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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

### PRAYER

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

Let us pray.

Eternal Lord God, our shelter in the time of storms, thank You for Your mercies that are new each day. Lord, through many dangers You have brought us, and we would not be guilty of ingratitude. We are grateful for catastrophes that haven't happened, for the unseen angels who have guarded our Nation and those we love. May our lawmakers remember that all efforts to defend ourselves will fail without Your sovereign will and loving providence. May our Senators not put their trust only in their ingenuity and courage but instead lean on You, the Author and Finisher of our faith. Today, lead our legislators on right paths as they trust You to clear the road on which they travel. Order their steps and direct their way, training them in Your school of humility so that they will strive to bring glory to You.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 12, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### NOMINATION OF DON WILLETT

Mr. MCCONNELL. Mr. President, yesterday the Senate advanced the nomination of Mr. Leonard Steven Grasiz to be a judge on the Eighth Circuit Court of Appeals. Mr. Grasiz has sterling credentials and strong support from the Nebraska legal community. I proudly voted to advance his nomination, and the Senate will confirm him soon.

Next, we will vote to advance the nomination of another well-qualified individual, Texas Supreme Court Justice Don Willett, to serve on the Fifth Circuit Court of Appeals. Justice Willett respects the rule of law and our foundational legal principles, and he will be a strong addition to the Fifth Circuit.

His story is an inspirational one. Adopted at a young age and raised by a widowed mother in a town of 32 people, he was the first person in his family to graduate from high school. As our colleague Senator CORNYN said at the Senate Judiciary Committee hearing, "Justice Willett's life [reflects] the best of Texas, and the best of America."

From these humble beginnings, Justice Willett has led a remarkable ca-

reer. After graduating from Duke School of Law, he clerked for Judge Jerre Williams of the Fifth Circuit Court of Appeals, the panel he has now been nominated to join.

He spent a short time in private practice before entering public service in then-Gov. George W. Bush's administration as a legal and policy adviser. When President Bush entered the White House, Justice Willett joined him as the Special Assistant to the President. In that role, he helped shape the domestic legal policy of the Bush administration, especially in the President's efforts to increase charitable activities in neighborhoods across the Nation.

The next year, he became Deputy Assistant Attorney General in the Justice Department's Office of Legal Policy. There, he oversaw both civil and criminal policy initiatives, including what became the PROTECT Act of 2003, which increased law enforcement's ability to prevent and prosecute violent crimes against children.

Afterward, Justice Willett returned to Texas to serve as the Deputy Attorney General for Legal Counsel. As the top legal aide to then-Attorney General Greg Abbott, he advised the office on a wide variety of legal matters.

In 2005, he was appointed to serve as a justice on the Texas Supreme Court. Elected to a full term in 2006 and re-elected in 2012, Justice Willett has served with distinction on the Texas high court now for over a decade. During that time, he has ruled fairly and impartially.

Four of his former colleagues on the Texas Supreme Court wrote a letter to the Judiciary Committee supporting Justice Willett's nomination. They wrote, "His demonstrated belief is that the courts should enforce both constitutional rights and constitutional limitations and uphold the rule of law, but not enforce a personal agenda."

"On occasion," they continued, "we did not agree with each other or with

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



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him on the disposition of an appeal but we respected Don's opinions and never doubted his devotion to principle."

In addition, the retired Texas Supreme Court justice, Wallace Jefferson, recommended Justice Willett's nomination, writing that he will be "a thoughtful, hardworking, diligent, and influential member of the United States Court of Appeals for the Fifth Circuit."

Justice Willett has also been recognized for his excellence by the Texas Review of Law and Politics, which named him its Distinguished Jurist of the Year in 2014.

I would like to commend President Trump for nominating Justice Willett to the Fifth Circuit. Under Chairman GRASSLEY's leadership, the Judiciary Committee has done an excellent job processing this nomination and many others.

By joining the Fifth Circuit, Justice Willett will use his talents to continue to serve his State and his Nation. I look forward to advancing his nomination, and I urge my colleagues to join me in doing so.

#### JUSTICE FOR UNCOMPENSATED SURVIVORS TODAY (JUST) ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 274, S. 447.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 447) to require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Justice for Uncompensated Survivors Today (JUST) Act of 2017".*

##### SEC. 2. REPORT ON HOLOCAUST ERA ASSETS AND RELATED ISSUES.

(a) DEFINITIONS.—*In this section:*

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—*The term "appropriate congressional committees" means—*

(A) *the Committee on Foreign Relations of the Senate;*

(B) *the Committee on Appropriations of the Senate;*

(C) *the Committee on Foreign Affairs of the House of Representatives; and*

(D) *the Committee on Appropriations of the House of Representatives.*

(2) COVERED COUNTRIES.—*The term "covered countries" means participants in the 2009 Holocaust Era Assets Conference that are determined by the Secretary of State, or the Secretary's designee, in consultation with expert nongovernmental organizations, to be countries of particular concern relative to the issues listed in subsection (b).*

(3) WRONGFULLY SEIZED OR TRANSFERRED.—*The term "wrongfully seized or transferred" in-*

*cludes confiscations, expropriations, nationalizations, forced sales or transfers, and sales or transfers under duress during the Holocaust era or the period of Communist rule of a covered country.*

(b) REPORT.—*Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that assesses and describes the nature and extent of national laws and enforceable policies of covered countries regarding the identification and the return of or restitution for wrongfully seized or transferred Holocaust era assets consistent with, and evaluated with respect to, the goals and objectives of the 2009 Holocaust Era Assets Conference, including—*

(1) *the return to the rightful owner of any property, including religious or communal property, that was wrongfully seized or transferred;*

(2) *if return of any property described in paragraph (1) is no longer possible, the provision of comparable substitute property or the payment of equitable compensation to the rightful owner in accordance with principles of justice and through an expeditious claims-driven administrative process that is just, transparent, and fair;*

(3) *in the case of heirless property, the provision of property or compensation to assist needy Holocaust survivors, to support Holocaust education, and for other purposes;*

(4) *the extent to which such laws and policies are implemented and enforced in practice, including through any applicable administrative or judicial processes; and*

(5) *to the extent practicable, the mechanism for and an overview of progress toward the resolution of claims for United States citizen Holocaust survivors and United States citizen family members of Holocaust victims.*

(c) SENSE OF CONGRESS.—*It is the sense of Congress that after the submission of the report described in subsection (b), the Secretary of State should continue to report to Congress on Holocaust era assets and related issues in a manner that is consistent with the manner in which the Department of State reported on such matters before the date of the enactment of the Act.*

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 447), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Leonard Steven Grasz, of Nebraska, to be United States Circuit Judge for the Eighth Circuit.

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.

Mr. SCHUMER. 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.

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### FUNDING THE GOVERNMENT

Mr. SCHUMER. Mr. President, last week, the House and Senate passed a short-term funding bill to keep the government open as Republican and Democratic negotiators continue to work on a long-term spending deal. The negotiations are advancing well, but many issues remain to be resolved.

First and foremost, we must resolve the issue of the spending caps. If we do nothing, there will be painful and unnecessary cuts to both defense spending and programs that invest directly in jobs and economic development for the middle class in early January. We must lift the spending caps for defense and also those urgent domestic priorities in equal measure. That has been the basis of the successful budget agreements going back several years and as recently as April of this year. There was parity between defense and nondefense, and that is how it ought to stay. That is what brought us home to a good agreement and no shutdowns in previous years.

As the opioid crisis continues to rage, dimming the bright future of so many Americans, we have a moral obligation to step up our country's support for addiction treatment and recovery. I have had a father cry in my arms because his son was online waiting to get into a treatment program, but it was too crowded. He had to wait, and his son died of an overdose before he could get in. We can't have that in America.

So many of our young people, the flower of our youth, are dying or being hurt so badly, addicted, with this opioid crisis. We cannot sit by, just as we cannot sit by with foreign threats that plague our country.

As veterans continue to struggle to find the quality healthcare they deserve after bravely serving this Nation, we should be making additional investments in veterans' healthcare and veterans hospitals. Just as we need to help

our soldiers abroad, we need to help those who have fought for us, risked their lives for us, and now have healthcare problems.

As hundreds upon hundreds of thousands of miners, truckdrivers, construction workers, and food service workers approach retirement age, we have to make sure the pension plans promised to them have enough in the bank to fulfill that promise. These people painstakingly paid every month into their plans, and so did their employers. They would forgo larger salary increases so they could make sure they are taken care of when they retire.

Now that the pension funds—in good part because of the crash of 2008—don't have the money they need, these people should not be left out. Hard-working American families deserve to retire with the dignity and security they have earned. If we don't meet these pension obligations today, they are going to cost the government a whole lot more tomorrow. That is why Democrats are fighting for a pension solution in the year-end spending bill.

These are all urgent priorities. There are more. They can't wait another day, just as we must make sure our men and women in uniform have the resources and support they need to do their job. Let's do both in a bipartisan way.

As Democrats continue to push for desperately needed funding to combat the opioid crisis, improve veterans' healthcare, and shore up pension plans, we will also be pushing to reauthorize CHIP—the Children's Health Insurance Program—and community health centers, as well as dealing with certain healthcare programs that have expired.

We have to do more for the Americans in Texas, Florida, Louisiana, Puerto Rico, and the U.S. Virgin Islands who are still recovering from devastating natural disasters.

We are in the process of negotiating with Republicans to provide a significant investment in border security in exchange for DACA. These talks continue to progress, and I am hopeful we can reach an agreement on that issue as well.

We have a lot to get done before the end of the year. We don't have much time to do it, but with the concerted effort of both parties, negotiating in good faith, I believe we can reach an agreement acceptable not to every Member of either Chamber but to large numbers of Members on both sides of the aisle so we can pass our agreement by a wide margin.

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. THUNE. 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.

#### NET NEUTRALITY

Mr. THUNE. Mr. President, for more than two decades, under both Repub-

lican and Democratic Presidents and Republican and Democratic Congresses, the United States pursued a bipartisan light-touch approach to internet regulation. The internet as we know it today flourished under this light-touch approach, much to the benefit of American consumers and the domestic economy. It also made America the world leader in internet technology and positioned us to continue that leadership in the years to come.

In 2002, broadband internet was classified by the Federal Communications Commission, or FCC, our Nation's communications regulator, as an information service under title I of the Communications Act. This classification exempted the internet from burdensome regulations contained in title II of the Communications Act, which were designed in the Depression era for the old telephone monopolies.

Under the Obama administration, we saw repeated attempts to bring the internet under greater government control. Finally, in 2015, at the explicit direction of President Obama, the FCC did as it was told and reclassified broadband internet access service as a title II service, subjecting broadband internet to onerous common carrier rules and opening the door to further regulation, including price regulation. Not surprisingly, with heavier regulation came a decline in broadband investment. Indeed, we have seen private investment in broadband infrastructure decline over the past 2 years. This decline should not be mistaken as a sign that broadband infrastructure is not needed. In fact, the opposite is true, as there are still 34 million Americans who lack access to broadband services at home.

In States like my home State of South Dakota, encouraging broadband deployment continues to be critical to ensuring that rural areas have the same economic opportunity as their urban counterparts. The Federal Government should not be putting up barriers to broadband deployment; it should be removing them. Congress and the FCC need to ensure regulatory framework is in place that protects consumers but that doesn't stand in the way of investment and innovation.

Prior to the FCC's 2015 actions to bring broadband under title II, and for more than a decade under the light-touch regulatory framework of title I, we saw unprecedented growth that revolutionized our daily lives and allowed us to stay better connected with our loved ones. The internet created new jobs and expanded opportunities for education and commerce. It became the greatest engine of innovation for our times.

Despite the fearmongering and doomsday rhetoric that continues to plague this debate, when the FCC moves forward and restores the internet to its pre-2015 regulatory status, the internet will continue to thrive and serve as an engine for future economic growth.

I commend Chairman Pai at the FCC and the entire Commission for all the hard work over the last year that has gotten us to this point. I also commend Chairman Pai for his commitment to transparency throughout this process. For the first time in the history of the Commission, under Chairman Pai's leadership, the public was able to view the Restoring Internet Freedom item 3 weeks prior to the FCC's vote. That is true of all documents to be considered by the Commission—a major departure from the previous administration's actions, which were often not made public until the very last minute. As a result of Chairman Pai's commitment to transparency, the public has the benefit of not only viewing the item but also participating in the process.

Despite attempts by those more interested in politicizing the issue and distracting from this debate, this item resulted in the most well informed and most exhaustive record of comments ever submitted to the FCC. The FCC is now well positioned to move forward to ensure that the internet is open and free. Regrettably, however, debate doesn't end there. The outcry from opponents of the FCC's proposal is that the internet will fall apart without adequate consumer protections.

There is obviously immense passion that follows the issue of net neutrality. Americans care deeply about preserving a free and open internet, as do I and so many of my colleagues in the U.S. Senate on both sides of the aisle.

As I have stated repeatedly and I will say again today, congressional action is the only way to solve the endless back-and-forth on net neutrality rules that we have seen over the past several years. If my colleagues on the other side of the aisle and those who claim to support net neutrality rules want to enshrine protections for consumers with the backing of the law, I call on them today to join me in discussing legislation that would do just that. While we are not going to agree on everything, I believe there is much room for compromise.

Many of us in Congress already agree on many of the principles of net neutrality. True supporters of an open internet should be demanding such legislative protections today, not posturing while waiting for years during protracted legal proceedings or waiting for the political winds to shift.

If Republicans and Democrats have the political support to work together on such a compromise, we can enact a regulatory framework that will stand the test of time. I have stood willing to work with any and all supporters of net neutrality protections for many years now, and I continue to stand ready today.

It is time for Congress to settle this debate, and I welcome discussion on ways to ensure a free and open internet for decades to come.

#### TAX REFORM BILL

Mr. President, it has been a good week in the U.S. Senate. We are getting closer and closer to the finish line

on tax reform. That means we are getting closer and closer to real relief for the American people. Our legislation is going to cut tax bills for American families, it is going to increase their wages, and it is going to give them access to new jobs and opportunities.

The tax bill the Senate passed on December 2 would cut income tax rates for American families starting next month. It would double the standard deduction. It would double the child tax credit. That would mean a substantially lower tax bill for American families next year. Under our bill, a family of four making \$73,000 a year would see a \$2,200 tax cut.

But our bill doesn't just provide immediate relief for families. Our bill also sets families up for economic health for the long-term by giving them access to higher wages, new jobs, and better opportunities.

How does it do this? By improving the playing field for American businesses. In order for individual Americans to thrive economically, we need American businesses to thrive.

Thriving businesses create jobs and provide opportunities; they increase wages and invest in their workers. But our current Tax Code has not been helping businesses thrive. For years now, our tax laws have left businesses of all sizes struggling under the burden of high tax rates and an outdated tax system that has left American businesses at a disadvantage in the global economy. Small businesses employ nearly half of American workers and create a majority of new jobs in this country, but right now small businesses face high tax rates that can make it difficult for these businesses to even survive, much less thrive and expand their operations.

Our bill fixes this. To start with, our bill implements a new deduction for passthrough businesses, such as partnerships, LLCs, and S corporations. This deduction would allow them to keep more of their money, which would allow them to reinvest in their operations to increase wages and to hire new workers.

Our bill also reforms current provisions in the Tax Code that frequently leave small businesses with little cash on hand. Under our legislation, small businesses would be able to recover the capital they have invested in inventory and machinery much more quickly and, in certain cases, immediately. This, in turn, would free up capital small businesses could use to expand and create jobs.

Our legislation also includes provisions that I helped develop that would simplify accounting rules for small businesses, which would also help reduce their tax burden, leaving more of their earnings to reinvest in their businesses and in their workers.

In addition to providing relief to small businesses, our bill will boost American wages by lowering our massive corporate tax rate. Our Nation's corporate tax rate is currently the

highest in the industrialized world, which puts U.S. businesses at a major disadvantage next to their international competitors. Reducing the corporate tax rate will enable U.S. businesses to compete on a more level playing field, freeing up money that U.S. businesses can use to create jobs and to increase wages.

The White House Council of Economic Advisers estimates that reducing the corporate tax rate to 20 percent would increase wages for U.S. households by \$4,000. That is money that families could use to save for retirement, help pay for a child's education, replace an aging vehicle, or invest in their home.

Our bill would also boost wages and increase opportunities for Americans by ending the outdated tax framework that is driving American companies to keep jobs and profits overseas. Our Nation currently operates under a so-called worldwide tax system. That means that American companies pay U.S. taxes on the profit they make here at home as well as on part of the profits they make abroad, once they bring that money back to the United States. The problem with this is that American companies are already paying taxes to foreign governments on the money they make abroad. When they bring that money home, they can end up having to pay taxes again on part of those profits at the highest tax rate in the industrialized world. It is no surprise that this discourages businesses from bringing their profits back to the United States to invest in their domestic operations, new jobs, and increased wages.

Our bill replaces our outdated worldwide tax system with a territorial tax system. Under our legislation, American companies would no longer face the double taxation that has encouraged them to send their investments and their operations overseas. Instead, U.S. companies would have a strong incentive to invest their profits at home in American jobs and American workers.

All in all, the Tax Foundation estimates that in addition to increasing wages, our bill would create nearly 1 million new jobs for American workers and boost the size of the economy by 3.7 percent.

This week, Members of the House and the Senate—myself included—are working on the final draft of comprehensive tax reform legislation. We hope to send a final bill to the President next week. I am thankful to have been able to be part of this tax-writing effort.

The bill we are finalizing, which is the product of years of work by Members of both parties, represents a once-in-a-generation opportunity to profoundly change the American people's lives for the better. Our tax bill will provide real, immediate, direct relief to Americans and do it now, and it will give Americans access to the kinds of jobs, wages, and opportunities they

need for a secure and prosperous future. After years of economic stagnation, the bill we are drafting will usher in a new era of economic dynamism in this country, and it will send a message to the world that America is serious about competing and winning in the 21st century.

I am grateful to my colleagues on the House and Senate tax-writing committees for all the work they have done to put together this legislation, and I look forward to working with my colleagues on the conference committee to finish our final draft and to get this bill across the finish line for the American people.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

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

The 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 (Mr. STRANGE). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I approach this topic with a little bit of trepidation. Ordinarily when people make outrageous, outlandish, and unbelievable statements, I usually think it is best just to let them go because when people make these kinds of statements, I think they lose their own credibility, and maybe it doesn't bear any particular comment by anybody else or a desire or an attempt to refute it. But on the subject of tax reform, there have been some incredible statements that have been made, and I am going to mention a few of those because I think they really paint an ugly picture of what is supposed to be a debate on tax reform policy, but I think probably they relate more to sort of the nature of what passes for debate here in Washington, DC—and particularly the Congress—on matters of important public policy. In other words, there isn't a lot of debate. There is accusation after accusation. It gets repeated on social media, then the press picks it up, and then people just assume, well, it must be true since nobody has ever denied it or offered any contrary narrative.

For example, the House minority leader apparently had the time to read every bill that has ever been written since the year 1789 because she felt comfortable calling this tax bill, which is still in the process of being written—reconciling the House and Senate versions—she called it the “worst bill in the history of the United States Congress.” She has been busy if she has read every bill since 1789. Then she went further because that apparently wasn't enough for her. She said that our tax bill isn't just poor legislation; she said that it is an existential threat to the Nation and possibly the entire planet. Can you believe that? An existential threat to the Nation and possibly the entire planet.

Well, you can see why perhaps I was reluctant to come address these accusations, because I think anybody who would make those kinds of accusations has lost all credibility. But acting either as a prophet or an amateur astrologist—we are not quite sure—she called the prospect of passing tax reform “Armageddon.”

Well, it is hard to know what to say or do in the face of that sort of rhetoric because, frankly, this tax reform bill is a good thing. I wish our friends across the aisle, the Democrats, would join us in trying to make it better. That is what happened the last time we tried to do this or this Congress tried to do it.

In 1986, a Republican President; a Democratic Senator from New Jersey, Senator Bill Bradley; Dan Rostenkowski from Chicago, chairman of the House Ways and Means Committee, a Democrat; and other Members of Congress came together to try to reform our Tax Code, and they were successful in doing it against all odds.

But today, we have an entirely different scenario. We have Republicans seeing that the economy is growing at a very slow rate and that wages for most workers have been flat for the last 10 years and realizing that our current Tax Code is counterproductive when it comes to encouraging investment, job creation, and wage growth in our country because we have the highest tax rate in the world for businesses that do business internationally. We thought, we need to do something about it, and so we set about reforming our Tax Code with three goals in mind.

