

already signed on the dotted line and paid the dealer in full.

Republicans in the House were so worried about how bad the CBO score might be, they rushed TrumpCare through—no hearings, no debate, no score. Never mind that this legislation remakes one-sixth of our Nation's economy. It has life-and-death consequences for millions of American families.

Republicans were haunted by the ghost of CBO scores past, so they went ahead without one.

When the CBO analyzed the first version of TrumpCare earlier this year, it concluded that 24 million fewer Americans would have health insurance if it became law. We also learned the bill would gut Medicaid, crush seniors with higher premiums, and would increase out-of-pocket expenses for Americans of all ages with higher deductibles and copays.

Given that there were few differences between the first and second versions of TrumpCare, we can expect that today's CBO analysis will likely show many of the same grave consequences as the first one. Only now, of course, TrumpCare includes a new amendment that allows States to opt out of the requirement to cover people with pre-existing conditions. It is hard to imagine such an amendment would make CBO's score any better than the last, and it could certainly raise a lot of new questions.

Does the deal the Freedom Caucus got with the second version of TrumpCare violate the rules of reconciliation? Will the House have to change the bill and take yet another vote on TrumpCare? We know they don't want to do that.

We also don't know the answer to these questions, and we may not know the answers even after seeing today's CBO analysis. But all of these open questions demonstrate how reckless it was for Republicans to vote on this bill without properly vetting it first.

I yield the floor to my good friend, the senior Senator from Vermont, the former and hopefully future Senate President pro tempore.

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#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

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#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

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#### EXECUTIVE SESSION

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#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive ses-

sion to resume consideration of the Sullivan nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John J. Sullivan, of Maryland, to be Deputy Secretary of State.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to proceed as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE PRESIDENT'S BUDGET

Mr. LEAHY. Mr. President, yesterday, we received President Trump's first budget submission. He calls it "A New Foundation for American Greatness." Well, that might get an award for fiction, but it couldn't be further from the truth.

Instead of building a foundation for the American people, it pulls the rug out from under them. This budget has to be understood as something more than just a photo op with a slogan.

The President's budget displays a fundamental lack of understanding of the role of government of, by, and for the people in supporting the middle class, lifting up the most vulnerable among us and serving our values and interests as a Nation. It proposes to cut nondefense discretionary spending by over \$1.5 trillion; that is, \$1,500,000,000 over 10 years, including a \$54 billion cut in fiscal year 2018 and a \$260 billion cut by 2027. This would be a 40-percent cut to nondefense programs in 10 years.

This is not only shortsighted, it is irresponsible and unrealistic. We should be supporting opportunity, and we should be creating jobs, not eliminating them. What this country needs is jobs. We should be caring for our veterans. We should promote our health and the environment. These are important to all people. It doesn't make any difference what political party you belong to. We shouldn't be recklessly slashing vital lifelines to the American people.

Sequestration has had devastating consequences for both defense and non-defense programs. These consequences are going to last a generation. The Trump budget would only extend and deepen those problems.

We are nearing the Memorial Day break, and I ask Members of both sides of the aisle: Let's sit down, and let's have Republicans and Democrats work together, as the Senate is supposed to, and negotiate a budget deal based on parity. We did this in 2013; we did it in 2015. It worked well. Such a deal would allow the Senate to provide appropriations bills that reflect our true, enduring values as a nation.

The Trump budget proposes over \$1.7 trillion in cruel and unsustainable cuts to important mandatory programs that provide a safety net of health and nutrition programs to those who are struggling most in our communities. Can you imagine, in the wealthiest,

most powerful Nation on Earth, we are going to cut out programs to help the people most in need?

Many of the cuts in the Trump budget come from the Medicaid Program, where the President doubles down on the dangerous programmatic changes and cuts included in the TrumpCare bill. Not only would enacting this budget make it harder for low-income families to receive health coverage through Medicaid, but the proposal also cuts nearly \$6 billion from the Children's Health Insurance Program, which would force near-poverty children off health insurance.

I know in my own State of Vermont—it is not a wealthy State; it is a small State. But when we started a program to make sure children had healthcare, it was costly at first. In the long run, it saved us all a great deal of money. We were rated every year as the first or second healthiest State in the Nation. You have to have people healthy from the time they are children. You cannot suddenly say: Oh, we are going to spend a fortune when you are adults on illnesses that could have been taken care of when you were children.

