work for small employers. We know that if you don't get your retirement through your employer, you are unlikely to go out and get it on your own.

Employers would love to do more for their employees. This isn't about employers not wanting to provide a retirement plan for their employees. The problem is that for an employer who only has 3 or 4 or 5 or 10 or 15 employees, it is prohibitively expensive to provide a retirement plan.

A recent op-ed from an Oregon business owner showed that for him, it would cost about \$1,100 per employee just in fees to establish a retirement plan. That is not even counting any possible contribution the employer would make. So you can see that for a small restaurant owner or a small retail grocer, they are not likely to provide a retirement plan to their six employees when it costs them \$1,000 per employee to do it. Their employees are on their own. Again, very few of them are actually going and setting up their own retirement.

Why does this matter to us? Well, it matters to us first because I think we have a policy obligation to try to help people save for retirement, but it also matters to us here in Washington because to the extent people don't have retirement, they are going to be more likely dependent on the programs that are already busting our budget, like Social Security and Medicare and Medicaid. If you don't have any retirement savings, then you are going to go on Medicaid much earlier, meaning the Federal expenditure that we are all on the hook for, and all of our constituent taxpayers are on the hook for, starts getting spent earlier. So, just as a matter of fiscal prudence, we should be helping people pile up private retirement savings because it will result in less liability for public retirement programs. Yet we are not doing that.

We talk a lot about trying to help people save for retirement, but we are not passing any groundbreaking legislation that helps Americans to save for retirement. Senator ISAKSON and I have this small little bill that says on your retirement statement it should just tell you that if you continue to save at a current amount—this is for people who have employer-sponsored plans—this is how much you will get per year when you retire, just so there is some transparency, so that people can look at the amount they are putting away and be able to clearly and easily under-

stand whether that is going to actually be able to pay for their expenses when they retire. We can't even get that piece of legislation passed through the Congress. That is just a transparency provision.

Let's be honest. The industry is not providing answers either. The industry has had decades to try to figure out how to be more relevant for individuals who don't have an employer-sponsored plan. That number is still at 5 percent. So the industry, maybe hamstrung by Federal rules or State rules, has not been able to fill this void.

So we have this massive number of people who don't have anywhere near the money necessary to retire. The Federal Government is not providing any answers and private industry is not providing enough answers, so States have begun to pick up the ball.

Here is what States are doing. I think there are about 12 States that have either adopted this kind of program that I am about to describe or are in the process of adopting it. States like Connecticut have said: OK. Here is what we are going to do. For employees who don't have an employer-sponsored plan, we are going to allow for those employees to enroll in a private retirement plan, with the State as the conduit.

If the employer can't do it because the fees are too much, then we will give those employees the option to enroll in a private retirement plan, have a portion of their earnings withheld with the State as the conduit. OK. States are deciding to do this. It is supported by constituents across the ideological spectrum. I looked at a survey the other day that said that amongst self-identified conservative voters, three-quarters of them wanted States to be able to have the ability to set up these conduit accounts for people who don't have retirement through their employer. Connecticut has done this; a handful of other States have done it.

The Federal Government needed to clarify, through regulation, how ERISA rules would apply to these State innovations. Why? Well, because ERISA is really designed to regulate the relationship between an employer and the plan they sponsor and the employee. But in the case of these State-backed retirement plans, there is no traditional employee-employer relationship between the person who is enrolled in the plan and the State of Connecticut, in this instance, which is providing the access to the private plan. So a regulation was proffered by the Obama administration that clarified that ERISA rules will not apply to these plans in the same way they apply to the traditional employer-sponsored retirement plans.

ERISA is just a mismatch for this State-based innovation. It seems like a pretty routine regulatory function—the Federal Government clarifying how ERISA rules should apply to those State-based innovations. Nobody had a problem with this, except for the big

retirement companies—except for the big Wall Street companies that invented, in their minds, that they would be losing business to these State innovations whereby individuals would get enrolled in private accounts through a State-endorsed conduit.

There are two problems with that. First, the States are not running these retirement plans. All the State is doing is providing access for individuals to a privately run fund. Second, it is not taking any business away from these retirement plans because these people were not going to private retirement plans in the first place. Only 5 percent of people who did not have retirement through their employer were finding a way to a privately run plan themselves. So there was no risk that Wall Street or these big retirement funds were going to lose business.

We don't need to do this just because the big retirement companies have imagined in their minds that they are not going to have access to a set of business that they were not offering in a way that was relevant or cost-effective.

You know, Republicans are either for State-based innovation or they are not. You can't be for State-based innovation when it aligns with a special interest, and then be against it when it misaligns with a special interest. States are innovating to solve a problem that we are not solving. Connecticut—we are representative of other States that have done this.

The consequences of what we are about to do are real. You are talking about 600,000 people in my State who had access to retirement savings who will have it ripped away from them if this CRA passes. That is real. When you combine all of the States together that have passed these innovative retirement plan programs, the number is 12 million.

If your State does not want to do it, they don't have to. If Arkansas does not want to do it or Wyoming does not want to do it, if Tennessee does not want to do it, they don't have to. But why take away from the people of Connecticut the ability to set up a way for employees of very small businesses to save for retirement? Why do you care what we do in Connecticut if that is what my constituents want? Is it just because the big retirement companies told you that they were going to lose business? That is not true. But even if it is, it should be up to the people of Connecticut as to whether we innovate in a way to try to provide more retirement savings to the people of our State. It does not hurt Republican Members if Connecticut does it or California does it.