One is to simplify the Tax Code. Everybody knows how complex it is and how much money people spend hiring an accountant or H&R Block or somebody to help them figure it out. Secondly, we figured that it would be important to give hard-working families a tax cut. So we have succeeded in reducing the tax break for every tax bracket in the Tax Code for working families. For example, for low-income families, we have a zero tax bracket now. For a joint-filing husband and wife, on the first \$24,000 they earn, there is no tax at all. And thanks to some great work by Senator RUBIO and Senator LEE, we have doubled the child tax credit. Those are good things. We have doubled the standard deduction—so fewer people have to itemize deductions to get the full benefit of the code—while maintaining the charitable deduction and the mortgage interest deduction and popular items like that. We have also said, for example, that a family earning roughly \$70,000 a year—the median income in America for a family of four—would see a benefit of roughly \$2,200 less tax liability.

I would think those would be good things that our friends across the aisle would want to work with us on. How do we simplify the code? How do we let people keep more of what they earn, more take-home pay, a better standard of living? How do we make America's

economy more competitive since we have the highest tax rate in the world and we are seeing investment in businesses flee to other lower tax jurisdictions? You would think those would be the sorts of things on which our friends across the aisle would want to work with us but apparently not. Instead, what we get are these sort of reckless and really buffoonish allegations that cause the speaker to lose all credibility in any sort of debate we might be having.

Unfortunately, the media tends to pick up on some of this rhetoric and jump on the bandwagon, but the media's worst claims are at least a little closer to Earth than what I recounted earlier. For example, the Washington Post said the tax reform “took place behind closed doors.” Well, that is a tired old rhetoric and talking point. You would think the Washington Post could come up with something a little better than that and actually something that is a little more accurate than that. One columnist at the New York Times sighs that the package benefits donors at the expense of voters—what does that mean?—and that it “only modestly addresses the central socioeconomic challenge of our time.” Well, I wonder what this reporter or columnist for the New York Times thinks is the central socioeconomic challenge of our time. I think one of those is for people to be able to pursue the American dream, to be able to find work, to be paid a decent wage, and to be able to keep more of what they earn, but that apparently isn't good enough for this columnist at the New York Times.

Certainly, these charges deserve a little more attention than the minority leader's asteroid attack, but they, too, are misguided.

When it comes to tax reform, the drafting process did not take place behind closed doors. I wonder why the Washington Post was so ill-informed and ignorant of the legislative process that they didn't see the 70 Senate hearings we have had on tax reform since 2011. They apparently didn't bother to turn on C-SPAN to see the debate and the amendment process in the Senate Finance Committee that produced the Senate bill, and they apparently are not paying much attention to what we are talking about here on the Senate floor as we are trying to reconcile the differences between the House bill and the Senate bill. So I guess they are just not paying much attention, which I thought newspapers and reporters were supposed to do.

The second major allegation—that we are ignoring working Americans and the middle class—is demonstrably false.

Many are wondering why tax cuts for families are temporary and the ones for corporations are permanent. Well, we know that businesses need long-term assurances about the tax environment so that they will invest and make plans. We wanted to make tax cuts for

individuals permanent, too, but that requires 60 votes in the Senate, and every single one of our Democratic colleagues voted against the bill and they refused to participate in the process. So with only 52 votes to work with, we were unable to meet that 60-vote threshold. So on the one hand, they criticize us for not making those tax cuts for individuals permanent, but then they deny us the votes we need in order to make that happen. It is not that we don't want to make these tax cuts permanent for the middle class; it is that the Democrats are preventing us from doing so.

I agree with my friend and colleague, the junior Senator from Florida, Mr. RUBIO, who has said that when it comes to debating tax reform, Republicans can't be the country club party. I certainly agree that is not who we are, but that is also not who we should be helping in this bill. We ought to be addressing low-income and middle-class Americans first.

Yes, we do lower the corporate rate, but historically that has been something Democrats have called for. I remember that in 2011, President Obama, in a joint session of Congress, called for reducing the highest corporate tax rate in the world, and he called upon Republicans and Democrats to work together to make that happen. And we have had others, like the ranking member on the Senate Finance Committee, the Senator from Oregon, Mr. WYDEN, who co-sponsored a bill that would have reduced the corporate tax rate from 35 percent to 24 percent. We do a little better than that in this bill. We take it down to 20 percent, which is close to the industrialized world average on tax rates, but the Senator from New York, the Democratic leader, has also called for lowering the corporate tax rate and making us more competitive in the global economy. Do you know what will happen when we do that? We will see investment come back to the United States, along with the jobs that go along with it. Who will benefit from that? Will the businesses that create those jobs benefit? I suppose they will, but the people who will really benefit will be the people who perform those jobs and who earn those wages: hard-working American families.

A group of nearly 140 economists say that, on balance, they believe the bill will enhance economic efficiency and result in most households enjoying lower marginal rates. That is economics talk for tax cuts. But what about fairness and simplification? Don't we all want a fairer tax code and one that is easier to navigate? I believe, once again, our bill delivers.

Those economists I mentioned say fairness would be served by reduction differences, and the tax treatment of individuals with similar incomes and simplification would be served by reducing the number of individuals who itemize for Federal tax purposes. That is exactly what we do by doubling the standard deduction.

Right now, about 3 out of 10 individual taxpayers itemize. Under our doubling the standard deduction, only 1 out of 10 will find it necessary to itemize.

The simple truth is, the Senate bill will lower tax bills on millions of working-class Americans. It will lower taxes, not raise them, on the working class. Again, by nearly doubling the standard deduction and lowering rates across the board and doubling the child tax credit, the Senate tax reform plan will lower taxes for every income group. The Senate tax plan was written with working families in mind, and the legislation reflects that goal.

As I said earlier, and I will say it again, a family of four earning a median income of about \$70,000 will see a \$2,200 savings in their tax bill each year. It may be easy for folks living in the rarified air in Washington, DC, to shrug that off and say \$2,200 is no big deal to me, but to the people I represent, \$2,200 in tax savings a year is a big deal. It can mean the difference between being able to save for retirement, help pay for a college education, or maybe take a vacation for the first time in a long time. That is the money they have earned, and we are simply saying you can keep more of it under this bill.

Finally, I want to mention the Federal deficit. Will the tax bill increase it? Well, yesterday the Office of Tax Policy at the Treasury Department released an analysis of expected tax revenue associated with the administration's economic growth initiatives. Among the key findings is, \$1.8 trillion of additional revenue would be generated over 10 years based on expected economic growth. The Congressional Budget Office uses the baseline of 1.9-percent economic growth. That is because, during the entire Obama Presidency, the U.S. Government and economy experienced an unprecedented low rate of economic growth since the Great Recession of 2008, but, historically, dating back to World War II, we have seen the economy grow at 3.2 percent. So why should we settle for 1.9 percent or 2 percent? We shouldn't.

Our friends on the other side have suddenly become deficit hawks after seeing the national debt double during the Obama administration. Let's not forget, they supported lowering these same corporate tax rates year after year and embraced other parts of our plan which we have incorporated. That is why their attacks, their histrionics, their screams of Armageddon are laughable, and, frankly, they insult the intelligence of Americans who are trying to figure this out. It is hard to figure out what is actually happening when you have somebody crying like Chicken Little that the sky is falling. It is hard for people to sort all of this out.

Well, as we continue to work on a conference committee report to reconcile the differences between the House and the Senate versions of the

bill, our focus will be on those hard-working American families I mentioned earlier—people of modest income, people of average income.

Yes, we are going to make our businesses more competitive globally because that will benefit the same families we are trying to benefit by the individual tax cuts.

You can see why I perhaps was a little reluctant to come address some of these histrionics and outlandish and unbelievable claims, but I have also learned that if you don't respond—if you don't counter falsehood with truth—some people are simply going to believe the falsehood, so I thought it was important to do so. Let's remain clear-eyed, and let's get this work done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I come to the floor to talk about the Children's Health Insurance Program and Community Health Centers, but I do want to take a moment to respond to my friend and colleague, the distinguished Senator on the Republican side.

I can speak for myself and others, I know, on this side who very much want to see tax reform, very much want to close loopholes that take jobs overseas and support small businesses, but what is in front of us and what was voted on was a bill that, when fully implemented, would raise taxes on something like 87 million middle-class Americans. That doesn't make any sense at all.

All of the rosy estimates on economic growth were not backed up in legislative language. As to the \$4,000 wage increase that had been talked about as a minimum for people across the country to receive based on economic growth, I suggested we write that into law; that if, in fact, folks don't get their \$4,000, the tax breaks would stop—and folks aren't willing to do that.

I want to make sure folks in Michigan get their \$4,000 wage increase, and we don't get another bunch of promises with trickle-down economics, where everything goes to the top 1 percent, and folks in Michigan are still waiting for it to trickle down.

#### CHIP AND COMMUNITY HEALTH CENTERS

Mr. President, let me go to the subject I am here to talk about; that is, the fact that we are now on day 73 since the Children's Health Insurance Program and community health center funding has stopped. The Federal funding stopped on September 30.

I am very concerned. I was reading today that the House leadership has essentially been saying they don't want to see this continued as part of a year-end package in 2 weeks. My assumption was, we were going to see the Children's Health Insurance Program and community health centers wrapped into the bill in a couple of weeks that would set the priorities for our country.

If it is true what was reported, there ought to be an alarm going out all across the country. The Children's Health Insurance Program—which we call MICHild in Michigan—covers 9 million children across the country. These are working families. These are working families who need some help to have insurance for their children—children who now go to the doctor instead of an emergency room. This actually saves dollars by children being able to have a regular relationship with a doctor, parents knowing they can take their children to the doctor instead of having to figure out how to address their concerns in the middle of the night in the emergency room.

So 9 million children right now are at risk because of inaction. It has been 73 days. I am very concerned that as soon as February, the MICHild Program will be running out of funding. In fact, this month, there are three States that are losing funding for the Children's Health Insurance Program: Arizona, with over 88,000 children who receive health insurance and are able to go to the doctor. Their moms and dads know that at least the kids are going to be able to see the doctor for their juvenile diabetes, their asthma, or simple things like a cold, flu, or serious things like cancer.

New Hampshire has 17,000—almost 18,000 children. In Oregon, 140,000 children right now receive their healthcare through the Children's Health Insurance Program. Starting in January, if there is no action, we will see millions of children losing their health insurance: California, Colorado, Delaware, Florida, Idaho, Massachusetts, Pennsylvania, Texas, Utah, and Virginia. Each month, we will see funding that will be eliminated. In total, we are talking about 9 million children.

This has been a bipartisan program. This came out of committee on a bipartisan vote in September with Senator HATCH and Senator WYDEN. I was pleased to join them in putting together a 5-year extension. It came out of committee with strong bipartisan support and only one "no" vote.

I assumed it was going to be brought up on the floor before September 30 and passed. Yet 73 days later, children and families across the country are still waiting.

The other piece of healthcare that has been so critical to families—to children and individuals across our country—is funding for community health centers, which, by the way, also has strong bipartisan support. Senator ROY BLUNT and I have put in legislation with Republicans and Democrats cosponsoring it. We have a letter that 70 different Members signed to our leadership saying they support extending community health center funding. Yet, again, there has been no action for 73 days.

Our assumption had been that the Children's Health Insurance Program would come to the floor, we would amend it to add health centers, and get

it done before September 30. It has not happened. The community health centers serve 25 million patients in every part of our country. So 300,000 veterans rely on community health centers, and 7.5 million children, as well, rely on community health centers. I should add, we have 260 sites all across Michigan serving 681,000 people. Again, almost 13,000 Michigan veterans use our community health centers.

We have bipartisan support to continue funding, but the funding ended September 30. So what happens? Well, starting in January, Michigan's community health centers will lose \$12.8 million in funding because about 70 percent of the funding for health centers comes through the legislation we are now offering with bipartisan support. About 20,000 people will lose their healthcare. By June, Michigan's health centers will lose over \$80 million in funding, and almost 100,000 patients will lose healthcare. This is critically important as well. We are talking about 25 million people across the country.

Community health centers and the Children's Health Insurance Program is something we have come together on, on a bipartisan basis, over the years. There has to be a sense of urgency about this. We cannot leave at Christmas—we can't leave for the holidays without having a guarantee that children and families and individuals across our country will be able to have the health insurance and the medical care they have been receiving.

The best Christmas present—the best New Year's present we could give families—is to guarantee that moms and dads can take their kids to the doctor, if we have the Children's Health Insurance Program, and that people young and old across the country who use community health centers will still know they can count on them.

Let me close by just sharing a story from John, who is one of the more than 12,700 veterans served by Michigan's community health centers.

John had always been healthy. He didn't have health insurance. In fact, the last time he had seen a doctor was when he was still in the service back in 1975.

Last summer, he started having symptoms. He tried to ignore them, but his wife knew something was wrong. They tried to get help but faced long waits for him to be seen. That is when they contacted the Traverse Health Clinic.

The clinic was able to get John in right away, and his wife's fears were confirmed. He was diagnosed with congestive heart failure.

The team at Traverse Health Clinic helped get John admitted to the hospital, coordinated services with the cardiologist, and got him signed up for health coverage. That is what community health centers do—connect people with the services they need to be treated or provide preventive care so that they can stay healthy.

In John's case, he says it changed his life. John said this:

There are a lot of people like me who were doing fine and now they're not. There are a lot of people like me who need a place like Traverse Health Clinic. I consider myself extremely fortunate. Now I have a doctor. I'm so thankful.

On behalf of the 25 million people who use community health centers and the 9 million children covered by the Children's Health Insurance Program, it is time that we act. They have been waiting for 73 days. We could do this in a few hours, in a day, on the Senate floor. I urge us to get this done.

Thank you.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. SASSE. Mr. President, I rise today in continued support of Steve Grasz's nomination to the U.S. Court of Appeals for the Eighth Circuit.

Some of those who have been attacking Mr. Grasz have claimed that he doesn't have the character or the temperament to treat litigants fairly and decide cases based on the facts and the law.

In evaluating those claims, I hope my colleagues in this body will listen to the hundreds of Nebraskans of all partisan and ideological stripes who have stood up in support of Steve's nomination. I urge everyone to listen to what those Nebraskans have to say specifically about his character and about his temperament.

One Nebraskan wrote to Mrs. FISCHER, the senior Senator from Nebraska, and to me, as well as to the Judiciary Committee:

I was the plaintiff in a First Amendment defamation and political speech action against the Nebraska Republican Party. . . . Mr. Grasz represented the Nebraska Republican Party. I was not successful in my lawsuit. However, I did have the opportunity to meet and interact with Mr. Grasz during the case and found him to be . . . a consummate professional. Based on my observations I believe his judicial temperament would be of the highest quality and all parties would be given equal opportunity. . . . I can think of no one better qualified or suited to be appointed to this prestigious judgeship than Steven Grasz.

Another Nebraskan wrote to us:

I know Steve personally having served as opposing counsel to him on cases. . . . Steve was a formidable opponent. . . . While he zealously advocated for his clients, he did so in a level-headed and even-keeled manner.

Yet another Nebraskan writes:

I . . . have . . . represented clients in cases where Mr. Grasz was opposing counsel. In all circumstances he demonstrates the utmost professionalism. . . . I am a registered Democrat and, quite frankly, am not a strong supporter of the current administration. However, as a practicing attorney dealing with complex litigation and appearing regularly in the federal courts of appeals, I want intelligent, thoughtful individuals appointed to the Bench who will administer the law and apply existing precedent. I have no doubt that Mr. Grasz can do that very effectively.

Also, consider the words of this Nebraskan:

Steve does not allow his role as an advocate to cloud his analyses and judgment. He

reviews statutes, regulations, rule and common law with a clear eye, and he applies these authorities to the facts presented to him. . . . [H]is respect for precedent and his high regard for the works of other branches of government show his dedication to following the Constitution and our nation's laws as they are written.

Steve Grasz is a Nebraskan through and through. As I said here on the floor yesterday, Steve bleeds Husker red, but he is a guy who is well suited to take on the black robes of the judge, for he understands that we do not have blue or red partisan jerseys on our article III branch of government, the independent judiciary.

Steve is well suited to serve as a judge on the Eighth Circuit. I think that not just Nebraskans but folks across all the States represented in the Eighth Circuit are going to find a man of unbelievable temperament.

The ABA is a liberal advocacy organization. That is absolutely their right. What is not OK is for the ABA to masquerade as a neutral arbiter of professional qualifications.

Attacks on Steve's character have come out of this process because the two reviewers from the ABA cite again and again and again anonymous sources of his supposed rudeness. We have seen none of that in Nebraska. Again, hundreds of people have written to the senior Senator and to me and now to the Judiciary Committee in support of the President's decision to nominate Steve Grasz to the Eighth Circuit Court of Appeals.

Mr. President, I ask unanimous consent to have printed in the RECORD the specific letters I have just cited.

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

MOATS LAW FIRM, P.C., L.L.O.,

*Elkhorn, NE, September 21, 2017.*

Re Nomination of Steven Grasz for 8th Circuit Appellate Judgeship.

Chairman CHUCK GRASSLEY,  
*Senate Judiciary Committee,*  
*Washington, DC.*

Ranking Member DIANNE FEINSTEIN,  
*Senate Judiciary Committee,*  
*Washington, DC.*

DEAR SENATORS GRASSLEY AND FEINSTEIN: Steven Grasz has been nominated as an appellate judge for the United States Court of Appeals for the Eighth Circuit. I write this letter of recommendation in support of his nomination and confirmation. I am a lifelong member of the Democratic party.

I have known Mr. Grasz since 2009 when we were involved in common litigation to the Nebraska Supreme Court (*Moats v. Republican Party of Nebraska*, 281 Neb. 411, 796 N.W.2d 584 (2011)) which was subsequently appealed to the United States Supreme Court where certiorari was denied. I was the plaintiff in a First Amendment defamation and political speech action against the Nebraska Republican Party arising out of a non-partisan office I sought in the Nebraska Unicameral in the fall of 2008. Mr. Grasz represented the Nebraska Republican Party.

I was not successful in my lawsuit. However I did have the opportunity to meet and interact with Mr. Grasz during the case and found him to be polite and courteous and extremely well informed and educated on this complicated subject matter. At no time did

he ever show any inappropriate actions or behavior towards me or my family and was a consummate professional. Based on my observations I believe his judicial temperament would be of the highest quality and all parties would be given equal opportunity.

In life there is always another chapter to each of our collective stories. I am pleased to inform you, that my dealings with Mr. Grasz and his family extended beyond the case we were involved in. Our children were involved in competitive dance for the past four years and my wife and our children had the opportunity to interact with Mr. Grasz and his family in a social setting. My observations and interactions with him were always positive and productive notwithstanding him having been on opposite side of a very emotional case. He is a terrific husband and father, a brilliant legal scholar and oaring human being. I can think of no one better qualified or suited to be appointed to this prestigious judgeship than Steven Grasz.

Sincerely,

REX J. MOATS.

SEPTEMBER 18, 2017.

Re Nomination of L. Steven Grasz.

Chairman CHUCK GRASSLEY,  
*Senate Judiciary Committee,*  
*Washington, DC.*  
Ranking Member DIANNE FEINSTEIN,  
*Senate Judiciary Committee,*  
*Washington, DC.*

CHAIRMAN GRASSLEY AND RANKING MEMBER FEINSTEIN: I write in support of the nomination of Steve Grasz to the United States Court of Appeals for the Eighth Circuit. I know Steve personally having served as opposing counsel to him on cases. I also know him by reputation in the Omaha legal community through his work on significant litigation.

Steve was a formidable opponent. He was willing to go the extra step to advance his clients' interests. While he zealously advocated for his clients, he did so in a level-headed and even-keeled manner. I've never seen him raise his voice. He listens and asks good questions. His temperament is well suited for the position to which he has been nominated.

There is no question Steve has the intellect to do the important work of a federal appellate court judge. He has published multiple law review articles which have contributed to the practice of law. Steve's pleadings and briefs are clear, thoughtful, and well written. He did not attempt to advance frivolous claims. In my experience with him, he works diligently and was always well prepared.

Unfortunately, with some lawyers, every conversation has to be memorialized in a letter out of fear that the lawyer will reverse course. That was not the case with Steve. His word was good.

Steve has both represented the government and represented individuals in claims against the government. He has valuable litigation experience in cases involving Section 1983 claims and qualified immunity which make up a significant portion of the cases handled by federal appellate judges. His experience will serve him well while sitting on the other side of the bench.

I believe Steve is committed to upholding the laws and Constitution of the United States, and will do so as a member of the Eighth Circuit. I urge the Judiciary Committee to advance his nomination.

Respectfully Submitted,

TIMOTHY J. THALKEN.

SEPTEMBER 9, 2017.

Re Confirmation Hearing for L. Steven Grasz for Judge of the United States Court of Appeals for the Eighth Circuit.