The President's budget proposes significant cuts to the Supplemental Nutrition Assistance Program, which supports food assistance for individuals and families in need. How does the President expect to make America great again if there are hungry children in our schools? Every parent knows a hungry child cannot learn. How can we be the greatest country in the world if we do not offer a helping hand to the most vulnerable among us?

It has been and continues to be my goal that we complete the appropriations process in the Senate the way it is supposed to be done. Each of the 12 appropriations bills deserves debate and an up-or-down vote on the Senate floor. All Republicans and Democrats vote for the things they support and vote against the things they oppose. That is in the best interest of this country, and I know Chairman COCHRAN shares this goal. As vice chairman, I will work with him to do this.

This budget is an obstacle and not a pathway to this goal. The President's budget proposal is not bipartisan. In fact, I am willing to bet that, if you put the President's budget on the floor today and asked for a vote up or down, even though the Republicans are in the majority in the Senate, it would not pass because it does not make a hint of a gesture toward true bipartisanship. The appropriations process works best when you have bipartisan cooperation. This budget is not in the best interest of the country or of the real priorities of the American people. That is why it would not get even enough Republican votes to pass. It is unbalanced, needlessly provocative, and appallingly shortsighted.

Rural America, including rural States like Vermont, is missing in action in the President's budget. His

budget eliminates key investments in rural communities and leaves them without Federal partnership support for everything from infrastructure development and affordable housing to programs that preserve the environment and provide food for the elderly.

It is a compilation of broken promises to working men and women and struggling families, and it frays the lifelines that help vulnerable families lift themselves into the middle class. This Vermonter does not find that acceptable, and I doubt others do.

Eliminating the Low Income Home Energy Assistance Program, which we call LIHEAP, would leave thousands of Vermonters and thousands throughout this country out in the cold. The government should not be in the business of saying to families: OK, you have a choice. It is 10 degrees outside. You can either have heat, or you can eat. You can either have enough warmth so that you do not freeze to death, or you can have food so that you do not starve to death, but you cannot have both.

We are the most powerful, wealthy Nation on Earth. What a choice to force on people.

From LIHEAP, in my own State, Vermont received nearly \$19 million to help more than 21,000 households in all 14 counties last year. This is a vital lifeline, and it is especially important in rural communities. We cannot slash investments in our rural communities.

We cannot abandon Federal support for cleaning up Lake Champlain. Eliminating the Sea Grant and Geographic programs would be foolish, as it would waste the investments we have already made. It would mean that the money we have put in to clean our lake would end up being lost, and we would have to start all over again.

The large and dynamic ecosystem in Lake Champlain is the largest body of freshwater in the United States outside of the Great Lakes. It borders Vermont, New York, and Canada and is a treasure, but we cannot stand still. We do not want it to become polluted like other bodies of water throughout our country. You either advance or you slip behind, and once you start slipping behind, it becomes an escalating matter.

The budget is full of cuts that advance the administration's antiscience, know-nothing-ism agenda. It eliminates thousands of scientists and shuts off funding for research into cures for everything from Alzheimer's to cancer. You cannot say to people who are trying to find a cure for cancer and so many other diseases: Oh, we are going to cut your money for a few years, turn everything off, send the scientists home, and maybe in a few years we might give you money again.

You cannot do that with medical research. The University of Vermont would lose millions of dollars for valuable research—research that you cannot pause and hope to resume. We are so close to finding a cure for most kinds of cancer, just as we did years

ago with polio. Are we going to turn that off? Are we going to say to the American people: We want to have a sloganeering budget. Sorry. When your grandchildren come along, maybe someday, somebody will restore this science and will find a cure for cancer.

This budget not only denies the reality of climate change, but it eliminates all of the Environmental Protection Agency's climate programs, from voluntary incentives to programs that seek to prevent further damage to public health and environmental quality. Climate change is very real, and we are at a critical moment. Now is not the time to turn back the progress we have been making.

The President has promised jobs, jobs, jobs. I would love to see jobs, jobs, jobs in this country, but under his budget, an estimated 4 million people, including veterans, would lose access to employment and training services next year. Four million Americans would lose that promise of a job. He would eliminate almost \$4 billion from Pell grants. You do not create jobs by denying young people access to affordable higher education or by slashing job training.

Cutting the State Department's budget by more than 30 percent shows a clear lack of understanding of the vital role of soft power in our national security. The Secretary of Defense said: If you are going to cut the State Department's budget this way, you had better give me money to buy more bullets, because I am going to need them.

