

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion 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 senior assistant legislative 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 the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

Mitch McConnell, Chuck Grassley, Deb Fischer, Steve Daines, Luther Strange, Bob Corker, Thom Tillis, Tom Cotton, Tim Scott, Johnny Isakson, Richard C. Shelby, Michael B. Enzi, Richard Burr, John Hoeven, David Perdue, Roy Blunt, Todd Young.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

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

ORDERS FOR MONDAY, JULY 3, 2017, THROUGH MONDAY, JULY 10, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, July 3, at 6 p.m., Thursday, July 6, at 9 a.m. I further ask that when the Senate adjourns on Thursday, July 6, it next convene at 3 p.m., Monday, July 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Rao nomination; finally, that notwithstanding the provisions of rule XXII, the postcloture time on the Rao nomination expire at 5:30 p.m., Monday, July 10.

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

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. CORKER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. DURBIN. Mr. President, I was necessarily absent for the cloture vote on the nomination of Neomi Rao to be the Administrator of the Office of Information and Regulatory Affairs within the White House Office of Management and Budget.

On vote No. 155, had I been present, I would have voted nay on the motion to invoke cloture on the Rao nomination.

This administration has dedicated itself to undermining many of the commonsense regulations that protect public health, workers, consumers, students, and the environment.

Ms. Rao's previous writings show that, as OIRA Administrator, she would likely continue this trend and actively work to prevent any new regulations from being implemented.

She has previously called for increased political oversight of independent agencies, like the Consumer Financial Protection Bureau, and dramatically limiting the regulatory authority of other Federal agencies.

This is concerning as OIRA plays a critical role in the Federal regulatory process and often determines how new regulations are implemented.

Therefore, I would have voted against cloture on Ms. Rao's nomination as I do not believe she will adequately defend agencies' duties to set safety standards that protect the public. •

TRIBUTE TO DR. LONNIE G. BUNCH III

Mr. LEAHY. Mr. President, the Smithsonian Institution in Washington, DC has as its newest treasure, the National Museum of African American History and Culture. It is the work of many and would not be there without its founding director, Dr. Lonnie G. Bunch III.

I know as a member of the Smithsonian board of regents that Dr. Bunch is the single most important person bringing about this magnificent museum and one which will speak to the history of African Americans in this country more than anything else.

We all know that history has seen an enormous amount of pain caused by vi-

olence and deaths resulting from racism in America. When you come into that moving museum, as I have many times, the last thing you would expect is someone who would leave the ultimate symbol of racism, a noose, hanging in it. I know the dismay felt by people of all races when it was found, but probably what has helped the healing the most is the op-ed of June 23, 2017, in the New York Times, written by my friend, Lonnie Bunch.

I ask unanimous consent to have printed in the RECORD the op-ed, so that all can see it and so that it will be part of the history of the U.S. Senate.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 23, 2017]

A NOOSE AT THE SMITHSONIAN BRINGS

HISTORY BACK TO LIFE

(By Lonnie G. Bunch III)

The person who recently left a noose at the National Museum of African American History and Culture clearly intended to intimidate, by deploying one of the most feared symbols in American racial history. Instead, the vandal unintentionally offered a contemporary reminder of one theme of the black experience in America: We continue to believe in the potential of a country that has not always believed in us, and we do this against incredible odds.

The noose—the second of three left on the National Mall in recent weeks—was found late in May in an exhibition that chronicles America's evolution from the era of Jim Crow through the civil rights movement. Visitors discovered it on the floor in front of a display of artifacts from the Ku Klux Klan, as well as objects belonging to African-American soldiers who fought during World War I. Though these soldiers fought for democracy abroad, they found little when they returned home.

That display, like the museum as a whole, powerfully juxtaposes two visions of America: one shaped by racism, violence and terror, and one shaped by a belief in an America where freedom and fairness reign. I see the nooses as evidence that those visions continue to battle in 2017 and that the struggle for the soul of America continues to this very day.