Chairman CHUCK GRASSLEY,  
*Senate Judiciary Committee, Washington, DC.*  
Ranking Member DIANNE FEINSTEIN,  
*Senate Judiciary Committee, Washington, DC.*

DEAR SENATOR GRASSLEY AND SENATOR FEINSTEIN: I am writing to express my support for Steven (Steve) Grasz to be confirmed as judge for the United States Court of Appeals for the Eighth Circuit. I have been a lawyer for twenty-one years, and had the good fortune to spend five of those years working with Steve on a variety of matters spanning from local litigation to federal regulatory and administrative actions. While Steve ably represented clients in state and federal venues, I observed firsthand the qualities that would make him an outstanding federal appellate court judge.

Steve possesses admirable analytical skills an ability to grasp complex and often highly abstract concepts in a manner that allows to communicate these concepts in a plain, understandable way. From a practical perspective, this is very important skill for any judge to possess because it is the vanishingly rare lawsuit in which the underlying dispute is so very narrow that the judge's ruling is limited only to the parties before the Court. Instead, judges' resolutions of disputes serve as guidelines for many other lawyers and their respective clients to follow in future transactions. This is especially true for Circuit-level opinions, which are widely disseminated. Well-reasoned, cogent judicial opinions are an invaluable resource for lawyers to turn to when advising Clients who may or may not be overly familiar with our justice system. Lawyers rely upon judicial opinions when advising clients about the relative risks and benefits of a particular course of action. Steve's ability to communicate difficult, often abstract concepts in plain terms will contribute greatly to this very important function of our legal system.

Importantly, Steve does not allow his role as advocate to cloud his analyses and judgment. He reviews statutes, regulations rule and common law with a clear eye, and applies these authorities to the facts presented to him. Steve advises clients and develops strategies based upon existing authorities, showing his respect for our system of governance and for each branch's contribution to it. His ability and willingness to evaluate particular facts in light of various authorities is a critical skill for judges to possess, and shows his deep respect, for precedential law. Similarly, his respect for precedent and his regard for the works of other branches of government show his dedication to following the Constitution and our nation's laws as they are written. This quality is critically important for a judge to have following the Constitution and our nation's laws as they are written is part and parcel of the development and application of clear, lasting legal principles upon which all members of the public—not only lawyers and their clients—may rely in conducting the transactions of everyday life.

Finally, Steve has a temperament very well-suited in the bench. He is levelheaded and unfailingly courteous to opposing lawyers their respective clients, and to judges. I have seen Steve involved in challenging, stressful situations, yet his demeanor consistently remains composed and polite. He does not engage in personal criticism of judges, fellow lawyers, or litigants, nor does he allow the behavior of others to be anything other than courteous and professional. While certainly not every lawyer possesses this ability, it is a vital one for judges to

have because our system of justice depends upon judges' ability to maintain decorum even when attorneys or litigants are not doing so. Through trying situations, Steve has consistently shown his ability and willingness to treat all attorneys and parties with respect, and he has conducted himself in the professional, composed manner that lawyers hope to see in judges at every level. His treatment of others ultimately honors the truth-seeking function our system of justice is intended to fulfill since he does not engage in obstructionist tactics or gamesmanship intended to drive up litigation costs or designed to deny other parties access to information bearing upon matter in dispute. As a lawyer, Steve sets an excellent example of someone working toward fair and just resolutions of disputes. This attribute would serve him very well as a judge and would directly benefit all persons impacted by the court's decisions.

Thank you for taking the time to review my letter of support for Steve. If you have any questions or concerns about my standpoint regarding his ample qualifications for being confirmed as judge for the United States Court of Appeals for the Eighth Circuit, please let me know.

Sincerely,

TIM DOLAN.

OMAHA, NE,

September 20, 2017.

Re Nomination of Steve Grasz, United States Court of Appeals for the Eighth Circuit.

Hon. CHUCK GRASSLEY,  
*U.S. Senator,*  
*Senate Judiciary Committee, Washington, DC.*

DEAR SENATOR GRASSLEY: I am writing to indicate my strong support for President Trump's nomination of Steve Grasz to the United States Court of Appeals for the Eighth Circuit.

Mr. Grasz was employed by the Kutak Rock law firm when I began working there right after law school. Mr. Grasz is very intelligent and has the legal background and skill to be an asset to the Court of Appeals. I have maintained my acquaintance with Mr. Grasz and have also represented clients in cases where Mr. Grasz was opposing counsel. In all circumstances he demonstrates the utmost professionalism.

I have no hesitation in stating that litigants could present to him the most complex legal issues and he would be able to analyze them intelligently and coherently. I have also had the opportunity to read materials he has written. Opinions by him would be a credit to the judiciary.

Although I personally believe that an individual's personal political, social, or religious practices and beliefs are irrelevant to qualifications for a judicial position, I realize that such considerations have been injected into judicial confirmation proceedings over the past few years. I expect that certain factions may attempt to raise such issues regarding Mr. Grasz who has actively served both his government and his community.

I am a registered Democrat and, quite frankly, am not a strong supporter of the current administration. However, as a practicing attorney dealing with complex litigation and appearing regularly in the federal courts of appeals, I want intelligent, thoughtful individuals appointed to the Bench who will administer the law and apply existing precedent. I have no doubt Mr. Grasz can do that very effectively.

I appreciate your consideration of my recommendation. If there is any interest in further information, please feel free to have your staff contact me.

Sincerely,

DIANA J. VOGT,  
*For the Firm.*



Mr. SASSE. I urge all of my colleagues to listen to all of the Nebraskans, again, of all backgrounds and across the partisan spectrum, as they have urged us to confirm Mr. Grasz today.

Thank you.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII that at 4 p.m. on Tuesday, December 12, there be 30 minutes of postcloture time remaining on the Grasz nomination, equally divided between the leaders or their designees, and that following the use or yielding back of that time, the Senate vote on the confirmation of the Grasz nomination 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 PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

DEPARTMENT OF THE INTERIOR 5-YEAR  
OFFSHORE OIL AND GAS PLAN

Mr. NELSON. Mr. President, there are all kinds of reports swirling around Washington, and we are hearing from those reports that the Trump administration is about to give a huge, early Christmas present to the oil industry. The reports are, the Department of the Interior is preparing to unveil a new 5-year plan for offshore oil and gas drilling—one that would open up the entire Atlantic coast of the United States to drilling. This new 5-year plan, which would go into effect in 2019, would replace the current 5-year plan that was finalized just last year and doesn't expire until 2022.

Why is the Department of the Interior in such a rush to waste taxpayers' money to write a new one? The answer is, the oil industry wants to start drilling in these areas now, and the Trump administration is going to let them do it. While it hasn't been released yet, we are hearing that the administration's new plan will open up the entire Atlantic coast to offshore drilling—from Maine to as far south as Cape Canaveral. Let me show you why that is a problem.

This is the east coast of the United States. This is Maine. This is Florida. This is Cape Canaveral. This is Fort Pierce, FL. Look what happens on the Atlantic coast off the eastern continental United States. These are all military testing areas. Every one of these hatched areas—every one of these blocks—is of a place that has limited access because of military testing.

Take, for example, all of this area off the east coast of Florida. There is a place called the Cape Canaveral Air Force Station. There is a place called the Kennedy Space Center. We are launching commercial and military rockets, and within another year and a half, we will be launching American rockets with American astronauts that will go, just like the space shuttle before them, to and from the International Space Station and will carry crews as well as the cargo they already carry.

When you are launching to the International Space Station or, in 2 years, when we launch the largest rocket ever from the Kennedy Space Center—the forerunner to the Mars Program, taking humans to Mars, or in the case of the new Mars rocket, called the SLS, the Space Launch System—where do you think it will drop its solid rocket boosters? It will drop them precisely out here, which is exactly why you cannot have oil rigs out here.

All of the commercial rockets that come out of Cape Canaveral right now put up a host of communications satellites; that is, a constellation of satellites. How do you think we get our pinpoint GPS here on Earth? Many of those rockets are coming right out of the Cape Canaveral Air Force Station, and, increasingly, there is commercial activity at the Kennedy Space Center, which is collocated with the Cape Canaveral Air Force Station.

What about all of those scientific satellites that are out there that give us precise measurements on what is happening to the climate so when we then track hurricanes, we know precisely and have such great success in predicting the path and the voracity of a hurricane? All of those rockets are coming out of Cape Canaveral. They have first stages, and when the first stages burn up, they have to fall someplace. You cannot have oil and gas production out here.

It would be the same off of Norfolk, VA. They also have a launching point there for NASA—Wallops Island. Yet, in the Norfolk area, all of the military does its training out in the Atlantic, and you are going to have a whole disruption.

Take, for example, all of the military assets—spy satellites—that go into orbit and are rocketed out of Cape Canaveral. Those first stages, when burned up, have to fall. That is why we have a location like the Cape Canaveral Air Force Station. It launches from west to east in order to get that extra boost of the Earth's rotation and, therefore, needs less fuel to get into orbit.

This is a prime location. You cannot put oil and gas out here. You cannot have oil rigs off of Cape Canaveral, where all of these military, NASA, and commercial rockets are going, as well as governmental payloads that are not military.

We have heard the loud opposition from the Department of Defense, the chambers of commerce, fishermen, and coastal communities all along the Atlantic that have weighed in against the administration's plan to allow drilling off their coasts.

We thought we had put this puppy to bed last year when the Obama administration backed off its plans to have these drilling areas. They backed off because of the opposition. They also backed off when it came to Florida. Why? Florida has more beaches than any other State. We don't have as much coastline. Alaska has the greatest coastline, but the last time I checked, Alaska didn't have a lot of beaches. The one that is blessed with the beautiful beaches is Florida. When it comes to beaches, that means people want to go to the beach, and that means there is a significant tourism-driven economy there. We learned what happened with just the threat of there being oil on the beach. Remember the Deepwater Horizon oil explosion off of Louisiana? Let me show you so you don't get confused with all of these colors.

In essence, all of this yellow over on the other side of Florida, in the Gulf of Mexico, means this area is off-limits. It is in law, and it is a good thing because when the Deepwater Horizon spilled off of Louisiana, the winds shifted, and that oil started drifting to the east. It got as far as Pensacola Beach, and it completely blackened the white, sugary sands. That photograph went all over the world. Pensacola Beach was covered up in oil, and the winds kept carrying it forward. Some of it got into Choctawhatchee Bay and the sands of Destin, and some of the tar balls went as far east as the Panama City Beach. Then the winds shifted and carried it back, and that was the extent of the oil on the beach.

For 1 solid year—a tourist year—the tourists did not come to the west coast of Florida because they had seen the pictures of what had happened to Pensacola Beach, all of the way down the west coast—the Tampa Bay area, Sarasota, the Fort Myers area, Naples, Marco Island. The tourists did not come.

Now let's go back to the Atlantic. When you start to do this, you are now threatening the lifeblood of Florida's economy, its tourism-driven economy. It is not only a threat to the environment, but it is a threat to the multibillion-dollar, tourism-driven economy.

In 2010, we lost an entire season, as the tourists did not come to the west coast of Florida. That is why, when I gave the list of all of those entities, including the U.S. Department of Defense, they don't want it. It is because

of the military areas. I also mentioned the chambers of commerce. They have awakened to the fact that oil on beaches is a killer of our economy. When this plan is announced later today, probably, it will not be unusual to see local governments spring into action, like the Broward County Board of Commissioners, which has already sent letters that oppose drilling off of Florida's coast.

Floridians understand this issue. That is why, in the past, we have had such bipartisan agreement all over Florida—Republicans and Democrats alike—to keep drilling off of our coast, but if Big Oil gets its way, every inch of the Continental Shelf is going to be drilled. We saw what happened less than a decade ago. The scientists would say we are still uncovering, for example, the full extent of that BP oil spill and its damage.

I urge our colleagues to take up the bill that was filed earlier this year by this Senator, Senator MARKEY, and others that would block an attempt by the administration to open up our coast to oil drilling.

The stakes are extremely high for the economy of our States all along the eastern coast. Georgia has a substantial tourism-driven economy. You know South Carolina has Myrtle Beach. What about North Carolina? What about Virginia's tourism-driven economy and especially with all of the military concentration there? You can go right on up the coast. The stakes are exceptionally high. We simply can't risk it.

I yield the floor.

#### RECESS

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

Thereupon, the Senate, at 12:29 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Vermont.

#### FUNDING THE GOVERNMENT AND THE REPUBLICAN TAX BILL

Mr. SANDERS. Mr. President, as everybody knows, the Republican Party now controls the U.S. House, the U.S. Senate, and the White House. We also know that unless a budget agreement is reached by December 22, the U.S. Government will shut down, which will cause serious harm to our country, including the men and women in the Armed Forces and our veterans.

I do not know why the Republican Party, which controls all the branches of government, wants to shut down our government. I think that is wrong, and I think a shutdown will be very hurtful to people from coast to coast.

Earlier this year, President Trump tweeted: "Our country needs a good

shutdown." I strongly disagree. I don't think we need a good shutdown; I think we need to reach an agreement on a budget that works for the middle class of our country and not just the wealthiest people.

It is no great secret that we are living in a nation that has almost unprecedented income and wealth inequality, at least since the 1920s. We have the top one-tenth of 1 percent owning almost as much wealth as the bottom 90 percent.

I don't believe that now is the time to give massive tax breaks to the wealthiest people in this country in a horrific tax bill and then at the end of 10 years raise taxes on 83 million middle-class families. I think that makes no sense. I don't think it makes much sense to be passing a tax bill that gives 62 percent of the benefits to the top 1 percent.

Apparently it is not good enough for my Republican colleagues that corporate America today is enjoying record-breaking profits and that the CEOs of large corporations are earning more than 300 times what their employees make. What the tax bill would do is give over \$1 trillion in tax breaks to large, profitable corporations at a time when already one out of five of these major corporations is paying nothing in taxes. That is apparently not good enough—we need to lower taxes for large corporations even more.

Right now as we speak, legislation is being written behind closed doors by the House Freedom Caucus and other Members of the extreme rightwing to provide a massive increase in funding for the Pentagon for the rest of the fiscal year, while only providing temporary and inadequate funding for the needs of the working families of this country, including education, affordable housing, nutrition, environmental protection, and other vital programs.

What we have seen over the last year is a Republican effort to throw 30 million people off of health insurance. What we then see is a Republican effort to give \$1 trillion in tax breaks to the top 1 percent and large corporations and at the end of 10 years raise taxes on middle-class families. Now what we are seeing on the part of the Republican Party is an effort to increase military spending by \$54 billion while ignoring the needs of a struggling middle class. We have to get our priorities right and maybe—just maybe—we have to start listening to what the American people want, not just what wealthy campaign contributors want.

In terms of the Republican so-called healthcare bill, the repeal of the Affordable Care Act, there is massive opposition from the American people. In terms of this tax bill, in case you haven't seen the last few polls, there is massive opposition to a tax bill that gives incredible tax breaks to people who don't need it and raises taxes on the middle class. Maybe—just maybe—we should start paying attention to the needs of working families.

For a start, let us be clear that since the passage of the Budget Control Act of 2011, Democrats and Republicans have agreed to operate with parity, which means if you are going to increase military spending, you increase programs that meet the needs of working families, domestic spending. There was parity in 2011 and parity three times after, and parity must continue. It is not acceptable to be talking about a huge increase in military spending and not funding the needs of a shrinking middle class, which desperately needs help in terms of education, in terms of nutrition, and so many other areas.

Furthermore, the American people are quite clear that they want us to move toward comprehensive immigration reform. They understand that it would be a terrible, terrible, terrible thing to say to the 800,000 young people who have lived, in most cases, their entire lives in the United States of America: We are ending the DACA Program. You are going to lose your legal status. You are not going to be able to go to school. You are not going to be able to hold a job. You are not going to be able to be in the military. We are taking away the legal status that you now have, and you will be subject to deportation. That is not what the American people want. They want to continue the DACA Program, and, in fact, they want comprehensive immigration reform—and now. Now is the time to deal with that.

I am happy to say that on this issue, there are a growing number of Republicans in the House and in the Senate who understand that in America, you are not going to throw 800,000 of our brightest young people, who are serving in the military and holding important jobs, out of this country by withdrawing their legal status.

I have been deeply involved, as have Senator BLUNT and others, in the Community Health Center Program, which is so important for the people of our country. Twenty-seven million Americans today receive their healthcare through community health centers, which provide primary care, provide mental health counseling—so important today—provide dental care, and provide low-cost prescription drugs. While my Republican colleagues have been busy trying to throw 30 million people off of health insurance, while they have been busy trying to give a trillion dollars in tax breaks for the rich and for large corporations, somehow they have not had the time to extend the CHIP program or the Community Health Center Program. How in God's Name can we be talking about tax breaks for billionaires and not extending a health insurance program for the children of our country? If the CHIP program is not reauthorized, 9 million children and working families will lose their health insurance.

Let us get our priorities right. Let us immediately pass legislation extending and funding the CHIP program and the Community Health Center Program.

In the Midwest, as you well know, and all over this country, we have a major crisis in terms of pensions. So many of our older workers are scared to death about retiring because they have very little or nothing in the bank as they end their work careers. If Congress does not act soon, the earned pension benefits of more than 1.5 million workers and retirees in multiemployer pension plans could be cut by up to 60 percent. People who have worked their entire lives, people who have put money into a pension program, people who have given up wage increases in order to gain decent pensions now stand the possibility of seeing their pensions cut by up to 60 percent. How can we do that? How do you tell someone who has worked their entire life, who is looking forward to a decent retirement, that we are going to cut their pension by up to 60 percent? We cannot do that. When a worker is promised a pension benefit after a lifetime of hard work, that promise must be kept. Congress needs to act before the end of the year to make sure that no one in America in a multiemployer pension plan will see their pension cut. Yes, I also think that is more important than tax breaks for billionaires.

We need to make a downpayment on universal childcare. In my State of Vermont and all over this country, it is increasingly difficult for working families to find high-quality, affordable childcare. We must, in my view, double the funding for the Childcare and Development Block Grant to provide childcare assistance for 226,000 more children and move toward universal childcare for every kid in America. What the social sciences tell us is that there is no better investment than early childhood education. Every dollar we invest there is paid back many times over by kids doing better at school and by kids getting out, getting jobs, and becoming taxpayers.

There is another crisis in this country that has to be dealt with. Ten years ago, Congress passed the Public Service Loan Forgiveness Program to support Americans who enter public service careers—teachers, nurses, firefighters, police officers, social workers, and military personnel. One of the absurdities that exists in America today is that we have tens of millions of Americans who are paying outrageous interest rates on their student debt. People who have done the right thing by trying to get the best education they could are now being punished because they went to college, went to graduate school, and are having to pay a significant part of their income back to the government in terms of their student debt. Congress must address this issue, and there is legislation to make sure that, at the very least, if you are prepared to go into public service work—if you want to be a teacher, a nurse, a firefighter, a police officer, a social worker, or want to go into the military—we will forgive your debt. That is an issue that should be dealt with before the end of the year.

We have a crisis in terms of our rural infrastructure, and I come from a rural State. In the year 2017, soon to be 2018, how does it happen that in rural communities all over America there are inadequate broadband capabilities? How do you start a small business in a small town if you don't have good-quality broadband? How do the kids do well in school if they can't gain access to the internet? This is the United States of America, and we should not be trailing countries all over the world that have better broadband access at lower costs than we do. If we want to grow rural America, if we want our kids to stay in rural America, we have to deal with the collapsing infrastructure in this country, especially in rural America.

Mr. President, I don't have to tell you—because Ohio has been hit hard, as has Vermont, New Hampshire, and all over this country—that we have a terrible, terrible epidemic in terms of opioid addiction. I am trying to deal with this issue in the State of Vermont, and I know it is severe in Ohio. We have to be adequately funding programs that focus on prevention, making sure that our young people do not get trapped into a life of addiction. We have to provide the kinds of treatment people need. We cannot ignore this. This is an epidemic that is sweeping this country. More people will die this year from opioid overdoses than died during the entire war in Vietnam. We have to adequately fund treatment and prevention for the epidemic that we are seeing in terms of opioids.

We ought to keep our promises to our veterans. We now have tens of thousands of positions at the Veterans Administration that have not been filled, and we need to make sure they are filled so that the veterans of our country, when they go into the VA, get high-quality care in a timely manner, which they are entitled to.

There was an article, I think it was in the Washington Post, a couple of weeks ago that talked about the fact that 10,000 people died in the last year, waiting for a decision on Social Security disability benefits. In other words, you have people who desperately need these benefits; they have applied for these benefits through the Social Security Administration, and they wait and they wait and they wait. Unbelievably, in the last year, 10,000 people died while they were waiting for a decision from the Social Security Administration. This has everything to do with the fact that there have been budget cuts in recent years that have been significant and have resulted in the loss of more than 10,000 employees in the Social Security Administration, the closing of 64 field offices, and reduced hours in many others. In Vermont, one field office has seen its staffing cut by 30 percent. We have to adequately fund the Social Security Administration so that our elderly and our disabled can get due process in terms of the benefits for which they have filed.