The budget would eliminate life-saving nutrition programs. It would impede our ability to promote stability in increasingly volatile regions of the world. America is not made safer by failing to feed the hungry.

As Defense Secretary Mattis has said, soft power is fundamental to our national security, which has been said by Secretaries of Defense and military leaders in both Republican and Democratic administrations.

The Trump budget would have serious and harmful consequences for our economy, for working families, for those who are struggling, for our environment, for health, for the seed corn of cutting-edge scientific and technological research, and for our national security. This is foolish, and it is not acceptable. You do not turn these things on and off to make a sound bite. Sound bites do not make America strong, and sound bites do not continue the greatness of America. Tough choices keep America great and help the American people.

I would remind the White House that the power of the purse rests with Congress. As vice chairman of the Senate Appropriations Committee, I intend to exercise that power, and I will work with Chairman COCHRAN in laying out a bipartisan path forward.

Mr. President, there are far too many illogical, arbitrary, and harmful cuts in spending and wholly unbalanced priorities in the President's proposed fis-

cal year 2018 budget to list at one time. I will have plenty more to say about that in the weeks and months ahead, but I do want to take a moment to highlight one, as it illustrates the foolhardy way this Administration has sought to appease right-wing ideologues rather than do what is truly in the national interest.

For fiscal year 2017, the Congress—Republicans and Democrats—agreed to appropriate \$607.5 million for international family planning programs. Under our law, none of those funds can be used for abortion. They are for contraceptives and services like education and counseling to promote voluntary family planning in the world's poorest countries and, by doing so, to reduce reliance on abortion, reduce child mortality, improve maternal and child health, and increase opportunities for women and girls.

These programs have a long track record. There is abundant, indisputable data to show they are effective and they save lives, and they illustrate that, while we may have fundamental differences about whether women should have the right to abortion, there is broad agreement about the importance of family planning.

For fiscal year 2018, the Trump Administration proposes to eliminate funding for international family planning as a way to "protect life." That may be an appealing sound bite, but that's all it is. For every \$10 million reduction in funding for family planning and reproductive health programs, the data shows that approximately 440,000 fewer women and couples receive contraceptive services and supplies, resulting in 95,000 additional unintended pregnancies, including 44,000 more unplanned births, 38,000 more abortions, and 200 more pregnancy-related deaths.

How does that protect life? The evidence is overwhelming that the absence of family planning not only means more unsafe abortions but higher birth rates, 95 percent of which occur in the poorest countries that cannot feed or provide jobs for their people today.

I would say to the ideologues in the White House who think that the way to protect life is to cut off funding for family planning: They don't know what they are talking about. These are the same people who support vastly expanding the Mexico City Policy beyond President Ronald Reagan and both President George H.W. Bush and President George W. Bush, to all global health funding. In fact, they will be responsible for more abortions, higher rates of child mortality, higher rates of maternal death, and greater suffering.

This is a shocking proposal. They either don't realize how much harm and suffering it would cause, or they don't care. Can you imagine if our government, in addition to trying to outlaw abortion, tried to take away the contraceptives Americans rely on to prevent unwanted pregnancies? Tens of millions of Americans depend on access

to modern family planning services every day. The outcry would be immediate, and it would be deafening.

I am confident that the Congress will reject this unwise and cruel proposal. It would be unconstitutional in this country, and it should not be imposed on millions of impoverished people in the developing countries who depend on our assistance.

I would note the importance of it. We had a man whom I admired greatly in this body, a Republican chairman of the Senate Appropriations Committee, Mark Hatfield. He was strongly anti-abortion but was an honest and good man who said that we had to have these family planning programs because without them, the number of abortions would skyrocket, that the number of deaths at birth would skyrocket, and that we would have higher birth rates, 95 percent of which would occur in the poorest countries that could not feed or provide jobs for their people.

Let's not do that again. Let's not make policy by sound bite. Let's make policy as to what is best for our country and that best respects the values of America—values that we have tried to demonstrate throughout the world. We also try to demonstrate that to our own country no matter where you are, whether you are Republican or Democrat or Independent, whether you are poor or rich, rural or urban. Let's work on what is the best for America, not on a budget that tries to polarize America and pits one group against another.