It feels as if we are scraping the bottom of the barrel when it comes to these CRAs. It feels as if we are going out and asking every special interest group whether they have any remaining problems, minor as they may be, with regulations that were passed at the end of the administration and opening the floor to any and all.

I know there are Republicans who are going to vote no. I know there are some Republicans who have a deep problem with the fact that the Congress is taking away from States the ability to innovate on the question of retirement.

I hope there are enough that this CRA goes down because the consequences to many of our States will be big. Frankly, it will chill any State's interest in trying to solve this problem because you are telegraphing that anytime a State tries to step in and deliver more access to retirement, if it slightly rubs the big retirement companies the wrong way, you are going to step in and take that power away from them. So why would a State step in ever again to try to do something for people who need access to retirement?

If my Republican friends are coming to this floor with a really sound plan to replace the plan that we developed in Connecticut—if Republicans said: Do you know what? I don't think that it makes sense to do this in a patchwork way, this State innovating this way, this State innovating that way; we are going to come in and pass a really comprehensive approach to giving people who work for small companies access to retirement. That is a reasonable conversation to have, but you are not.

Republicans are not offering the people of my State any alternative. All they are doing is robbing from 12 million Americans the ability to get access to retirement. This is a crisis. If we are not going to deal with it and the industry is not going to deal with it, let States deal with it.

This is a terrible, terrible thing that we are doing later today. I think it is going to be a really close vote because I think there are Republicans who know it. I hope there are a few more who think about the message being sent to the States. Think about the fact that on one day you are for State-based innovation, and the next day you are against it.

We have time to allow for States to continue these innovations. I hope we will take advantage of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Senator from Connecticut, who frames this exactly correctly on the vote that we are about to take on a motion to proceed to yet another CRA that will be another broken promise on the part of President Trump and Republicans. President Trump said that he would help workers and put them first. But the legislation we are about to move to will get in the way of our States' efforts to expand access to retirement savings programs, which is something that so many workers in this country really need.

President Trump said that he would drain the swamp, but by rolling back this rule in question, as Republicans are proposing today, President Trump and his party are sending yet another

very clear message, on top of many others in the last 100 days. They are listening to Wall Street rather than working families.

This rule—all it does is clarify an existing safe harbor that affords flexibility to States that want to give workers more options for their retirement. It is not complicated. It would do a lot of good for families across the country, including in my home State of Washington.

I will have a lot more to say this afternoon, as I know many of our colleagues will, but this is about taking away the options for people's retirement security. I hope the Senate will turn this down.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR—MOTION TO PROCEED

Mr. McCONNELL. Mr. President, I move to proceed to H.J. Res. 66.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 66, disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees.

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

Mr. McCONNELL. Mr. President, 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 senior assistant legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN) is necessarily absent.

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

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 119 Leg.]

YEAS—51

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heller	Rounds
Cochran	Hoeven	Rubio
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	McCain	Tillis
Enzi	McConnell	Toomey
Ernst	Moran	Wicker

NAYS—48

Baldwin	Cantwell	Cortez Masto
Bennet	Cardin	Donnelly
Blumenthal	Carper	Duckworth
Booker	Casey	Feinstein
Brown	Coons	Franken

Gillibrand	Markey	Schumer
Harris	McCaskill	Shaheen
Hassan	Menendez	Stabenow
Heinrich	Merkley	Tester
Heitkamp	Murphy	Udall
Hirono	Murray	Van Hollen
Kaine	Nelson	Warner
King	Peters	Warren
Klobuchar	Reed	Whitehouse
Leahy	Sanders	Wyden
Manchin	Schatz	Young

NOT VOTING—1

Durbin

The motion was agreed to.

DISAPPROVING A RULE SUBMITTED BY THE DEPARTMENT OF LABOR

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 66) disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. The Republicans yield back 4 hours of the majority's time.

The PRESIDING OFFICER. The majority has 1 hour remaining.

Mr. PORTMAN. We have 1 hour remaining. We will keep our hour.

The PRESIDING OFFICER (Mrs. ERNST). If no one yields time, the time will be charged equally.

The Senator from Maine.

UPWARD BOUND PROGRAM

Mr. KING. Madam President, around here we often discuss bureaucracy and regulation and overreach and government getting out of the way. I want to point out and bring to the attention of the Senate and the American people one of the most ridiculous actions of any government at any level that I have ever encountered.

There is a wonderful program that provides support for students going on to college, particularly low-income students and particularly in rural areas. Every year our colleges and colleges across the country file applications for this program called Upward Bound. It is one of the most successful programs of the Federal Government that I have encountered. I have met the students in Maine and from other parts of the country. It is a program that helps these students make the transition from their communities to colleges and to gain a college education.

Applications are necessary, and applications have rules about the size of the paper and that kind of thing. What has happened in this case, on the application of the University of Maine at Presque Isle—affectionately called UMPI—the University of Maine at Presque filed its application, which was 65 pages. They met all the requirements, but they made a terrible mistake. The rules of the Department of Education say that the application must be double-spaced. Indeed, the application is double-spaced, except for