In 2016, the National Park Service recorded over 330 million visits to na-

tional parks and over \$11 billion in deferred maintenance. In other words, our national parks are very, very popular, but they are not getting the maintenance work they need. Meanwhile, the President wants to double fees for people visiting our beautiful national parks. This is an issue we must deal with.

The bottom line is that we are coming toward the end of the year, and we have a lot of work to do, but the work we do has to start reflecting the needs of the working people of this country, not just the billionaire class. We cannot give \$54 billion more to the military and ignore the needs of our children, our elderly, our sick, our poor. We have to come up with a budget proposal that works for all of us and not just wealthy campaign contributors. As a member of the Budget Committee, I expect to be very active in that process.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### HEALTHCARE

Ms. KLOBUCHAR. Mr. President, I stand today to call for bipartisan action on several things that are really critical. One of them has become routine, since it started as a bill that Democrats and Republicans did together. That was the Children's Health Insurance Program, something that my colleague from Vermont has referenced.

In my State, we have been a good-government State. We have had a budget surplus for years, and, believe it or not, we relied on the fact that Congress would come through and do what they were supposed to do and reauthorize the Children's Health Insurance Program, but that didn't happen. As a result, we have a slight budget deficit—something we haven't had for years. But it really hit home when I called our budget director in the State and I said: How did this happen when we have had these surpluses?

He said: Well, we actually thought that you guys would reauthorize the Children's Health Insurance Program, but you didn't.

Instead, what we have seen is a tax bill that adds over a trillion dollars to the debt. Even when you take into account any economic gain from that bill, a nonpartisan group said that it would, in fact, add \$1 trillion to the debt. That is what we are doing instead of reauthorizing the Children's Health Insurance Program, which makes no sense to me.

Funding for CHIP expired more than 2 months ago, even though, as I said, it is one of the success stories out of this Congress. Both parties have come together for years to support this program that provides healthcare to millions of children across the country.

In Minnesota, these funds support coverage for more than 125,000 kids. Just last week, my State estimated that failing to reauthorize CHIP would cost us \$178 million. That is why the

deficit was at \$188 million. So the CHIP funding that our State has come to rely on through Democratic Presidents and Republican Presidents has suddenly gone away—that is why we have a deficit—while at the same time, a decision has been made by my colleagues on the other side to add over \$1 trillion to the debt. I don't know what to tell the people in my State, except that tax cuts for the wealthy appear to be a priority rather than reauthorizing this bill to help kids get their health insurance. Guess what. They don't understand that reasoning.

States like mine are running out of ways to make Federal funding last a little bit longer. Every single day that we don't act puts coverage at risk for millions of kids. Some States have already been forced to tell parents to start making other plans for their kids' healthcare. No parent should ever have to worry about whether their child will have healthcare. We must keep this strong program going. I have also heard from families with kids who get treatment at the children's hospitals and clinics of Minnesota and who count on this program for the medical care they need. That is why we must pass the bipartisan bill Senators HATCH and WYDEN have put together to extend CHIP for 5 years—so we can stop this nonsense and tell people back at home that that actually something is working here.

In 2015, the last time we renewed the program, it passed the Senate with 92 votes. We should demonstrate that same bipartisan spirit again. We should not hold these kids hostage with this bickering, and we certainly shouldn't be holding all of the States hostage either. This makes no sense. We must act before it is too late, or States like mine will not just have a deficit as a result of this, they will be forced to make difficult choices about insurance coverage for some of our most vulnerable constituents. CHIP is one part of our healthcare system that nearly everyone agrees works. We should be doing everything in our power to protect it.

In addition to CHIP, the American people want us to work together to make fixes to the Affordable Care Act. They don't want us to repeal it; we have seen that in the numbers. They want us to make some sensible changes. You can never pass a bill with that kind of breadth and reach without making some changes to it. I said on the day that it passed that it was a beginning and not an end.

I am a cosponsor of the bill Senator ALEXANDER and Senator MURRAY have put together because it is an important step forward and exactly the type of sensible, bipartisan legislation that we should pass. The bill has 11 Republican cosponsors and 11 Democratic cosponsors. Patient groups, doctor groups, and consumer groups have praised it, including the American Cancer Society, the American Diabetes Association, the Arthritis Foundation—and

those are just some of the A's. There are hundreds of national health groups who support this bill. They have Democratic members and they have Republican members. They just want to get something done.

Senators ALEXANDER and MURRAY held a series of hearings and discussions on commonsense solutions to bring down insurance costs with Senators on both sides of the aisle.

I fought for a provision in this bipartisan legislation that would help States like mine apply for and receive waivers. This was put together, by the way, in our State by a Republican legislature and a Democratic Governor. It is a plan that would bring down premium costs, a plan that made sense across the board and was broadly supported in our State. Our Federal Government should be encouraging that kind of flexibility. The waiver we are asking for is actually something we would like to see other States do. The provision we included in the Murray-Alexander bill would encourage other States to do exactly what we did; that is, apply for waivers for flexibility to bring down rates without getting penalized.

This bill would also expedite the review of waiver applications for proposals that have already been approved for other States.

This legislation also shortens the overall time period that States have to wait for the Federal Government to decide whether to approve their waivers. The last time I checked, I thought this administration was touting the fact that they like to get things done, that they want to move things faster, and that they don't like the redtape of bureaucracy. Well, here we have a bill that actually says that States shouldn't have to wait for the Federal Government to make decisions. Why can't we get it passed?

Not only does the bill improve the process for waivers—this is my favorite part because when you hear me talk about it, you might think, wow, this must be expensive. No. The non-partisan Congressional Budget Office says that the Alexander-Murray bill would actually cut the deficit by \$3.8 billion over the next 10 years because it simply gives States the flexibility to cope with the issues they are having in their own States, to adjust to their own particular circumstances, and to make it easier for people to afford healthcare, while saving money for the Federal Government. It makes no sense to delay by even 1 day the passage of this legislation, nor does it make any sense to cut all those kids off of health insurance.

Renewing the Children's Health Insurance Program and passing Murray-Alexander would be important steps forward, but we still must do more. I don't think we are going to get all my prescription drug bills passed by the end of the year, but we should. We won't, but we should. That doesn't mean I am giving up. I think the Amer-

ican people aren't giving up because they have been able to see clear-eyed what is going on because they are starting to see what is happening with the cost of their prescription drugs. The costs are skyrocketing.

I have heard from people across Minnesota who are struggling to afford the medicine they need. This is about the woman in Duluth who told me that she chose not to fill her last prescription because that one drug would cost a full 25 percent of her income. This is about the woman in St. Paul who, even with Medicare, can't afford a \$663-a-month cost for medicine that she needs. This is about a woman from Crystal, MN, who told me: "I am practically going without food to pay for my prescriptions." It is heartbreaking that this is happening in America.

Reducing the costs of prescription drugs has bipartisan support in Congress, and the President has said that he cares about this. So why can't we get this done?

I have one bill that has 33 cosponsors that lifts the ban that makes it illegal for Medicare to negotiate prices for Part D prescription drugs for 41 million American seniors. Yes, right now, it is in law that we can't negotiate for 41 million seniors. Last time I checked, I think they would have a lot of bargaining power, but right now, we can't do that.

A bill Senator MCCAIN and I have would allow Americans to bring safe, less expensive drugs from Canada.

A third bill that Republican Senator GRASSLEY and I have is to stop something called pay-for-delay, where big pharmaceutical companies actually pay off their generic competitors to keep less expensive products off the market. How can that kind of practice be any good for American consumers? Guess what. It is not. We need to put an end to this outrageous practice. This bill would save taxpayers \$2.9 billion.

Senator LEE and I have a bill that would allow temporary importation of safe drugs that have been on the market in another country for at least 10 years when there isn't healthy competition for that drug in this country. Believe me, there are plenty of areas where we don't have healthy competition, where Americans aren't getting the kinds of deals they should get.

I have a bipartisan bill with Senators GRASSLEY, LEAHY, FEINSTEIN, LEE, and several others called the CREATES Act to put a stop to other pharmaceutical company tactics—such as refusing to provide samples—that delay more affordable generic drugs from getting to consumers. According to the Congressional Budget Office, this legislation would save approximately \$3.6 billion.

People in this Chamber are talking about saving money. How are they doing it? On the backs of kids. They are talking about saving money. How are they doing it? On the backs of Americans who would like to afford premiums.

I have laid out a number of bills that actually have been scored to save money. Passing the Alexander-Murray bipartisan bill would save us money. We have the actual accounting to show it. Allowing for less expensive drugs from other countries would save money for consumers. It is pretty easy to understand. It is called capitalism. It creates competition.

For our own American drug companies—we are proud that they have developed lifesaving cures. They are important employers in our country. But if they refuse to bring down those prices and if they have a monopoly on the market, we should be bringing in competition. There are two ways to do it. One is generic, and that is making it easier to produce generic drugs, and also stopping big pharma companies from paying off generic companies—their competition—to keep their competitive products off the market. The other is simply allowing drugs from less expensive places, but safe places, like Canada. That is a bill I have put forward with Senator McCAIN, but also Senator BERNIE SANDERS and I have worked on this, as well as many others. These are commonsense ideas. Yet we cannot even move to a vote. Why? Because the pharmaceutical companies don't want us to have that vote.

So I am asking my colleagues, No. 1, let's end the year with some common sense and pass two commonsense bills to help the American people with their healthcare, and those are the children's health insurance bill and the Alexander-Murray compromise to make some fixes to the Affordable Care Act. Then, when people are home for a week over the holidays, maybe they should start talking to their constituents, as I have. Maybe they should talk to their friends and their neighbors and see what they think about what is going on with prescription drug prices. Maybe they will come back with a New Year's resolution that they are no longer going to be completely beholden to the pharmaceutical companies, that they are willing to give the American people some relief and take these companies on and create some competition for America.

I thought this was supposed to be a capitalistic system. In a capitalistic system, you do not have monopolies for certain drugs. You do not have a drug like insulin, which has been around for decades, triple, so that one elderly constituent in my State actually saves the drops at the bottom of the injectors so they can use them the next day. That is what is happening, while at the pharmaceutical companies, they are taking home big bonuses at the end of the year.

I implore my colleagues, let's get these commonsense things done so you can go home and not think, when you are sitting there at your holiday dinner, that you have basically left millions of kids without healthcare, and then on New Year's, the next week, make a resolution to do what is right

for your constituents, not for the pharmaceutical companies.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Rhode Island.

#### NET NEUTRALITY

Mr. REED. Mr. President, I rise to discuss the Trump administration's irresponsible plans to dismantle net neutrality.

This is a very important and timely issue for Rhode Islanders. The Federal Communications Commission—the FCC's—efforts to repeal net neutrality protections could have a devastating impact on students, small businesses, and ordinary Rhode Islanders who cannot afford to pay higher premiums on internet traffic.

I have joined many of my Democratic colleagues in urging the FCC to abandon its reckless plan because it would radically alter the free and open internet as we know it and be an abdication of the FCC's responsibility to protect consumers.

Net neutrality does something incredibly important. It requires internet providers to treat all data equally. Net neutrality ensures a level playing field for everyone on the internet. It means free and open access to websites and information.

Over the past 20 years, the internet has become central to the lives of Rhode Islanders and, indeed, millions of Americans—practically every American. From students completing homework assignments to small businesses conducting e-commerce, or family members communicating with loved ones on the other side of the country or the world, the internet is now our primary means of communication. As such, I believe this is an issue of fundamental fairness and equality of opportunity.

This proposed repeal of net neutrality protections undermines the principles of a free and open internet and could be an unprecedented giveaway to big broadband providers, benefiting a few large corporations at the expense of their customers who use and rely on affordable access to the internet every day.

Net neutrality protections also ensure that all content is treated equally. Without these rules, large internet service providers may choose to block, throttle, or prioritize certain internet traffic. Without these protections, big internet service providers will be given the power to erect virtual toll booths for some customers and fast lanes for others. As a result, the repeal of net neutrality rules will likely be bad for consumers, businesses, students, and everyday Americans who cannot afford to pay additional premiums for internet access.

If these rules are repealed, internet providers can essentially say, if you want a quick download from a Web site, you have to pay more. They can go to businesses and ask them to pay

more for this fast service. They can't do that today. Everyone is treated equally.

This is particularly important when it comes to small businesses. As I go around Rhode Island to small businesses, as I have done these last few weeks, one of the reasons they are growing is because they are starting to take a presence on the internet. They have an internet business; they are beginning to sell across the country or across the globe. A small business in Wickford, RI, East Greenwich, RI, or Smithfield, RI, is not going to be able to pay the same premium for access that Amazon or a big corporation like Walmart can, and they will be squeezed further. The reason a lot of these small businesses are able to keep a store open in Rhode Island—or anyplace else in the country—and employ local workers is because they are starting to see a share of their profit come from the internet. They would like to see that grow, but if that diminishes, then the pressure on them to stay in business locally becomes acute.

These are real consequences, not hypothetical. If these rules are repealed and net neutrality is done away with, the consequences for businesses, communities, and individuals will be significant.

Let me make another example. Places of learning like our libraries, schools, and institutions of higher education all rely on offering internet access, which is already expensive. I did a press event at a public library, and they pay significant amounts of money so they have broadband access, and it is a mecca for everyone to come. The head librarian told me that they have people sitting on their doorsteps in the morning before they open and after they close so they can get a broadband signal from the library. Why are they doing that? You can't get a job today unless you can get online because that is where they post job offerings, that is where you have to send your resume, that is where you have to get the response back when you have a job interview. If you can't get on the internet, the chances of getting a job today are close to zero. It was a lot different 20, 30, or 40 years ago, when you could go down to the factory, fill out the form, pass it over the divider to the person in charge, and they would give you a telephone call back or you would come back in a few days and see how you were doing.

Local libraries are also the place where students across Rhode Island and the Nation gain access to the internet to do their homework, apply to college and financial aid, and explore the world around them. This is particularly the case in poorer neighborhoods. They can't afford to have computers or internet in their home. If you go to the public library in South Providence, right next to St. Michael's Church, in the afternoon, the kids are all there and are on the computers doing their homework. They can't do

that, in many cases, at home. They simply don't have the access.

We are always sitting around here talking about how we have to educate our young people and how we have to get them ready for a technologically challenging world, and then we are about to pull the rug right out from underneath them because that library will not be able to afford access to some sites that these young people need.

It is not just the young people who are using the libraries; it is also seniors who want to stay in touch with their families. There are functions that are so critical—as I mentioned before, you literally cannot apply for a job today unless you can get online. How does a person struggling, particularly in low-income, working-class neighborhoods, get online when they can't afford already expensive service, which could be more expensive if these rules are withdrawn and net neutrality is abandoned?

I heard about all of this in detail when I visited the Providence Public Library. Providence is an urban center, so there are other ways, perhaps, to compensate for access to libraries. But when you go to a rural area, those libraries are especially important. More than 83 percent of libraries report that they serve as their community's only provider of free internet and computing services in rural areas. If you need free service, the only place you can go to is the library. This is going to put another cost on them at a time when public-private support is being diminished.

We have a tax bill pending before us that is going to eviscerate charitable contributions. It is going to take away the deduction. Some of that money goes to our public libraries. If it doesn't go there, they will not have access.

I mentioned small businesses because, as I said, this is particularly critical. We have seen an improving economy, and for a lot of small businesses, that is because they are starting to have a presence on the internet. If that presence now comes with a higher price because the providers can say that if you want to get access and fast downloads, you have to pay X, once again, that X to a small mom-and-pop business could be huge. That X to an Amazon or Walmart is just a rounding error.

We know it is going to happen. It is not fair. It undercuts what we think is the heart and soul—I know it is the heart and soul of our economy in Rhode Island for small business, and it is another big benefit for the well-to-do businesses that can pay more and will pay more. This is not a direction we should be going.

Even more disturbing is that the FCC's proposed action may be based on a skewed public record. As we all know, under the Administrative Procedure Act, when a rule or change is proposed, they have to take public comments. There are credible reports that bots—

the electronic networks of computers—impersonating Americans filed hundreds of thousands of phony comments to the FCC during their net neutrality policymaking process, thus distorting the public record. Their supposedly fact-based and comment-based approach could be fictitious. It could be a product of special interests who decided to link together thousands, or maybe hundreds of thousands, of computers that randomly generated messages—or not so randomly, but deliberately generated messages.

What we have done is join our colleagues, and we have urged that the FCC abandon this proposal. As I said, I have joined many of my colleagues in asking, at least, that the FCC delay the vote on net neutrality until it can conduct a thorough investigation to ensure that it has a clear and accurate understanding of the public's view on this important topic. It is not based on a group of individuals and many electronically linked computers; it is based on the true sentiment of a broad range of the public. At least delay the proceeding until you can assure us that.

Unfortunately, that does not seem to be the case. This attempt appears to be part of a larger program the Trump administration is using to roll back regulations that protect ordinary working men and women throughout the country. The Chairman of the FCC, Ajit Pai, and the administration seem to say, very deliberately, that this is their goal. Just roll back regulations, without analysis that is appropriate, without a sensitivity to the benefits as well as the costs.

My view is that rather than trying to limit access to the internet, they should be doing things to make it easier, make it cheaper for small businesses, for libraries, for individual Americans to get on and use the internet, not to take advantage of the rule-making process to fatten the bottom line of big companies that are doing quite well already.

It is clear that the FCC should not vote this week, or ever, to repeal net neutrality protections that have benefited so many Rhode Islanders and Americans. I urge my colleagues to join me in opposition to the FCC's proposed dismantling of the net neutrality rules. It is important. It is important for our constituents. It is important for our small businesses. It is important for our future generations as they prepare for a very complicated and challenging world, and, for some of them, the only way to get access to the computer is the public library. The only access for a small business to the new marketplace on the net is being able to afford to be on the net. That is all in jeopardy today. I hope we can stop these net neutrality rule appeals, and do it immediately.

Mrs. MURRAY. Mr. President, as a U.S. Senator, one of the most important and consequential choices I make is whether or not to support a judicial nominee.

The men and women of the bench are often the final gatekeepers of our Nation's justice system—and the right kind of judge shows up to work every day to make the system work for every citizen, free from prejudice or bias.

With that principle in mind, I strongly oppose the three nominees for the circuit court whose nominations are before the U.S. Senate.

While President Trump has the right to make nominations, Members of this Senate also have the right to reject those nominations.

It is clear, based on the records of the three nominees before us, that is exactly what Members of this Senate ought to do.

Vote no.

Don't be a rubberstamp for this President's hateful agenda or his obvious disdain for the rule of law.

The first nominee this Senate should reject is Leonard Grasz, whom President Trump picked to serve on the Eighth Circuit Court of Appeals.

Mr. Grasz is a notable nominee but for all the wrong reasons.

He is notable because his peers at the American Bar Association unanimously found Mr. Grasz "not qualified"—just the third nominee in nearly 30 years to receive this distinction.

The ABA report shows his peers questioned whether Mr. Grasz could look past his "deeply-held social agenda and political loyalty to be able to judge objectively, with compassion and without bias.

These are serious red flags—and it is unconscionable for any of my colleagues to turn a blind eye to relevant information regarding Mr. Grasz's ability to do his job fairly.

I am also disturbed by the willingness of several of my colleagues on the other side of the aisle to slander the nonpartisan ABA as some sort of liberal front group instead of evaluating its factual assessment.

The ABA has done this body a great service of neutral and fair evaluation over many decades, for which Members of the Senate should be grateful.

I also have grave concerns regarding Don Willett, one of two nominees for the Fifth Circuit.

Mr. Willett has been unabashed in his criticism of equal rights for women—expressing caustic views on pay equity, justice for sexual assault survivors, and age discrimination.

He has resisted equality for LGBTQ Americans and defied the key same-sex marriage ruling from the U.S. Supreme Court.

No judge who thumbs their nose at the Supreme Court is fit for a lifetime appointment.

No person who compares the right of one person to marry the person they love to a "right to marry bacon" is fit to administer justice in this country.

President Trump's other nominee for the Fifth Circuit, James Ho, has a similarly disturbing track record on LGBTQ rights.

He has also called for eliminating all restrictions on campaign finance and is

an ardent defender of giving the executive branch even more power.

I can see why President Trump would want Mr. Ho on the court, but Mr. Ho's pattern of giving more leeway to the executive branch should be deeply concerning to everyone else.

In sum, the three nominees President Trump sent to this Senate for review fall far short of the standards this Senate should demand or that this country deserves.

I want to make clear that these nominees have a completely backward and harmful record on women's constitutionally protected reproductive rights—and would seek to undermine *Roe v. Wade*.