Mr. President, on this table I have on the floor, I note that it shows how we, at the Pentagon, have money to put into a border wall at the cost of the Department of Agriculture, clean energy, climate change, the environment, education, foreign aid, infrastructure, healthcare, the middle class, civil rights, labor unions, nutrition programs, child nutrition, and community investments. If we want to spend \$40 billion on a wall that will make no sense and have the taxpayers pay for it—easy—let's vote it up or down. I do not think the American people want it. They would rather see that money be spent on programs that educate people, that create jobs, that improve science and find cures for cancer and others, not for a wall that we will pay for and that nobody else will pay for.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that all postcloture time on the Sullivan nomination expire at 3 p.m. today and that, if confirmed, the motion to reconsider

be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### AMERICA'S SURFACE TRANSPORTATION SYSTEM

Mrs. FISCHER. Mr. President, I rise to discuss problems that affect almost every aspect of our everyday life no matter who we are, where we live, our level of income, or any other distinction that might be possible to make. These problems have to do with America's surface transportation system.

Like most Nebraskans, I believe infrastructure is a core duty of the Federal Government. It represents investment in our economy, public safety, and national security. In the Senate, much of my work has been focused on removing unnecessary obstacles to the flow of goods, materials, and, most importantly, people along our Nation's surface transportation networks. Through legislation and with Executive orders, we did lower the coefficient of friction on these systems. We can lower that enough that people and products can get where they need to go quicker and at a lower cost. I have been proud to support several pieces of legislation to do just that.

In 2015, Congress passed the Fixing America's Surface Transportation Act—the FAST Act. It was our first long-term highway bill in more than a decade. As chairman of the Surface Transportation Subcommittee in the Senate, I was glad to help steer it to final passage.

I am also proud to have authored a significant number of its provisions. For example, the bill includes a new national strategic freight program that provides every State with annual guaranteed funding. Because of the freight program, States will have greater flexibility to work with key stakeholders and local officials to develop strategic investments in transportation. The program funnels transportation funds to States and allows them to decide on their terms how to use it. By dedicating funding for rural and urban freight corridors, the program enhances the flow of commercial traffic, and it increases safety on our Nation's roads.

The true beauty of this program is that it offers States the opportunity to make critical investments to best meet their specific geographic and their specific infrastructure needs. Nebraska can elect to invest in a rail grade crossing or a truck parking lot along a rural

road. California could choose to invest in ondock rail projects at our Nation's largest port complex located just outside of Los Angeles. It works for all States without leaving any behind.

The FAST Act was an important first step, but there is more to be done. President Trump has spoken frequently about the need to invest in our transportation infrastructure. Just yesterday, the administration released a set of principles for reexamining how we do that. I am encouraged to see these proposals that will give States greater flexibility to develop our infrastructure as well as reduce unnecessary regulations that delay these very important projects.

The proposal also talks about providing long-term solutions, which is something I have long supported. This is critical for States to develop, construct, and maintain infrastructure. Last week, at a Senate Environment and Public Works Committee hearing, we heard an update from Transportation Secretary Elaine Chao. She committed to working closely with Congress as we continue to develop commonsense solutions for our infrastructure needs. She outlined some of the proposals the Department of Transportation is reviewing to include in this infrastructure package. During that hearing—the Presiding Officer was there as well—the Secretary told me she is committed to working closely with my colleagues and me to develop a national infrastructure policy.

I also brought up the issue of delays due to burdensome regulations like the National Environmental Policy Act permitting process that directly affects Nebraska projects. To address these delays, the Nebraska Unicameral unanimously passed legislation that would allow the Nebraska Department of Roads to assume the NEPA permitting process. NDOR has sent a letter to the Federal Highway Administration to begin the implementation of this program, and that could take up to 18 months to complete.

I asked the Secretary for an update on the progress of the application, and she assured me the Department is following it closely. She said: "We know the issue, we are tracking it, and we will continue to pay attention." Furthermore, Secretary Chao explained that the administration "will not specify any list of projects" in an infrastructure plan. States know their transportation needs best, not the Federal Government. The larger the role States have from start to finish in developing their own infrastructure, the more they can direct funding to the projects that directly affect their citizens.

For the benefit of families across America in both our urban and our rural areas, we need to look for out-of-the-box solutions to ensure that our infrastructure is up to date. That is why I have introduced the Build USA Infrastructure Act, which looks to solve two major challenges to our transportation

system. The first is the near-term solvency of the highway trust fund's expiration of the FAST Act in 2020. The second is a lack of flexibility for States in starting and finishing major transportation infrastructure projects.