The people responsible knew that their acts would not be taken lightly. A noose is a symbol of the racial violence and terror that African-Americans have confronted throughout American history and of the intensity of resistance we've faced to any measure of racial equality. During slavery, one of the main purposes of lynching was to deter the enslaved from escaping to freedom. But lynching did not end with slavery; it was also a response to the end of slavery. It continued from the 1880s until after the end of World War I, with more than 100 people lynched each year. So prevalent was this atrocity that between 1920 and 1938, the N.A.A.C.P. displayed a banner at its national headquarters that read simply, "A man was lynched yesterday."

Lynching was not just a phenomenon of the American South or the Ku Klux Klan. And in many places, as black people fought for inclusion in American life, lynchings became brutal spectacles, drawing thousands of onlookers who posed for photographs with the lifeless bodies. This collective memory explains why the noose has become a symbol of white supremacy and racial intimidation.

So, what does it mean to have found three nooses on Smithsonian grounds in 2017? A

noose inside a Missouri high school? A noose on the campus of Duke University? Another at American University?

As a historian, who also happens to be old enough to remember “Whites Only” signs on motels and restaurants that trumpeted the power of laws enforcing segregation, I posit that it means we must lay to rest any notion that racism is not still the great divide.

As someone who has experienced the humiliating sting of racial epithets and the pain of a policeman’s blow—simply because I was black and in a neighborhood not my own—I would argue that it answers a naive and dangerous question that I hear too often: Why can’t African-Americans get over past discrimination?

The answer is that discrimination is not confined to the past. Nor is the African-American commitment to American ideals in the face of discrimination and hate.

The exhibitions inside the museum combine to form a narrative of a people who refused to be broken by hatred and who have always found ways to prod America to be truer to the ideals of its founders.

In the process of curating these experiences, I have acquired, examined and interpreted objects that stir feelings of intense pain. Anger and sadness are always parts of this work, but I never let them dominate it. Instead, I use them to help me connect with the people who have suffered and continue to suffer immeasurable pain and injustice, while clinging to their humanity and their vision of a better country.

I see the nooses in the same way. They are living history. Viewed through this lens, they are no less a part of the story the museum tells than the Klan robes, the slave shackles small enough to fit a child, the stretch of rope used to lynch a Maryland man in 1931 or the coffin used to bury the brutally murdered Emmett Till.

If you want to know how African-Americans continue to persevere and fight for a better America in the face of this type of hatred, you need only visit the museum, where the noose has been removed but the rest of the remarkable story of our commitment to overcome remains. Anyone who experiences the National Museum of African American History and Culture should leave with that realization, as well as the understanding that this story is continuing. The cowardly act of leaving a symbol of hate in the midst of a tribute to our survival conveyed that message as well as any exhibit ever could.

150TH ANNIVERSARY OF THE APPROPRIATIONS COMMITTEE

Mr. LEAHY. Mr. President, last night in the Kennedy Caucus Room, the U.S. Capitol Historical Society honored the Senate Appropriations Committee with a celebration of its 150th anniversary. Past and present committee members and staff gathered to reflect on the history of the committee, and Senate Historian Betty Koed gave a wonderful keynote address.

Established on March 6, 1867, the committee’s powers are rooted in article 1, section 9, of our Constitution which states, “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.” The Founders recognized the power of the purse as one of the most important tools Congress has to ensure our system of checks and balances and to conduct oversight of the executive and judicial branch—but it is much

more than that. The Appropriations Committee is where we translate the priorities of a nation into the realities of the people.

Our country is not a business, where we allocate resources only according to the bottom line. We do not invest in order to make a profit or a one-for-one dollar in return. We invest in those areas where it is uniquely right for government to take the lead. We invest in the areas that make a difference in the everyday lives of Americans and that help build the foundations of our country and our economy—infrastructure, national security, our environment, education, science and research, healthcare.

I want to thank the U.S. Capitol Historical Society for organizing this anniversary celebration, and I ask unanimous consent that the text of the remarks given by Senate Historian Betty Koed be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

APPROPRIATIONS COMMITTEE 150TH ANNIVERSARY

WEDNESDAY, JUNE 28, 2017

BETTY K. KOED, SENATE HISTORIAN

On March 6, 2017, the Senate reached an important milestone in the history of its committees. The Committee on Appropriations turned 150 years old.

For its first quarter-century, the Senate operated without permanent legislative committees. Instead, it relied on temporary “select” committees to manage proposals and write bills. In 1816, having created nearly a hundred of these ad hoc committees, the Senate decided on something more permanent.