Stacking our courtrooms with judges who will bend to the will of one President's hateful, divisive agenda is wrong—and will not be forgotten.

I urge my colleagues on both sides of the aisle to take a stand. Reject President Trump's politically driven attacks on women's health and rights. Reject efforts to chip away at fundamental rights and respect for the LGBTQ community, and reject his judicial nominees who will serve only to give him the green light to expand his own power.

Vote no on circuit court nominees Leonard Grasz, Don Willett, and James Ho.

Mr. VAN HOLLEN. Mr. President, I rise to vote against Leonard Grasz's nomination to serve as a circuit judge for the Eighth Circuit. Mr. Grasz is one of two Trump judicial nominees who has received an "unqualified" ranking from the nonpartisan American Bar Association, ABA. I am appalled that Republicans advanced this nominee out of the Judiciary Committee and are bringing this vote to the floor.

Republicans have made it their mission to fill our judiciary with radical ideologues. The Trump administration has outsourced judicial nominations to the Federalist Society and the Heritage Foundation, and their nominees have included a nominee who believed in corporal punishment, one who questioned the constitutionality of the 14th Amendment, and one equated a woman's right to an abortion to chattel slavery. Many of these nominees are simply unfit to serve and undeserving of the prestige of receiving a lifetime appointment.

No judge nominated by the Obama administration received an "unqualified" ABA rating. When asked to clarify their rating for Mr. Grasz, a spokesperson for the ABA said that "[t]he evaluators and the Committee found that [Mr. Grasz's] temperament issues, particularly bias and lack of open-mindedness, were problematic. The evaluators found that the people interviewed believed that the nominee's bias and the lens through which he viewed his role as a judge colored his ability to judge fairly." I am disappointed that, instead of insisting on qualified nominees, my colleagues have decided to instead attack the ABA's ranking system.

I sincerely hope that many of my colleague across the aisle will vote no against this nominee and demand more from the Trump administration.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### REPUBLICAN TAX BILL

Mr. WYDEN. Mr. President, a number of Senators have inquired about the status of the tax legislation and, particularly, the prospect of a real conference committee. It is clear that Republicans are talking among themselves, but apparently they feel, with respect to Democrats, this is a conference in name only.

What I would like to do is spell out what we know to date and talk a bit about what would really be in the public's interest. Specifically, late last night, the public learned through the press that Republicans have made no progress—their words, not mine—with respect to the tax bill.

They said that all of the major issues were still outstanding. Then, when all of them got up and made their way through their breakfast cornflakes, we were told that, magically, everything had just been worked out—that everything was worked out and that this bill would be ready to go.

I know they have been trying to move at the speed of light. We had yet another dose of fake math yesterday when the Treasury Department reported its so-called analysis to project that this bill would generate great growth, when, in fact, it comes up \$1 trillion short. So I would like to make sure the public understands what is on offer as of right now.

My sense is, with respect to the key issue, which is the well-being of the middle class, millions and millions of middle-class people are going to get hurt by this legislation, millions of them very quickly—for example, millions are going to lose their health insurance coverage. Millions more are going to have high premiums. By 2027, half of the middle class in America will actually be paying more in taxes.

Senate Republicans seem to be talking about a variety of issues, but not one of the tax issues they are talking about involves bettering the quality of life for America's middle class. We don't hear any discussion of that. We hear plenty of discussion about multinational corporations. We hear plenty of discussion about rates. We hear discussions about pass-through businesses. But all of this is really like rearranging the chairs at the country club. Maybe one day the multinational corporations will do a little bit better; maybe the next day well-off heirs will do a little better. What I heard at my

recent town hall meetings is that the American people want to make sure that the middle class is not always getting the shaft. They want to make sure, for example, that in the tax law, the breaks for the multinational corporations aren't permanent and the breaks for the middle class aren't temporary. They want everybody to have a chance to get ahead. It is not too late to change course.

There are 17 moderate Democrats, led by our colleagues Senator MANCHIN and Senator KAINÉ, who have said that they are hungry for a bipartisan approach to bringing both sides together. I have introduced two comprehensive, bipartisan bills with senior conservative Republicans—close allies of MITCH MCCONNELL's. We have made it very clear that we want a bipartisan bill.

In that all of these changes are now being discussed and our fellow Americans can read about them in the press, take a look and see if you see one idea—even one—that is going to make life better for the vast majority of working Americans, the folks who work so hard day in and day out, who are walking on an economic tightrope, trying to save money and trying to educate their kids. We don't hear about one single idea—not one—that would make life better for the middle class.

We will have more to say about this tomorrow as, I gather, there may be some kind of ceremonial conference committee that is scheduled as they try to sort through all of these reports that they are getting from lobbyists on K Street because, I guess, lobbyists know lots about what the Republicans in the leadership and on the conference committee are talking about.

I want Americans to just read through all of this and look, line by line, to try to find anything that is going to make life better for the middle class, because I cannot find it. That, as much as anything, shows what is wrong with the way this legislation is being pursued.

What a difference from the way Ronald Reagan pursued tax reform. Ronald Reagan said point blank that the working person should at least get as good a deal as the investor. He said that we ought to have the same rate of taxation for workers as we have for investors. In fact, with Ronald Reagan—and I voted for his bill—the corporations, in effect, gave up some money to help the workers. Now what we are seeing is the workers getting the short end of the stick so that the multinational corporations can do even better. We will have more to say tomorrow.

I urge people to look through all of these stories and all of these press reports and see if they can find anything that involves a change to make life better for the hard-working middle class of our country.

#### REMEMBERING VERA KATZ

Mr. President, I also come this afternoon to talk about the passing of a vintage Oregonian and an extraordinary

woman—Vera Katz—who became Oregon's first speaker of our house of representatives in 1985. After serving three terms as speaker, Vera Katz won Portland's mayoral race in 1992. The Oregonian noted recently that she moved Portland to become a "nationally recognized destination city," with developments ranging from the Portland Streetcar to the East Bank.

I hope that all Oregonians and visitors to our city will stop by the bronze sculpture of Mayor Katz. It captures perfectly her strength and her warmth. She was an extraordinary person whom we think about today, not just because of her memorable accomplishments but because of her extraordinary spirit. It was indomitable. She could not be subdued when she took on an important cause.

I remember in 1996, when floodwaters on the Willamette River threatened to overwhelm downtown Portland, that, in the middle of this chaos, this very slight but still unbelievably powerful woman, Vera Katz, led hundreds of volunteers to mount what we came to call a sandbags-and-plywood defense against the floodwater. That was quintessential Vera Katz.

In my townhalls at home, we often speak of the "Oregon way"—just finding the best ideas, looking for solutions, not standoffs. She lived and breathed that "Oregon way" ethos every day of her life. I am going to miss her, and I am especially going to miss some moments that will never be forgotten.

When we were working in the early seventies and I had gotten involved with the elderly, back then—I think the Presiding Officer, the Senator from North Dakota, probably remembers these days—that was a time when, if a town had a lunch program for senior citizens, that was a big deal. Nobody was aware that we might have all of the services that we now have—in-home services and a variety of transportation services. Back then, if a town had a lunch program for older people, that was a big deal. Vera Katz was then in the legislature, and I had been running the legal aid office for the elderly and was codirector of the Gray Panthers. All of the senior citizens wanted to really focus on holding down the cost of medicine, and they told me one day: We are going to go to the legislature, and we are going to take all of our pill bottles and stack them up on the table and show those legislators what it is like to really be an older person in having to cut pills in half in our trying to find a way to make ends meet.

As the Presiding officer, the Senator from North Dakota, knows, I had never been involved in politics or in public service back then. All I really wanted to do was to play in the NBA. So I didn't know if you could do that. I didn't know if you could take all of the pill bottles to the legislature, so I called Vera Katz.

I said: The seniors want to come down, Representative Katz. They want

to hold up all the bottles. I really don't know what to do.

I could hear it through the phone because it just boomed out.

She said: The seniors want to bring their pill bottles to wake up the legislature?

I said: Yes, ma'am.

I could hear it through the phone when she said: Damn right. I want them to bring their pill bottles, and they are going to get a big welcome from me.

In all of those years in working with senior citizens, the very first person the seniors wanted to see was Vera Katz.

I asked them: How come we are always going to see Vera Katz?

They said: Because she always inspires us, and she always makes us laugh, and she always makes us want to get involved.

So this life force who, like my family, fled the Nazis, was an extraordinary public figure. Yes, she represented Portland, but she always stood up for all of Oregon.

In the days ahead, I will be back to the floor to talk some more about Vera Katz. She had a watermelon spitting contest with folks in rural Oregon just because she wanted to cement the bond between Portland and the rural part of the State. She was a wonderful woman. Our State grieves today as we think of her and her extraordinary contributions. In my having known her for more than 40 years, she is a role model for what public service ought to be all about.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Under the previous order, there will now be 30 minutes of debate equally divided between the two leaders or their designees.

The Senator from Nebraska.

Mrs. FISCHER. Mr. President, the U.S. Senate has the opportunity today to vote on a nominee to the Eighth Circuit Court who exemplifies the qualities we all seek in a judge.

Steve Grasz from Nebraska is a nominee who has earned the respect of his peers. He believes in the rule of law. He has the education and the training. He has the experience needed to prepare him for this serious responsibility. Steve has a keen intellect and the humility that allows him to show respect toward all. He has an even and calm temperament—a judicial temperament.

Steve Grasz served as the chief deputy attorney general of Nebraska for 12 years. In that role, Mr. Grasz professionally and capably defended the laws of the State of Nebraska, authoring

nine briefs in the U.S. Supreme Court. He has earned the respect of the Nebraska legal community. Timothy Engler, president of the Nebraska State Bar Association, has stated he always found Steve "to be professional, civil, and ethical in all respects." In short, Steve is an outstanding Nebraskan and a talented legal mind.

The scores of recommendation letters we have received for Steve are a testament to his temperament, his integrity, and his character. These recommendations come from a diverse group of Nebraskans, from political officials to church pastors, business and community leaders, and Steve's friends and neighbors.

Steve has bipartisan support from those who know him best. Nebraskans from across the political spectrum have pointed to Steve's thoughtfulness, fairmindedness, high ethical standards, and brilliant abilities as a jurist. This includes former Democratic Governor and U.S. Senator Ben Nelson, who wrote that Steve "was an asset to our state and Nebraskans benefited from having such a capable and thoughtful professional in public service. Today, he is unquestionably one of the foremost appellate lawyers in the state, making him an obvious choice for this seat on our federal appeals court."

Debra Gilg, the former U.S. attorney for Nebraska and a Democrat appointed by President Obama, said:

Steve has always enjoyed a reputation for honesty, impeccable integrity, and dedication to the rule of law. He possesses an even temperament well-suited for the bench and always acts with respect to all that interact with him.

This is a nominee who should receive bipartisan support in the U.S. Senate as well.

I urge my colleagues on the other side of the aisle to put their lockstep partisan politics aside on these nominees and join with me and my Nebraska colleague in voting to confirm this decent man of integrity to the Eighth Circuit. I urge a "yes" vote on Steve Grasz.

Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the Grasz nomination?

Mrs. FISCHER. 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. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 50, nays 48, as follows:



[Rollcall Vote No. 313 Ex.]

YEAS—50

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

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—2

Cochran McCain

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

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 Don R. Willett, of Texas, to be a Circuit Judge, United States Court of Appeals for the Fifth Circuit.

Mitch McConnell, Richard Burr, John Cornyn, Michael B. Enzi, Johnny Isakson, Chuck Grassley, Mike Crapo, Ron Johnson, Roger F. Wicker, Marco Rubio, Mike Rounds, Steve Daines, Lindsey Graham, Shelley Moore Capito, Cory Gardner, James E. Risch, Jeff Flake.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Don R. Willett, of Texas, to be a Circuit Judge, United States Court of Appeals for the Fifth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Mississippi (Mr. COCHRAN) and the Senator from Arizona (Mr. MCCAIN).

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

The yeas and nays resulted—yeas 50, nays 48, as follows:

[Rollcall Vote No. 314 Ex.]

YEAS—50

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

NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

NOT VOTING—2

Cochran McCain

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 48.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Don R. Willett, of Texas, to be a Circuit Judge, United States Court of Appeals for the Fifth Circuit.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Oregon.

DACA

Mr. WYDEN. Mr. President, I think that we are going to be joined here in a few moments by our colleague, the senior Senator from Illinois, Senator DURBIN, who, for years and years, has been leading the fight for the Dreamers—for the young people who are affected by DACA. He may be tied up for a bit, but as we begin—because we are going to be in a colloquy on some of these issues—I want to recognize his extraordinary contributions.

Nobody has been more focused and more relentless in terms of standing up for the rights of the Dreamers—the young people and the families who are caught up in DACA—than Senator DURBIN, the senior Senator from Illinois, and I want to make sure that his role is recognized at the outset.

I and Senator MERKLEY have spent a lot of time talking to these young people at home in our State, and we have

held special forums on it. I am just stunned at what wonderful young people these folks are. Inevitably, their grades are at the top of their classes. They seem to be working two jobs, and they are sending money to relatives. They are just doing everything that we associate with hard work and thrift and ingenuity and with what has made our country so unique and so special in the world.

I want to talk a little bit about what I have heard and also set the record straight with respect to DACA, because there is an awful lot of reckless talk about this legislation, and much of it just does not resemble the truth. Misinformation is being spread to discredit DACA recipients and their contributions to the country, and those innocent lives are being damaged. Right now, Dreamers face the very real and frightening threat that they may be ripped away from the only lives that they know and the only country that they have ever known, and I want to spell out why.

The Congress is now up against an artificial deadline that was created by this President in his scrambling to come up with a solution for the 11,000 DACA recipients in Oregon and the hundreds of thousands all over the country. If nothing is done in the Congress this year, we know that these young people are going to be fearful, and they are going to go into the holidays while wondering what is ahead for them and their families. I just feel so strongly that they deserve better. They shouldn't be hanging in suspended animation—wondering what is going to happen to them, living in fear. My hope is that there will be action taken this year to help these young people. I feel so strongly that the end-of-the-year wrapup legislation has to include legislation to finally allow these young people to realize their hopes and dreams in this country.

In his statement that announced the end of the DACA Program, the Attorney General said that our country must enforce our immigration laws, and he implied that the failure to enforce the laws somehow puts our country at risk of crime, violence, and terrorism. I can just say that, based on everything I have seen in Oregon, DACA recipients have not put our country at an increased risk of crime and terrorism, because, in fact, they are vital contributors to our Nation's success, including many who serve in our military.

It is just wonderful, and it is so good to see our colleague from Nevada here, who, along with Senator DURBIN, has championed the rights and interests of these young people. I know that she is going to speak shortly because she has seen the real-life consequences—the dangers—that are being inflicted on our young friends, our neighbors, and those who are so fearful about what will happen if Congress does not act before the end of the year.

This is not an abstraction for those like Mariana Medina, whose family

brought her to the United States when she was 3. She went on to graduate from Tigard High School, which is just outside my hometown of Portland. This past June, Mariana graduated from Portland State University with a bachelor's degree in political science. She speaks eloquently and powerfully about how she really wants to give back to the people of Oregon by helping the children and the families who are most in need of help. What a wonderful role model Mariana is.

The debate is just as real for Ricardo Lujan, who graduated from Southern Oregon University in the spring. Ricardo is now the legislative director for the Oregon Student Association. There, he has been a strong advocate for legislation to give Oregon Dreamers a chance to get their own higher education degrees.

Ricardo worked full time while going to school full time in order to pay for essentials. He said: I want to make sure that I am contributing to affording an apartment and a car. He said that without DACA, he would not have his bachelor of science degree today. He said that this law is a beacon of hope to young people like himself.

In Oregon, there are now an estimated 11,000 Dreamers. All of these young people have parents and brothers and sisters and friends and people who know them in the community because they always want to help and chip in. They have roots in these communities. They have well-laid plans to work hard in school, make something of their lives, and start families of their own here in our country.

It seems to me that with the groundswell of support for these Dreamers, before the end of this year, this Congress ought to be able to come up with a bipartisan, fair way to put an opportunity path forward for these young Americans. The effort from the White House, I have to say, and I regret it, to punish these young people and split families seems to run contrary to the values we hold dear as Americans.

Our government, by the way, made a promise to these young people when the government encouraged them to share their stories publicly, submit to background checks, and pay taxes. That was something the government urged these young people to do—come forward, pay taxes, submit to background checks. We want to make sure that we are in a position—and I was hopeful when I heard about that pledge—to take action based on the fact that these young people were willing to come forward and say: We want to be contributing members of our country. We want to make sure that when the government asks us to come forward, we do. And they did so.

I close with this, because I know my colleague wants to speak—perhaps on the same subject—it would be wrong to turn our backs on these exceptional young people. I know my colleague from Nevada is going to keep fighting

tooth and nail alongside so many of our colleagues.

Senator DURBIN was going to join me for a colloquy on some of these issues, and with the end of the year legislation barreling toward us, I think he was detained, but I want to thank him for his leadership. In fact, he has joined us now.

With the indulgence of my friend from Nevada, I would like to recognize my colleague from Illinois because no one in this Senate has put in the time or shown the tenacity and the years-long commitment to make this fight for justice for the Dreamers and those who are trying to work their way through the DACA Program to a better future for themselves and their communities. So I am very grateful to the Senator from Illinois.

I had mentioned in his absence that we thought at one time we would have a full-scale colloquy, and I have pretty much used up my time in terms of making some of the points about issues we have raised. With the indulgence of our friend from Nevada, I want to again thank the Senator from Illinois. We are on the cusp of being able to finally get justice to these Dreamers and those in DACA, and I want this body and people who are following this issue to know that we would not be in this position without the help and the advocacy of the senior Senator from Illinois.

I appreciate my friend from Nevada allowing us to have time for the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from Oregon, and I certainly thank my colleague from Nevada for giving me an opportunity to speak for a few minutes. I also thank my friend from Oregon for being steadfast on this subject.

It has been 16 years since we passed the DREAM Act. We have been through a lot. We made it here on the floor of the Senate. We passed it on the floor of the Senate. There was an effort at comprehensive immigration reform which included the DREAM Act. It was a glorious day when it passed with a strong bipartisan vote and then a bitter disappointment in the months that followed when it languished on the floor of the House of Representatives and never was called for a hearing or a vote on the floor. So many of these thousands of young people who would be protected under the DREAM Act didn't know what the future would hold.

President Obama stepped in and created DACA through Executive order, and with DACA protection, some 800,000 young people were given a chance to be part of America—something they always dreamed of. They went to college, got jobs, and they did important things in their lives that they had put off and frankly reached the conclusion that they would never be able to do.

One of the things that many of them did, which surprised people, was to pur-

sue their goal of being part of the U.S. military. We have an All-Volunteer military. These young people, undocumented in America, who have no legal status in our Nation, were prepared literally to give their lives for our country, the only country they have ever known. Is there any question in your mind as to their devotion to this Nation? Not in mine.

When you hear their stories, you will understand why. I have a story I want to tell you tonight. It is a story about Alan Torres.

Alan Torres was brought here as a child from Mexico. He grew up in North Dallas, TX, where he was a great student and athlete. In high school, he was placed in a program for advanced math and science. He took advanced placement courses in a variety of subjects which I dutifully avoided in high school, subjects such as physics, chemistry, anatomy, and physiology. He was captain of the high school varsity cross country team, where he won the district championship. He was the company commander in his high school's Junior ROTC. Not only was Alan an academic overachiever, he was also an artist on top of everything. His work was displayed and sold at regional level competitions, and he earned many awards.

His most vivid memory of high school, however, was none of these things but of 9/11, the day of the terrorist attack on the United States. He was sitting in school, wearing his JROTC uniform in Texas, and he cried with his classmates when they heard what happened to America. He said he thought to himself, "I can't believe this happened to my nation." My Nation. You see, as a kid, Alan always believed this was his Nation. It wasn't until he was unable to do things many of his friends could do that he realized he was undocumented in America, with no legal status. He couldn't get a driver's license like his buddies did. He couldn't apply for financial aid to go to college.

Alan still pursued his dream despite these obstacles. By the time he graduated from high school, he was working three jobs to save up enough money to go to school. He attended a local community college because he didn't have any money. He needed low tuition. He received an associate's degree from Dallas Community College. Then he transferred to the University of Texas, Arlington. There, he got a bachelor's degree in information systems management. After all his hard work, he graduated from college debt-free. That is how hard he worked. He paid for his education out of his pocket because he couldn't count on any Federal loans or financial aid.

Today, Alan Torres—this young, undocumented man, protected by DACA—is a software engineer for IBM. He developed software that helps medical providers across the country to better manage the health of over 50 million patients.