According to the March 2016 Congressional Budget Office projections, by the year 2026, the highway trust fund will face a cumulative shortfall of approximately \$107 billion. Meanwhile, we see construction costs climbing. The rise in the use of electric and alternative-fuel vehicles is causing trust fund revenues to fall. Heavy Federal regulations continue to eat away at that purchasing power of the highway trust fund.

America needs a new plan to successfully meet the looming highway trust fund shortfall and to strengthen our transportation system. The Build USA Infrastructure Act gives us a plan.

For 5 years following the expiration of the FAST Act, this legislation would direct the U.S. Treasury to dedicate approximately \$21.4 billion in Customs and Border Patrol-collected fees and revenues to the highway trust fund. Now, CBP revenue collections on freight, cargo, and passengers include tariffs, duties, taxes, and user fees at U.S. land, water, and air ports of entry. CBP revenues from these sources amounted to nearly \$46 billion in fiscal year 2015. Because of their nature as charges on freight and travelers, Customs duties and fees closely abide by the "user pays" principle that we look at in transportation funding. According to CBP, the agency only utilizes \$2 billion of that revenue for its operations, so the diversion of revenue would not negatively impact CBP's operating budget. By using an existing revenue stream which has a transportation nexus, we provide stability to the highway trust fund without increasing fees or taxes, and that is sound policy.

The Build USA Infrastructure Act also offers greater flexibility to States so their limited highway dollars can go further for them. I served 8 years in the Nebraska Legislature. I know our States, counties, and cities face real challenges in starting and completing infrastructure projects because of excessive procedural costs, delays, and really an overall lack of transportation funding. According to the Congressional Research Service, major Federal highway projects can take as long as 14 years to complete from start to finish. It took less time to build the Panama Canal, and we did that more than a century ago.

Greater flexibility, improved collaboration, and more autonomy can help States begin and complete their vital infrastructure projects in less time, which means lower costs. The Build USA Infrastructure Act would let them do that through State remittance agreements. This legislation would offer States more flexibility and control of infrastructure funding by establishing a new partnership between

them and the U.S. Federal Highway Administration. Under this arrangement, States are permitted to enter into voluntary remittance agreements whereby they can remit 10 percent of their Federal aid highway dollars in exchange for State purview over design, permitting, and construction aspects of Federal aid highway projects. The State-remitted money to the Federal Highway Administration would be deposited into the highway trust fund to help further address its growing deficit. It would give States breathing room as they work to bring in projects on time and on budget.

I am so confident in this bill because I have seen these concepts work at the State level. As a State senator in the Nebraska Legislature, I introduced the Build Nebraska Act. It directed a quarter of each cent of sales tax revenue toward maintaining Nebraska's roads and bridges. Because of it, more than \$1 billion will be available to meet Nebraska's infrastructure needs over the next 17 years.

I also introduced legislation that tasked the Nebraska Department of Roads with developing the Federal Funds Purchase Program. In exchange for giving up a portion of Federal transportation dollars, Nebraska counties and their towns can now receive funds with more reasonable regulatory requirements. Because of this program, major Nebraska transportation projects, such as the longstanding bridge replacement in Buffalo County and a major arterial street in South Sioux City, are up and running.

Investing in infrastructure means so much more than just adding a few lines to a map. It means connecting our families and delivering goods and services. In Nebraska's case, it means feeding the world. With persistence and prudent planning, we can build for the future, we can give greater economic opportunity to rising generations, and we can connect communities—family to family, town to town, and coast to coast.

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

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

#### HUMAN TRAFFICKING

Mr. CORNYN. Mr. President, I am happy to announce that soon I will be introducing legislation that reauthorizes several critical provisions to help fight human trafficking and bring us one step closer to ridding our country of this heinous crime.

The Abolish Human Trafficking Act is chiefly a bill about getting human trafficking victims the help they need by focusing on ways to support them as they rebuild their lives. To me, one of the most shocking things about this

terrible crime that victims of human trafficking need most is a safe place to live because without that, they will not be able to escape the people who have enslaved them, nor will they be able to begin the steps of the long road to recovery.

This legislation reauthorizes the Justice Department's Domestic Trafficking Victims' Fund, which we established when we passed the Justice for Victims of Trafficking Act, a bill I authored that was signed into law last Congress. This fund—like a crime victims compensation fund—provides critical resources to help victims get the services they need to recover.