In December of 1816, it created eleven standing committees, including Judiciary, Foreign Relations, Commerce, and Finance. However, it did not create a Committee on Appropriations.

Over the next five decades, the Finance Committee handled most appropriations, but that overworked committee struggled with the haphazard funding requests of executive agencies.

Wishing to appear frugal, agency directors often understated their funding needs to the House of Representatives and then, in the hectic final days of a session, quietly turned to the Senate for emergency funds.

The threat of suspended operations usually convinced Congress to replenish the coffers. If agencies ran a surplus, directors simply spent those funds as they pleased.

By the 1860s senators realized that they needed to gain better control over appropriations. The Civil War had vastly expanded federal spending. In fact, in 1865, expenditures passed the billion-dollar mark for the first time in our national history.

The lack of centralized control over appropriations also played to the president’s advantage, and the executive often spent millions without first securing formal congressional appropriations.

In other words, by the end of the Civil War, no less than the power of the purse was at stake.

On March 6, 1867, two years after similar action taken by the House, Senator Henry Anthony of Rhode Island proposed a new committee to consider spending bills.

The Senate agreed—by unanimous consent—and passed subsequent legislation to better regulate how such funds were used.

Before long, this new committee became a Senate powerhouse. Led by strong chairmen like Iowa’s William B. Allison, the Appropriations Committee reached new heights of influence during the Senate’s Gilded Age.

Not surprisingly, senators who did not serve on the committee began to complain. Did this upstart committee have too much power? Chairmen of the legislative committees, as well as the heads of executive agencies, said yes, and looked for ways to wrest back some of that power.

In the 1890s, senators curtailed the jurisdiction of the Appropriations Committee, giving control over spending in certain areas, such as agriculture, military affairs, and pensions, back to legislative committees.

Committee chairs were delighted, but with no centralized control over the budgetary process, the committees ran amok. Spending increased with little or no accountability.

And so, in 1921, again prompted by war-related costs that had pushed annual spending to more than \$25 billion a year, Congress passed the Budget and Accounting Act.

Signed by President Warren G. Harding, the 1921 law required an annual budget from the president, created the General Accounting Office (now GAO), the Bureau of the Budget (now the OMB), and led to the establishment of permanent subcommittees for Appropriations.

But passage of that bill was just the beginning. In implementing the new law, Chairman Francis E. Warren of Wyoming shaped the future of the committee.

In 1922 Warren introduced a successful resolution to again centralize the appropriations process. He also included in his resolution a revision to Rule 16, requiring that all general appropriation bills, and amendments to such bills, be referred to the Committee on Appropriations.

This, in essence, established the broad jurisdiction that the committee enjoys today.

Since that time, the Appropriations Committee has continued to evolve as its duties and workload were amended by subsequent legislation.

Of course, the biggest change came in 1974 with the Budget Act, which created the House and Senate Budget Committees along with the Congressional Budget Office. But, again, the Appropriations Committee remained intact.

In the 1980s and 90s, other elements were added—Gramm-Rudman, budget summits, PAYGO, CRs—but you know that history better than I do. You’ve been living it.

Today—150 years after its creation—the Senate Committee on Appropriations, ably led by Chairman Cochran and Vice Chairman Leahy, continues to be a powerful and influential voice in national policymaking.

Of course, that doesn’t mean that the appropriations process has always been easy. In fact, at times, it has been downright testy.

For example, on a hot day in August of 1950, as the Senate continued working past its targeted adjournment date, tempers inside the committee room got to be nearly as hot as the scorching summer sun.

“The Senate is beginning to show signs of overwork,” observed newspaper columnist Jack Anderson. “Sessions are growing longer,” he wrote, “and tempers shorter.”

Among the confrontations that caught Anderson’s eye was a battle between two of the Hill’s best known curmudgeons, Tennessee senator Kenneth McKellar and Missouri Representative Clarence Cannon.

They were the chairmen of the Senate and House Appropriations Committees and for years they had argued bitterly over federal spending. That battle reached a climax in 1950.

“A gavel-bashing, name-calling clash between 81-year-old . . . McKellar, and 71-year-