He wrote me a letter saying:

[DACA] is what I would pray for all those nights when I would stay up late doing homework or lay awake full of anxiety for the future. It has allowed me to fulfill my potential and reach my goals without the fear of not knowing if I am going to wake up in a strange country tomorrow. . . . Dreamers are not perfect, but we work hard, love this country, and would love the opportunity to show it.

Alan is one of 31 Dreamers working for IBM. People like Alan are the reason that IBM and a lot of business leaders are calling us and saying: Are you crazy, Senator? You would deport Alan Torres? He earned his education in the country the hard way. He succeeded where others failed. He has the ambition and drive that we all pray for in our children and those we admire, and you want to tell this man to leave the United States of America?

These business leaders are pretty hard-nosed about this. For their part, they have an excellent employee, and they don't want to lose him.

More than 400 business leaders wrote a letter to Congress urging us to pass the bipartisan Dream Act or DACA or whatever you want to call it. The letter says:

Dreamers are vital to the future of our companies and our economy. With them, we grow and create jobs. They are part of why we will continue to have a global competitive advantage.

That is the business viewpoint on this whole issue of the Dream Act.

In a few weeks, we want to go home for Christmas. We want to celebrate with our families. We understand that it is a special time of year for so many in America, this Christmas and Hanukkah season. We know we give thanks at Thanksgiving, but we give it again on Christmas Day as we count our blessings. One of the blessings we count on is the blessing of opportunity.

We know that in this great Nation, people have an opportunity to make a better life for themselves, their kids, for their future, and for our Nation. Think about Alan Torres over this Christmas, and think about 800,000 just like him, uncertain about what the new year will bring, uncertain because we have failed to act in Congress.

It was the President and Attorney General on September 5 who challenged us to do something. The President said: I am going to do away with Obama's Executive order, and now, Congress, do something. But all I hear from many of my colleagues is, well, let's see tomorrow if we can work this into the schedule or maybe next month or maybe the month after. We can't do that. There has to be a sense of urgency on our part too.

These young people—many of them have tearful speculation about their own future. I just talked to one of my colleagues from Colorado who came back from a meeting with half-a-dozen Dreamers, and as they told their story, they all broke down in tears. Do you know why? They are just about to give up hope—not on our country but on

us—on the Senate, on the House, on politics, on Congress. I think we are better than that.

This Nation of immigrants has many people with many great stories. The Presiding Officer told a great story about his family and what it meant personally growing up. I have heard it and I am inspired by it, as I am and he is by many other stories we hear. This is what America is all about.

This issue really tests who we are and what we believe in and what our values will be. There are 100 ways to get to the finish line, but we need to do it by December 22. That is when we are supposed to break for Christmas. Let's make sure that as we break for Christmas, we give these young people, these Dreamers, these DACA people we have protected, a bright future for a happy new year, literally.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I rise today with my colleagues to really put a face to what we are talking about here when we in Washington are making decisions that are impacting the real lives of the people back home in our States.

I have to thank my colleague from Illinois, who has not only led the charge on this fight but has never given up for those Dreamers and their families, has really fought to show who they are because they are not numbers. They are real people.

I go home to my State, and on a regular basis I meet with Dreamers and their families, and it is no different. We sit around and we talk and tell stories about their struggle and their fight just to have that American dream. They are crying. Many are afraid to even tell their stories.

The first time I had an opportunity to sit with Dreamers, they had never told their story before because they were too afraid to tell it. They were too afraid that if they told it and left their home that day and went to work or went to school, that when they came back, their parents would not be there. It was the first time they came forward. It is no different now.

This administration and what they are doing is continuing the fear in our communities. That is why now more than ever we have to pass the Dream Act. Since this administration ended DACA, more than 11,000 DACA recipients have lost their status. Each week, 851 Dreamers are losing their protection. If we fail to pass legislation to protect Dreamers, 800,000 kids will be forced to watch their lives fall apart. They will lose their driver's licenses, their health insurance, their scholarships, their student loans, their work permits. They will face the constant threat of being detained, separated from their families, and forced out of the only home they know.

This is not just a crisis for these kids and their families, it is a crisis for our country, and it is a crisis for businesses

across America. If Dreamers lose their jobs, employers will incur nearly \$3.4 billion in costs. The Center for American Progress estimates that our GDP will shrink by \$460.3 billion over the next decade. Over 800 business leaders from companies like Airbnb, Amazon, Facebook, Google, Lyft, and Microsoft have signed a letter to Congress, as you have heard, urging legislators to pass the Dream Act. The value Dreamers add to our economy is apparent to our country's most innovative businesses, it is apparent to religious groups and advocacy organizations all across the Nation. What is it Congress is missing? Why are some Members of this body unable to see all the contributions these kids make?

This is also a moral crisis. We cannot turn our back on Dreamers. We must embrace them. They are living examples of what America stands for as a nation, built through the sweat and hard work of generations of immigrants.

Immigrants are a fundamental part of our communities. They always have been. They have built our railroads, our cities, our highways. They have founded businesses, invented groundbreaking technologies, and discovered lifesaving cures. Blue jeans, hamburgers, ketchup, YouTube, Google, Apple, even America's best idea—our national parks—these are iconic American inventions, and yet they were all created in whole or in part by immigrants.

Immigrants have held public office. One of Nevada's first Senators was an immigrant. His name was James Graham Fair, and he was born to a family in Ireland. His father brought him to the United States when he was a child to escape the potato famine. He grew up on a farm in Illinois and moved to Nevada in the 1850s to get involved in silver mining. He made a fortune when a repository of silver ore in northern Nevada, known as the Comstock Lode, was discovered. The discovery of this silver made him wealthy beyond belief. Overnight, he became one of Nevada's silver kings. He invested his fortune in railroads and real estate and eventually accumulated over \$40 million, and that is more than a billion dollars today.

In 1881, he was elected to represent Nevada in the U.S. Senate. In 1882, this Irish immigrant, a man who became a king because of the Comstock Lode, turned his back on other immigrants, and he voted in favor of the Chinese Exclusion Act. The Chinese Exclusion Act was a watershed moment in the history of American immigration policy because it was the first time the Federal Government restricted immigration on the basis of race. I tell you this story because, to me, the Chinese Exclusion Act exemplifies a vicious truth—that immigrants and their descendants are often the ones fighting to keep the next generation of immigrants out. Sadly, this Congress—a group that includes many descendants

of immigrants—is in danger of making the same mistake.

When are we going to acknowledge what basic economics, history, and scientific research have always proven to be true; that immigrants make our economy stronger, that immigrants come to our country and start businesses, apply for patents, create jobs, and invent technologies that change our world.

The 800,000 Dreamers in this country don't want special treatment. They want the chance to live their lives and do all of those things without the fear of deportation looming over their heads. We have a President who is not just refusing to give them that chance but actively spreading lies and hate about who they are. I wish I could say this xenophobia—this hate—is something we have never seen before, but anti-immigrant sentiment is nothing new. These attempts to shut our doors are as old as our Nation itself.

We are a nation of immigrants. We are caught in a vicious cycle. We look to our ancestors for inspiration. We benefit from the contributions of immigrants, but every generation, we default to the arrogance of power and treat immigrants as scapegoats and shut them out.

A teacher from Sparks, NV, recently contacted my office to share the fear and uncertainty kids and families are feeling right now. David wrote:

I teach music at Diedrichsen Elementary School in Sparks, and my wife is the Assistant Principal at Desert Heights Elementary in Stead. . . . We are seeing an increase in stress, acting-out behaviors and absences in our students from immigrant families. Another friend of mine who teaches at a school with a large immigrant population has told me about days when large numbers of children are absent because of rumors of raids by ICE.

These are the consequences of using immigrants as scapegoats.

We are facing another watershed moment in our country's history. People will ask: Where were you when Dreamers' lives were hanging in the balance? Did you use your voice? Did you speak out?

It is time to stop this cycle. It is time to do the right thing and pass the Dream Act, not just because it will add billions of dollars to our economy but because threats to immigrants are a threat to our communities, our safety, our lives, and the future of this country.

The Dream Act is an investment in our future. Republicans in Congress are looking for a way to reduce the Federal deficit. Well, I have a solution for you. Passing the Dream Act would decrease the Federal deficit by \$2.2 billion over 10 years. It turns out that the refrain we always hear that immigrants are taking away jobs is a myth. The economy is not a zero-sum game. Research shows that immigrants drive growth. They generate new patents at twice the rate of native-born Americans. In 2014, they earned \$1.3 trillion and contributed \$105 billion in State and local

taxes and nearly \$224 billion in Federal taxes. Immigrants are 30 percent more likely to start a business in the United States than nonimmigrants, and 18 percent of small business owners in the United States are immigrants. In 2007, these small businesses employed an estimated 4.7 million people and generated more than \$776 billion in revenue, but this fight is not just about our economy.

At its core, this fight is about 800,000 uncertain futures. When you meet Dreamers like I have, you will see they are not numbers, and they are not graphs. They are hard-working young people who are putting themselves through school and supporting their families.

They are young people like Maria, a Dreamer who was brought to the United States when she was 4 years old. Now, 22, she is working as a teacher and director of the Infant Toddler Program at a Montessori school in Washoe County, NV. She already has an associate's degree, but she plans to enroll in the University of Nevada, Reno to pursue a bachelors in education, human development, and family studies.

Maria sent me a letter to tell me her story, and she wrote:

I, as a Dreamer, am being truly affected by not knowing what will happen with my future. Since we moved here, I have learned what the meaning of true work ethic is and how to be a positive asset to our nation. Being a DACA recipient means I can never have a criminal record, I pay taxes, I have a great job teaching our youth, and am still working hard to continue my education. . . . I am here thanks to the selflessness and courage my mother showed, and I believe any parent would do the same for their children without hesitation. My mother followed all the rules to quickly become a true hard working member of this nation.

In her letter, Maria told me all she wanted was a chance to follow the rules, show her potential, and continue working as a teacher.

Maria's story is both an immigrant's story and an American story. It is a story about what happens when we give Dreamers a chance. Maria's story is no different from Sergey Brin's, the co-founder of Google who came here from Russia. It is no different from Madeleine Albright's, the first female Secretary of State, an immigrant from Czechoslovakia. It is no different from that of John Muir's, a Scottish immigrant, or that of Joseph Pulitzer's, a Hungarian immigrant, or that of Albert Einstein's, a German refugee.

Dreamers' stories are no different from my own. My grandfather was born in Chihuahua, Mexico. He crossed the Rio Grande to come to this country. He served in our military, became a citizen, married my grandmother, and he raised a family. His son, my father, began his career as a parking attendant at the old Las Vegas Dunes Hotel. He worked his way up through the ranks to become the first Latino on the Clark County Commission and then president of the Las Vegas Convention and Visitors Authority. My mom and

dad worked all of their lives so my sister and I could become the first in our family to earn a college degree.

My family taught me that when someone opens a door for you, you hold it open for the next person coming along after, and that is what I am in the Senate to do—to make sure every American gets that same opportunity my grandfather had, that my parents had, and that my sister and I had.

It is time to recognize that Dreamers are Americans, that their stories are no different from any of ours, that by taking away their protections, by allowing them to return to the shadows, we are allowing a vicious cycle to grind 800,000 dreams into the dust. It is time to learn from the mistakes of our predecessors. We must pass the Dream Act before the end of this year.

Thank you for listening.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I want to thank Senator DURBIN for organizing this time and for his leadership and advocacy on behalf of Dreamers across the country.

Passing the Dream Act is about more than the law. It is about compassion and basic human decency. There is nothing compassionate or decent about revoking the status that 800,000 young people, including 600 in Hawaii, depend on to live, work, and study in the only country they have ever known.

Relying on a promise from the Federal Government, these young men and women came out of the shadows, handed over personal information, and underwent extensive background investigations to earn their DACA status, but the President's actions have put them all at risk. Like so many people, I have been moved by stories of how DACA has transformed the lives of Dreamers across the country.

Earlier today, I spoke with two young Dreamers who flagged me down in the hallway as I was going from one hearing to another, and they asked to speak with me. One had traveled from Arizona and is only a high school student. He was all dressed up, and he had a bowtie on. The other who flagged me down in another part of the building lives in California and is originally from South Korea. Both asked me to continue to fight to pass the Dream Act before the end of this year.

To see these young people politely approaching Members of Congress like me—I don't think a lot of them even had appointments, but they had to study the faces of the Members of Congress so, as they saw us in the hallway, they could come up to us. So the fact that they politely asked to speak with me, even as they literally are fighting for their lives, speaks volumes. We should open our hearts to them and support their cause.

Like so many of my colleagues, I have met with Dreamers from my home State of Hawaii to hear about how DACA has changed and enriched

their lives. In October, I met with three young women studying at the University of Hawaii thanks to DACA.

Karen, Maleni, and Beatrice were, in many ways, like any other college student. They balance busy class schedules with part-time jobs and extracurricular activities. They have also lived in fear since the President and his Attorney General made the cruel and arbitrary decision to end DACA on September 5. Karen, Maleni, and Beatrice told me they hadn't received any notice about what would happen after the program ended on March 5, 2018, and depended on media updates that would literally determine their futures. They shared hopes and concerns most of us would take for granted.

When their newly issued driver's licenses expire, they may not be able to fly home to California to visit their families because they will no longer have valid IDs. After turning their information over to the Federal Government, they worry for their parents and families, many of whom are undocumented. When their work authorizations expire, they will have to drop out of college because they can't afford tuition.

Karen is pursuing her master's degree in conservation biology and environmental science and hopes to have a career in research. She said:

If I lose my DACA, that means I'd lose my work permit which means I lose my graduate assistantship which means I can't [graduate]. So thinking about those logistics is definitely scary. Because I wouldn't be able to complete my education unless I found another way to fund it.

[Dreamers] are working to improve our lives, and the lives of our families, and hopefully, through our professions, your life too. We're becoming doctors and lawyers and teachers and any field you can imagine there's probably at least one of us represented. So give us a chance.

Even with all they have been through, Karen, Maleni, and Beatrice told me they don't regret signing up for DACA because, although their futures are now in jeopardy, for a few years they were given a chance at their American dream.

Dreamers like Karen, Maleni, and Beatrice are not asking for much. They are just asking us, as Karen said, "for a chance." They are asking us to keep the promise we made to them, and it is in our power to do that.

Around 10,000 Dreamers have already lost their DACA status since Attorney General Sessions announced the program's end. Every day Congress doesn't act, 122 Dreamers lose their DACA status. We are taking away these young people's chances of staying in school, pursuing meaningful careers, and even visiting their families at Christmas.

While the President once called Dreamers "absolutely incredible kids" and made promise after promise to protect them, he has gone back on his word time and again. We can't rely on his empty promises.

I ask my colleagues to put yourselves in the shoes of these Dreamers. What if

your future in this country was uncertain after March 5? What if you were facing deportation to a country you don't even know so you have to start life all over again? What if your families lived in daily fear? If we can put ourselves in the shoes of Dreamers, what part of the Dreamers' uncertainty and living in fear can we not understand?

Is it because we are not them? Is it that we can only relate to someone's existence or experience only if we lived it ourselves? If that is the only way we can relate to people's problems—people who come to us for help—then we are in a very sorry state.

Most of us who serve in the Senate are only one or two generations removed from immigrant status or immigrant backgrounds. I, myself, am an immigrant. I was not born in this country. I came here with a single mother. I know what it is like to come to a new country where you don't speak the language and where you have to learn, where you have to adjust. All my mother asked for was a chance to attain the American dream.

It really bothers me that at the time when we were talking about passing comprehensive immigration reform, Member after Member came to the floor of the Senate and talked about their immigrant backgrounds. Yet too many of them were perfectly happy to shut the door on immigrants in this country—over 11 million undocumented persons—to shut the door in their faces; forgetting that most of us come from immigrant backgrounds; forgetting that this country, apart from the original people who were here, American Indians, we are all immigrants.

So let's put ourselves in the shoes of our Dreamers. Let's open our hearts to them. These are young people who just want to have a chance at the American dream that too many of us take for granted now. Let's not only be able to empathize with people whose experiences we have lived. Let's not be there, let's not go there.

I call on my colleagues to support the Dream Act now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank my friend from Hawaii and Senator DURBIN for his work and Senator CORTEZ MASTO, who is off to a really good start in her first year in the Senate. I thank them for their work on this issue that is personal to Senator CORTEZ MASTO and Senator HIRONO because they are not that far removed from coming to this country.

My family has been here longer, but this issue is personal to me because of the people I met whom I will mention in my relatively short remarks. I want to tell some stories about people I have met.

Immigrants in my State and across this country make vital contributions to our economy and local communities.

They are business owners and entrepreneurs. They are educators and students. They are workers and leaders in the community. They serve our Nation in the military.

For many immigrants brought here as children—and this is the key point—this is the only country they have ever known. They may speak Spanish at home or speak Arabic at home or they may speak Bengali at home or they may speak Urdu at home, but they don't know those countries they came from because they were small children when they came.

President Trump promised to go after violent criminals, not innocent children. Unfortunately, his efforts have been aimed not at violent criminals who should, in fact, be removed from our country, but he has gone after so many innocent families and innocent children.

My daughter Emily is a legal aid lawyer for immigration in Columbus. She has told me stories of families who have played by the rules, they worked hard, they are active in their church, they hold full-time jobs, and they are raising their kids. Their kids are doing well in school, and the mother and father get deported, not because they have ever committed a crime but because they came here a number of years ago to escape violence in the countries they came from.

Those are not the same situations exactly as these DACA kids, but we know who these DACA children are—these Dreamers. We shouldn't be targeting young people who are contributing to this country—the country they grew up in, and the only home they have ever known. They are working, going to school, paying taxes, and serving in our military.

Ariel was brought to the United States as a baby when he needed medical treatment for a rare condition. He has lived here ever since. He attends Cuyahoga Community College, a few hours from my home. He is working toward a degree in business administration. He wants to be an entrepreneur who will create jobs in his community and my community. Other Dreamers have jobs, and they are contributing already to our community.

I heard from Elvis, who grew up in Northwest Ohio. He graduated from Ohio State and works at Nationwide. He told us:

The contributions of DACA recipients are not only present in metropolitan areas but also in rural ones. This is evident to me, someone who grew up in rural Ohio, and whose family continues to live there, every day.

Nathali in Columbus works as a product development and design engineer at Honda. She has lived here since she was 9. Her DACA status expires this summer. If she isn't protected, she will probably have to give up her job. She is contributing to America's economy, to Ohio's auto industry, and she pays taxes.

I heard from Vania in Delta, OH, a suburban farm community west of Toledo. She oversees the entire human resources department in her company, one of the largest bell pepper growers in the country. She said:

I was raised in this community, graduated high school and college here, and am currently giving back to it in my role. I have established myself as a contributing member of this community and for this reason, among many others, I deserve a chance to continue my work.

All she says is: I want to continue my work. I want to continue raising a family. I want to continue contributing to this country. I want to continue to work in my community. I want to continue to be a good citizen. She is not asking for a handout. She wants what most Americans want, to be able to keep doing her work.

There is no question our immigration system is broken, but we don't fix it by kicking out these contributing members of our communities who grew up here—underscore that. They may not have been born here, but they grew up here. They know our country. They live in Toledo and Dayton and Xenia, and they live in Mansfield. Those are their lives, as it was my life growing up in Mansfield.

We don't fix our immigration system by kicking out these contributing members who grew up here and made their home here—who are American in every sense except the paperwork. It is time for us to come together to put partisan considerations aside and pass a commonsense solution that protects these kids, protects these Dreamers, and upholds our American values.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I want to thank all my colleagues who have spoken today. I really want to thank Senator DURBIN, who has been a friend and a mentor of mine since I came to the Senate almost exactly 4 years ago. I thank him for his leadership right now—really leading us on both sides of the aisle, as a central focal point for the Dreamers—and for his words. I thank him for his leadership today and throughout this effort, making sure we don't leave for the holidays, leaving thousands of children in our country who know no other country—young adults—in a purgatory where they are anxiously waiting to see if this body will act.

This is a time where we have seen incredible activism. I cannot tell you how many times I have been stopped by Dreamers who drove for over 24 hours—drove across this country to come to the Capitol to make their case known. They love this country. They serve this country. They only know this country. They were here before they could even speak. They and their fellow American allies have been struggling and toiling and fighting for recognition. It reminds me of generations of Americans in the past who were fighting and toiling and

struggling for recognition as citizens when citizenship was denied them.

I know stories from my own family, African Americans, who, literally, like many of these Dreamers—900 of these Dreamers—have served in the military. I know these stories from my family—people who served in war, served in World War II, served in Korea, like my father, and came back to a country that did not recognize their citizenship rights.

Women, Jews, Irish—so much of the story of America is Americans struggling and toiling and fighting, often coming to the Capital of the United States of America, fighting for recognition of their citizenship rights. They are patriots.