Part of the fund is financed through fines collected on convicted traffickers. It is a clear way we can use these fines to do some good. Last year, the fund provided almost \$5 million in victims services. By reauthorizing it, it can continue to serve more victims.

The bill also empowers victims by permanently reauthorizing the Human Trafficking Advisory Council—a group of survivors who annually advise the government on ways to combat this crime and lend a hand.

This bill goes a long way to help victims who should be at the forefront of any of our conversations about human trafficking. There is also no question that our Nation's law enforcement officials need more support to track down the perpetrators of this crime and bring them to justice. Certainly, law enforcement needs more training to better equip them to serve victims too. This bill also does that.

It requires the Department of Homeland Security to implement screening protocols across law enforcement anti-trafficking task forces. One of the hardest things about human trafficking may be, in fact, being able to identify that it is occurring when it occurs right in front of your eyes.

This training will impact the work of law enforcement at the Federal, State, and local levels. That way, law enforcement at every level of government can learn how to better spot trafficking victims and will have the adequate training to connect victims to the services they need in order to recover.

The legislation will also direct the Department of Health and Human Services to continue a pilot program to train healthcare providers about human trafficking. Healthcare providers, after all, are likely to come in contact with human trafficking victims as well, and they need to know the telltale signs that will alert them so they can report this to the appropriate authorities.

I have noted before that so much of the battle is about educating professionals but not just professionals. I would say all of us as ordinary citizens need to be on the lookout for signs of human trafficking.

Sadly, I learned a few years ago, when the Super Bowl was held in Texas, that one of the premier trafficking events in the Nation each year

is the Super Bowl, sad and as tragic as that sounds.

There is a role for all of us to play as regular citizens in identifying the tell-tale signs of human trafficking, and then when we see something wrong, to say something about it so hopefully they can be investigated.

Through pilot programs like this one, my hope is that more people will better understand it. The more people who understand trafficking and its warning signs, the more we can do to help those trapped in this modern-day slavery.

The legislation will also give law enforcement more resources to target criminal street gangs who profit from human trafficking. They view human beings as just another commodity that they can make money from, and going after criminal street gangs who profit from human trafficking is really important. We would also enhance the penalties for several human trafficking-related offenses as well.

Finally, the Abolish Human Trafficking Act will improve and update the national strategy to fight human trafficking across the country by requiring the Department of Justice to add a demand reduction component. This will build on legislation passed in the last Senate by a vote of 99 to 0, the Justice for Victims of Trafficking Act.

I know by reading the newspaper and watching TV, people think nothing happens in Washington that is truly nonpartisan or bipartisan in nature. This is an example of why that is wrong. Certainly, this is a cause that every Member of the Senate can get behind, and there is no reason we shouldn't be able to pass this legislation soon with similar strong bipartisan, literally overwhelming bipartisan support.

I am grateful to our friend and the chairman of the Senate Judiciary Committee, Chairman GRASSLEY, for his focus on doing all we can for victims of human trafficking. In addition to his support for the Abolish Human Trafficking Act, I know he also plans to introduce complementary anti-trafficking legislation, the Trafficking Victims Protection Act.

I am hopeful both bills will be considered soon so we can prove the Senate is united in our opposition to human trafficking and so we can lend more support to the victims who so desperately need it.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

#### NOMINATIONS

Mr. ALEXANDER. Madam President, here is the scorecard on 557 Presidential nominations during the first

100 days of the Trump administration, through April 29. According to the Partnership for Public Service, in collaboration with the Washington Post, on Cabinet appointments, President Trump did his job, but Senate Democrats did not do their job. The President announced all of his Cabinet nominations before he was inaugurated on January 20, but Democrats delayed confirmation of Cabinet nominations more than those of any other recent President. On sub-Cabinet appointments, President Trump did not do his job. He was slower than any other recent President to send his nominations to the Senate.

So here is what could happen. If Democrats continue their delaying tactics, when President Trump does send sub-Cabinet nominees to the Senate, the President would have every excuse to stop nominating and simply appoint acting officials to about 350 of the remaining key positions.

An administration managed by acting Presidential appointees who have not been confirmed by the Senate would be a first in American history. Delaying the inevitable approval of nominations of a President you oppose might sound to your political base like good politics, but it would be supremely bad governing. Senate Democrats would actually diminish their influence and shoot themselves in both feet. They would be turning over to a President they don't like an excuse to staff the government with about 350 key appointees who are unconfirmed and unaccountable to the Senate. Now, this 350 number does not even include the Ambassadors in embassies all around the world, where there may be acting heads of the embassy.

Now, what difference would it make to have an administration mostly unexamined and unconfirmed by the Senate? Well, it would mean that the Senate would be giving the Executive more power at the expense of the legislative branch.

This undermines the checks and balances created by our Nation's Founders. Democrats complained that Republicans delayed some of President Obama's nominees, and that is true. In fact, that has always been true. My own nomination for U.S. Education Secretary in 1991 was delayed for 2 months by a Democratic Senator who put a hold on my nomination for unexplained reasons.

President Ford's nomination of Warren Rudman to the Interstate Commerce Commission in 1976 was blocked by Democratic New Hampshire Senator John Durkin.

The rest of the story is that Rudman eventually asked President Ford to withdraw the nomination, ran against Durkin, and defeated him in the next election. That is how Warren Rudman got to be a U.S. Senator. There is a better way to resolve differences between Senators and the President.

In December of 2015, President Obama seemed content to allow John

King of New York to serve as his Acting Secretary of Education for the last year of President Obama's term. I told the President I thought it was inappropriate for a President to have an acting Cabinet member for so long and that, while I disagreed with Mr. King on many points, I urged him to nominate King and, if he did, I promised that I would hold a prompt hearing and see to it that he was confirmed.

President Obama nominated John King on February 11, 2016. John King was confirmed by the U.S. Senate on March 14, 2016. I disagreed with Secretary King often, but the Secretary was confirmed. He was confirmed by and accountable to the U.S. Senate, as he should have been and as our Constitution envisions.

All of President Trump's Cabinet nominees are now confirmed, but this is how long it took compared with his three immediate predecessors: All of President Trump's nominations were announced before his inauguration, but the Senate confirmed only two of those nominations on day one because Senate Democrats would not agree to any more than that. A third Cabinet nominee was confirmed on January 31st. To compare, by January 31st in prior administrations, President Obama had 10 nominees confirmed, and George W. Bush and Bill Clinton each had 13 confirmed.

Please keep in mind that it is impossible for Democratic Senators by themselves to defeat a Trump nominee. Confirmation requires only a majority voting to be present; that is usually 51 Senators. There are 52 Republican Senators and, in addition, Vice President PENCE can vote in the case of a tie. There is no 60-vote filibuster available to block nominees because Democrats, when they were in the majority in 2013, changed Senate rules to eliminate the filibuster on nominations. So by their obstruction, Democrats are only delaying the inevitable, using various tactics to require the Senate to use nearly a week of floor time to approve even noncontroversial nominees.

We don't know how Democrats will treat President Trump's more than 350 remaining key nominees because the President has made so few of those. For example, I am chairman of the Health, Education, Labor, and Pensions Committee. Aside from the Cabinet secretaries who come to our committee, of the 557 key positions identified by the Washington Post, 35 of them within the Cabinet agencies require recommendations to the full Senate by the HELP committee. In the Department of Health and Human Services, we have eight. In the Department of Education, we have 14. In the Department of Labor, we have 13.

At the end of the first 100 days, April 29th, our committee had received just one sub-Cabinet nomination from the Trump administration—that of Dr. Scott Gottlieb for FDA commissioner. He was promptly confirmed on May 9th.

Compared with President Trump's one sub-Cabinet nomination sent to our committee in his first 100 days, President Obama made 13 sub-Cabinet nominations in his first 100 days, President George W. Bush made 10, and President Clinton made 14 to our committee.

There are actually nearly 700 more Presidential nominees requiring Senate confirmation who aren't considered key by the Washington Post analysis, so you can see this adds up to be a pretty big number of Presidential nominees whom we have a responsibility to consider and to confirm if we approve them.

Unfortunately, there are ominous signs about how Democrats will treat non-Cabinet nominees. As the Presiding Officer is especially aware, Democrats required the Senate to take nearly a week of floor time to consider the nomination of Iowa Governor Terry Branstad to serve as Ambassador to China. There was absolutely no excuse for this other than obstructionism.

Governor Branstad is the longest serving Governor in American history. He has a well-documented relationship with the Chinese President. He was one of the first appointees that the President announced. He was approved by a voice vote by the Senate Foreign Relations Committee, and ultimately approved by the full Senate earlier this week 82 to 13.

Yet, as a delaying tactic, Senate Democrats forced us to use nearly a week of our floor time to consider Governor Branstad. If Democrats treat other noncontroversial Ambassadors and sub-Cabinet members the same way they treated Governor Branstad, requiring nearly a week of Senate floor time to consider a nominee, then I think President Trump would almost certainly bypass the Senate and name hundreds of acting heads of sub-Cabinet departments. Under our Constitution, he may do that whenever he chooses. There are flexible limits on the time one may serve in an acting position, but if that time expires, the President can simply appoint someone else.

Hopefully, President Trump will speed up his nomination of sub-Cabinet members, and hopefully Democrats will return to the common practice of routine floor approval of Presidential nominations when the confirmation process has determined that the nominee deserves to be approved.

Our Founders created a system of government based on checks and balances of the three coequal branches of government. There has been much complaining recently about the rise of the executive branch at the expense of the legislative branch. Having an executive branch and embassies mostly staffed by acting personnel not confirmed by or accountable to the U.S. Senate undermines the principle of three coequal branches of government.

The President should want his team in place and should speed up recom-

mending key nominees to the U.S. Senate. And Senators, especially those in the minority, should want to have a say in the vetting and accountability that come with the Senate confirmation process.

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#### FRED D. THOMPSON FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 375, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 375) to designate the Federal building and United States courthouse located at 719 Church Street in Nashville, Tennessee, as the "Fred D. Thompson Federal Building and United States Courthouse."

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 375) was ordered to a third reading, was read the third time, and passed.

Mr. ALEXANDER. Mr. President, I am grateful that the Senate has approved that measure naming the Fred D. Thompson Federal Building and United States Courthouse in Nashville.

I stand at the desk of former Senator Thompson. This was a desk that Senator Howard Baker also had. I have the desk myself because Senator Thompson and I were inspired by Senator Baker to be involved in politics and government in our State and the House of Representatives—our delegation.

I think Senator CARPER and his committee all seem to think that it is very appropriate that the new Nashville courthouse be named for Senator Thompson. It gives me a great deal of pride and personal privilege to be able to ask for that to be done. I thank Congresswoman BLACKBURN in the House for her leadership and all the Members of the delegation and the Members of the Senate for their cooperation in this.

I thank the Presiding Officer.

I yield the floor.

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#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Oregon.

##### NOMINATION OF COURTNEY ELWOOD

Mr. WYDEN. Madam President, the Senate will shortly consider the nomination of Courtney Elwood to be the CIA's General Counsel. I wanted to take a few minutes this morning to discuss the nomination and put it in the context of the extraordinary national security challenges our country faces.

It is hard to imagine a more despicable act than the terrorist attack in Manchester Monday night, killing innocent teenagers and children who were out to enjoy a concert. The suffering that Americans and all in the Senate have been reading about and watching on television is heart-breaking by any standards. I think it is fair to say that, as Americans, we stand in strong solidarity with our British friends, our allies, as they confront this horror. Our country will, as we have for so many years, stand shoulder to shoulder with them as there is an effort to collect more information about this attack, about what actually happened, and work to prevent future attacks.

Not everything is known about the attack, but one thing Americans do know is that it can happen here. That is why, as I begin this discussion on this important nomination and the challenges in front of our country, I would like to start, as I invariably do when we talk about intelligence matters, by recognizing the extraordinary men and women who work in the intelligence community, who work tirelessly across the government to keep our people safe from terrorist attacks. So much of what they do is in secret, and that is appropriate. It is so important to keep secret what is called the sources and methods that our intelligence community personnel are using. It is important to the American people and it is important to our country to make sure that the people protecting them every day can do their jobs.

The reason I took this time this morning to talk about this nomination is to talk about the broader context of what we owe the American people, and I feel very strongly that we owe the American people security and liberty. The two are not mutually exclusive, and it is possible to protect the people of our country with smart policies that protect both their security and their liberty.

Smart policies ensure that security and liberty are not mutually exclusive. For example, I would cite as a smart policy something I was proud to have been involved in. Section 102 of the USA FREEDOM Act sought to make sure that we weren't just indiscriminately collecting millions of phone records on law-abiding people. A provision, section 102, says that when our government believes there is an emergency where the safety and security and well-being of the American people is at stake, our government can move immediately to deal with the problem and then come back later and settle up with respect to getting a warrant. That was something that, I thought, really solidified what was a smart policy.

Our Founding Fathers had a Fourth Amendment for a reason—to protect the liberties of our people. What we said is that we are going to be sensitive to those liberties, but at the same time, we are going to be sensitive to