The young people I have encountered in my home State and the young people I have encountered here in the Capitol are patriots. Patriotism is love of country. I am one of these folks who believe that love of country is better seen than heard. I am telling you right now, the Dreamers I have encountered, their service, their sacrifice, their contributions to this country should resonate.

We know the data. Billions of dollars of our economy is being fueled by Dreamers who are here serving in every imaginable capacity—there for their neighbors, there for their community, there for other children, there for America.

I sat across from Dreamers in New Jersey who now, because of the inaction here in Washington, because of the uncertainty, these folks—for whom we have collectively contributed to their education, contributed to their success, and are enjoying the fruits of their success—are now suddenly withdrawing from schools. They are feeling nervous that they are going to be ripped away from family members—younger siblings who are already recognized citizens—as they fight for their citizenship rights. I have seen the pain. I have seen the anxiety. I have shared the tears as they continue this fight, hoping this body will act.

There are folks like Liz. She is a Dreamer from Ridgefield, NJ. She literally created a startup business that employs over 800 people. She is a job creator, an entrepreneur, an innovator whom people rely on for their jobs, and we are going to turn around and say to Liz: You have to leave the United States of America, the only country you know.

What about people like Jesus Contreras? He was the paramedic from Houston who worked for 6 straight days, pulling all-nighter after all-nighter after Hurricane Harvey hit. Here is a guy who, when we faced a crisis and people's lives were on the line, stepped up. That is patriotism. That is love of country. You can't love your country unless you love your country men and women. The way you show you love your country men and women isn't just through the songs you sing and the pledges you make, it is the ac-

tions you take. In a crisis, he was there reaching out to American hands with his hand that is worthy.

Dreamers have been a gift to this Nation. They are hard-working patriots deserving of our respect. They come from a long tradition of people who have served this country, fought for this country, struggled for this country, who battled for respect from this country. They look up and say: I, too, am an American. Don't judge me by a piece of paper that says so. Look at my deeds. Look at my actions. Look at my life.

This, our wealth; this, our natural resource; the genius created in the image of God; we are going to cast these folks out of our Nation, and for what?

I believe that the opposite of justice is not injustice; it is inaction. It is indifference. It is apathy. This body has not acted. It has not shown a level of compassion to patriots. It has rewarded the service of these Dreamers and the sacrifice of these Dreamers with nothing but silence and inaction.

As other days before it, today I am glad that I stand with colleagues who will not be silent. This tradition in our country of solid citizens, of patriots who fought, who loved, who contributed to this country, this tradition that runs deep in my family, that runs deep in the families of so many here—when they were told they were not citizens, did not have equal rights—from suffragettes to civil rights activists—this body finally got it right and finally responded.

This is the dream of America. These young people are called Dreamers. This is the dream of America.

There was a man who talked about being denied his citizenship rights and who wrote a powerful poem that is as appropriate today as it was when he wrote it. His name is Langston Hughes. As these Dreamers struggle to be recognized for what they are—citizens of this country—as they put forth a dream that is no more precious or no more worthy than the dreams of my family, of your family, may the words of Langston Hughes speak to our spirits and our souls and motivate us. Langston said:

There is a dream in the land  
With its back against the wall  
By muddled names and strange  
Sometimes the dream is called.

There are those who claim  
This dream for theirs alone—  
A sin for which we know  
They must atone.

Unless shared in common  
Like sunlight and like air,  
The dream will die for lack  
Of substance anywhere.

The dream knows no frontier or tongue,  
The dream, no class or race.  
The dream cannot be kept secure  
In any one locked place.

This dream today embattled,  
With its back against the wall—  
To save the dream for one  
It must be saved for all.

Mr. President, I tell you this with all of my heart: I have met these young

Americans. I have seen their service. I know their sacrifice. They have worn our uniforms, from our military uniforms to the uniforms of first responders. They have taught our children. They have benefited from our public schools—from our kindergartens, to our eighth grades, to our high schools, to our colleges, and to our universities. We have invested in them, and that investment is paying dividends. They are the American dream. They represent the best of who we are and who we aspire to be.

They collectively, with the other young people of this Nation, are our greatest hope for the future. If we cast them out, if we send them into the wildernesses of lands that are strange to them, to places where some of them don't even speak the tongue, it will be a sad day, a tragic day for them but even more so for us.

What does it say about a nation that turns its children away for no other reason than they came here when they were 2 or 3 and weren't born here? We are better than this. We are greater than this. Our Nation's ideals are loftier than this.

So in the same spirit that this body was slow to move to grant full citizenship rights to enslaved people, in the same way that this body was slow to move to finally grant citizenship rights to every woman in our country, and in the same spirit that this body was slow to move to grant full citizenship rights and voting rights and civil rights to African Americans, I hope we may summon in this generation, in a cause that is noble, the courage to do the right thing and not be stuck in inaction.

It is time for us to act as a body. It is time for us to recognize the full citizenship rights of those who have proven themselves already through the greatest actions one can do—service to another, service to our country, service to the ideals that we have.

Mr. President, thank you.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to join my colleagues on the floor today, and I want to thank our great and distinguished leader on this issue, Senator DURBIN, who has devoted so many years and so much energy and has been a model for me personally of what an advocate should be in the Senate and most especially on this issue, which has been preeminently important to me since my arrival here almost 7 years ago.

For a time, I was on the floor almost every week, periodically, with a photo of another Dreamer, and the reason was to make this issue real in the hearts of the American people, to bring their voices and faces to this body.

Today, I am joined in spirit by Alejandra Villamares. She is one of 8,000 Dreamers in Connecticut. I am proud of each and every one of them. She is one of 700,000 Dreamers in the United States of America, and I hope

that my colleagues are proud of them in their States, as well, because they are absolutely incredible people. Nobody's perfect, but in many ways, they embody the spirit and values of America. They work hard. They go to school. They are future engineers, scientists, nurses, and doctors. They are of immense value to our economy because they work and contribute, and they will better themselves through education, through their values. And they know what it means to be an American citizen. Even though they are not, they know the value of citizenship.

Alejandra came to this country when she was 1 year old. She was brought here by her parents, across the border from Mexico. Her family lived in a cramped, small house with her two uncles. They had very little money. She and her sister were bullied by students in elementary school because, of course, they had to learn English. They spoke with an accent. She told me: "My mother told me not to give up." That is what she wrote me a couple of days after the President of the United States announced that he would end the DACA Program. She wrote me 5 days after the Trump administration rescinded DACA, and her story has stuck with me, haunted me over these months, just as when I have met with Dreamers—as I did just this past Monday in Hartford, CT—to reassure them that I was going to fight every day that we have remaining in this session, their stories have haunted and moved and inspired me.

Alejandra was bullied, but even as she was bullied for speaking a different language—her native language—and learning English, even as her father was deported, even as her family was left without him and with even less support, they persevered.

She wrote to me: "I made it my mission to prove that I was worthy of being considered an American." How many of us, growing up, made it our mission to prove ourselves worthy of being an American? I daresay few of us considered that mission. Most of us take for granted that we are Americans, that we are citizens of the greatest country in the history of the world.

Slowly but surely she learned English, and it became her primary language. In 2012, she got a break: The Obama administration enacted DACA. She could come out of the shadows. She could have a place, some security. That step unlocked for her—literally unlocked for her—the American dream.

For all of us who take for granted what it means to be an American, who have never made it a mission to become an American, we often take for granted the American dream. Well, we belong here. No one is going to send us away. No one is going to deport us to a land we have no knowledge of, to a place away from our friends and our families. But DACA meant something else as well, more than just emotional; it meant that she could go to college,

and she did. She went to Wesley, where she is now a student. For once, she had the immense luxury of not being afraid. She could go to college and study—as she is now studying—film and international relations. She felt empowered to speak up and participate in her community.

She worked at Delaware Goes to College Academy and the Summer Learning Collaborative. They both promote education for disadvantaged youth. She was now not only learning and studying at one of the great universities in our country but giving back to others, enabling others to climb that same ladder, young people with disadvantages like hers to make the most of themselves and to achieve that American dream.

When Attorney General Sessions, with the President's approval, rescinded DACA in September, Alejandra wrote to me:

I wanted this to be my country so badly. One thing that I knew from the bottom of my heart was that I wanted to stay here, and that I was an American.

Anyone who looks at Alejandra, knows her story, and hears her words has to be heartbroken that a young woman seeking so deeply to be an American, to live the American dream and American values, to give back to this country that she loves, and never to take for granted what so many of us do—we have to be heartbroken to hear those words and her story.

I have heard my colleagues say: Well, why now? Why not wait until after the new year? Why not wait until March? Why not wait? Waiting until March would mean an extension of her anxiety, apprehension, and fear. It would also mean the extension of a humanitarian crisis.

Make no mistake, for 8,000 young people in Connecticut and 700,000 in the United States of America, threatening deportation to them is an unprecedented message to the world and to ourselves. It says something about who we are. To leave them hanging is not only unfair, it is unworthy of us as Americans.

More practically speaking, tens of thousands of DACA recipients are estimated to have already lost their protection from removal. Kicking the can down the road would mean continued anguish for those 700,000 young people, and it would mean breaking a promise. They came forward. They provided their addresses, their cell phone numbers, their tax information on the promise that it would not be used against them.

It would mean instability in the job market, and it would hurt our economy. That is why employers are coming forward and urging us to act now. Companies have been forced to consider whether they should fire DACA recipients and train new employees in anticipation of the March deadline. It would churn and create turmoil if we fail to act. In fact, it already is creating chaos and confusion because

looming on the horizon ominously, inextricably, is the threat of mass deportation.

It would be a humanitarian nightmare, and it is a bureaucratic nightmare, as well, to wait. If the Dream Act is passed, the United States Citizenship and Immigration Services has work to do. They need to develop new regulations, process applications. This involves conducting security checks, biometric screening, notifying the applicants, and doing the paperwork. Experts say that this process could take up to 7 months in total. So we are already late. We are already late in beginning and accomplishing this task.

If we delay our action, thousands of Dreamers will lose their protections before the law is fully implemented. Young, contributing members of our society—like Alejandra—who have done nothing wrong will be dragged back into the shadows, to lose their drivers licenses, to lose their jobs, to lose their sense of security, to fear every day the sound of police sirens, as so many do right now.

The administration has literally thrown a timebomb to this body, and it is ticking. We have the power to diffuse it. We have the power to do the right thing. We have the power and we have the obligation to truly give those 700,000 Dreamers the ability to make the most of themselves and make the most of this country.

Often, when I think of the Dreamers, I think of my father, who came to this country in 1935. He was 17 years old. He knew virtually no one. He spoke almost no English. He had not much more than the shirt on his back, and he was a Dreamer, although he came here legally. He became a U.S. citizen. Nobody loved this country more than my dad.

I sometimes think how sad and ashamed he would be about the way we have denied Dreamers the opportunity and security that he felt coming here, escaping persecution in Germany. This country has never been perfect, but we are the greatest country in the history of the world because we are a nation of immigrants.

If you are ever discouraged or down about your lives or about the country, you may want to try going to the immigration naturalization ceremonies in your State. They happen in Connecticut every week in courthouses. I go as often as I can on Fridays, when they usually occur, in Hartford, New Haven, and Bridgeport, because it is so uplifting. It is so very inspiring to see people who are moved and grateful beyond words—moved to tears—in becoming citizens of the United States.

The judges usually give me an opportunity to say a few words, and I thank them for wanting to become citizens. I tell them “You passed a test that most Americans couldn’t pass,” and they laugh, as perhaps some who are listening now would laugh because they know it is true.

They wanted to become American citizens, so they studied and they pre-

pared. Many of them came long distances, escaping persecution—just as my dad did—and left behind families, loved ones, jobs, careers. They wanted to be citizens. They will never take it for granted, nor will Alejandra if she is given that opportunity. She wants it too. She is a Dreamer, not only in name but in spirit. I hope all of us keep her in mind and in heart when we think about what we are going to do in the next couple of weeks.

As for me, I am determined that we should not leave here for our holiday without acting on this measure. I know we can do it if both sides of the aisle are reasonable, responsible, and responsive. The vast majority of the American people are with Alejandra. They know her as a neighbor; they know her as a friend. Even though they may never have met her, they know people like her who are in their communities, and they know the immense contribution that she and others like her can make.

I know so many of them who share that simple goal to become a U.S. citizen, and it begins with permanent status, a path—a path to earn citizenship. Whatever it may be called, it begins with a sense of security and belonging.

I hope this body will pass the Dream Act and give Alejandra and so many like her that opportunity to accomplish the American dream.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 356.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Mary Kirtley Waters, of Virginia, to be an Assistant Secretary of State (Legislative Affairs).

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate’s action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

If there is no further debate, the question is, Will the Senate advise and consent to the Waters nomination?

The nomination was confirmed.

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

#### TRIBUTE TO STEVE JOHNSON

Mr. HATCH. Mr. President, today I wish to recognize a longtime member of the Senate family who is concluding his tenure with us as this session comes to a close. His last day of service in the U.S. Senate will be December 22.

Steve Johnson, a resident of Annandale, VA, and a native of Freehold, NJ, is retiring as the manager of the Senate Dining Room after 22 years of service.

Steve has managed the Senate Dining Room with hospitality, professionalism, and graciousness. He is extremely knowledgeable about the history of the Senate Dining Room and has introduced many of our guests to the stained-glass George Washington Memorial Window, which is often the focal point for visitors.

The window was purchased by the Federal Government for the Capitol in 1910 from the artist, Maria Herndl, for \$1,000. The window’s Revolutionary War scene shows President George Washington on his white horse conversing with Marquis de LaFayette and Baron von Steuben, the drillmaster of the American Army. I only know the story behind the painting because Steve told me.

Steve sure knows his history, but his primary focus has always been on his team and the Members of this body. Under Steve’s leadership, the Senate Dining Room has been an ideal venue for conducting the important business of the U.S. Senate. Throughout his career, he has been responsible for overseeing and implementing the requests of Members of the U.S. Senate and has done so with efficiency, poise, and thoughtfulness.

Steve has always been resourceful and, at times, creative. Once, a former Senator who, at the time, happened to be the Vice President of the United States, ordered a lunch that had not been on the Senate Dining Room menu for several years, but thanks to Steve’s ingenuity, Vice President Joe Biden enjoyed his chopped salad immensely.

On another occasion, Supreme Court Chief Justice William Rehnquist stopped by the Senate Dining Room after a long day on Capitol Hill and ordered chocolate chip cookies and milk.



The cookies were not on the menu, nor were they in the kitchen, but they still showed up at the Chief Justice's table, thanks to Steve's quick thinking and resourcefulness.

Remarkably, during his Senate service, Steve also found the time to train and compete in 18 marathons. He has qualified and run the Boston Marathon seven times, and I hear that more marathons are in his future.

On behalf of myself and my colleagues, I wish to express our deep affection and gratitude to Steve Johnson for his 22 years of faithful service to the U.S. Senate. We will miss him dearly. We wish Steve and Joanne, his wife of 32 years, a happy and healthy retirement.

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RECOGNIZING THE JOHN G. HEYBURN II INITIATIVE FOR EXCELLENCE IN THE FEDERAL JUDICIARY

Mr. MCCONNELL. Mr. President, today I wish to commemorate a groundbreaking program in my home State, the John G. Heyburn II Initiative for Excellence in the Federal Judiciary at the University of Kentucky. As I will explain, the initiative, under the leadership of my dear friend, Dr. Martha Heyburn, is both a testament to its namesake and a powerful representation of its leader. Through its work, this program will benefit and educate our citizens, students, and members of the Federal judiciary.

Judge John G. Heyburn II served on the U.S. District Court for the Western District of Kentucky for more than two decades. During his distinguished time on the bench, John excelled as a scholar, a jurist, and a public servant. He was a man of intellectual curiosity, which could be seen in his work and his relationships. In addition to his efforts in the Western District, Chief Justice William Rehnquist appointed John to serve on the Budget Committee of the U.S. Judicial Conference in 1994. John eventually became the committee's chairman in 1997, where he was responsible for working with Congress to set the budget for the Federal judiciary. In 2007, Chief Justice John Roberts appointed him to chair the Judicial Panel on Multidistrict Litigation, a body tasked with promoting efficiency and consistency in litigation across the Federal courts.

During his career on the Federal bench, Judge Heyburn lived out a vision, in his words, "to ever improve the legal system considered the envy of the world." Through each of his roles, John sought to continue the development and improvement of the Federal judiciary, understanding that the quality of justice was inextricably tied to sound administration.

Throughout his life, I was proud to call John my friend. Like so many others who knew and cared for him, I was heartbroken by his passing in April of 2015.

After John's death, his wife, Martha, was left with what she called "the

unenviable task" of organizing his judicial papers. She expected to find his books, his notes, and his memos from a lengthy career on the Federal bench. What Martha found, however, surpassed even her grandest expectations.

For many of his most important cases, John maintained meticulous records of his decisions. For one case in particular, Martha found a collection of 26 drafted opinions, news clippings, source citations, and even the biographies of the law clerks who had helped John reach his final decision. She recalled that, during his career, John would work tirelessly on his opinions, struggling over individual words or sentences to ensure he got each and every word just right.

As she examined the vast quantity of research, documentation, and papers, Martha reached a conclusion that would ultimately inspire the establishment of the Heyburn Initiative. She knew "this doesn't belong in [her] basement." Martha recognized the historical importance of the documents she had found. She knew that these papers should be seen by wider audiences so future students of the law can learn from them and understand her husband's decisions and the decision-making of the broader Federal judiciary. Martha believed that if there were any chance that John's work could inspire a future student, it was her responsibility to help make that happen.

With this realization, Martha began to plan the future of the Heyburn Initiative. By organizing the papers and making them publically available, they would become the anchor of a national resource dedicated to understanding the Federal judiciary and its place in our democracy. Many of us are familiar with Presidential libraries and congressional centers throughout the country, but this project would be distinctive in its study of the Federal judiciary.

From an impressive career of service, John had accumulated a wealth of materials that would be of interest to many students and judicial researchers. However, Martha knew that, to make this new program attractive to a broad audience, she would need more papers than just those of her late husband.

Therefore, as is typical for a groundbreaker like Martha, she understood the best way to accomplish her goal would be to establish an archive with an ambitious mission. She wanted to create a repository for the papers of every article III judge in Kentucky's history that she could acquire. An undertaking of this size had never been attempted before in judicial archiving in any State, but Martha knew that, if she could pull it off, it would be an incredible resource for Kentuckians and those who study the courts for generations to come. From the initial planning stages through today, the Initiative has already obtained the papers of about a dozen Federal judges from Kentucky, and I expect that number to grow.

Next, Martha decided that, to be of greater benefit to future generations, the documents in an archive would need to be put in their proper context. One of the best ways to do that would be to record oral histories from policymakers, contemporaries, and the judges themselves. These interviews provide a personal account of the history of our Commonwealth and our Nation. They are an incredible resource for students and researchers now and in the future. To date, many of the Federal judges in Kentucky have agreed to provide their own accounts for the archive, discussing their opinions, their work, and the judiciary.

Martha chose to gather oral histories from other members of the Federal Government as well to show the interactions among the three branches at any particular moment in time, but to accomplish this feat, Martha would need resources and a staff to make her vision a reality.

She entered into an agreement with the University of Kentucky to host this portion of the Heyburn Initiative. Martha chose John's charge, "to ever improve the legal system considered the envy of the world," to be the initiative's mission statement, and I was proud to stand with her in Lexington in October of 2016 as she publically unveiled her vision. The initiative became her effort to enshrine her husband's legacy and to inspire future generations into public service.

With a permanent home and a vision for the future, the Heyburn Initiative launched its second component. After the passing of Associate Justice Antonin Scalia in February of 2016, Martha recognized a new level of awareness about the importance of the Federal courts throughout our Nation. That attention sparked her interest in developing an approachable and programmatic feature to the Heyburn Initiative by hosting speakers and conferences for the benefit of students, current judges, and the public.

By hosting these events in the Commonwealth of Kentucky, Martha sought to make our State a destination for scholars and jurists, and she has already found great success in her efforts. In its first year, Martha hosted Chief Justice John Roberts and Associate Justice Neil Gorsuch at the Heyburn Initiative in Lexington. Both of these renowned jurists presented their views on the judiciary's particular place in our system of government.

During each of these visits, Martha ensured that the distinguished speakers participated in both public events and in meetings with law students. Her aim for these carefully organized interactions with some of the most influential jurists in our country was to provide an opportunity for inspiration and learning. She hoped that the students would be inspired by the speakers and, in turn, the speakers might be inspired by the students.

Martha also views Heyburn Initiative events as opportunities to showcase

our home State. With a “uniquely Kentucky” event, she wanted the visitors to remember more than just a judicial conference. Martha wanted the judges and justices to remember the culture of Kentucky. That is why, for example, when Chief Justice Roberts came to Lexington, she organized a group to attend a University of Kentucky men’s basketball game, a coveted experience in the Commonwealth.

In the Heyburn Initiative’s first year, it has already achieved much success and has set itself on course for a bright future, and the credit for all the achievements belongs to Martha. Her vision and tenacity grew this program from an idea into a national resource for students, judges, and scholars. I know that the Heyburn Initiative will continue to be a fitting legacy for John because Martha is leading it.

After so many accomplishments in 1 year, Martha has her sights set on further growth and success. She sees the Heyburn Initiative as an example for other States—to develop a home for the judiciary’s rich history and an inspiration for its future. I would like to congratulate my dear friend and her family on her many achievements, and I look forward to seeing the great things that Martha will continue to do.

#### TRIBUTE TO LIEUTENANT COMMANDER WENDY LEWIS

Mr. THUNE. Mr. President, today I recognize Lieutenant Commander Wendy Lewis of the National Oceanic and Atmospheric Administration Commissioned Officer Corps, who has served as a fellow to the Commerce, Science, and Transportation Committee for the past 3 years. I thank Lieutenant Commander Lewis for all of the hard work she has done for me, my staff, and the entire committee.

Lieutenant Commander Lewis has had a significant impact during her time as a fellow. Her expertise as a ship driver and manager of our Nation’s natural resources has meaningfully informed the committee’s efforts. She has worked on several pieces of legislation that have become law, including the National Oceanic and Atmospheric Administration Sexual Harassment and Assault Prevention Act and the Weather Research and Forecasting Innovation Act of 2017. Her contributions have enhanced the ability of the National Oceanic and Atmospheric Administration to carry out its missions and bettered the lives of those who work there.

I would like to extend my sincere thanks and appreciation to Lieutenant Commander Lewis for all of the fine work she has done and for her continued service to our Nation. I wish her success in the years to come.

#### TRIBUTE TO DAVID RADCLIFFE

Mr. VAN HOLLEN. Mr. President, today I wish to recognize the tremendous service of David Radcliffe, who

joined our staff as a Brookings fellow this year. David’s expertise in defense, veterans, and homeland security issues was invaluable, helping to ensure we met the needs of Maryland. David came to our office with a wealth of policy knowledge from his civilian work at the Department of Defense and his military service as an Army Ranger. He not only adapted quickly to his work in the Senate, he helped define his role in a new office. His versatility, kindness, and equanimity endeared him to constituents across the State. David was unfazed by any change in plans or new last-minute requests, simply responding, “Semper Gumby”—always be flexible. His strong principles, willingness to pitch in wherever needed, and sense of humor made him a great colleague and terrific staffer in my office. We owe him a debt of gratitude, and we will miss him greatly. My whole staff and I wish him well as he embarks on his next journey in service to our country.

#### MESSAGE FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1730. An act to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation, and for other purposes.

H.R. 2706. An act to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other purposes.

H.R. 3093. An act to amend the Volcker Rule to permit certain investment advisers to share a similar name with a private equity fund, subject to certain restrictions, and for other purposes.

H.R. 3359. An act to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes.

H.R. 3669. An act to improve and streamline security procedures related to general aviation and commercial charter air carrier utilizing risk-based security standards, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1730. An act to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation, and for other purposes; to the Committee on the Judiciary.

H.R. 2706. An act to provide requirements for the appropriate Federal banking agencies when requesting or ordering a depository institution to terminate a specific customer account, to provide for additional requirements related to subpoenas issued under the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, and for other

purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3093. An act to amend the Volcker Rule to permit certain investment advisers to share a similar name with a private equity fund, subject to certain restrictions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3359. An act to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3669. An act to improve and streamline security procedures related to general aviation and commercial charter air carrier utilizing risk-based security standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

\*Timothy R. Petty, of Indiana, to be an Assistant Secretary of the Interior.

\*Linda Capuano, of Texas, to be Administrator of the Energy Information Administration.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL (for herself, Mr. YOUNG, and Mr. MARKEY):

S. 2217. A bill to require the Secretary of Commerce to establish the Federal Advisory Committee on the Development and Implementation of Artificial Intelligence, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET (for himself and Mr. GARDNER):

S. 2218. A bill to provide for the conveyance of a Forest Service site in Dolores County, Colorado, to be used for a fire station; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself, Mr. RUBIO, and Mr. NELSON):

S. 2219. A bill to reduce the number of preventable deaths and injuries caused by underage crashes, to improve motor carrier and passenger motor vehicle safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRUZ (for himself and Mr. MARKEY):

S. 2220. A bill to provide for the development, construction and operation of a backup to the Global Positioning System, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON:

S. 2221. A bill to repeal the multi-State plan program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES (for himself, Mr. BOOKER, Ms. MURKOWSKI, and Ms. WARREN):

S. 2222. A bill to amend the Internal Revenue Code of 1986 to allow for distributions from 529 accounts for expenses associated with registered apprenticeship programs; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MERKLEY (for himself, Mr. BOOZMAN, Mr. DURBIN, Mr. RUBIO, Mrs. SHAHEEN, Mr. BOOKER, Mr. PETERS, Mr. COONS, Mr. MARKEY, Mr. WICKER, Mrs. CAPITO, Ms. WARREN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. WARNER, Mrs. FEINSTEIN, Mr. MURPHY, Mr. KING, Mr. CARPER, Mr. WYDEN, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. BROWN, Mr. JOHNSON, Mr. FRANKEN, and Ms. STABENOW):

S. Res. 357. A resolution expressing the sense of the Senate that international education and exchange programs further United States national security and foreign policy priorities, enhance United States economic competitiveness, and promote mutual understanding and cooperation among nations, and for other purposes; considered and agreed to.

By Mr. ISAKSON (for himself and Ms. BALDWIN):

S. Res. 358. A resolution designating December 3, 2017, as "National Phenylketonuria Awareness Day"; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 266

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 322

At the request of Mr. PETERS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 447

At the request of Ms. BALDWIN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 447, a bill to require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

S. 487

At the request of Mr. CRAPO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 487, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 654

At the request of Mr. TOOMEY, the name of the Senator from Hawaii (Ms.

HIRONO) was added as a cosponsor of S. 654, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 793

At the request of Mr. BOOKER, the names of the Senator from Vermont (Mr. LEAHY), the Senator from Maryland (Mr. CARDIN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 793, a bill to prohibit sale of shark fins, and for other purposes.

S. 794

At the request of Mr. CARPER, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 821

At the request of Mr. RUBIO, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 821, a bill to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

S. 1051

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1051, a bill to encourage visits between the United States and Taiwan at all levels, and for other purposes.

S. 1091

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1091, a bill to establish a Federal Task Force to Support Grandparents Raising Grandchildren.

S. 1132

At the request of Mr. CASSIDY, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1132, a bill to amend title XVIII of the Social Security Act to make permanent the removal of the rental cap for durable medical equipment under the Medicare program with respect to speech generating devices.

S. 1503

At the request of Ms. WARREN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1633

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1633, a bill to promote innovative approaches to outdoor recreation on

Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes.

S. 1738

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1738, a bill to amend title XVIII of the Social Security Act to provide for a home infusion therapy services temporary transitional payment under the Medicare program.

S. 1767

At the request of Mr. LEAHY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1767, a bill to reauthorize the farm to school program, and for other purposes.

S. 1842

At the request of Mr. WYDEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1842, a bill to provide for wildfire suppression operations, and for other purposes.

S. 1850

At the request of Mr. MANCHIN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1850, a bill to amend the Public Health Service Act to protect the confidentiality of substance use disorder patient records.

S. 1871

At the request of Mr. CASSIDY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1871, a bill to amend title 38, United States Code, to clarify the role of podiatrists in the Department of Veterans Affairs, and for other purposes.

S. 1901

At the request of Mr. GARDNER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1901, a bill to require global economic and political pressure to support diplomatic denuclearization of the Korean Peninsula, including through the imposition of sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

S. 1989

At the request of Ms. KLOBUCHAR, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Missouri (Mrs. McCASKILL), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Rhode Island (Mr. REED), the Senator from Delaware (Mr. COONS) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1989, a bill to enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public, and for other purposes.

S. 2107

At the request of Mr. HELLER, the name of the Senator from Maine (Ms.

COLLINS) was added as a cosponsor of S. 2107, a bill to amend title 38, United States Code, to require the Under Secretary of Health to report major adverse personnel actions involving certain health care employees to the National Practitioner Data Bank and to applicable State licensing boards, and for other purposes.

S. 2135

At the request of Mr. CORNYN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. 2135, a bill to enforce current law regarding the National Instant Criminal Background Check System.

S. 2143

At the request of Mrs. MURRAY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2143, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or other terms or conditions of employment, to expand coverage under such Act, to provide a process for achieving initial collective bargaining agreements, and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2144

At the request of Mr. VAN HOLLEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2144, a bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements.

S. 2159

At the request of Mrs. GILLIBRAND, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2159, a bill to require covered harassment and covered discrimination awareness and prevention training for Members, officers, employees, interns, fellows, and detailees of Congress within 30 days of employment and annually thereafter, to require a biennial climate survey of Congress, to amend the enforcement process under the Office of Congressional Workplace Rights for covered harassment and covered discrimination complaints, and for other purposes.

S. 2202

At the request of Mr. THUNE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2202, a bill to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board, and for other purposes.

S. RES. 150

At the request of Mr. RUBIO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 150, a resolution recognizing threats to freedom of the press and expression around the world and re-

affirming freedom of the press as a priority in efforts of the United States Government to promote democracy and good governance.

S. RES. 250

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 250, a resolution condemning horrific acts of violence against Burma's Rohingya population and calling on Aung San Suu Kyi to play an active role in ending this humanitarian tragedy.

S. RES. 285

At the request of Ms. WARREN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 285, a resolution honoring the life and achievements of Dr. Samuel DuBois Cook.

S. RES. 346

At the request of Ms. HEITKAMP, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 346, a resolution recognizing the importance and effectiveness of trauma-informed care.

S. RES. 350

At the request of Mr. COONS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. Res. 350, a resolution recognizing the 69th anniversary of the Universal Declaration of Human Rights and the celebration of "Human Rights Day".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself, Mr. BOOKER, Ms. MURKOWSKI, and Ms. WARREN):

S. 2222. A bill to amend the Internal Revenue Code of 1986 to allow for distributions from 529 accounts for expenses associated with registered apprenticeship programs; to the Committee on Finance.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2222

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DISTRIBUTIONS FROM 529S FOR REGISTERED APPRENTICESHIP PROGRAMS.

(a) IN GENERAL.—Section 529(e)(3) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(C) CERTAIN EXPENSES ASSOCIATED WITH REGISTERED APPRENTICESHIP PROGRAMS.—The term ‘qualified higher education expenses’ shall include books, supplies, and equipment required for the enrollment or attendance of a designated beneficiary in an apprenticeship program registered and certified with the Secretary of Labor under section 1 of the National Apprenticeship Act (29 U.S.C. 50).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made and distributions paid after December 31, 2017.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 357—EX-PRESSING THE SENSE OF THE SENATE THAT INTERNATIONAL EDUCATION AND EXCHANGE PROGRAMS FURTHER UNITED STATES NATIONAL SECURITY AND FOREIGN POLICY PRIORITIES, ENHANCE UNITED STATES ECONOMIC COMPETITIVENESS, AND PROMOTE MUTUAL UNDERSTANDING AND COOPERATION AMONG NATIONS, AND FOR OTHER PURPOSES

Mr. MERKLEY (for himself, Mr. BOOZMAN, Mr. DURBIN, Mr. RUBIO, Mrs. SHAHEEN, Mr. BOOKER, Mr. PETERS, Mr. COONS, Mr. MARKEY, Mr. WICKER, Mrs. CAPITO, Ms. WARREN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. WARNER, Mrs. FEINSTEIN, Mr. MURPHY, Mr. KING, Mr. CARPER, Mr. WYDEN, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. BROWN, Mr. JOHNSON, Mr. FRANKEN, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 357

Whereas hundreds of thousands of United States secondary and post-secondary students, from congressional districts in all 50 States, study overseas each year;

Whereas, according to the Department of State, more than 1,000,000 international students and other international education and exchange participants annually help create mutual understanding by living, studying, and working in local communities throughout the United States;

Whereas international education and exchange programs serve an effective and proven diplomatic function with countries key to United States foreign policy and national security priorities, encouraging goodwill towards the United States;

Whereas promoting the United States as a destination for international students and professionals, while encouraging United States students and professionals to gain international experience abroad, are wise investments in our Nation's economic competitiveness;

Whereas it is imperative that United States students understand how to interact with their peers from around the world and operate in multicultural environments;

Whereas it is important to diversify the pool of United States citizens participating in international study and exchange experiences, including groups that have been historically underrepresented in these programs;

Whereas students and other young people are the world's future leaders and innovators;

Whereas there are multitudes of private, not-for-profit organized and funded exchange programs and many that are funded by the United States Government;

Whereas international education and exchange programs exist at multiple levels of the educational spectrum, including high school, undergraduate, graduate, educator, citizen, cultural, and sports programs;

Whereas according to an economic analysis of international student enrollment data and tuition data by NAFSA: Association of International Educators—

(1) international students consistently have a positive impact on the United States economy and job creation in every State and Congressional district;

(2) international students studying at United States colleges and universities contributed \$32,800,000,000 to the United States economy and supported more than 400,000 jobs during the 2015-16 academic year, which represents a 7.2 percent increase in job support and creation and a 7 percent increase in money contributed to the economy compared to the previous academic year;

Whereas exchange experiences enable international visitors to become informal ambassadors for their home countries while they are in the United States and for the United States when they return to their home countries by sharing an appreciation for common values, counteracting stereotypes, and enhancing mutual respect for cultural differences;

Whereas research indicates that the United States needs to encourage more students to graduate with expertise in foreign languages, cultures, and politics to fill the demands of business, government, and universities;

Whereas international education and exchange programs are a particularly effective way for American students to develop foreign language capability and cultural awareness, which are skills that United States employers seek to remain globally competitive; and

Whereas international education and exchange programs shape the views and opinions of participants, many of whom are or will become leaders in their communities, both in the United States and abroad:

Now, therefore, be it  
*Resolved*, That the Senate—

(1) recognizes that international education and exchange programs—

(A) enhance national security;  
(B) further United States foreign policy goals and economic competitiveness; and

(C) promote mutual understanding and cooperation among nations;

(2) encourages international education and exchange programs to ensure that the United States maintains a broad international knowledge base;

(3) supports international education and exchange programs as a means of strengthening foreign language skills and fostering a better understanding of the world by United States citizens, especially youth;

(4) commends the American and international education and exchange participants, volunteers, educators, program alumni, host families, high schools, colleges, universities, and host communities for their involvement in such programs; and

(5) celebrates the integral role international education and exchange programs play for the United States and its people.

**SENATE RESOLUTION 358—DESIGNATING DECEMBER 3, 2017, AS “NATIONAL PHENYLKETONURIA AWARENESS DAY”**

Mr. ISAKSON (for himself and Ms. BALDWIN) submitted the following resolution; which was considered and agreed to:

S. RES. 358

Whereas phenylketonuria (in this preamble referred to as “PKU”) is a rare, inherited metabolic disorder that is characterized by the inability of the body to process the essential amino acid phenylalanine and which causes intellectual disability and other neurological problems, such as memory loss and mood disorders, when treatment is not started within the first few weeks of life;

Whereas PKU is also referred to as Phenylalanine Hydroxylase Deficiency;

Whereas newborn screening for PKU was initiated in the United States in 1963 and was

recommended for inclusion in State newborn screening programs under the Newborn Screening Saves Lives Act of 2007 (Public Law 110-204);

Whereas approximately 1 out of every 15,000 infants in the United States is born with PKU;

Whereas PKU is treated with medical food; Whereas the 2012 Phenylketonuria Scientific Review Conference affirmed the recommendation of lifelong dietary treatment for PKU made by the National Institutes of Health Consensus Development Conference Statement 2000;

Whereas, in 2014, the American College of Medical Genetics and Genomics and Genetic Metabolic Dieticians International published medical and dietary guidelines on the optimal treatment of PKU;

Whereas medical foods are medically necessary for children and adults living with PKU;

Whereas adults with PKU who discontinue treatment are at risk for serious medical issues, such as depression, impulse control disorder, phobias, tremors, and pareses;

Whereas women with PKU must maintain strict metabolic control before and during pregnancy to prevent fetal damage;

Whereas children born from untreated mothers with PKU may have a condition known as “maternal phenylketonuria syndrome”, which can cause small brains, intellectual disabilities, birth defects of the heart, and low birth weights;

Whereas, although there is no cure for PKU, treatment involving medical foods, medications, and restriction of phenylalanine intake can prevent progressive, irreversible brain damage;

Whereas access to health insurance coverage for medical food varies across the United States and the long-term costs associated with caring for untreated children and adults with PKU far exceed the cost of providing medical food treatment;

Whereas gaps in medical foods coverage has a detrimental impact on individuals with PKU, their families, and society;

Whereas scientists and researchers are hopeful that breakthroughs in PKU research will be forthcoming;

Whereas researchers across the United States are conducting important research projects involving PKU; and

Whereas the Senate is an institution that can raise awareness of PKU among the general public and the medical community: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates December 3, 2017, as “National Phenylketonuria Awareness Day”;

(2) encourages all people in the United States to become more informed about phenylketonuria and the role of medical foods in treating phenylketonuria; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the National PKU Alliance, a nonprofit organization dedicated to improving the lives of individuals with phenylketonuria.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. MCCONNELL. Mr. President, I have 9 request for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, December 12, 2017, at 10 a.m. in room SD-366 to consider the following nominations: Linda Capuano, of Texas, to be Administrator of the Energy Information Administration, Department of Energy, and Timothy R. Petty, of Indiana, to be an Assistant Secretary of the Interior.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, December 12, 2017, at 10 a.m. in room SD-366 to conduct a hearing.

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, December 12, 2017, at 10 a.m. in room SD-430 to conduct a hearing entitled “The Cost of Prescription Drugs: An Examination of the National Academies of Sciences, Engineering, and Medicine Report “Making Medicines Affordable: A National Imperative”.

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, December 12, 2017, at 10 a.m. to conduct a hearing entitled “Oversight of the Ensuring Patient Access and Effective Drug Enforcement Act”.

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, December 12, 2017, at 2:30 p.m. in room SH-219 to conduct a closed hearing.

**SUBCOMMITTEE ON COMMUNICATION, TECHNOLOGY, INNOVATION, AND THE INTERNET**

The Subcommittee on Communication, Technology, Innovation, and the Internet of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, December 12, 2017, at 10 a.m. to conduct a hearing entitled “Digital Decision-Making: the Building Blocks of the Machine Learning and Artificial Intelligence”

**SUBCOMMITTEE OCEAN, ATMOSPHERE, FISHERIES, AND COAST GUARD**

The Subcommittee Ocean, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, December 12, 2017, at 2:30 p.m. in room SR-253 to conduct a hearing entitled “National Ocean Policy: Stakeholder Perspectives”.

**SUBCOMMITTEE ON EUROPE AND REGIONAL SECURITY COOPERATION**

The Subcommittee on Europe and Regional Security Cooperation of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, December 12,

2017, at 10 a.m. in room SR-253 to conduct a hearing entitled "European Energy Security: U.S. Interests and Coercive Russian Diplomacy".

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH  
POLICY

The Subcommittee on Africa and Global Health Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, December 12, 2017, at 2 p.m. to conduct a hearing entitled "The Future of Zimbabwe".

EXPRESSING THE SENSE OF THE  
SENATE THAT INTERNATIONAL  
EDUCATION AND EXCHANGE  
PROGRAMS FURTHER UNITED  
STATES NATIONAL SECURITY  
AND FOREIGN POLICY PRIOR-  
ITIES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 357, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 357) expressing the sense of the Senate that international education and exchange programs further United States national security and foreign policy priorities, enhance United States economic competitiveness, and promote mutual understanding and cooperation among nations, and for other purposes.

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

Mr. McCONNELL. Mr. President, I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 357) was agreed to.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

NATIONAL PHENYLKETONURIA  
AWARENESS DAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 358, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 358) designating December 3, 2017, as "National Phenylketonuria Awareness Day."

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

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 358) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY,  
DECEMBER 13, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Wednesday, December 13; further, 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 Willett nomination; finally, that all time during recess, adjournment, morning business, and leader remarks count postcloture on the Willett nomination.

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

ADJOURNMENT UNTIL TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Wednesday, December 13, 2017, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 12, 2017:

DEPARTMENT OF STATE

MARY KIRTLLEY WATERS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (LEGISLATIVE AFFAIRS).

THE JUDICIARY

LEONARD STEVEN GRASZ, OF NEBRASKA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT.