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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, as we join our hearts in prayer, we praise You for protecting and preserving this land we love.

Remind our lawmakers that by themselves, they aren't sufficient for the challenges of our times. Give them the wisdom to solve the problems that require more than human ingenuity. May they never fail to do the very best they can, striving to please You in their every endeavor. Lord, when they are perplexed, provide them with the clarity of Your guidance. May Your will be done and Your purposes carried out above party and personality.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. YOUNG). The majority leader is recognized.

TRIBUTE TO JOHN MCCAIN

Mr. MCCONNELL. Mr. President, this week marks an important anniversary for an exceptional American. Forty-five years ago yesterday, our friend and colleague JOHN MCCAIN was released after more than 5½ years as a prisoner of war in Vietnam.

The "Hanoi Hilton" was the site of unspeakable brutality, but it was also

a crucible of character, where a brave patriot was tested and grew into a generational leader.

Here in the Senate, we are not only grateful that JOHN MCCAIN was welcomed home, we are especially grateful that he answered yet another call to serve, bringing that leadership to this body for more than 30 years. His leadership and his example are as important today as they have ever been.

APPOINTMENT OF LARRY KUDLOW AND NOMINATION OF KEVIN MCALEENAN

Mr. MCCONNELL. Mr. President, on another matter, yesterday the President named Larry Kudlow as the next head of the National Economic Council.

Larry is well known as a happy warrior for pro-growth economics and widely respected for his expertise in fiscal policy. The country will be lucky to have Larry serving in this role. I look forward to continued engagement with the White House team that will now benefit from his insight.

Speaking of highly qualified personnel, here in the Senate yesterday afternoon, we voted to advance Kevin McAleenan's nomination to serve as Commissioner of U.S. Customs and Border Protection. This is an essential post, and Mr. McAleenan is an excellent nominee.

I urge everyone to join me in voting for his confirmation when we return on Monday.

ALLOW STATES AND VICTIMS TO FIGHT ONLINE SEX TRAFFICKING BILL

Mr. MCCONNELL. Mr. President, yesterday, the Senate took a big step forward for community banks, credit unions, and other small lenders on which communities across America rely for access to credit.

On a strong bipartisan vote, we passed Senator CRAPO's legislation to

streamline the Dodd-Frank Act so regulations intended for Wall Street place less of a crushing burden on Main Street.

Next up is legislation to combat sex trafficking. Debate on this issue will begin today.

It might be easy to imagine sex trafficking doesn't happen here. It would be easy to pretend it is only a problem in other parts of the world, but that is dead wrong.

Trafficking is a crisis right here in the United States. From 2010 to 2015, the National Center for Missing and Exploited Children saw reports of suspected child sex trafficking increase more than eightfold—an eightfold increase. Last year alone, more than 8,500 cases of human trafficking were reported to the National Human Trafficking Hotline.

As Senator PORTMAN has been informing us throughout his tireless work on this issue, sex trafficking has moved from the street corner to the smartphone. That is, in large part, because a 1996 law meant to protect online speech is now misused as a shield to stop sex traffickers and those who profit from their crimes from facing the rightful consequences.

I am as strong a defender of the First Amendment as you will find. I was in the Congress in 1996. I voted for the Telecommunications Act that included this provision, as did the vast majority of my colleagues. Let me assure you, not one of us intended to create a special protection for platforms that knowingly allow sex traffickers to exploit children.

The legislation we will consider would ensure that institutions that knowingly facilitate sex trafficking can be held accountable for their actions.

There is a reason why 67 Senators have joined Senator PORTMAN in support of legislation to accomplish this. There is a reason why the White House

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



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is strongly supportive. American children should not be sold—online or anywhere else. America's families should not be victimized by such evil, and America's laws should not be misused to protect those who perpetrate these crimes or those who, according to the stunning subcommittee report, knowingly give them space and tools to operate while profiting in the process.

Several of us have worked hard on this issue for a number of years. It is now past time to take this additional step. When we vote next week, that time will have come.

TAX REFORM

Mr. MCCONNELL. Mr. President, on one final matter, few subjects are closer to the heart of parents than their children's education. That is why Republicans made sure the historic tax reform we passed last year included a provision, championed by Senator CRUZ and others, that will help parents choose an education for their children that makes sense for their family.

A recent article in the *Courier-Journal* in Louisville, KY, shared the story of one family whose second grade son had struggled with an undiagnosed learning disability. He had trouble keeping up with his public school class. So like many parents facing similar challenges, his family decided to send him to a private school with smaller classes and more individual attention, but that was a tough financial decision. Even though both parents worked, affording tuition was a struggle.

Families like this are why Republican tax reform gave parents more flexibility in paying educational expenses. The law builds the foundation for important expansions of the tax-advantaged college savings accounts known as 529 plans. As a result of tax reform, we are empowering families to use these tax-exempt accounts not only for college expenses but also for tuition at private and religious schools, K-12.

The philosophy here is simple: More choice is better than less. That really is the moral of the story on tax reform—getting government out of the way, letting families keep more of their own income, and empowering Americans to make the economic choices that make sense for them.

Parents know best what works for their children. So if we can get government out of the way so the IRS takes less from families and parents, and parents get more control over their kids' education, we ought to do it.

The young man from Louisville is in the fifth grade now. His new private school was able to properly diagnose and approach his dyslexia. He is thriving. Now, thanks to tax reform, school choice will soon become more affordable for families like his.

Historically, helping families save for schooling costs has been a bipartisan priority. In 1996, I worked with Senator Bob Graham and other friends

across the aisle to create section 529 in the first place. Five years later, I sponsored legislation to let families tap into 529 plans tax-free. It ended up in the 2001 tax cuts—again, a bipartisan affair, but this time was different.

No Democrats in the House or the Senate—not a single one—voted for this historic tax reform law. They tried to block this law to help families across America afford schooling of their choice. This time, Republicans had to do it all by themselves. Fortunately, we got it done for American families.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ALLOW STATES AND VICTIMS TO FIGHT ONLINE SEX TRAFFICKING ACT OF 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 1856, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 339, H.R. 1865, a bill to amend the Communications Act of 1934 to clarify that section 230 of such Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation of children or sex trafficking, and for other purposes.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REPUBLICAN TAX BILL

Mr. SCHUMER. Mr. President, since the Republicans jammed through a massive corporate tax cut in December, hardly a day goes by that we don't read about a corporation using the savings to purchase its own stock. The average citizen may ask: What is that all about?

Well, when a company purchases its own stock, it is sort of artificially making less stock, buying it back, and raising the price of the shares. Why do they do that? There are two reasons, both to benefit the corporate CEOs but not the workers. First, corporate CEOs have a lot of the stock themselves, so they make money; second, they look better when the stock price goes up. But the stock price isn't going up because the company has sold more goods, been more productive, bought new machinery, or found a new product. The stock simply goes up because they have decreased the number of shares. It is a scam in a certain sense,

helping corporate CEOs, helping shareholders—80 percent of the shares are held by the top 10 percent, so it doesn't really help average Americans, and that is including 401(k)s—but it doesn't help the worker.

We have heard many claims from our Republican friends: Pass this tax bill, and the workers will benefit. Well, unfortunately, now we see who is really benefiting. Just as we predicted, it is the corporate CEOs and the wealthiest of Americans.

Just recently, the total amount of share buybacks surpassed \$220 billion this year. According to the market data firm, TrimTabs, share buybacks in 2018 averaged \$4.8 billion a day—a day—double the pace for the same period last year.

For a few weeks, right after the President passed his tax bill, what happened? They had these companies announce bonuses for average workers. Very few Americans saw those bonuses—a lot of hoopla, but not much else. The bonuses—not wage increases, not new hires, but one-time annual bonuses—anyone who gets them, God bless them; there have just been so few. Those bonuses are being overwhelmed by a deluge of corporate share buybacks, which do not benefit the average worker, but benefit the CEOs and the heads of the companies.

According to an analysis by JUST Capital, only 6 percent of the capital allocated by companies from the tax bill has gone to employees, while nearly 60 percent has gone to shareholders—again, to the corporate CEOs who own those shares, the wealthiest of Americans who own the vast majority of shares. Ten times more capital is going to shareholders than to workers.

So this bill, which is poorly structured and aimed at the wealthy, ain't working. The more Americans see it—you know, there was an initial thrust: Oh, we like the tax bill. At first, it was unpopular as we talked about it here on the floor. Then, with these bonuses and the stock market going up, popularity went up a little. Now it is flattening out and even heading down. In the last three polls, fewer people liked this tax plan, and that is going to keep happening, my Republican friends, because they know what it was aimed at and you know what it was aimed at—the corporate CEOs who came to lobby you and the wealthy individuals who came to lobby you. It is no wonder the American people are starting to turn on the Republican tax bill. Polls have shown its popularity is underwater and trending downward, not up.

This idea that tax cuts would be a political panacea for Republicans come November is losing altitude fast. Remember, that is what our Republican friends said: Well, maybe people are upset with the President's tweets, and maybe this and that are not going so well; maybe they are not accomplishing that much, but now, with the tax bill, we will win the election.

Well, look at the Pennsylvania election where a Democrat won the district

that Trump carried by 20 points. This is the kind of district that our Republican friends need to carry. These are Republican suburbs in blue-collar Southwest Pennsylvania.

Early in the race, what did Republicans do? They tried running ads about the tax bill to help their candidate, Rick Saccone, during the first few weeks of February. These were the super PACs, the Koch brothers, and all the others who will benefit hugely from the tax bill. Somehow they believe that because they will benefit, everyone is going to think they have benefited.

They ran these ads, often paid for by the Kochs. Two-thirds of the ads mentioned taxes—two-thirds of all Saccone's ads, both by the Koch-like super PACs and by Saccone himself. The next week, 36 percent mentioned taxes. Guess what. After 2 weeks of these tax ads, our Republican friends tested it out, and they got rid of taxes as an issue. It wasn't working. It wasn't working with fairly well-off middle-class Pittsburgh suburbanites or blue-collar workers in Greene County and Westmoreland County and Washington County in Southwest PA, which are areas where people had voted for Trump.

It is eerily similar, folks, to the Governor's race in Virginia—the same thing. That was before the bill passed, but still, Republican candidate Ed Gillespie started his campaign on a tax plan similar to the Republican tax plan. He had to give it up because it wasn't getting traction.

The American people are smart about this. They know what is going on. They know the vast majority of this goes to the wealthy. They know the amount that is going to them is small. They know their tax break is temporary and the corporate tax break is permanent. Most of all, they know we have created a huge deficit. And how are some of our Republicans friends saying we pay for the deficit? Cut Medicare. Cut Social Security. Cut healthcare. That is not what the American people want.

Poll after poll shows healthcare is far more important to the American people than tax cuts. Do you know why? If you get a break on your taxes of \$20 a week and your premiums go up several thousand dollars in a month or even several hundred dollars in a month, that little increase is wiped away. Our Republican colleagues, even in their tax bill, caused premiums to go up by monkeying around with healthcare.

The Republican Party needs to wake up and realize that by giving massive benefits to corporations and the wealthy, it is never going to be a popular issue for them in the election because it is a terrible policy for the average middle-class and working Americans. It gets to the contradiction at the core of the Presidency. The President talks like a populous but governs like a plutocrat. Let me repeat that. The President talks like a populous but governs like a plutocrat. He just got rid of a Wall Street executive—Gary

Cohn—and now he is putting in as his economic adviser Larry Kudlow, who has favored the wealthy, Club for Growth policies—help the wealthy and all of America will benefit—throughout his whole career. That is not how Trump ran. That is not what he tells working people when he goes to a big tent in Pennsylvania. But that is what he is doing. Sooner or later, it catches up with you. The Pennsylvania election showed it is catching up faster than our Republican friends would like. The President talks like a populous but governs like a plutocrat.

President Trump said that his tax bill would be a middle-class miracle, but the actual legislation is a miracle for the wealthy corporations and the richest 1 percent. As I said, part of the problem is that the President surrounds himself with the wealthy elite. Those are his advisers. These wealthy elites push for tax cuts for the rich and rhapsodize failed economic orthodoxies like trickle-down. That applies to Larry Kudlow. Here is a man who is a cheerleader for Bush-era economics. He ignored the housing bubble and actually recommended—Larry Kudlow, the man who is now going to give the President economic advice—that Americans buy stock in the fall of 2008 when everyone else saw that the economy was about to collapse. Does anyone think Larry Kudlow is going to bring a renewed focus on improving the middle class? Forget it. He believes in the plutocracy. He has his whole career. That is who President Trump picked. He is getting rid of one and putting in another, like going from the frying pan into the fire.

By the way, I think the President loves having the big crowds of working-class people in those tents, but who are his real friends? They are the very wealthy. That is who he hung out with in New York. He cares what they think, and that is why his policies are so aimed at them.

My Republican friends, in a nutshell, this is the problem you face. Your rhetoric is all about helping working people, but your policies and the people developing them are all about helping corporations and the rich.

I am not against the rich or corporations. God bless them. Let's hope they do well. But average Americans need far more help than the top 1 percent and wealthy corporations. Give it to average folks. They need it. They are still struggling with paying for college, affording a vacation, helping their elderly mom and dad through a healthcare problem. They are who need the help, not the top 1 percent. But our Republican colleagues aim everything at that top 1 percent.

If we would only get rid of Citizens United, that awful decision that allows the wealthy to have such huge influence on the Republican Party, the super PACs—individual Members have super PACs funded by the wealthy. I wish we could get rid of it on both sides, Democratic and Republican. Un-

fortunately, it doesn't look like the Supreme Court is doing it.

The rhetoric of Republicans: Help working people. The policies of Republicans: Help the wealthy corporations and the rich. As we have seen in poll after poll and in recent elections, the American people are waking up to that reality.

It is hard to make a tax cut unpopular, but Republicans have managed to do it by designing a bill that will direct 83 percent of the benefits to the top 1 percent and \$1.5 trillion to the deficit and then threaten to cut Medicare and Social Security to make up the difference. My colleagues, that is a toxic combination, and Republicans will not be able to run on it because only a very few wealthy Americans support that agenda.

RUSSIA

Mr. President, now on a different matter—Russia. A little more than a week ago, our friends in the United Kingdom—England, Great Britain—suffered an attack on two individuals by a nerve agent. In a joint statement today, the leadership of the United States, the UK, France, and Germany agreed that Putin was behind it. To her great credit, Prime Minister May demanded an immediate response from Putin and promised appropriate countermeasures. She has already expelled 23 Russian diplomats, and I hope she takes additional action. Expelling 23 diplomats is strong action, but we need more.

Mr. Putin—he is a bully. I grew up in Brooklyn. There are a lot of bullies around Brooklyn. You have to stand up to them, or they will keep taking advantage of you. That is how a bully works.

Let's compare Prime Minister May's action to President Trump's. It is a study in contrast when it comes to Russia. Prime Minister May was quick and decisive about countering Russia's aggression. President Trump can hardly seem to utter a peep in criticism of President Putin—a man who is trying to undermine the power of the United States, a man who is trying to undermine the very democracy of the United States, the beauty of America. It was on full display this week when, instead of personally defending our ally Britain, President Trump didn't say a word about the attack, directing everything through aides or statements.

President Trump warns all the time that “we need to get smart” about other countries taking advantage of the United States. I agree. I tend to agree with the President on China. China is taking advantage of us, and President Trump, to his credit, is doing more than the Bush or Obama administrations did. But guess who is taking advantage of us even more than China. Russia. They meddle in our elections, continue to sow division on social media through Russia-linked bots or building an intelligence machine to meddle in our elections again later this year. Putin constantly attacks our allies, our friends.

President Trump, when are you going to get smart about the threat Russia poses to the United States and our allies?

We in Congress, 98 to 2, the Democrats and Republicans together—Leader MCCONNELL and I worked this out. We voted to implement mandatory sanctions against Russia. Guess what, America. President Trump hasn't even implemented them. What is he afraid of? What is he hiding?

Hopefully, we will get an announcement today that maybe he is implementing sanctions after what Russia did, but that is not enough. As my friend from New Jersey has suggested, the President should further sanction Putin and anyone else involved under the Biological Weapons Control and Warfare Elimination Act for this heinous attack in the UK.

We are still waiting for President Trump to direct our intelligence agencies and the State Department to use the resources we have provided them to combat Russian cyber attacks. We have heard from officials who are in charge of cyber security. They have gotten no direction from the White House, no orders to do anything. We are still waiting for actions to harden our election security, and we are still waiting for President Trump to utter one word of public criticism for what Putin is doing to the United States and democracies around the world.

I say to President Trump: Your silence speaks on this issue. Your silence speaks volumes to the Russian Government and America's other adversaries, as well as our friends and allies. Finally, it speaks volumes to the American people. More and more Americans are asking: Why is President Trump so afraid to take on probably our No. 1 menace, Russia? What is he hiding? What is going on? Why?

It is ringing in America's ear. The President is not going to escape it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I rise today to talk about the issue before the Senate, and I am very pleased the Senate is finally taking up this legislation. It has to do with stopping sex trafficking specifically—a growing scourge in our country and really a stain on our national character—which is girls, women being sold online.

The legislation is called the Allow States and Victims to Fight Online Sex Trafficking Act. It includes the Stop Enabling Sex Traffickers Act, or SESTA. That has gone through a process here in the Senate. We had hearings on it. We had a markup. This is an issue many of us have been working on for many months—in fact, for the last couple of years—doing the investigations to come up with how to deal with this problem.

I am very pleased that we now have the opportunity here in the Senate to take up this legislation and begin the process of turning the tide, changing

this horrific situation where, in this country, in this century, we actually have an increase in the trafficking of human beings—specifically women and children being trafficked online. I thought the speech earlier by Majority Leader MITCH MCCONNELL laid this out very well. He talked about the fact that there has been an eightfold increase, in the most recent data from the National Center for Missing and Exploited Children; that is, between 2010 and 2015, there was an eightfold increase in the incidence of trafficking. He also talked about the fact that this is growing because of this growth of the internet, that the internet—specifically this one website—has caused this increase that Congress has the ability to address through a change in a Federal law that can be targeted and focused and can make a huge difference in the lives of those who would be trafficked and undergo the intense trauma that results.

I am very pleased we are taking up this legislation. I thank Majority Leader MCCONNELL for putting the bill on the floor.

I know we have an important omnibus spending bill coming up, and I know the Senate needs to focus on that, but first let's get this common-sense legislation passed. Let's take this opportunity to do something that is actually going to help immediately on this issue of sex trafficking.

I also thank Senator JOHN THUNE. He is the chairman of the Commerce Committee, which had the hearings and marked up this legislation. I also thank his colleague, Ranking Member BILL NELSON, for his work on this. We held a powerful hearing. I had a chance to testify there and testify about the work we had done in another committee investigating this issue. We heard from victims, and we heard from experts. At the end of the day, that vote in the Commerce Committee was unanimous—Republicans and Democrats alike saying: We get it. We need to address this issue.

We have had a lot of collaboration on this over the last couple of years. I would say it has been a truly non-partisan effort, not just a bipartisan effort, which is rare around this place. In particular, I would like to thank the coauthor of the legislation we are dealing with, and that is RICHARD BLUMENTHAL, who, as a former prosecutor, understands these issues because he prosecuted sex trafficking cases.

I also thank Senator CLAIRE MCCASKILL because it was Senator MCCASKILL and I who headed up the Permanent Subcommittee on Investigations, which looked into this issue. We spent a year and a half studying it, and we were able to find out shocking information about what is going on online.

I also thank Senator JOHN CORNYN, Senator HEIDI HEITKAMP, Senator AMY KLOBUCHAR, and Senator TED CRUZ. They are a group of Senators who were the initial cosponsors of this legisla-

tion and have helped us put this legislation together in a way that addresses the issue in a very focused and targeted way, so we are going to actually have the result we are looking for but without affecting what some were concerned about, which was the freedom of the internet. We all believe in the freedom of the internet, but we also know that committing these kinds of horrific crimes on the internet has to be something people are held accountable for.

I want to take a moment to recognize a couple of other leaders in this effort, one of whom is a Senator, and the other is his spouse, and that is Cindy and JOHN MCCAIN. I hope they are watching these proceedings over the next week as we take up this legislation, debate it, and I hope pass it on the floor of the Senate, because they have been very involved.

JOHN MCCAIN from the start, as one of the leaders on this issue here in the Senate, helped us put together the legislation. He was with me on the Permanent Subcommittee on Investigations as we looked into this matter. JOHN can't be with us here on the floor, but I know his presence is felt. I will tell my colleagues that it is felt by me, as well as the influence he has had on this legislation and on many of us in bringing up this issue.

One reason he brings up this issue a lot is that he has a spouse who is passionate about it and has spent a lot of time working on it. The McCain Institute has specialized on this issue of human trafficking, and Cindy McCain has been a tireless advocate globally on this issue. So I thank both Cindy and JOHN for their inspiration. Again, I am confident that as we get it across the finish line here, they will be celebrating with us.

We have 68 cosponsors of this legislation now, and, again, for those who follow scorecards around here, that is unusual. We have a majority of Republicans, and we have a majority of Democrats. We have a situation here where everybody is affected by it in their States. They get it, and they understand that this is a Federal responsibility to change this law because it is a Federal law that creates this opening for websites to engage in this kind of behavior without accountability. They are effectively shielded from prosecutions or from lawsuits. This legislation takes away that shield.

We have heard from the FBI, the National Center for Missing and Exploited Children; we have heard from Polaris, which runs the national tip line on human trafficking. All kinds of experts have told us that trafficking is not just increasing, but it is increasing because of the ruthless efficiency of the internet.

One website—backpage.com—is involved in the majority of online sex trafficking. One anti-trafficking organization has said that backpage is involved in about 75 percent of the online trafficking reports it receives from the public. Another organization, Shared

Hope International, says it is even more than that. So think about that. We have this increase in trafficking. It is primarily being caused by this movement from the street corner to the smartphone, as victims have told me back home, and there is one website that has the majority of this activity. That is what we studied.

As we looked into it further, Senator McCASKILL and I were shocked to find out that not only is this activity going on on this website, but they were complicit in the sense that they knowingly facilitated criminal sex trafficking, including coaching users—people who were placing ads with them—to post clean ads so that they wouldn't indicate—which was very obvious in the initial ads that were presented—that these were underage girls. As an example, taking out words like “schoolgirl” or “cheerleader”—they told them to do that so they could still place the ads; in other words, get the money for the ads. As you can imagine, this is a very lucrative business. So they were saying that they needed to clean it up. That practice covered up evidence of these crimes. It actually also made it harder for law enforcement to follow up on these cases. They did it for a very simple reason. They wanted the ads because they increased their profits, but obviously they had an incredibly detrimental impact, and still do, on women and children around our country.

I spoke earlier this week on the floor about Kubiiki Pride because she testified before us and she is also part of a documentary called “I Am Jane Doe.” If you are interested in this issue, check it out. It is on Netflix.

Kubiiki Pride told us this alarming story of a mom whose daughter goes missing. She can't find her. She was told to look on this site called backpage. She does, and she sees her daughter's photographs there—sexually explicit photographs.

She calls backpage and says: That is my daughter; she has been missing. She is 14 years old, and she is on your website. Thank you for taking down the ad.

Their response: Did you pay for the ad?

She said: No, of course I didn't pay for it. I am the mother.

They said: We can't take down the ad because you didn't pay for it.

That story tells us how evil these websites are.

Let me tell you another story about Yvonne Ambrose. Yvonne testified before the Commerce Committee, and you could have heard a pin drop when she was telling her story. Her daughter was 16 years old and she was trafficked on backpage.com. She was sold for sex on backpage.com at 16 years old. Yvonne got a call on Christmas Eve 2016, the call no parent ever wants to get. The call was from law enforcement saying that her daughter, Desiree, who was being trafficked at the time on backpage.com, had been murdered.

Yvonne is honoring Desiree's memory by getting engaged in this issue

and helping us to pass this legislation. I appreciate her challenge and her grief. But she is also sure that this legislation is the thing that would have kept girls like her daughter from getting involved in this, because when she went after backpage to try to hold them accountable, she was told: I am sorry; they have immunity under Federal law.

That Federal law, by the way, is called the Communications Decency Act. It was put in place with good intentions to help protect the freedom of the internet. It protects websites from liability when users put something on their site, but it was never meant to protect criminal activity. It has been misinterpreted, in my view, by the courts, but it also needs to be clarified, because it is not as clear as it should be, and that is what our legislation does.

This legislation, by the way, was enacted back in 1996—22 years ago, when the internet was in its infancy. There needed to be something to help provide protection from liability. But, unfortunately, it has been used as a shield by these criminals to be able to sell women and children online without accountability.

The same law that was actually written back then was also focused, in part, on keeping indecent material—pornography—from going to children, ironically, and now it is being used to shield these traffickers. I know Congress did not intend that broad immunity, and I know we need to fix it.

By the way, the district attorneys around the country agree with us on this—prosecutors. They have asked us to change this law. Their associations have even been involved in this issue. Fifty State attorneys general have written to us, asking us to do this, including, by the way, some former State attorneys general who are now Members of this body.

In the most blatant call on Congress yet, we had a court in Sacramento, CA, say: You have to fix this law because, otherwise, we can't do anything to keep people from exploiting women and children online. A number of courts have said this and basically have called on Congress—welcomed us to enter into it. The one in California said: “If and until Congress sees fit to amend the immunity law, the broad reach of the Communications Decency Act even applies to those alleged to support the exploitation of others by allowing trafficking.”

In other words, they are asking Congress to step in and do something.

That is what this does. It allows online sex trafficking victims to get the justice they deserve and it allows prosecutors to hold these websites accountable.

We do it with two very narrow changes. First, allowing these victims to get the justice they deserve by removing the broad liability protections for a narrow set of bad actors. In fact, we actually say that for the good ac-

tors, there is a Good Samaritan provision: If you want to clean up your website and get the offensive material off, you are protected.

Second, it does allow for the State prosecutors to go after these websites, which they can't do now. So it takes the Federal standard—it is not a new standard; it is Federal law, which is already a criminal act—and says, allow these State prosecutors, these State attorneys general, to prosecute these websites that violate these Federal laws.

It is incredibly important to pass this. We did it narrowly. We have a knowing standard here; in other words, to be affected by this, you have to knowingly be facilitating, supporting, or assisting sex trafficking. We did that because we wanted to be sure it was focused on this issue and not affecting the broader freedom of the internet.

We have a lot of support now. A couple of weeks ago the White House announced its support for this legislation. I mentioned that 68 Senators are now supporting it. It passed in the House of Representatives about 10 days ago with over 300 votes.

It has support from around the country, most importantly. All of the groups are focused on this issue of how to avoid women and children from getting caught in this web of human trafficking and then how to help them when they get out to provide for the important recovery efforts that are needed from the trauma of this. Those groups, of course, are strongly supportive.

Law enforcement has been terrific. The Fraternal Order of Police stepped up early on in strong support of this legislation. So have all of the other law enforcement groups represented here in Washington through their national offices. We appreciate their help.

We appreciate the fact that parents have been willing to come forward and tell these difficult stories, as was the case of Kubiiki Pride, as was the case of Yvonne Ambrose, whom I talked about earlier, and her daughter, Desiree. They told their stories from their heart in order to get Congress to wake up and do the right thing. We now need to do that.

This legislation is now before this body. We expect to have a vote next week on it. We need to do all we can to address this stain on our national character. We need to do all we can to provide these victims the justice they deserve. We need to do all we can to ensure that we stop the selling of women and children online.

Thank you.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Michigan.

FARM SERVICE AGENCY LOAN FLEXIBILITY BILL

MR. PETERS. Mr. President, I rise today to honor Michigan's farmers. Agriculture is a vital part of Michigan's economy. Our State is home to more than 51,000 farmers who contribute

over \$100 billion to the Nation's economy.

Michigan is also the second most diverse farm State in the Nation, growing more than 300 commodities, including a significant portion of our Nation's milk, corn, cherries, cucumbers, and much more.

Michigan farmers and farmers across our country feed the Nation and the world, and we must do what we can to support them. Our agricultural businesses rely on the ability to access the resources they need to keep growing, creating jobs, and contributing to our national economy.

Access to these resources can be especially challenging for new farm operations that are just getting started, including small farms that make up 82 percent of Michigan's agricultural producers. Small farms that are just starting out and are facing tough economic conditions sometimes struggle to have access to affordable credit. These businesses rely upon important services provided by the Farm Service Agency, which works with lenders to guarantee and deliver small-dollar loans to the small farmers who need it most.

Farm Service Agency loans and guarantees can help farmers cover urgent operating costs like feed, seed, and fertilizer to get them through the season. Without these loans, farmers could lose their ability to purchase equipment and other necessities for the planting season and could be forced to curtail their operations.

Currently, more than 2,300 farms in Michigan have Farm Service Agency loans, totaling more than \$630 million. Across the country last year, the Farm Service Agency made and guaranteed almost 40,000 loans, totaling over \$6 billion.

This program is in such high demand that in 2016, the Farm Service Agency ran out of money to finance operating loans. This included more than 1,000 loans that have already been approved. This led to a backlog, and farmers were forced to wait for months until Congress passed emergency funding to get the loans they needed for their day-to-day operations.

Access to capital is critical across a range of businesses, but it is incredibly important for our small farmers. They can lose out on an entire growing season if they can't buy the equipment and the supplies they need while they wait on Congress to fund the Farm Service Agency.

This year the FSA loan programs are again on track to exceed available funding, and if that happens, farmers will again be stuck waiting on Congress to receive the loan they deserve and need.

That is why I introduced bipartisan legislation this week with my colleague, Senator DAVID PERDUE of Georgia, to provide greater flexibility to the FSA loan program to continue serving farmers during periods of high demand.

My bill—the Farm Service Agency Loan Flexibility Act—would allow the

FSA program to increase its loan authority in years when the demand for loans unexpectedly exceeds the supply of funding.

The legislation would enable FSA to increase the available loan funding by up to 25 percent for the fiscal year for self-funding loans and guarantees that do not require appropriation. It would also authorize FSA to increase the loan cap by up to 25 percent for FSA direct loans that require budget authority and would allow FSA to draw stopgap funding for these direct loans from the Commodity Credit Corporation.

I am proud to have the support of the Michigan Farm Bureau, the Michigan Agri-business Association, the American Bankers Association, and the National Farmers Union, among many others.

Like our small businesses, students, and families, America's farmers deserve to have affordable loan options. They deserve our attention and they deserve our support.

I urge my colleagues to support the Farm Service Agency Loan Flexibility Act to help meet the financial needs of our farming communities as they support and sustain us each and every day.

Thank you.

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

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

ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION BILL

Mr. PERDUE. Mr. President, it is not often I get to come to the U.S. Senate with an uplifted heart, but today I do. Yesterday, two-thirds of this body got together on an issue that is so important to Main Street America and agreed.

After weeks of negotiation and going back and forth, we passed a bipartisan banking bill, and I believe historians will look back on this week and this bill as being a watershed event. It was a measured bill. It didn't blow up Dodd-Frank; it didn't do away with it. It didn't go as far as some people wanted; it did more than others wanted, but two-thirds of us put the national interests above our own self-interests and passed a bill that will change the face of lending for small community banks and regional banks across our country.

Last year, when President Trump became President, he said: Job one is growing the economy. After 8 years of the lowest economic performance in our history, he knew that if you are ever going to deal with the long-term debt crisis we have, you have to first grow the economy. He was right. His instincts were exactly right on.

So what did we focus on? The President had us focus on regulations, en-

ergy, and taxes. I am happy to tell you, this body collectively agreed, and we got those things done. We reversed 860-some rules and regulations last year. We unleashed our energy potential, as the Presiding Officer knows very well. Late last year, we passed an earth-shattering, historic tax cut and tax modification bill that will unleash our potential and make us competitive with the rest of the world.

Why was all that necessary? Well, we had gone through an experiment where Big Government—more regulation and more control—was the call of the day, and we saw the result of that. So what we have been doing is, in a measured way, reversing many of those onerous fiscal policies that kept the monetary policy from igniting the economy again. That is all this is.

At the beginning of last year, some \$7 trillion almost was not at work in our \$20 trillion economy. That is historic. That is unbelievable. You can't even describe that to people outside this country. There was some \$2 trillion on the balance sheets of the Russell 1000. That is now being employed. We see announcements every week where companies are announcing capital plans, capital expenditure plans, for the next few years largely as a result of the pull-back on regulations last year.

Second, we see that by eliminating our archaic repatriation tax that was part of the tax bill, there is some \$3 trillion of unrepatriated U.S. profits overseas, and most of that will be coming back. The banking bill we just did that reverses some of the more onerous provisions of Dodd-Frank on small banks and community banks will free up some \$2 trillion potential in lending capacity. I think this is historic.

After Dodd-Frank, we created a two-street economy: We had Wall Street and we had Main Street. I have a chart here that explains. This happens so often in Washington, where well-intended people who have very little experience in the free enterprise system make decisions that have unintended consequences—and this is one. Dodd-Frank was intended to rein in and control the big banks. Yet what it did inadvertently was penalize the small banks and make big banks better business.

This chart calls out—the way I would measure this is the lending activity. The dark blue line here shows, since the 2008 crisis, large business loans coming out of the major money-centered banks have increased dramatically. Even that hasn't driven the recovery we talk about because a lot of the job creation comes in smalltown America and small companies.

This light-blue line is small business loans, less than \$1 million. We are not even back to where we were in 2008. We will be, now that this bill just passed, because it releases or changes the reserve requirements for small and community banks and regional banks. It also changes the definition of what is a regional bank and increases it to \$250

billion from \$50 billion. That lowers the regulatory burden and the cost of compliance for these small banks. That gets translated into money flow—cashflow—into businesses that create jobs.

This is an innovation economy. We know how to create jobs. We just need to get the Federal Government out of the way. One-size-fits-all regulations do not work. Yesterday, we pulled back on a blunt instrument law—Dodd-Frank—done with a supermajority, by the way. Dodd-Frank was totally ineffective and got the opposite result of what they really wanted.

Those small banks and community banks did nothing to cause the 2008 and 2009 crisis, but since Dodd-Frank was enacted, over 1,700 small banks, primarily, have gone out of business—1,700—many because they were unable to cope or afford to comply with the 2,319 pages and 390 new regulations imposed by Dodd-Frank. Let me say that again: 390 new regulations were imposed by Dodd-Frank. My goodness.

These small banks had nothing to do with the crisis of 2008. Many of these banks were community and regional banks that actually support small businesses on Main Street, give small businesses the needed capital, and sponsor Little League baseball parks. I grew up in a Little League baseball park sponsored by the three banks in my hometown. My father was a board member of one of those small banks. I remember those days. They were involved in the community. When you borrowed money from them, they knew you personally. What we have done is created an environment that just shut down lending activity in these small banks.

Small business lending—which we all know is a driver in every recovery since World War II—took nearly 8 years to barely get back to where we were in 2008, and I am not sure we are totally there, if you go across the board, entirely.

I am so glad to stand here and say that finally the U.S. Senate took action. I am also proud to say, even though it didn't go as far as I would like, that we got to a measured approach here that both sides could agree.

I remind everybody in this body that two-thirds of us agreed to this. I can't think of another issue that has come before this body. I think we had one vote, 98 to 2, to allow the head of the VA to run his human resources practices the way people in the real world do, and we have seen over 1,500 people now replaced at the VA to clean that place up. I can't think of another thing that has brought us together like this because we all know small banks have been inappropriately affected by Dodd-Frank.

Republicans and Democrats proved this week, and over the past several weeks, that we can put our self-interests aside and get to the better good. I am proud to be a part of this. That is why I ran for the Senate. That is why

the Presiding Officer ran. We didn't come up here to not get anything and to just get reelected. The American people are fed up. That is how Donald Trump got elected President. That is how I got elected.

I would dare say, the American people have the right idea about the future of America, if we would just listen to them. Nobody has all the right answers, but freeing up capital right now to put to work in our economy is the only way we are going to grow this economy north of 3 percent, and I believe we can breathe life back into our rural communities.

I had lunch yesterday with the Secretary of Agriculture. They are focused on redeveloping our rural communities that have been ignored for the last decade. These communities share the values that built America. Yet they have been ignored by past administrations that led to big city, big urban focus. I think this bill, more than anything else we have done since I have been in the Senate, will actually breathe life back into those rural communities.

I applaud our Democratic partners across the aisle. Seventeen of them took the heat from their own party and from K Street and from the vested lobbyists who did not want this to happen. I applaud them for their courage and for standing up for the people back home. That is what we are here to do. It doesn't always work out this way, but sometimes 15 or 16 of our Republican Party will work with them and get a bill they want to do. That is what this Senate body is supposed to do.

I know there are some on the other side of the aisle who really want a one-size-fits-all bigger government and more intrusion. We heard the speeches this week: It is going to be so draconian. They just don't understand how this bill will breathe life back into capital formation, which is the cornerstone of a capitalistic society, but I believe most people in America have seen the dark side. They have seen the punitive nature of large regulatory bodies by a Federal Government that wants to dominate every aspect of our life, and Dodd-Frank was one of the ramifications of that—accomplished, as I said, only during a supermajority.

The irony of Dodd-Frank is that it is just another example of Washington overreach that hurts the very people it claims to champion and fails to help the working middle class. We see from this chart, large businesses had no problem getting loans, but the small startup entrepreneur is having trouble today, and that is what this bill goes a long way toward helping to alleviate. Small businesses should look at this and say: We are back in business. We are open for business. I believe this will breathe life back into many communities around our country.

Community and regional banks and, by extension, communities and small businesses across the country have been unduly punished for something they had nothing to do with. It is time to correct that, and this bill does that.

I am proud to be a Member of the U.S. Senate today. I haven't said that many times here. I am proud because we took action, we put our self-interests aside, and this is exactly the kind of result the American people want us to deliver.

This rollback—which I believe is very measured—combined with last year's regulatory rollback, President Trump's steps to unleash our energy potential and, yes, our historic tax bill, go a long way to be a big win for our economy. It sends a message to the rest of the world.

I am hopeful the House is going to pass this bill as soon as possible and that President Trump is going to be able to sign it into law very soon. President Trump has a vision for America. It is born out of Main Street America. I believe this puts us back on the track to greatness and leadership in the world economically, socially, politically. It is the right thing to do for our country. It is the right thing to do for every person in America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

GUN SAFETY

Mr. KAINE. Mr. President, I rise today to talk about gun ownership and gun safety in Virginia and in the United States. I speak as a gun owner, and I speak as a strong Second Amendment supporter. I want to do a couple of things in this speech, but one thing I want to do is put to rest the idea that gun owners, gun ownership, and the Second Amendment are incompatible with reasonable gun safety rules.

I accept the ruling, the holding, and the principle announced by the Supreme Court in the Heller decision that the Second Amendment conveys an individual right to bear arms and conveys that right to the American public. There was, and there remains, some controversy over the ruling. Some have argued that the text of the amendment discusses only the right to bear arms in the context of participating in a militia, which in 1787 was a necessary strategy for defending the Nation during a time when we had no standing Army. For years, many scholars and courts accepted that notion and argued that the Second Amendment was sort of different from the others in that way. In Heller, the Supreme Court ruled that the Second Amendment, like all the other amendments, conveys an individual right, and I accept and believe that interpretation.

But the Heller decision came with an important caveat. The Second Amendment is the only amendment that uses the phrase "well regulated." The amendment may convey a personal

right to gun ownership, and it does, but it explicitly acknowledges that regulations are part of what may be necessary. Courts subsequent to *Heller* have frequently held that the particular regulations are well within the scope of the Second Amendment.

The NRA and other organizations often pretend that the phrase “well regulated” doesn’t even appear in the amendment. Often, they will print a copy of the Second Amendment or the text, and they will have only the second clause, omitting the “well regulated” phrase. While that phrase, like the text of the amendment itself, is set in the context of a militia, it is clear from its usage that the Framers knew firearms were dangerous, though necessary, and there needed to be rules to ensure their safe use. In other words, the phrase “well regulated” in the text is not there to refer to the kind of uniform that a militia member would wear, whether they should have a beard or not. It is there to refer to the need for discipline and training to keep those people who bear arms behaving in a reasonable and safe manner.

Even if the phrase “well regulated” did not appear in the text of the Second Amendment—and that phrase “well regulated” appears in no other amendment, only the second—it would still be pretty clear that the Second Amendment right, just like other constitutional rights, is not absolute and free from any governmental rules. The *Heller* decision, authored by Justice Scalia, stated this very clearly: A ruling of individual ownership and use of firearms does not restrict the government from imposing reasonable rules on their use. Many subsequent cases have affirmed these reasonable rules over time.

The First Amendment, for example, guarantees the right to free speech and makes clear that no law infringing upon such a right is constitutional. But the Supreme Court has long held that government agencies can place reasonable limits on the time, place, and manner of speech, so long as the limits don’t discriminate on the content of the idea that is expressed. An easy example is, a city can ban sound trucks with megaphones from driving through neighborhoods blaring ads in the middle of the night while people are sleeping. The right to free speech is subject to reasonable limitation.

Similarly, the First Amendment guarantees freedom of the press, but States punish civil libel through their civil litigation and court processes. A newspaper trashing somebody through a knowingly false statement can be subjected to civil liability, and that paper can’t claim the right to free press to shield it from accountability.

The Second Amendment, in this way, is similar to the First Amendment, and I could go through other examples. While the right to ownership, to bear and use arms—not just ownership but using arms—may not be infringed, reasonable rules regarding gun usage are

explicitly contemplated by the amendment and constitutionally allowable.

It is important to recognize that we all tolerate reasonable limits on gun use. One common use of firearms in Virginia and Alaska—I know from my one visit to Alaska that this is the case—is hunting. In Virginia, the voters of our State, by referendum, amended our State constitution in 2000 to guarantee to all a right to hunt, fish, and gather game subject to rules prescribed by our general assembly. I was legal counsel for this effort, before I was in State office, arguing the validity of the amendment when a citizens group sued to try to keep it off the ballot. We prevailed in the litigation, and the amendment passed overwhelmingly, with more than 60 percent of the vote. That vote showed our population both embraced the right to hunt but also embraced the acceptance of the notion that this right should be subject to reasonable rules imposed by the legislature.

We have many State-imposed rules on hunting in Virginia, just as I am sure is the case in Alaska. The State determines the seasons in which hunting can occur—those seasons can differ depending on what you are hunting—where it can occur, the license you need, the training you must complete, which days of the week are open for hunting, what kinds of weapons can be used in hunting, and even the size of a magazine in any automatic or repeating weapon that can be used in hunting.

For example, in Virginia, by statute, you can hunt with a repeating shotgun, but the magazine can contain no more than three rounds. If the magazine on a weapon is larger than that—a larger magazine—you are required to have a plug or filler in the magazine that will reduce its capacity to no more than three total rounds, as measured either in the magazine or in the chamber itself.

The bottom line for these regulations, which are well accepted and understood in Virginia, is clear. Even the use of firearms for hunting, protected by the Virginia Constitution as well as by the Second Amendment, is subject to safety rules that society fully accepts. The clear constitutionality of gun safety rules and the public acceptance of these rules pose stark questions to Congress.

Why, in the face of escalating tragedy, are we so unwilling to adopt commonsense gun safety rules designed to reduce gun violence? Why does Congress shield gun manufacturers from liability with a Federal protection that we don’t give to the manufacturers of other products? Why does Congress limit the Centers for Disease Control and Prevention from using its resources to research gun violence? Why does Congress limit the ability of law enforcement to fully trace the use of guns that are used to commit crimes? Why does Congress prohibit weapon use and ownership by certain classes of

dangerous individuals but resist a universal background check system that would be necessary to enforce that prohibition? Why won’t Congress enact the same kinds of magazine limitations on weapons used to kill people that we embrace on weapons used to kill deer? Why won’t Congress ban weapons of war—weapons of war that are used by trained officials, as was the case with the Presiding Officer in his military service or my son in military service, but why won’t we ban those weapons of war from the streets of our country?

Self-defense, sport, hunting are all protected and encompassed within the broad protections of the Second Amendment. There is not, there has never been, and there never will be an effort to confiscate all weapons in the country because of their popular acceptance and because of the clear commands of the Constitution. But why can’t we have reasonable safety rules?

America’s children—so many of them appeared here yesterday, children from a middle school in Northern Virginia, some high schoolers from Thomas Jefferson High School; I visited with students from Florida—posed some even starker questions to us.

Does Congress care more about its children or more about contributions from the NRA and gun manufacturers? Can adults act like adults and try to keep children safe? Those were the questions that I heard from the students on the Capitol steps yesterday.

I applaud the children of the country who are asking these questions. They stand together with an overwhelming majority of Americans who believes we can do better and we need to do better. I have seen the tragedy of gun violence, but I have also seen that we can do better and that part of that is having better rules on guns.

When I was elected to the city council in Richmond in 1994, we had the second highest homicide rate in the United States. That was the only top 10 list we were on. That is not the one you want to be on. I went to too many funerals and too many wakes and too many crime scenes, and I was in too many church basements with support groups of homicide victims’ families, and I don’t want to do those kinds of things again.

Yet, through the pain of that—multiple efforts by multiple people—we helped reduce our violent crime rate risk. We dropped the homicide rate by 60 percent. We dropped the aggravated assault/violent crime rate by nearly the same number. We did a number of things, but one of the things we did was to recognize that we had a problem with guns. It was not just about people or just about mental health. Those were issues, sure, but we had a high gun carry rate in Richmond. The gun carry rate means: In 100 stops that the police would make, what percentage of the time were people carrying weapons? In Richmond, we just had an unusually high percentage compared to other cities for a variety of the reasons.

What we decided to do is, if we could bring down the gun carry rate, we may not make bad people good people, but we could avoid an argument's breaking bad and then turning into a homicide or an aggravated assault. We were able to do things that brought the gun carry rate down, that made people leave their guns at home, if they were leaving their homes, instead of putting them in their pockets. By doing that, we helped to bring down gun violence. We found that you could take concrete steps to make people safer.

I was the Governor at the time of what was the worst shooting in the history of the United States. The weird thing to say about my own State is that I wish it had always been the worst shooting—the tragedy at Virginia Tech in April of 2007, when 32 people were killed. It has now been eclipsed by shootings in Orlando and Las Vegas and Newtown. So many other tragedies have happened since then that even some of the particulars of the Virginia Tech shooting start to recede in memory as new tragedies happen.

It was painful. I interacted with the 32 families who had lost their kids and who had lost their parents who were professors, and I have continued to interact with them over the years and to learn what went wrong that day, and a lot of things went wrong. Vowing to the families that we would try to fix them has been a cause of my life for the last 11 years.

We also learned through the pain some things we could do to make our communities safer. In this particular case, there were problems with mental health, and there were problems with privacy rules, and there were problems with campus safety protocols. Yet a significant problem was that we had a flaw in the background record check system. A young individual who had been adjudicated mentally ill and dangerous and was prohibited from owning a weapon was able to slip through the cracks in the system to get a weapon that he shouldn't have had. So the lesson we learned is, with a better background check system, you reduce the risk of tragedy.

Whether it is a common street crime of the kind that occurs every day and may not get the attention on the weekly news or whether it is a mass shooting that gets the attention on the weekly news, I have had some scar tissue over this, but at least the scar tissue has taught me a few things. One of the things I have learned is you can take meaningful steps, and if you do so, you make communities safer. If you know that you can take steps to make people safer, then you must. You must. I will conclude and just say this.

We need a debate on the floor of this Chamber about how to reduce gun violence and promote gun safety. We haven't had one since April of 2013. It has been 5 years, and the list of tragedies is getting longer and longer and longer. We shouldn't be afraid to enter-

tain both Republican and Democratic proposals for reducing the scourge of gun violence. There will be different kinds of proposals, and that is as it should be.

It is just like the debate we had about Dreamers a few weeks ago. There were different proposals put on the table that were going in different directions. We know in this body that we need to get 60 votes to get anything passed, which means nothing will pass unless there is some bipartisan support. Yet we shouldn't be afraid of having that debate. We have been afraid to have the debate, but our children are afraid for their lives. If they are showing the courage to speak out for change, the least we can do is show that we are listening.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Florida.

THE FIRST SAINT PATRICK'S DAY

Mr. NELSON. Mr. President, before the Senator from Virginia leaves, since he is the cochairman of the United States-Spain Council, I want him to hear my very brief remarks.

As will be officially announced today at 4 o'clock on the new website, La Florida, the following has been discovered by historian Dr. Michael Francis, of the University of South Florida at St. Petersburg, who is one of the eminent Spanish colonial scholars in the world: The first St. Patrick's Day was not in Boston in 1737. Neither was the first St. Patrick's Day parade in New York in 1762. As discovered by Dr. Francis in the Spanish archives in Seville, the first St. Patrick's Day was celebrated by an Irish priest, Richard Arthur, better known as Ricardo Arturo, in St. Augustine in 1600, to be followed by the first St. Patrick's Day parade in the New World, in St. Augustine, in 1601.

Needless to say, it is not going to make our friends in Boston and New York happy to hear that they have been eclipsed by well over a century and a half. However, it shows the strong roots of the Irish people in America all the way back to Saint Patty's Day in 1600 in St. Augustine, FL.

I thank the Presiding Officer.

THE PRESIDING OFFICER. The Senator from the great State of Alaska.

Ms. MURKOWSKI. Mr. President, I enjoyed that little bit of history there. I am sure that the Irish everywhere—and those who are, perhaps, not quite as Irish—will find good reason to celebrate on March 17 whether one is in Florida or in the Northeast or in Alaska, as the Presiding Officer certainly knows.

THE IDITAROD

Mr. President, I am here to share a little bit of Alaska. I know that the Presiding Officer will also appreciate the update on an event that we in Alaska celebrate every year and have for the past 46 years—the annual Iditarod race.

This is a sled dog race of international fame, a race that begins just

outside of Anchorage, AK, and ends in Nome. It is about 1,000 miles. I think this year's southern route was 998 miles to be exact. It is one of the longest sled dog races on Earth, and it travels over some pretty interesting terrain. "Interesting" is a choice word to use as you cross mountains and frozen tundra and forests and the frozen ice. The Iditarod is, truly, a race for only the most hardy, only the best.

The Iditarod, itself, commemorates the deadly 1925 diphtheria outbreak that happened in Nome. There was no way to get the diphtheria antitoxin from the coastal area, down in Seward at the time, all the way up to Nome. This was before we had air transport as a viable option. So the real question was, How do you move this? How do you move this quickly? It was the middle of the winter. This was not a race. This was a lifesaving mission to move serum, again, 1,000-plus miles to the north to save a community. They resorted to a relay of dog sleds, of dog teams, to move that serum.

Today, the Iditarod is no longer a relay. It is a race of individual sled dog teams. Again, it is about a 1,000-mile race. It is a test of determination, certainly, of the K-9 mushers, and it is tough. It is always in the first weekend of March. At this time of year in Alaska, sometimes conditions can be pretty good—above zero. Sometimes they can be 30 degrees or 40 degrees below zero. Sometimes you can have a ground blizzard and wind conditions that move close to 80, 90, 100 miles an hour, and when you want to talk about windchill, out there, it is real; it is extreme.

This 46th annual running of the Iditarod hasn't been that challenging in terms of the cold, in terms of what they have seen in the past, but there is always some bump. There is always something that causes the race to be a little bit different. This year, the mushers had a scheduled checkpoint on Eagle Island. This is a place where they take a mandatory 8-hour break. The game changer in the race this year was in the snow conditions. Because of the ceiling, planes could not drop food for the mushers, so they had to take this very critical checkpoint off of the board. The mushers plan all of this out in advance of the trip. They kind of know where they are going to be along the way. They plan their moves. So this was a pretty unanticipated event at the end and could have impacted it. Yet you had mushers who were pretty versatile, pretty adaptable. They took the news in stride and continued up the Yukon River toward other rest stops there.

Nicolas Petit, who had arrived in Anvik, was the frontrunner at the time. He was, like, "Ah, no big deal. My strategy is an evolving thing." Yet that evolving thing allows for, again, curve balls that get in the way. In the instance of Nicolas Petit, the frontrunner—a Girdwood musher from a place that the Presiding Officer and I frequent often and I call home—everyone was quite excited. Long story

short, he lost the trail and lost the lead.

You think to yourself: Wait a minute. How can you lose the trail? This is not a NASCAR race, where you just go around the same track here. This is 1,000 miles. If it is windy, if it is blowing, if there is ground cover that you can't see through, things happen—things truly happen. On top of the harsh climate conditions that the mushers face, there are occasionally chance encounters with some wildlife. You have moose, caribou, bears, and porcupines out there, and they are all potential rendezvous for mushers around the trail.

One of the interesting headlines to come out of the Iditarod this year was a headline that read: "Iditarod Musher Chases off Bison with Ax"—an ax, yes. Marcelle Fressineau and her 14-sled dogs were between Rohn and Nikolai, and they came face-to-face with a mother bison and her calf. What do you do? You don't want your dogs to be in danger, so the tough Alaskan woman takes her ax and charges the bison and says, "Go away. Go away." Long story short, they ran away, and she continued her journey to Nome. You have to admit that people like this are ready for adventure and are full of grit and determination to succeed.

Of course, it is not just the mushers. It is the K-9 athletes. It is these dogs that, truly, are the inspiration to watch along the journey. This year's Iditarod kicked off with 67 talented, resilient competitors from all over Alaska and the world—67 dog teams.

This year, Joar Ulsom was the first musher to arrive in Nome. He came in just after 3 a.m. on Wednesday morning. He is originally from Norway, and he has been dreaming of being an Iditarod racer since he was a kid. In 2011, he relocated to Willow, AK, which is kind of our dog mushing capital of the world, and he really has made this dream a reality. He is a seasoned racer. He first completed the Yukon Quest in 2012 and has completed other races since then. He completed—he won the race in 9 days 12 hours. Again, this is not a recordbreaking time. Snow slowed things down, but think about standing on the back of a sled for 9 days 12 hours, minimal sleep, constant attention to the dogs in front of you. It is just an extraordinary story.

The newspapers are telling the story of Joar crossing the finish line in Nome. Thousands of people had gathered under the burlap arch to congratulate him. It was about 4 degrees, 3 a.m., with thousands of people out in the street. My brother and sister-in-law came all the way from Brazil to be there on the other end. It was my sister-in-law's dream of a lifetime—bucket list—to be there at the end of the Iditarod.

Joar and his team are happy, and we are very pleased for him. I offer hearty congratulations to our 2018 Iditarod champion and his team of amazing dogs.

I wish all the competitors, many of whom are still out on the trail, success and safety as they compete in this truly "Last Great Race on Earth."

TRIBUTE TO CHUCK KLEESCHULTE

Mr. President, I want to recognize a longtime member of my staff, Chuck Kleeschulte, who recently retired from the Senate. If you are from Alaska and you have ever had any dealings with the Alaska delegation, you have met or have dealt with Chuck Kleeschulte. He is held in great respect in our State as a result of the work he did for so many people back home.

It is an understatement to say we miss him already. He hasn't been gone that long, but we miss him already.

Let me share a little bit of his biography for those who were not fortunate enough to know and work with Chuck. He is an Alaskan not by birth but by choice. He moved from Ohio to Alaska in 1976 to work as a reporter at the *Juneau Empire* in our capital. A few years later, he became press secretary for then-Governor Jay Hammond. He followed that with a stint at the Department of Environmental Conservation and then he returned to reporting for a few more years.

Chuck first came to the Senate in 1991. He was convinced by my father Frank Murkowski, who was a Senator at the time, to move to Washington, DC, to be his press secretary. So he did. He made the move, and now 27 years later, Chuck is still part of the family here. He served as my father's communications director, a legislative assistant in my personal office, and most recently as a senior adviser for the Energy and Natural Resources Committee.

Chuck, I think it is fair to say, is an institution within our institution. He has an encyclopedic knowledge of all things Alaska. If someone wanted to know what the vote was on a measure back in 1993 that related to the Trans-Alaska Pipeline or whatever, Chuck would be able to recall that without any notes, without any prodding, without any background. Chuck is extraordinary. He has a work ethic that is second to none.

We have a phrase that has been around for about 30 years now, and it is "Check with Chuck." Just check with Chuck because you don't need to do any fact-checking. He is it.

His legislative achievements are almost too many to name. Let me talk about some of the big-ticket Alaska items that Chuck was involved with. He was involved with responsible energy development in the 1002 area. He led this fight for us for decades as we sought to open up ANWR. He has been the lead on a lifesaving road for the good people of King Cove that we just, again, have been successful with. He has been working to build out a safer route on the Sterling Highway, a much needed timber supply in the Tongass National Forest. He wrote legislation to ensure the transfer of lands owed to Alaska, to promote the construction of

an Alaska gasline, and to expand the use of renewable resources, such as hydropower, marine hydrokinetic, and geothermal. Chuck was involved with all of it.

He has been involved in so many significant accomplishments for our State, but what is equally impressive is the work Chuck did very quietly and just every day for Alaskans all over the State. Whether it was a bridge that needed repair, a light pole that had toppled over in bad weather, land use fees that had been miscalculated by a Federal agency, a land exchange for a remote community, Chuck was always there. No matter how small the problem, no matter how complicated it may be, Chuck was there to work on it.

Chuck has only been retired now for a few weeks, and the people I talk to are all asking: How is Chuck doing? Where is Chuck? They all say they are going to miss him, and I say how much I already do.

It is a comfort to know that Chuck is not going too far. He is retiring from Washington, DC, and he is moving to a beautiful little farm in Floyd, VA. Apparently there is only one stoplight in Chuck's new town, but I think Chuck is going to keep busy. His better half Tori says she wants a cow. They want to grow a little bit of hay, and there is grass to mow. There is a half-acre pond that apparently is stocked with fish. There is a barn we all volunteered to help him paint this summer. We will figure out time to do the barn painting.

To the people of Floyd, congratulations on bringing Chuck into the fold. We know the barn, the cow, the hay, the pond, the single stoplight, and the community are all very lucky to have him. I certainly was.

He spent 27 years in Congress and near double that working on behalf of Alaska in some fashion or another. Chuck's guidance and work have not only benefited me but the State and people of Alaska and the rest of our country.

My favorite part, what I loved best about Chuck is, after all he has done and all he has accomplished, he is still one of the most humble guys you will ever meet. I told him that recently, and he said: "Oh, yeah, it's easy to be humble when you have a lot to be humble about."

Chuck was just that way. He is always modest, but the example he set as a true public servant is one to emulate. He worked hard every day—every day. He made our office a better place. He helped people, and in doing so, he left some truly enormous shoes to fill.

Should anybody doubt that Chuck left a lasting impression, all we have to do is look at the single space, 50-page exit memo he wrote to give the rest of my staff, giving them updates on everything he had been working on, the status, whom to contact, what to do next. Chuck left the guidebook. He is incredibly thorough, amazingly impressive, and always appreciated.

So I want to thank Chuck Kleeschulte. Thank you. Thank you for

everything you did for me, for Alaska, and for our Nation. You will always be a part of our Senate family and a beloved member of Team Murkowski. After 27 years, and on behalf of those who knew him, I wish Chuck the absolute best as he begins his very well-deserved retirement.

With that, 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.

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

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

HEALTH INSURANCE

Mr. ALEXANDER. Mr. President, I want to talk for a moment about something that is on the minds of anybody in this country who is making \$60,000, \$70,000, \$80,000, \$90,000 too much to have a subsidy to pay for your healthcare insurance and maybe are paying \$15,000, \$20,000, \$25,000 of that salary for your insurance this year and who has heard from a lot of people that on October 1, the insurance companies are going to announce that your premium is going up. That is whom I would like to talk with today.

Specifically, let me use the example of a woman named Marty in Tennessee. She came up to me before Christmas at the Chick-fil-A on Charlotte Road in Nashville, and she stopped me while I was getting my mac and cheese at Chick-fil-A, and she said: My name is Marty. I am a self-employed farmer. A few years ago, my health insurance was \$300 a month, today it is \$1,300 a month, and I cannot afford that.

Well, in Tennessee, prices for health insurance for people who work and don't get any subsidy to help them buy their insurance and don't get insurance on the job, they don't get it from Medicare or Medicaid, people who work, the self-employed farmer, the contractor, the plumber, the songwriter, somebody who might be making \$60,000, say—they are like Marty. They are paying \$20,000 for their health insurance, and they cannot afford that.

I told Marty: I think we have a Christmas present for you. I think Congress, when we pass the omnibus spending bill, is going to include in it a set of policies we have that is going to lower your rates when they are announced on October 1 of next year, which is 2018.

Well, unfortunately, we had a continuing resolution at the end of the year, and Marty didn't get her Christmas present. Then I thought she might get a Valentine's present, and we went by Valentine's Day and did another CR, a continuing resolution.

Now we have until the end of next week to fund the government for the year we are halfway through. I am on the floor today, and I can say to Marty and to every plumber, songwriter, self-employed person in this country, some-

one who might be between jobs, that if the Congress will act, we can lower their rates next year for up to as much as 40 percent—40 percent. That is according to Oliver Wyman, one of the leading healthcare consulting firms in this country, which announced on Monday that a set of policies which we call Alexander-Murray-Collins-Nelson, which President Trump supports, which Congressman WALDEN, who is the chairman of the House committee in this area, supports, which Senator MCCONNELL supports, which I support—we have broad support for this. This policy we have been working on for months, according to Oliver Wyman, over the next 3 years, assuming States take full advantage of all the options we are giving them, could lower rates by 40 percent.

What does that mean? That means that if you are paying \$20,000 for your health insurance—you are that \$60,000-a-year plumber—that is 40 percent of \$20,000, which, by my math, is \$8,000. So that would cut your insurance to \$12,000, and you get down toward something you might be able to afford. Can you imagine anything more frightening than approaching next year knowing that you might not be able to afford health insurance for your family? You are thinking: Well, look, I am doing everything I am supposed to. The government has not gotten me on any kind of subsidy to buy health insurance. I am out here working. I am paying my taxes. Maybe I got a little tax cut that the Republicans put through last year, but the thing that is really a problem for me is my health insurance. If I am making \$60,000, \$70,000, \$80,000 a year, I cannot afford \$15,000, \$20,000, or \$25,000 a year.

If you are a farmer in Iowa or a miner in Alaska or a songwriter in Nashville, you can't afford that, and you shouldn't have to, and you won't have to if Congress will act next week to accept the set of policies that I am about to briefly describe.

There are three things we propose to do. The most important is 3 years of reinsurance or the invisible risk pool. This is an idea that House Republicans have strongly supported and that Senator COLLINS and Senator NELSON have strongly supported here. It would allow more States to do what the State of Alaska has done. The Presiding Officer is from Alaska. Alaska took the very sickest people in Alaska and put them in one pool and called that the reinsurance pool and paid for their health insurance. When they did that, it so reduced the cost for everybody else that it lowered the rates for everybody else by 20 percent. What we are talking about is lowering the rate for everybody else by 40 percent if States take full advantage of what we are proposing next week. So reinsurance is the first thing—3 years of reinsurance at \$10 billion a year.

The second thing is 3 years of cost-sharing subsidies. You have to stop and think about it a minute, but the cost-

sharing subsidies pay for the reinsurance. Cost-sharing subsidies are payments that are made to insurance companies to pay for the copays and the deductibles for low-income people, and that allows the companies to reduce the premiums. When you reduce the premiums, you reduce the ObamaCare subsidies.

According to conversations we have had with the Congressional Budget Office, if we do 3 years of cost-sharing subsidies and 3 years of reinsurance at \$10 billion, the cost-sharing subsidies more than pay for the reinsurance, if you base it on reality, which is, if Congress passes a law that costs \$30 billion over 3 years for reinsurance and 3 years of cost-sharing subsidies, the cost-sharing subsidies pay for the reinsurance and leave \$2 billion over to reduce the Federal debt.

The third part is a set of proposals that would give States more flexibility. This streamlines the section 1332 waiver in the Affordable Care Act. It makes some changes that permit the agency we call CMS to approve waivers from States, like the State of Alaska or Nebraska or Tennessee, which may say: We would like to spend our ObamaCare subsidy money in a different way, and we would like to add some of this reinsurance money to it. By doing that, that is how you achieve the 40-percent savings for the Nebraska self-employed farmer or the Nashville songwriter in their insurance policies.

So that is the set of proposals, plus within there is a provision for what we call a catastrophic policy, which is a policy that has somewhat higher deductibles but lower premiums, which people may choose to buy.

All of that policy has broad bipartisan support. I think the reinsurance provision—in the Republican discussions we have had in the Senate, almost everybody seems to agree that the only way we can have an individual market, which is the market for people who buy insurance on their own—people who don't get it from Medicare, people who don't get it from Medicaid, people who don't get it on the job—let's say you are between jobs or you are self-employed. You are the songwriter. You are the plumber. Those are the people whom we are focused on here. There are about 11 million in the United States, but there could be a lot more because all of us know what it is like to think, well, I might lose my job, or, I might change jobs, and what do I do for insurance in the interim? I have the so-called COBRA available, but it is very expensive. If I suddenly find I am losing my job or if I am changing jobs and I am worrying about insurance—that is the person we are talking about.

Where did these ideas come from? Did we just write them on the back of an envelope and give them to Congress? No. We went through a very serious process here in the Senate. Senator MURRAY, the ranking Democrat on the Senate HELP Committee—I am the

chairman—and I held four hearings last fall after Republicans failed to repeal and replace the ObamaCare law. We invited all Senators to participate. We had more than half the Senate come to our hearings and to our meetings with the witnesses. Out of that came the proposals to streamline the 1332 waiver—that is flexibility for States—and the need to pay for the cost-sharing subsidies temporarily, because people began to understand that they don't cost money, but they save taxpayer money because they reduce the need for Federal taxpayer subsidies. So that is where that came from.

The single most important idea that was not a part of the original Alexander-Murray proposal was reinsurance. In the House, they call it the invisible risk pool. Senators COLLINS and NELSON have championed it here. Representative COSTELLO, Representative MEADOWS, and other people championed it over there. It was part of the Republican repeal-and-replace legislation in the House of Representatives. So the idea of 3 years of reinsurance really has come from both bodies and from both sides of the aisle. It is the most essential part of any long-term policy to create an individual market where people can buy insurance if they don't get it on the job or from the government.

This would give States half a billion dollars in the current year, 2018, to plan for their reinsurance pools. It would then create \$10 billion over 3 years that States could use to help pay for their reinsurance pools, and they would use their 1332 streamlined waiver in the second and third year. So they could have a combination of State money, reinsurance Federal money, and ObamaCare subsidy money and hopefully, in that process, create their own way of helping to pay for the needs of the very sickest people in the State and, by taking them out of the insurance pool, lower the rates for everybody else over that 4-year period, according to the Oliver Wyman consulting firm, by as much as 40 percent.

The Congressional Budget Office has also reviewed the set of proposals I have just described. My staff has been working closely with them because we want to know what it costs if we are going to put it in the omnibus bill, and the preliminary feedback from the Congressional Budget Office is more conservative than the Oliver Wyman estimate. The Congressional Budget Office says that it would reduce premiums by an average of 10 percent in 2019 and 20 percent in 2020 and 2021 if States take full advantage of the 1332 waiver they have.

As you can imagine, State Governors and State insurance commissioners are delighted with this package. First, they like to see us do something in a bipartisan way to stabilize the health insurance market so people aren't scared to death that they may not be able to buy a policy next year, but second, they think it is sound policy. It is sound policy.

Much of this started when the President called me last August and said: Between now and the time we make a final decision on what to do about the Affordable Care Act, or ObamaCare, I want to make sure that people aren't hurt. So he asked me if I would work with Senator MURRAY and see if we could come up with a bipartisan set of proposals that would stabilize the individual market. He called me several times about that, and we have worked together since then. That is when we came together with the original Alexander-Murray proposal.

Then we had a big disagreement here within the Senate, and we had our tax bill wherein we repealed the individual mandate in the Affordable Care Act. Republicans thought that was a good idea. It made people buy insurance they didn't want, and it was a tax on low-income people, so we got rid of it. Democrats didn't like that at all.

It is true that taking the individual mandate out, even though States could add it back if they want to, does increase the cost of insurance in the individual market. Despite that, this set of policies that I have described—State flexibility, the 3 years of cost-sharing subsidies, and the 3 years of reinsurance/invisible risk pools—those three policies, according to Oliver Wyman consulting, which is one of the leading health consulting firms in America, could lower rates to 40 percent lower than they otherwise would be. According to the Congressional Budget Office, a nonpartisan agency that looks at things for us, it will lower them 10 percent in 2019 and as much as 20 percent in the next 2 years after that. Even if it is only 20 and not 40, 20 percent of \$20,000 is \$4,000 for Marty, the self-employed farmer in Nashville who stopped me at Chick-fil-A and said her insurance had gone from \$300 to \$1,300, \$1,400 a month.

I ask unanimous consent to have printed in the RECORD the report of the Oliver Wyman consulting company that says that the combination of policies I just described—reinsurance, cost-sharing subsidies, and the section 1332 waiver, which is the State flexibility—that those three policies will reduce rates by up to 40 percent.

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

OLIVER WYMAN REPORT: A PROPOSAL TO LOWER ACA PREMIUMS BY MORE THAN 40% AND COVER 3.2 MILLION MORE

(By Tammy Tomczyk, FSA, FCA, MAAA, Partner, Oliver Wyman Actuarial Consulting, and Kurt Giesa, FSA, MAAA, Practice Leader, Oliver Wyman Actuarial Consulting)

In our December 9, 2017 article, we analyzed the effects of a proposal the US Senate was considering to fund cost-sharing reduction (CSR) payments and appropriate \$5 billion in 2019 and 2020 for states to establish reinsurance programs to stabilize their individual insurance markets. We discussed how pass-through savings could provide reinsurance coverage equal to roughly \$15 billion in protection for high-cost claimants, and how

this protection, combined with CSR funding, would bring more people into the individual market and lower premiums by over 20 percent.

More recent congressional attention is focusing on a proposal that includes an extension of CSRs and a reinsurance program in 2019, 2020, and 2021, funded with a \$10 billion appropriation in each year, with federal fallback option available to states in 2019. The federal fallback option would likely be based on—and use the federal infrastructure built to administer—the Transitional Reinsurance Program in place from 2014 through 2016.

Our healthcare microsimulation model, used to understand this package's likely effects on the market, assumed states would use federal pass-through savings under Section 1332 of the Affordable Care Act (ACA) to supplement and leverage the \$10 billion the considered legislation would authorize and appropriate each year. Pass-through savings result from the fact that the premium subsidies available under the ACA cover the difference between the second lowest cost silver plan available in a rating area and a fixed percentage of a household's income, varying only by federal poverty level (FPL). Lower premiums result directly in lower premium subsidies, and under a Section 1332 waiver, these savings from lower premiums may be used to provide additional reinsurance.

In our modeling, we are presuming that states will take advantage of these pass-through savings in 2019. In reality, states that have not already begun working on a waiver will be challenged to get a 1332 waiver filed and approved under the current regulatory regime in time to impact 2019 premiums. The current regulatory regime includes a requirement that a state enact enabling legislation, develop an application, hold public hearings during a 30-day public comment period, and submit the application to the US Health and Human Services (HHS). HHS then undertakes a two-step review process that can span up to 225 days—up to 45 days for a completeness determination followed by up to 180 days for review. But even those states unable to get a waiver in place for 2019 would still benefit from that year's federal fallback program.

Therefore, we estimate, under the assumptions described above, that an additional 3.2 million people will be covered in the non-group market, and the proposal would result in premiums that are at least 40 percent lower than they would have been without the proposal in place, across all metal levels. In those states that are not able to obtain a 1332 waiver and take advantage of pass-through savings for 2019, we estimate that premium would decline by more than 20 percent across all metal levels. Those estimates include an average 10 percent reduction due to the funding of CSRs, with the remaining reduction coming from the reinsurance program.

As a note, our modeling reflects elimination of the mandate penalty, but does not consider the proposed regulation's likely effects on association health plans or on short-term, limited duration coverage.

REPORT: INDIVIDUAL INSURANCE PREMIUMS NEXT YEAR 40% LOWER UNDER ALEXANDER-MURRAY, COLLINS-NELSON THAN IF CONGRESS DOESN'T ACT

WASHINGTON, March 12.—Health care experts at Oliver Wyman released an analysis today showing that the passage of a proposal based on the Alexander-Murray Bipartisan Health Care Stabilization Act and the Collins-Nelson Lower Premiums Through Reinsurance Act will lower premiums, compared to what people in the individual market will pay if Congress doesn't act, by more than 40

percent in the individual market and provide insurance coverage to an additional 3.2 million individuals.

Oliver Wyman based its analysis on a proposal that would fund CSRs—temporary payments to reduce out-of-pocket costs for low-income Americans in the individual market—and provide \$10 billion annually for invisible risk pool/reinsurance funding in 2019, 2020, and 2021. It also factored in increased flexibility for states that seek to use waivers under Section 1332 of the Affordable Care Act. The analysis applies to ACA-compliant plans in the individual market, both on and off the exchange.

"This analysis from the experts at Oliver Wyman further demonstrates that our bipartisan proposals will help drive down premiums in the individual market and make health insurance more affordable for millions of Americans," said Senators Lamar Alexander, the Chairman of the HELP Committee, and Susan Collins.

From the experts at Oliver Wyman:

"Therefore, we estimate . . . that an additional 3.2 million people will be covered in the non-group market, and the proposal would result in premiums that are at least 40 percent lower than they would have been without the proposal in place . . ."

The analysis found that the lower rates would benefit all plan levels on the exchanges.

The analysis was performed by consulting firm Oliver Wyman. On its website, Oliver Wyman describes itself as "a global leader in management consulting. With offices in 50+ cities across nearly 30 countries, Oliver Wyman combines deep industry knowledge with specialized expertise in strategy, operations, risk management, and organization transformation. The firm has more than 4,700 professionals around the world who help clients optimize their business, improve their operations and risk profile, and accelerate their organizational performance to seize the most attractive opportunities."

Mr. ALEXANDER. Finally, I would ask the question, What if we don't do this? I am generally a very optimistic person. I am results-oriented, and you don't get results if you don't work across party lines and if you don't think you are going to succeed. So I always think we will succeed. This has been more difficult to do than it should have been.

I would like to suggest to my colleagues and to the American people that we should focus on October 1 of this year because that is the date when insurance rates for next year, 2019, will be announced all across the country. Insurance companies are working with insurance commissioners in every State to try to figure out what is going to happen, what the rates will be. They will be announcing rates on October 1, which is about a month before the next election.

There a lot of people who are going to be looking at that because, in my State of Tennessee, rates were up 58 percent this year, and that is for the plumber who makes \$60,000 a year; the songwriter; Marty, the farmer; and the people I have been describing. There was a 58-percent increase. So they are going to be looking on October 1 to see whether they can even afford any insurance in 2019.

If we do what we are proposing here in the Alexander-Murray-Collins-Nel-

son set of policies, which has broad bipartisan support in the House and the Senate and the support of the President, if we do that next week, Marty, the self-employed farmer in Tennessee, will be able to see on October 1 that her rates will go down and that, if Oliver Wyman is correct, instead of her rates going up 58 percent the way they did this year, they will go down 40 percent over the next 2 or 3 years. That means she could afford insurance.

If we don't do it, rates will go up, and the individual market will probably collapse. It was near collapse a year ago. By collapsing, I mean there will be counties where people can't buy insurance at all. There will be 11 million people who are between jobs, who are self-employed, or who are working who literally cannot afford insurance, and they are not going to be very happy campers. They are going to blame every one of us, and they should. They are going to blame the President, they are going to blame Republicans, they are going to blame Democrats, and they are going to blame insurance companies because we have an opportunity next week to solve that problem in a bipartisan way, developed through a bipartisan process, incorporating ideas that virtually everyone who looks at them says make very good policy sense.

We have a couple of things to work through on ancillary issues, but those shouldn't cloud the fact that we can reduce rates by up to 40 percent for the working Americans who can't afford insurance—the insurance companies will announce that on October 1—or we can do nothing, and we can let the markets falter.

There will be some counties where you can't buy insurance at all, some counties where you can't afford insurance at all, and we will have people look at us and say: My goodness, why did we send them up there to do nothing about that?

I am optimistic. I think we can do it. I appreciate the hard work on both sides of the aisle. In many respects, it has been a very difficult negotiation. I appreciate the President's consistency over the past couple of months in supporting this and the Vice President's work. Senator MCCONNELL has been very supportive of this, which makes it very helpful in terms of getting it into the bipartisan agreement next week.

I look forward to being able to say to my songwriters, self-employed business men and women, plumbers, and Marty, the farmer, that if they are making \$60,000 or \$70,000 in Tennessee, we put in place something that will lower their rates by 40 percent over the next 3 years.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. FISCHER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DEFERRED ENFORCED DEPARTURE FOR LIBERIAN REFUGEES

Mr. REED. Madam President, I rise, as I have many times for nearly two decades, to shed light on the long struggle of Liberian refugees in the United States, and to make the case for this administration to extend Deferred Enforced Departure, or DED, for this population before they face potential separation from their jobs and families when their current DED designation expires on March 31.

I also call on my colleagues to take up and pass the Liberian Refugee Immigration Fairness Act, which I offered in some form for as long as I have served in this body, to end nearly 30 years of uncertainty by finally giving these Liberians the opportunity to apply for permanent residency and a pathway to citizenship.

I also would like to take a moment to express my gratitude to those advocates who have stood with me as I have worked for a solution for Liberians in America, including my Rhode Island colleague, Senator SHELDON WHITEHOUSE, as well as our colleagues from Minnesota, Senators KLOBUCHAR and SMITH.

The case of these Liberians is a tragic and historically unique situation. In 1989, a seven-year civil war broke out in Liberia that would claim the lives of over 200,000 people and displace more than half of the Liberian population. This conflict devastated Liberia—halting food production, collapsing the nation's economy, and destroying its infrastructure. By 1991, an estimated 14,000 Liberians fled to the United States seeking refuge from the conflict. In March of that year, the Attorney General granted them the opportunity to register for temporary protected status, or TPS.

Every subsequent administration has renewed TPS for Liberians each year until the end of the first civil war, but the prospects for a safe return ended when Liberia plunged into a second civil war from 1999 to 2003. This horrific conflict ended with the departure from power of former President Charles Taylor, who is currently serving a fifty-year prison sentence, issued by the Special Court for Sierra Leone, for war crimes.

In 2014, Liberia's still poverty-stricken and recovering infrastructure faced the challenge of responding to the Ebola virus outbreak in West Africa. Liberia had fewer than 200 licensed doctors to contend with the outbreak among the country's population of over 4 million people.

Throughout this succession of conflict and tragedy, Liberians who sought refuge in the United States have had the option to remain here lawfully under TPS or DED while conditions remained unstable in Liberia.

This is not amnesty. In order to participate, these Liberians are required to pass periodic background investigations, pay hundreds of dollars in fees,

and stay out of trouble with the law. Many of these Liberians who have been through this process for decades are perhaps among the most vetted and rigorously examined individuals in the United States today.

They have also received work authorizations, enabling them to work and start businesses, pay taxes, and raise families. Many have full-grown American citizen children who attend American schools and serve in our military. At the same time, they have not been afforded earned benefits available to American citizens, so they are responsible for paying their taxes, they are responsible to conduct themselves as law-abiding citizens, but they are not building up any type of Social Security benefits or any other benefits like other American workers are. In the years since 1989, they have become our neighbors, our friends, and an important community that contributes a great deal to the diversity and prosperity of States like Rhode Island.

Today, Liberia has only just completed its first democratic transfer of power in decades, and there are still serious concerns about the Nation's ability to maintain peace and deliver essential services to its population.

If the Trump administration fails to extend the DED deadline for Liberians, hundreds of Liberian American families could be separated and uprooted from their jobs and homes, and forced to return to a country that is unrecognizable to them. Moreover, at best, it is unclear how Liberia's recovery could be affected by a sudden and unexpected influx of newcomers from the United States.

This is why, each time Congress has taken up comprehensive immigration reform—and more recently discussed these issues in the context of the Deferred Action for Childhood Arrivals, or DACA, Program—I have worked to ensure that any adjustment of status provision includes relief for Liberians who have become Americans in every way except on paper. Congress continues to debate the best path forward for Dreamers, TPS recipients, and comprehensive immigration reform, but Liberians cannot wait another month or another year. They have just over 2 weeks before their time is up.

At the very least, the Trump administration should extend DED for this population for 3 additional years while Congress debates a path forward on comprehensive immigration reform.

In my view, with each year that has passed since the first of these Liberians arrived, the case has grown stronger that they should have the option to adjust their status and remain in the communities where they have made their homes and raised their families. We have long since reached the point where simple justice requires that Congress extend this option to these Liberians.

On several occasions, Congress has granted temporary residents the opportunity to apply for permanent resi-

dency when their stays in the United States were prolonged by dangerous conditions in their home countries. In 1988, Congress passed a law offering permanent residency to temporary residents from Poland, Uganda, Afghanistan, and Ethiopia. Following the events in Tiananmen Square in China, Congress permitted over 52,000 Chinese nationals to apply for permanent residency. The Nicaraguan Adjustment and Central American Relief Act, or NACARA, permitted the same for 259,000 nationals of Nicaragua, Cuba, El Salvador, and Guatemala. The Syrian Adjustment Act permitted 2,000 Syrian Jews to obtain permanent residency. The list goes on. The fact is that there is ample precedent for providing relief for this relatively small Liberian population. Like past Congresses, this Congress must acknowledge the simple fact that the United States is now home to these law-abiding and tax-paying Liberians. To ignore them or to say otherwise not only threatens to break up American families, but also to turn away a group whose story is quintessentially American. They fled violence and disease to come here. They worked hard and raised families here. They followed our laws and subjected themselves to rigorous screening and vetting. They deserve the opportunity to make their own decision on whether to stay here or return to Liberia.

I can say with confidence that Rhode Island will feel their absence if this Liberian community were forced to leave after contributing to our communities for so long, and our country would be poorer for their loss.

There are many examples I could discuss of how the Liberian community has enriched our State, but I will name two: Lance Corporal Abraham Tarwoe of the U.S. Marines and Providence Police Sergeant Maxwell Dorley. Both came to Rhode Island from Liberia to start their own chapters of the American dream. They both led exemplary lives and endeavored to give back to their newfound homes through public service in the form of military service and as a member of our local police force in Providence. Both of them served with distinction, and our State tragically lost both of them in the line of duty in 2012. They are emblematic of the extraordinary contributions that Liberians have made to my State, and no fulsome discussion of what Liberians have meant to us is complete without mentioning both of these gentlemen by name.

I strongly urge President Trump to do the right thing and extend DED to Liberians living legally in the United States. I also urge my colleagues to take up and pass the Liberian Refugee Immigration Fairness Act and put an end to uncertainty for this population after decades of displacement.

Madam President, 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.

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

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

Ms. KLOBUCHAR. Madam President, I come to the floor today for a number of reasons, but first and most pressing is to call on and ask the administration to extend deferred enforced departure status for a group of Liberians. This is a unique situation. Senator JACK REED was on the floor in the last hour talking about it as well.

Both the State of Rhode Island and the State of Minnesota have a number of Liberians who didn't just come to this country—they didn't come to this country illegally—they came to this country decades ago. They came because of a civil war in their country of Liberia, and then after that war was basically resolved, they were allowed to stay. So they are all registered in this country, they are working legally in this country, and they are in a special status called deferred enforced departure.

Ever since George H.W. Bush, Presidents—Democrats and Republicans; George Bush, of course, President Clinton, and President Obama—every one has allowed them to stay.

As my colleagues can imagine, since this happened back in 1991, these are people who have been working in our country for decades now. I met one who is 65 years old. Some of them are now 70 years old. They have obeyed the law. They have paid their taxes. They tend to be working in a lot of—of course, consistently—working in our assisted living facilities in Minnesota. They are working in our hospitals. Some of them had healthcare experience in Liberia before they came to Minnesota. They are a thriving community that has integrated well into our State and into Rhode Island. We are a State where the unemployment rate is somewhere around 3 percent and even lower in some of the areas where this community is working. It would literally be a big jolt to our economy—and not to mention immoral—if they were suddenly deported and lost the legal status they have had for literally decades.

Unlike some of the other things we talk about with people who maybe just came here—and I worked so hard on the Dreamers, to get them a path to citizenship—this is a pretty unique situation. We hope the administration will be practical about this. That is why Senator REED and I are working on this issue. We hope to get it resolved quickly since their status is ending on March 31, which is just a few weeks from now.

Liberians are the only group of people and it is the only country with deferred enforced departure—or DED, as it is known—which is a temporary legal status that requires the President to reauthorize it every 18 months.

One idea is that the President could reauthorize it, and then they could

look into it more. As we know, there is a lot going on in our country. There are a lot of changes right now within the Office of the Secretary of State and other things. So one idea would be that they could simply allow the program to continue for 18 months and then come to a conclusion on what they think they should do about it.

As I mentioned, in 1991, President George H.W. Bush first issued temporary protected status to Liberians in response to the nation's civil war. Since 1991, Presidents on both sides of the aisle have extended legal protection to Liberians in the United States under either TPS or DED—deferred enforced departure—because of civil wars, the Ebola outbreak, and other instabilities in their country. All Liberians covered by DED have been living in the United States since 2002. This isn't, as I said, new people coming in under that status; these are people who have been living here with that status for decades. As I mentioned, some are now in their seventies, and all of them have lived here legally. They have paid their taxes and contributed to our communities and worked at our employers. If DED is not extended by March 31, they will lose their legal status and work authorization and face deportation.

Minnesota, as I mentioned, has one of the largest Liberian populations in the country. Many of these people are business owners. They are teachers. They are healthcare workers. According to one organization, nearly 40 percent of Liberians in Minnesota work in our nursing homes as nursing assistants and other support staff. Imagine if we took thousands of people away just like that on March 31, because they wouldn't have legal status to work at the nursing homes where they have worked for decades.

I have also called for action on the Liberian Refugee Immigration Fairness Act—a bill that Senator REED has introduced every Congress since 1999—and I have cosponsored this bill. The bill would actually provide permanent protected status, including a path to citizenship, for those Liberians who have obeyed the law and have been here in this temporary status for decades.

That is not what we are asking for today. We understand and we hope that negotiations are ongoing so that we can have a more comprehensive immigration bill. We are simply asking the administration to continue with the 18-month status that was started back in 1991 by a Republican President.

I met with a number of members of our Liberian community yesterday. They are experiencing extreme fear right now that their livelihoods will be lost and their families will be ripped apart. I am hopeful that we will be able to resolve this, at least for that temporary 18-month period.

SUPPORT OUR MILITARY SPOUSES ACT

Secondly, Madam President, on a different topic, I want to take a moment to discuss a bipartisan bill that I intro-

duced this week that would help reduce the burden of relocation for military families.

When servicemembers relocate to comply with military orders, they and their families make sacrifices to help protect our Nation. Right now, there is a problem with the way the law treats some military spouses who make frequent moves, and the law, ironically, makes it even harder on them rather than easier on them.

Current law allows Active-Duty servicemembers to maintain one State of legal residence for tax and voting purposes even when military orders require them to relocate. That makes moving a lot easier. Unfortunately, this convenience does not apply to a servicemember's spouse unless they were living together at the same residence before they got married. In other words, if you were not living with your servicemember before you got married, you have to establish residency every single time your family gets moving orders from the military. From filing taxes to registering to vote, a military family then has double the paperwork and stress each time they move.

This is a loophole that must be fixed. Why would we make it harder for the spouses of those who are making a sacrifice by having their loved one serve overseas and not make it easier for them to vote and to pay their taxes and to basically be the citizen they deserve to be? That is why, on Tuesday, Senators CORNYN, Kaine, Kennedy, Manchin, and I introduced the Support Our Military Spouses Act—legislation that would ensure that spouses have the same residency protections regardless of their living arrangements before marriage. From titling a car, to filing taxes, to registering to vote, everything is a little easier when the law ensures that you can stay a resident of one State and that it is the same State as your spouse's. That is just common sense, and it cuts out a lot of redtape for military families.

The bill has the support of the Military Spouses Network, the Military Officers Association of America, and the Council of State Governments. This bill passed the House in July of 2017 with bipartisan support, and I am going to work with my cosponsors to get it done in the Senate.

We ask a lot of our military members and their families. When we can make life easier for them, we should. This is one simple thing we can do.

HONEST ADS ACT

Finally, Madam President, I would like to mention the sanctions that were just announced against Russia for interfering in the 2016 election. It took 14 months, multiple indictments, and a poisoning in Britain, but the administration is finally imposing sanctions—the same sanctions that were passed by the Senate 98 to 2 and 419 to 3 in the House last year.

Sanctioning Russia for undermining our democracy is what we should do, but we must remember that it is not

enough to protect ourselves from future attacks. There is no longer any doubt that our elections will continue to be a target for foreign adversaries. Intelligence reports make it clear that Russia used covert cyber attacks, espionage, and harmful propaganda to attack our political system.

Trump administration officials—not Obama officials, Trump intelligence officials—continue to sound the alarm that Russia is continuing its efforts to attack our democracy. The CIA Director said that he has seen no signs that Russia has decreased its activity and that Russia is currently working to disrupt the upcoming 2018 elections. National Intelligence Director Coats, who was once a Senator here, said that Russia is bolder.

It would be a mistake to think the sanctions passed today are all we need to do to address these warnings. They will no doubt help because if you do nothing, then you just embolden them to do more. It is the policy of the United States to defend against and respond to cyber threats to our democratic system, and we need to start acting like it. We need to be as sophisticated as those who are trying to do us harm.

We know that Russia attempted to hack into 21 States' election systems. In Illinois, they actually got into the voter data system. That is why Senator LANKFORD and I have led a bill to take an amount of money which is just 3 percent of one aircraft carrier and invest it in our States, to let them, on a decentralized basis, make their own decisions about the kind of equipment they want and to be able to upgrade it. Forty of our States have not upgraded their equipment in 10 years. Ten of our States do not even have backup paper ballots. What would happen if they were hacked, as they got so close the last time? There would be no way to prove what actually happened. You would have to vote again.

That is why we have Democrats and Republicans supporting this effort. Representative MARK MEADOWS, the head of the Freedom Caucus, is leading the bill that Senator GRAHAM and I have—which is similar to the one I have with Senator LANKFORD—over in the House. Senator COONS from the Appropriations Committee has been a strong supporter of this effort, as have Senator KAMALA HARRIS, Senator GRAHAM, and a number of other people. This is a truly bipartisan effort because people understand that it is no longer going to be only traditional ways of warfare when we are attacked; it is going to be cyber. It is not going to be just election infrastructure. It is not going to be just government infrastructure. It is going to be our businesses, power companies—you name it. That is why we need to upgrade our cyber protection.

The last thing I would mention on this front, as we look to the next election and how we are going to protect our democracy, is the Honest Ads Act.

This is a bill I have with Senator MCCAIN, also cosponsored by Senator WARNER, the ranking member of the Senate Intelligence Committee. This is based on the fact that we know Russia spent millions of dollars buying ads. That was reflected in the indictment of 13 Russians and what they did and how they plotted to disrupt elections and to spend money on political ads. A number of these ads were even purchased in rubles.

What Senator MCCAIN and Senator WARNER and I are trying to do is simply apply the same rules already in place to protect Americans in our elections by making sure that we know who is paying for the ads and what those ads are. Who is paying for the ads—those are the simple disclaimers you see on the ads where they say, whoever the candidate is, I paid for this ad. Who discloses the ads—that is simply when any radio station or TV station—you can go into the station or see it online and see what the ads are. That is not true right now of some of the most sophisticated companies, if not the most sophisticated companies, in America, companies like Facebook and Twitter, which have made millions and billions of dollars, companies that are profiting off of political ads.

It is no different from when a newspaper or a TV station allows someone to buy an ad. They make money off it, so it is their duty to protect the citizens, to make sure that the ads don't contain falsehoods, that the ads are not criminal, that the ads are known to everyone. That is all we are trying to do, is to apply the same rules of the game to what you see when you see political ads on issues or candidate ads.

The FEC did something just yesterday—but it was very narrow—about candidate ads. So what you see on candidate ads and issue ads—that you also see those same disclaimers and, most importantly, the disclosure on ads that are on social media companies. And I use those words carefully—“media companies.” Newspaper print and radio—we love them—are media companies. Facebook and Twitter—we love them—are media companies. We are not talking about recipes and cat videos. We are not talking about free stuff that people put up. We are talking about paid political ads that need to be treated the same.

While we are pleased that these sanctions have been put in place, while it is good that the FEC is narrowly trying to do something within their jurisdiction about disclaimers on candidate ads, we must pass the Honest Ads Act, because if we think it was bad last election when \$1.4 billion was spent on election ads, try this next one out: Forecasts are that \$3 billion to \$4 billion is going to be spent on social media ads against candidates on issues, and there is no way to track it. It is just going to go out to your Facebook page. You are not going to know if it is true, you are not going to know who paid for it, and the ads will just vanish.

I think Americans deserve something better, and I ask my colleagues to support the Honest Ads Act.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I particularly appreciate, in light of my comments in a moment, Senator KLOBUCHAR's service. She has been a pioneer as the first woman Senator from Minnesota. And I believe the Presiding Officer, Senator FISCHER, is the first female Senator from Nebraska.

TRIBUTE TO MARCY KAPTUR

Madam President, I rise today to honor my colleague and my longtime close friend, MARCY KAPTUR. MARCY KAPTUR serves down the hall on the other side of the building. She has dedicated her life to serving the people of Toledo and northern Ohio.

This Sunday, she will make history. She will officially become the longest serving woman in the history of the U.S. Congress in either House. On Sunday, she will have served in the House of Representatives for 35 years, 2 months, and 18 days, breaking a record that was set in 1960 by I believe a Massachusetts Congresswoman. For 3½ decades, she has been principled and she has been passionate about her family, her community, and our country, and she has advocated for Ohioans. She serves like nobody else.

She is the granddaughter of Polish immigrants. That is important to her. She comes from a working-class family. That is important to her. She is a practicing Roman Catholic. That is important to her. That describes much of who MARCY is—Polish immigrant, working-class family, Catholic faith.

Her father was a trucker and auto-worker who became a small businessman. Her mother worked at the Champion spark plug factory, where, of course, she helped to organize a union. I say “of course” because of MARCY's not just understanding of the importance of the labor movement but her feeling it in her bones, that a unionized workforce is good for those workers, good for the company, and good for the community, and we need more of that.

MARCY's story echoes that of so many of our generation. Her parents worked hard. With the help of a union card, they earned their way to a better life for MARCY and her brother. She became the first in her family to graduate from high school and then college, and then she ended up in the U.S. Congress. What a great country we live in.

MARCY has never forgotten those roots. If you want to know one thing about MARCY KAPTUR—who, as I said, works down the hall at the other end of the building—know that she has never forgotten her roots. That is what drives her. That is who she is. That is why she is such a terrific public servant. That is why she is going to break the record of 35 years, 2 months, and 15 days. She remembers her roots in Ohio's Polish and Ukrainian communities and how much they matter.

Unemployment reached 19 percent in Toledo in the early Reagan years when MARCY first ran for office. She said it was “the condition of working people that drove me to change my life and run for office.” She has lived up to that ideal, fighting for working families in Ohio for every one of the nearly 13,000 days she has served in Congress.

In my first year in the House, MARCY was a mentor to me. I worked with her to fight against the North American Free Trade Agreement. She showed me the way in understanding these trade agreements because she knew they would mean job losses in Ohio. She knew these trade agreements would push down wages. That is sort of the untold story—something I don't think the President quite understands when he talks about NAFTA even though he is right that NAFTA was bad for our country. What NAFTA has done, which MARCY explained to me and understood for 25 years, is NAFTA also pushed down wages and is one of the reasons working-class Americans, whether they are in Omaha or Cleveland, so often don't get a raise. Unfortunately, MARCY was right.

Since then, as we have fought bad trade deal after bad trade deal, MARCY has been a reliable ally and leader in our fight for a trade policy that puts workers in Toledo and everywhere else in this country first.

We have also worked together to protect another very important love of MARCY KAPTUR's, and that is our greatest natural resource, Lake Erie. We fought for the Great Lakes Restoration Initiative. We joined with Senator PORTMAN on a bipartisan basis to stop the President's all but elimination of the—why would the President of the United States want to stop our cleanup of Lake Erie? That is why MARCY steps up. She works to protect the lake from invasive Asian carp; she works with farmers to prevent runoff into Lake Erie—all to protect the lake. It is what the lake means to us in terms of drinking water, jobs, commercialism, commercial development, and people just enjoying the beauty of the lake.

She has gone to bat time and again for the auto industry. When some called the auto industry dead, she fought back. Never bet against American workers. Never bet against the American auto industry. Never bet against MARCY KAPTUR. That scrappy, fighting spirit is one of the qualities I love most about Ohio, and you find it in abundance in MARCY KAPTUR.

No one fights harder for people in her district. Because of absurd redistricting, her district now goes from Toledo all across northern Ohio, only a few miles wide along the lake, all the way to the city of Cleveland. In only 5 years, the people of Cleveland have gained the same affection for MARCY as the people from Toledo have. You can see the love and respect they have.

I remember once going to a rally in Toledo for President Obama. People were excited to see him, of course. I

guess a few people may have noticed I was there too. But when MARCY walked in, someone screamed “Marcy,” and there was pandemonium. Everyone got to their feet as if a rock star had just taken the stage, because in Toledo, a rock star had taken the stage.

She fights for the people of Ohio. She fights for her district. She fights. She is known, more than anything, as a fighter for working families. It is so fitting that she reaches this milestone during Women’s History Month. When she first joined the House, there were fewer than two dozen women serving. She helped blaze a trail for others. She even told the stories of the women who paved the way for her in her book “Women of Congress: A Twentieth Century Odyssey.”

Having MARCY in Congress matters for so many reasons. It matters for the hundreds of thousands of Ohioans she serves. It matters for the perspective she brings as the daughter of working-class parents. As I said, she was first in her family not just to go to college; she was first in her family to graduate from high school, right in the industrialized heartland.

As in Nebraska, Madam President, it matters to the little girls in Toledo, who for 35 years—do you know how, when you are in school, there is often a map or a chart of the Presidents? There was a calendar in Brinkerhoff Grade School when I was a little kid in Mansfield, OH. Every year, there was a calendar with all the Presidents’ pictures on it. When I was in school, all the Presidents looked alike. Some had whiskers; some didn’t. But they all looked alike because they were all White guys. Right? That changed in 2008. I was hoping it would change in 2016. It didn’t. That is beside the point.

MARCY KAPTUR—because she is the Congresswoman for Toledo, little girls growing up in Toledo since 1982 have realized there is someone to look up to. In Scottsbluff and in Lincoln and in Kearny, NE, they will now look up to having a woman Senator from Nebraska. Ohio has never had a woman Senator or woman Governor, but they have had MARCY KAPTUR. That has mattered to little girls for 35 years, as they see a picture of their Representative in the local paper, the Toledo Blade. It is not just another man in a suit but someone who looks more like them, someone they can grow up to be.

I want to thank MARCY. She is not in the building now, but I want to thank MARCY for her service to Ohio. I hope we get to keep working with MARCY KAPTUR for another couple of decades. The voters would have to approve that, but I am hopeful that we will.

TRIBUTE TO RACHEL PETRI

Madam President, I also want to talk about somebody else who is sitting in this Chamber who will continue, as her career advances, to be a role model for the people of this country and the people of her community. A daughter of Eastern Ohio, Rachel Petri has done communications work for me for a number of years.

She is leaving our office to, of course, return to her home State of Ohio. She has been a joy to work with. She has been a pleasure to work with. She is so smart and so committed, with an incredible work ethic. I am honored that she has spent part of her life working with me in our office in Washington, DC, and I thank her for her service.

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.

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

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

HONORING NEBRASKA’S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise today to continue my tribute to Nebraska’s heroes: the current generation of men and women who lost their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a special story to tell.

SERGEANT LONNIE “CALVIN” ALLEN, JR.

Today, Mr. President, I will recall the life and service of Sergeant Lonnie “Calvin” Allen, Jr., a native of Bellevue, NE.

Calvin grew up in a military family. His father, Lonnie Allen, Sr., was a senior master sergeant in the Air Force. When Lonnie Sr. was assigned to Offutt Air Force Base in Bellevue, both he and his wife Sallie thought they would be there only for a short time. However, they enjoyed “the good life,” and soon after the birth of their two sons, Nuru and Calvin, they decided to stay.

As a young child, Calvin spent much of his time in the kitchen. His mother still talks about how Calvin learned to cook at the age of 5. Sallie has vivid memories of Calvin in the kitchen in the early mornings or on the weekends, experimenting with new recipes or dishes. There were times when she would still be in bed and Calvin would bring her food or a new dish to try. She said that he was always open to trying new things, whether it was in the kitchen or elsewhere. This also pertained to sports, where Calvin played basketball and football, ran track, and wrestled.

Calvin also had a caring attitude, which extended to church on Sundays. Calvin was widely known amongst the congregation at Mount Carmel Baptist Church in Bellevue. He often volunteered to be an usher and displayed his musical talent in the choir. Calvin had a personal and very open relationship with God, and he happily shared it with everyone he met.

Throughout his high school years at Bellevue East, Calvin spent much of his time with friends and family. Sallie recalled many video game parties and sleepovers at their house, which would end with many of Calvin’s friends sprawled out on the Allen living room floor.

Calvin was a member of a close-knit family who spent time playing games together. Whether it was card games or board games, the competitive spirit would always come out in the Allen boys. They loved to compete.

After graduating from Bellevue East in 1998, Calvin enrolled at Northeastern Junior College in Sterling, CO, to study criminal justice. He long envisioned a career in law enforcement and thought this would be a good starting point for him to launch his career.

After completing 2 years at Northeastern, Calvin enrolled at Colorado State to finish his criminal justice degree. Soon after enrolling at Colorado State, however, he returned home to Bellevue. Calvin’s vehicle had been involved in a wreck, which left him without any means of transportation. Due to this, he enlisted in the Army as a way to pay for a new vehicle, while also pursuing his law enforcement career while serving his country. Sallie still laughs about the fact that Calvin returned to Nebraska due to a wrecked car. Although many expected he would follow in his dad’s footsteps by enlisting in the Air Force, Sallie knew better. Calvin wanted to pave his own road in the Army.

Following his enlistment, Calvin soon shipped off to Fort Benning to complete his One Station Unit Training for the infantry. Shortly after graduation, he was assigned to a station in Germany. It was in Germany where Calvin met his wife, Brigit, a German native. After dating for some time, Calvin was assigned to Fort Drum in New York as part of the 2nd Battalion, 22nd Infantry, 1st Brigade Combat Team, 10th Mountain Division. Brigit came with him to New York, where they wed in 2004.

Shortly after their marriage, Calvin served in Iraq for the first time, and Brigit moved to Bellevue to be closer to Calvin’s family while he was deployed. After a brief stint at home, he deployed to Iraq for a second time. In August of 2005, Calvin was stationed near Baghdad.

During Sergeant Allen’s second deployment, patrols became increasingly dangerous. At the time, the Baghdad area experienced a large increase in suicide bombings and sectarian fighting. On May 18, 2006, while on patrol in Baghdad, Sergeant Allen’s Humvee was struck by an improvised explosive device, killing him and three other servicemembers.

Sergeant Allen’s memorial service was held at the Capehart Chapel in Bellevue. Over 500 people attended the standing-room-only ceremony to pay their respects, including over 200 Patriot Riders, who lined up with American flags. Calvin was laid to rest on May 30, 2006, in Arlington National Cemetery—the day after Memorial Day.

Fellow friend and Air Force Capt. Bill Eckley talked about how Calvin was a man of honor. Bellevue also honored him by naming a street after him,

and his high school established the Sgt. Lonnie Calvin Allen, Jr. Scholarship.

Sgt. Lonnie “Calvin” Allen, Jr., received the Bronze Star and Purple Heart posthumously.

I join Nebraskans and Americans across our country in saluting his willingness and his family’s sacrifice to keep us free. I am honored to tell his story.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO REX TILLERSON

Mr. CORNYN. Mr. President, 2 days ago, the President of the United States announced his decision to replace Secretary of State Rex Tillerson with CIA Director Mike Pompeo. I respect and admire both of these men immensely.

I just want to take a moment to talk about Secretary Tillerson’s public service. I know his entering government after his long and illustrious career in the private sector was quite a transition, but he provided able leadership to the Department of State during a period of transition from one Presidency to the next and a period of diplomatic turbulence. He worked hard to strengthen and, in some cases, repair our global alliances.

I have known Secretary Tillerson for a long time. He is a man of character who has led the Boy Scouts, which continues to be one of his abiding passions—developing young men as persons of character, and I respect that. At the same time, he advanced his own career as the head of one of the largest businesses in the world at the pinnacle of success, as we count success. I wish him the best, and I hope his statesmanship, professionalism, and deep and abiding friendships spanning the globe are remembered and maintained after he is gone from public life.

NOMINATION OF MIKE POMPEO

Mr. President, I also want to say a few good words about my friend Mike Pompeo. After graduating first in his class at West Point and then graduating from Harvard Law School, he had a successful career in law and business before transitioning into public service. As a Member of the House of Representatives, he represented Kansas’s Fourth Congressional District and served on the Permanent Select Committee on Intelligence. Then he was named by President Trump, as we know, to lead the Central Intelligence Agency.

Director Pompeo is a terrific guy, smart and well respected by all. He has a keen sense of the delicate nature of global diplomacy and the crucial role America and American intelligence agencies have to play. I know he has a

great rapport with the President, and I think he will make an excellent Secretary of State.

NOMINATION OF GINA HASPEL

Mr. President, finally, I want to state my utmost confidence in Gina Haspel, Director Pompeo’s Deputy, who has been nominated to take over after he leaves as Director of the CIA. As a career intelligence professional, she is tough, she is direct, but she is collegial, too, and much beloved by the people who work out at the Central Intelligence Agency.

As my colleague, the senior Senator from California, has previously stated, Ms. Haspel has great experience acting as Deputy Director, and she has the confidence of the Central Intelligence Agency, which is no small feat.

I support Ms. Haspel’s nomination and look forward to working hard to ensure her confirmation.

Of course, there will be groups who will waste no time trying to tarnish her reputation over efforts she made doing her part to keep our Nation safe after the terrible tragedy of 9/11, but I think it is more telling that those who know her best commend her in the strongest of terms. Take, for example, President Obama’s former Director of National Intelligence, James Clapper, who has called her tremendous, and President Obama’s CIA Director Leon Panetta has expressed his support and said he is glad the nominee is Ms. Haspel because she knows the CIA inside out.

So in the days ahead, we will be discussing Ms. Haspel, but let’s not just buy into the phony narratives that other people will give about her public service. The views of those who doubt her qualifications and who question her experience will continue to attack and denigrate Ms. Haspel, no doubt, in the open debate. Ultimately, their arguments, if believed and accepted, would make the country less safe and less secure.

We have to remember that right after the terrible events of 9/11, we didn’t have the luxury of hindsight. Our leaders were worried about follow-on attacks following the terrible tragedy in New York and the plane crashing into the Pentagon. Public fears regarding another attack were at an alltime high, and tough calls had to be made. That is what leadership is all about.

So I look forward to continuing to make the case for why Ms. Haspel is the person the country needs to lead the Central Intelligence Agency.

FIX NICS BILL

Mr. President, I admit to sounding like a broken record. I am here again to talk about the Fix NICS bill, a bill I introduced with the junior Senator from Connecticut. Just as a refresher, Fix NICS is about fixing the broken background check system that is used when somebody purchases a firearm, but in the case of my constituents in Sutherland Springs, TX, because of the failures of the Federal Government—notably, in this case, the U.S. Air

Force—to upload felony convictions and convictions for domestic violence into the background check system, no derogatory information was reported, and ultimately the gunman in Sutherland Springs took the life of 26 innocent people and shot 20 more.

The reason I keep talking about this legislation is, it is just too important to let up on. We cannot, and we never should, just move on after another tragedy like that which occurred in Parkland, FL, and Sutherland Springs, TX, or what happened in Las Vegas, NV, where 58 people were killed and 851 others injured by a gunman using a bump stock, which essentially turned a semiautomatic weapon into an automatic weapon. We can’t just move on when lives hang in the balance. We have to do our duty and do our part to save lives. We have to fix our criminal background check system so dangerous felons do not lie their way into obtaining firearms to use to slaughter innocent people.

To do that, we have to get this bill to the President as soon as possible. The President will sign this legislation once it passes the House and the Senate. I am grateful that today 72 Members of the U.S. Senate have signed on as cosponsors to the bill.

It is not just the lawmakers here in Washington who support it; the country is asking for it too. I have a Thursday morning coffee for my constituents from Texas and a number of them—students—came to talk to me about their concerns about gun violence and particularly the feeling that not only parents have, and worry about for their children, but that students have themselves about whether they are going to continue to be safe in their schools.

Yesterday, a broad coalition of victims’ rights advocates, law enforcement officers, and gun violence prevention groups and prosecutors sent me a letter, along with to the majority and minority leaders, asking them for a clean vote on the Fix NICS legislation before the upcoming Easter recess. They said it would improve key elements of the background check system, particularly domestic violence, criminal history, and protective order records.

Let me just pause there. One of the most frequent victims of shootings are domestic violence victims—family disputes, custody disputes, divorces, and the like. One of the purposes of the background check system is to make sure nobody who has been convicted of a domestic violence assault can legally purchase or possess a firearm.

These same groups call this bill bipartisan, bicameral, commonsense, and noncontroversial. Again, they made a point to note in their letter that the vote should be clean—in other words, not conditioned on other controversial measures. Well, they are absolutely right, and I would ask the minority leader to listen to the 80 percent of his conference that backed this bill and believe in its promise to help stem the tide of violence and help save lives.

I would ask those who are objecting to us considering this legislation on a clean up-or-down vote to reconsider. Many of them say: Well, there are other things we want to vote on. Well, I would be happy to have that happen, but none of these ideas, at this point, have achieved the sort of consensus the Fix NICS bill has. They are waiting for impossible outcomes, insisting on votes on other measures, when we know those votes will fail, but worst of all, conditioning their willingness to vote on Fix NICS for those other votes, which we know will not succeed and will fail.

So I implore those standing in the way of a rollcall vote on this consensus piece of legislation to lift their objections and join us. Their current strategy will guarantee failure, and failure on this issue, more than others, we absolutely cannot afford.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

50TH ANNIVERSARY OF ROBERT F. KENNEDY'S
CAMPAIGN FOR PRESIDENT

Ms. WARREN. Mr. President, I am here to commemorate the 50th anniversary of Robert F. Kennedy's monumental campaign for President. Kennedy's brief, tragic run at the Presidency has had an enduring impact on so many generations of Americans. The reason, I think, is because Robert Kennedy had the courage to challenge a divided nation to face up to its failings, to challenge a divided people to acknowledge their own contributions to our Nation's ills, to challenge us to step back from the stale, cheap politics of the moment, to challenge us to do better by each other.

History may not repeat, but it often rhymes. Conditions are different now, but a lot of the anxiety that swept through the country in 1968 echoes the anxiety of today, especially the economic anxiety felt by millions of Americans who are working harder than ever but feel opportunity slipping away from themselves and from their children.

Too often, our political and business leaders refuse to see this. Instead they hide behind macroeconomic statistics, using them as a shield to dismiss the concerns of the American people as faulty, wrongheaded, or even as non-existent.

Robert Kennedy understood that America's national economy is not the same as the economic well-being of its people. In 1968, in a speech at the University of Kansas, he spoke eloquently about the differences between them, and here is what he said:

[Our] Gross National Product counts air pollution and cigarette advertising, and ambulances to clear our highways of carnage. It counts special locks for our doors and the jails for the people who break them. It counts the destruction of the redwood and the loss of our natural wonder in chaotic sprawl. It counts napalm and counts nuclear warheads and armored cars for the police to fight the riots in our cities. It counts Whitman's rifle and Speck's knife, and the tele-

vision programs which glorify violence in order to sell toys to our children.

Yet the gross national product does not allow for the health of our children, the quality of their education or the joy of their play. It does not include the beauty of our poetry or the strength of our marriages, the intelligence of our public debate or the integrity of our public officials. It measures neither our wit nor our courage, neither our wisdom nor our learning, neither our compassion nor our devotion to our country.

It measures everything, in short, except that which makes life worthwhile. And it can tell us everything about America except why we are proud that we are Americans.

Consider three stats: corporate profits, the stock market, and unemployment.

Today, corporate profits are up—corporate profits that count gun sales for manufacturers whose weapons are used to massacre children in our schools and our streets. Corporate profits that count revenues from drug companies when they quadruple prices for the sick and the desperate. Corporate profits that count revenues of banks like Wells Fargo as they rip off millions of American consumers.

The stock market is up as giant companies pocket trillions in taxpayer money stolen from middle-class families. The market is up as CEOs shut down plants and factories in the United States and move them overseas. The market is up as business leaders, flush with cash, turn their backs on workers while they plow millions and even billions into stock buybacks to goose investors' returns and CEOs' bonuses.

Unemployment is down, but wages have barely budged in a generation. Unemployment is down, but for millions of people, the exploding costs for housing, healthcare, and childcare mean it now takes two jobs to do what one job covered a generation ago. Unemployment is down, but the numbers fail to represent the millions living in rural and urban American communities alike that have given up on the search for a job.

These statistics on corporate profits, the stock market, and unemployment tell us everything about the American economy, but they tell us very little about the lived experience of today's Americans. They do not speak to the citizen who fears police violence or the police officer who fears gang violence or the immigrant who cannot speak out about sexual assault at the hands of her boss or the toxic rhetoric flowing through our politics seeking to turn neighbor against neighbor. They do not account for our devotion to our communities, to our churches, and to our children. They tell us virtually nothing about our trials, our challenges, our hopes, or our principles.

Robert Kennedy understood this. He knew we cannot simply run an economy for those at the top and assume it will solve America's problems. In the intervening 50 years since his speech, America ran that experiment anyway and watched it fail miserably.

It is time to try something different. It is time to challenge each of us to do

better by each other, to see the dignity in one another, and to put our values first. I believe we can make Robert Kennedy's legacy a reality, and I am proud to fight for it.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BLUNT. Mr. President, in the next few days, we will begin to debate this important bill on sex trafficking. This is something that, for whatever reason, the country turned its back on for too long. As the ways to communicate and the ways to offer so-called adult services grew, the government and law enforcement didn't have the new tools they needed to fight back.

This is a bill that Senator PORTMAN and others have worked so hard on, on this side of the building. We are actually taking up the House bill. The principal sponsor of the House bill is Missouri Congresswoman ANN WAGNER, with whom I have worked closely and who has been a good friend of mine—she and her family—for a long time.

When the House passed this bill overwhelmingly, ANN WAGNER said that they "sent a clear message to trafficking victims: you are not alone, and justice is no longer out of reach." It is hard to imagine a more lonely place, I would think, than someone who is being trafficked, some young woman, young child, boy or girl, who has fallen into the hands of traffickers and who, for drugs or whatever reason, has been sold into this or become dependent in a way that put them into this.

Congresswoman WAGNER went on to say about this bill that "FOSTA will produce more prosecutions of bad actor websites and more convictions and put more predators behind bars." She said: "It will give victims a pathway to justice and provide a meaningful criminal deterrent, so that fewer businesses will ever enter the sex trade and fewer victims will ever be sold."

The whole idea that people are being sold to be used in whatever terrible way someone else wants to use them is so offensive. The idea that we have websites that people can go to that have some description of some person who is helplessly in this system and how they would be used—that is something Congress should stand up on. By voting for Congresswoman WAGNER's bill, the House has already done that.

On our side of the building, Senator PORTMAN and others have worked so hard to draw attention to the fact that we need to find time to get this bill on the floor. Now we have a bill that has already passed the House, and all we have to do is pass that bill and send it right to the President, or we can make

some changes that Senator PORTMAN and others may want to suggest, and then we can send the bill back to the House, where hopefully it can be dealt with in the same overwhelming way they passed it the first time. Then we can get this bill on the President's desk and do exactly what Congresswoman WAGNER said this bill will do. It is time for us to do everything we can to end this.

We would be foolish to think that one piece of legislation will end this problem. By working with law enforcement, looking at trafficking, looking at locations like the intersections of major interstate highways, where it is easy to bring people, to pass people along to somebody else, to get them to where not only are they disoriented, but your actual contact with that person doesn't last very long before you give them to somebody else or sell them to somebody else who could use them in a terrible way—this needs to stop. I am confident the Senate will pass this next week, and I will just say that it is about time.

FUNDING THE GOVERNMENT

Mr. President, also next week we are going to move forward on an appropriating process that has gotten way out of control. I am glad the leaders have decided to appoint a special committee to look at this. The Presiding Officer and I are on that committee. We will be looking at the budgeting process and looking at what has happened. Instead of bringing these bills to the floor one at a time and letting every Member of the Senate have an opportunity to amend any bill in any way they want to as long as it deals with spending and as long as you don't add new money—every amendment you want to come up with where you want to take some money here and spend it here instead and have a debate about why that should happen—that is what the Congress did for a couple of hundred years, and it is time we did it again. This idea that all the bills come together in one big, what we call an omnibus—“ominous” might be a better word—an omnibus spending bill that includes everything, plus all the legislation that it can possibly carry, is not the way this process should work. It is the way this process is going to have to work this year because we missed all of those opportunities that are now behind us.

As soon as we get this done, we need to start on this year's process. We know what the top-line spending number is going to be. There is every reason to believe that this year's process could be a big step in the right direction, but some guidelines from that special House and Senate committee will do even more.

I would like to say, as the chairman of one of those appropriating committees—the Labor, Health and Human Services, and Education Subcommittee—that one bill of the 11 left after the Defense bill is decided on—that one bill has about a third of all of

the money to be appropriated of the discretionary money. Senator MURRAY, my counterpart on the other side, and I have worked hard on this committee for 3 years now. In the House, Chairman COLE and Congresswoman DELAURO, the chair and the ranking member on that side, have worked hard as well.

These are big decisions to be made. These programs matter, but some of them matter more than others, and part of our job should be and needs to be setting priorities, doing things that increase the commitment to the programs that are working and eliminate the programs or change the programs that don't work. Hopefully, we will continue to do more of that this year and even more of that next year.

Some of the programs touch the lives of so many Americans, such as apprenticeship programs. Medical research clearly touches the life of virtually every American and every American family. What we could do to develop a flu vaccine that actually hits the mark every year instead of misses the mark often, things we can do in special education—these are all parts of this one part of the bill that Senator MURRAY and I and Congressman COLE and Congresswoman DELAURO have been working on.

Frankly, everybody should have had a chance to work on this. I think we know a lot about these topics. I think that our debate is a good debate, but it is not nearly as good of a debate as if every single Senator got to be a part of working on this, not just the three dozen or fewer Senators who are on the Appropriations Committee.

There are a wide variety of programs here that need to be funded. I want to spend just a few minutes talking about some of the priorities that we are looking at that need to be part of this bill and create a sense that this is really a process that matters.

First, we are on track to increase the third straight year of significant increases for the National Institutes of Health and health research. What do they do? In the last decade, we failed most of the time to make any increase at all. In fact, 2 years ago, when I started chairing this committee and Congressman COLE started chairing the committee on the other side of the building, it had been 12 years since there had been a one-penny increase in health research. During that 12 years, we figured out so much more about the human genome. We figured out so many more ways to figure out how I am different from you and how you are different from me and how that makes a difference and how whatever is attacking my system we can fight back.

There was not one penny of an increase in 12 years. In fact, the research people said that we were 22 percent below, in research buying power 3 years ago, where we had been 12 years earlier. Young researchers who had never gotten a research grant before weren't likely to get one when they had less ef-

fective money to spend than they have had for over a decade. So hopefully that 22 percent—our goal would be to get most of that 22 percent back in 3 years. We have also already restored 13 percent of it. I hope we have a big number next week that gets us back to where we are—at least back to where we were in 2005 or so.

We made a commitment at the end of the last century to double, in a short period of time, the National Institutes of Health funding, and then somehow we thought we were done. We would be done anytime there is no more research to be done. We will be done as soon as we have developed a cure for cancer and found out what to do about Alzheimer's and determined what we can do to lessen heart attack risks and found the answer to every orphan disease, diseases that only a few people have. Let me tell my colleagues, we are a long way from doing that. In the last 3 years, we have tripled the amount of dollars going to Alzheimer's research. Without a cure for Alzheimer's or a way to slow down the onset of Alzheimer's, the projection is that by 2050, we will be spending twice as many tax dollars on Alzheimer's-related care and dementia-related care as we are spending now to defend the country. If I had said we would spend \$1.1 trillion, I don't know about everybody who is listening, but in my case, it is pretty hard to get a handle on that. What does that really mean? How much bigger is that than \$1.1 billion? Well, \$1.1 trillion is twice what we spend to defend the country. Every military base everywhere in the world, every ship, every plane, every paycheck for every soldier, sailor, airman, marine; the National Guard, the Coast Guard; training dollars—that is about \$500-and-some billion, approaching \$600 billion. We would be spending twice that in today's dollars, in tax dollars—not what families would spend to try to deal with the tragedy of Alzheimer's but twice that in just tax dollars if we don't find something to do. A cure would be great. Just figuring out how we could determine early, in an effective way, that you were likely to get Alzheimer's and try to begin to delay the onset of Alzheimer's so it either doesn't affect you at all because some other health concern does or you get it a few years later. If we could delay the onset of Alzheimer's by 5 years on the average, that \$1.1 trillion in today's dollars—in 2015—would be reduced by almost half, by 46 percent. So knowing how to detect this—there have been some great studies going on that have been funded in better ways over recent years. This has continued.

I think what we are looking at in the Brain Initiative—the Cancer Moonshot, as Vice President Biden referred to it—diabetes—again, these diseases that maybe not very many people get are particularly the diseases that the National Institutes of Health needs to be doing research on because there is not much of an economic driver for private

sector research on a disease that almost nobody has. So a lot of the money that we put into NIH research we specifically try to put in there without any specific category, where we are saying: You take this money, and you do what you think needs to be done, and we are going to have oversight to talk about what you did. A bunch of Members of the Senate and the House aren't going to try to become the research deciders for the United States of America—and, by the way, for the world—when you do that.

In this bill, we are also looking at the crucial fight on the opioid epidemic. The President says it is a crisis, and he is right. It is the No. 1 cause of accidental death in the country today. It has exceeded car accidents as a cause of death in the country and in Missouri and in many other States.

The last two funding bills have put almost an additional \$1 billion into opioids from where we were just 3 years ago, but the Presiding Officer will remember that in the last continuing resolution, some specific money—about \$3 billion more—was given to this cause, and it is the job of our committee and then the Congress to decide how to spend that \$3 billion.

We need more resources. There is no reason to think that the opioid addiction epidemic, leading to heroin and other drugs, is slowing down, so we need to do things that improve treatment and prevention efforts. Prevention, obviously, is better than treatment, but if prevention fails, we need better treatment systems than we have now.

We need to look for alternative pain medications that aren't addictive. I will say that in the 1970s and 1980s, I am told, in medical schools, they thought opioids weren't addictive. So we need to be sure that when we have an alternative that seems to be non-addictive, that it really isn't addictive.

We need to think of the workforce needs and what happens when people become addicted to pain medicine and their pain doesn't go away, probably because their addiction doesn't go away. Then there is behavioral health that impacts so many families and so many communities.

If you are going to recover from opioid addiction, you have to have a place to go. Too many programs and policies say: We will work with you for 14 days. A lot of them say: We will work with you for 28 days—4 weeks. Not many people get this behind them in 28 days. So we are doing that.

In this bill, we are also looking at ways to support students and parents and teachers. Obviously, a safe environment—what can we do to provide more flexibility to schools to spend the money they currently have from the Federal Government to create a safer environment, and what can we do to increase the money available for that?

We need to be doing things that prepare people not just for college but for careers. If you can get a certificate

that puts you to work in a job you love quicker than you can get a college degree that maybe doesn't do those two things—we ought to be thinking about whether our post-high school dollars are equally available to both college and other kinds of training.

We need to see that people have access to higher education. We are doing that by increasing funding for the Pell grant—this is not a loan; it doesn't have to be paid back—given specifically based on economic need and performance in school. You have to stay in school; you have to get passing grades. But in many colleges in my State of Missouri—in community college and in several of our 4-year schools—if you qualify for the full Pell grant, that is more than enough to pay tuition, books, and fees.

If you are putting yourself through school or if you are returning to school as an adult, if you are the first person in your family to graduate from college, year-round Pell means that if you have something working, you need to stick with it as long as you can, as quickly as you can.

Summer break is always well-intended. For 10 years Pell didn't pay for school in the summer; it does now, starting last year. This will be the first year that students and colleges and universities can really prepare for summer Pell. But if you don't break the rhythm you are in where things are working for you, you are much more likely to graduate from college than you would otherwise.

We need to be sure we prioritize funding for elementary and secondary education grant programs so that they are fair across the country, so that we are not only supporting STEM education, but we are also supporting IDEA for students with learning disabilities, an obligation the Federal Government has taken on itself.

We are going to have a chance next week to deal with this important, long-awaited bill on trafficking. I think there will probably be one vote that covers more things than it should on funding the government for the year we are already in. But, as I have talked about today, there are many reasons for Americans and American families to be focused on the job we do. Frankly, we need to spend our time figuring out how, in the future, the American people can watch the Congress more closely and watch the Congress openly debate the priorities of the government, which the government sets nowhere else quite the way it does when it decides how to spend the money we have been entrusted with.

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

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

ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION BILL

Mr. HATCH. Mr. President, I rise in support of the Economic Growth, Regulatory Relief, and Consumer Protection Act, which passed the Senate yesterday. This bipartisan bill protects and boosts the U.S. economy. I commend Chairman CRAPO, members of the Banking Committee, and my colleagues on both sides of the aisle for the hard work in getting this particular bill proposal across the finish line.

Making the rules simpler and fairer for small and midsize financial institutions is a commonsense idea that has garnered broad bipartisan support. That is because, done right, it helps hardworking Americans who aspire to invent things, start businesses, and manufacture goods and services—exactly the kind of entrepreneurship and growth America needs more of.

There are plenty of people with different viewpoints on how to improve the financial system. Some, however, say that almost any modification to the 849-page Dodd-Frank Act equates to a bonfire financial regulation, a gift to Wall Street, and so on. I think we need to cut through such patronizing, derisive mudslinging, and instead focus on commonsense solutions for the American people.

Let me tell you a plain truth: The bill the Senate passed yesterday is the result of sensible debate, reasonable compromise, and hard policy choices. Without compromising the safety and soundness of our financial system, it provides regulatory relief to small and midsize banks, credit unions, and financial institutions—the kind most familiar on Main Street in my home State of Utah.

Our constituents deserve regulatory relief. Between 2010 and 2016, compliance with Dodd-Frank cost \$36 billion and required 73 million paperwork hours. Dodd-Frank alone enacted more than five times as many restrictions as any other law passed by the Obama administration and more than 22,000 pages of regulations.

With their vast resources, large banks could stomach these regulations mainly through automation, but smaller banks could not. Saddled with extra compliance requirements and no material benefit to resilience, many buckled under the weight of these burdensome regulations.

Consider that there are 1,736 fewer community banks today than when Dodd-Frank was signed into law. Since 2010, the number of FDIC-insured commercial banks in Utah dropped from 53 to 42. In a similar timespan, the number of NCUA-insured credit unions in my home State fell from 94 to 66. Over the past decade, the percentage of small business and commercial loans dropped more than 15 percent.

Indeed, 8 years since the passage of Dodd-Frank, it is high time for Congress to reflect and make adjustments, as necessary, to improve our financial

regulatory system. Let's focus on resilience and efficiency. This bill does just that.

I would like to briefly highlight three reforms in the bill that benefit our national and local economies. First, the bill provides relief and flexibility to small financial institutions. More small bank holding companies will be able to raise capital, which will help bank lending opportunities for families, businesses, and startups. This policy was based on a bipartisan bill, the Community Bank Relief Act, that I introduced along with Senators King, Nelson, and Perdue. It is common sense to know that Utah's community banks are different from Wall Street banks, but too often regulations treat them the same.

Second, the bill increases the bank asset threshold for enhanced standards from \$50 billion to \$250 billion. I have long supported raising or recalibrating the asset threshold. It makes little sense that regional banks undergo stress tests and capital reviews similar to some of the largest, most complex global financial institutions. Similar to the unrealistic expectations put on community banks, this one-size-fits-all approach negatively affected regional banks.

Third, the bill eases the regulatory burden on 5,000 community banks that make up about 98 percent of financial institutions. For small banks and credit unions, this legislation provides relief from some of the requirements from the qualified mortgage rule, allowing them to devote more resources to serving their members rather than spending hours complying with regulatory overreach.

In today's era of extreme partisanship, this bill is a breath of fresh air. What the Senate has been able to accomplish this week is based on practical, consensus-led policy choices. While there remain other reforms that could relieve stress of burdensome regulations, this bill is a much needed start, which is why I wholeheartedly support this legislation.

Members on both sides of the aisle agree that the broad scope of Dodd-Frank created some harmful, unintended consequences. Let's make the rules simpler and fairer, as appropriate but not at the expense of safety. This bipartisan bill does just that, and the American people would be better off because of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I want to associate myself with the remarks of the distinguished chairman of the Finance Committee, a committee I feel very privileged to serve on with our distinguished chairman. He has a message that I think should be required reading for everybody on this side, and more especially on the other side, and I really appreciate his remarks and his leadership.

Mr. HATCH. I thank my colleague.

CONFIRMATION OF GREGG DOUD

Mr. ROBERTS. Mr. President, I want to speak today on the confirmation of Mr. Gregg Doud, the President's nominee for the Chief Agricultural Negotiator at the Office of the United States Trade Representative. In the Senate, we often say, or I hope we often say, that we are only as good as our staff. I have been blessed with the very best. Gregg is one example of why that is true.

Gregg served as senior professional staff on the Senate Agriculture Committee for me during my time as ranking member, 2011 through 2013. We like to say in Kansas that congressional staff are bucket toters. During those few years, we toted a lot of buckets together.

From the early days of the supercommittee and sequestration, multiple iterations of farm bills, animal disease scares, and the oversight of the MF Global mess, or situation, Gregg handled everything that was thrown at him—and all while wearing his cowboy boots with the pointed toes. Capitol Hill certainly isn't where Gregg started cutting his teeth in agriculture.

He hails from Mankato, KS, where he was raised on a dryland wheat, grain sorghum, soybean, swine, and cow-calf operation. Talk about diversified agriculture. He attended my alma mater, Kansas State University, home of the ever-fighting and always optimistic Wildcats. Good luck to them tonight.

Just last September, Gregg was back in Manhattan, KS, where he was honored as the 2017 Kansas State University Department of Agriculture Economics Distinguished Alumni Award.

From K-State, Gregg went on to work for the U.S. Wheat Associates, which is tasked with developing markets for U.S. wheat all around the world. Eventually, he became the chief economist for the National Cattlemen's Beef Association.

One of the very first trials that Gregg faced at NCBA was "the cow that stole Christmas," when just before Christmas, in 2003, a case of mad cow disease was confirmed in the United States, resulting in a devastating blow to U.S. beef exports.

Gregg worked on behalf of the beef industry with the U.S. Trade Representative, the U.S. Department of Agriculture, and the State Department to rebuild the reputation and reliability of U.S. beef exports. Kansas currently ranks as the third highest U.S. State exporter of beef to the global market.

U.S. trade policy has been a very hot topic in the last year, and it is one that Gregg certainly experienced and is well-versed. He served as a "cleared advisor" and later chairman of the USDA/USTR Animal and Animal Products Agriculture Trade Advisory Committee. It is a lot of words but a very important committee. It was during the negotiations of a variety of trade agreements, including Australia, Bahrain, Colombia, CAFTA, South Korea,

Morocco, Panama, and Peru. Obviously, he has been everywhere.

Gregg's background and experience give him a leg up in the challenge of serving as the Chief Agriculture Negotiator at USTR. He understands what trade means to the agriculture industry, and he has the experience to help maintain U.S. agriculture's role as a reliable supplier around the world. It is certainly a big challenge today.

At a time when the agriculture economy is in a rough patch—fourth year of prices below the cost of production pretty much across the board, all across the country—and commodity prices still falling, farmers and ranchers now depend on trade more than ever. We need continued focus on exporting not just what we make but also what we grow. Let me repeat that. We need to export not just what we make—there is a lot of focus on that with regard to trade policy now coming out of the White House and this administration—but also what we grow.

Kansas farmers and ranchers work hard. On a regular basis, they have to make sacrifices to overcome the weather, overcome obstacles, and make commonsense decisions that have significant consequences. That is why I know Gregg will be successful in the job of Chief Agricultural Negotiator. He is a Kansas cowboy who knows how to roll up his sleeves and certainly get things done.

Gregg understands why strong trading relationships are absolutely critical to agriculture. I am glad he is at the USTR, where he can get to work with Ambassador Bob Lighthizer and lead the charge in advancing the U.S. trade agenda. Along with partners at the Department of Agriculture—like our champion there, Secretary Sonny Perdue—and the Undersecretary for Trade and Foreign Agriculture Affairs, Ted McKinney, Gregg will ensure that agriculture has a seat at the table and that our farmers and ranchers are being heard.

The U.S. agriculture industry has worked long and hard to increase our competitiveness and markets around the world, but their work is never finished, and they cannot do it alone. I know that with Gregg riding point, the voices of the hard-working farmer and rancher will be well represented all around the world.

Congratulations to you, Gregg, on your confirmation as the Chief Agricultural Negotiator at the USTR. I look forward to continuing to work with you on behalf of U.S. ag.

One more admonition, one more piece of advice. When you are riding point, just make sure you look over your shoulder once in a while to see if the herd is still there, and if it isn't, don't worry about it, we have your back.

I yield my time.

After careful inspection, 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 (Mr. CASIDY). Without objection, it is so ordered.

MORNING BUSINESS

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

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

TRIBUTE TO MARK PETERSON

Mr. DURBIN. Mr. President, I want to join with Members of Congress and congressional staff in celebrating Mark Peterson's 30 years of service and retirement from the town of Normal. Mark has honorably served the people of Normal, IL, since 1988 and as its city manager since 1998.

He has served on the governing boards for a variety of public and community organizations, including the MetCom Emergency Communications Center, the Bloomington-Normal Economic Development Council, the Central Illinois Regional Broadband Network, the McLean County Regional Planning Commission Executive Committee, the Community Development Corporation, the BN Advantage Leadership Council, and Connect Transit.

Mark was instrumental in the planning and successful redevelopment of Uptown Normal, including the Children's Discovery Museum, as well as Uptown Station and its new rail platform, waiting area, bus bays, and related development at the Marriott Hotel and Conference Center and the Hyatt Place Bloomington-Normal Hotel.

Under the administration of Mark Peterson, the Shoppes at College Hills grew into a thriving modern retail center. The Constitution Trail also grew to nearly 50 miles of recreational trail through the cities of Normal and Bloomington, providing the community with an outstanding linear park.

Mark oversaw a period of tremendous growth in the town of Normal, while maintaining an AAA bond rating and serving as independent confirmation of the town's fiscal health and stability. He also cultivated fruitful partnerships with members of the Illinois congressional delegation, but most importantly, Mark has been a loyal leader and community servant for the residents of Normal and will continue to be an admired citizen of the community.

Mark's commitment to the town of Normal can be seen in every corner of the city, and that work will not be forgotten.

TRIBUTE TO MARK BOOTH

Mr. ENZI. Mr. President, today I wish to honor and recognize the out-

standing service of Mark Booth on his retirement after 31 years of public service at the Congressional Budget Office. Mark's expertise as a forecaster and modeler has made him an invaluable contributor to CBO's analysis of the budget outlook. Since 2003, Mark has been chief of the revenue estimating unit of CBO's tax analysis division, overseeing its forecasts of tax revenues and cost estimates of legislative proposals.

Mark came to CBO in 1986 from the private sector, where he began his career as a forecaster and analyst. He took over responsibility for CBO's corporate income tax projections and quickly demonstrated his analytic skills. As a result, Mark's portfolio continuously expanded, as he soon also became the lead analyst for CBO's projections of individual income taxes and Federal Reserve System's earnings. In addition, Mark joined the tax analysis division's cost-estimating team, overseeing assistant analysts to produce timely estimates of legislative proposals. Over those years, Mark won the CBO Director's Award for Exceptional Service, the agency's highest recognition for work by a CBO staffer, twice.

In recognition of Mark's abilities and breadth of experience, he was promoted to the position of unit chief for revenue estimating in 2003, and he has overseen the division's projections and cost estimates ever since. As head of the revenue estimating unit, Mark has led his staff in providing high-quality and timely projections of revenues and analysis of budget issues. Mark has made valuable contributions to numerous reports, testimonies, and cost estimates in just about every subject area covered by CBO, including the economy, energy, transportation, and healthcare. He also has served a crucial role in trying to make CBO's analysis more transparent, preparing several background papers that describe CBO's methods of forecasting revenues and evaluate the agency's projections record.

I know my colleagues join me in extending our thanks and appreciation to Mark for his service to our Nation. We wish him well in his retirement from CBO and hope he will continue in future years to lend his expertise to the analysis of important tax policy issues.

ADDITIONAL STATEMENTS

TRIBUTE TO KELLI LOHR

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Kelli Lohr, the new owner of the Prairie Peddler in Shelby. The Prairie Peddler has been a community business for over two decades. Families throughout the years have come to indulge in scones, cookies and coffee, and shop for household decor and gifts.

When Kelli saw that the notable community establishment may close without a new owner, she stepped up with-

out any prior experience as a businessowner and took a chance. Working together with the former owner to make a smooth transition, Kelli was able to ensure that the community's favorite staples would still be available as she stocked the shelves with new and exciting items as well. Her work has paid off. The family business is growing as folks have more money in their paychecks following the recent tax cuts and the community is eager to support the new management.

Thank you, Kelli, and the rest of the Lohr family. Your dedication to maintaining a community business is appreciated by the people of Toole County and the surrounding area. It is businesses like yours that make Montana the "Last Best Place."•

MESSAGES FROM THE HOUSE

At 10:58 a.m., a message from the House of Representatives, delivered by Mrs. Cole, 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. 506. An act to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes.

H.R. 1116. An act to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

H.R. 3249. An act to authorize the Project Safe Neighborhoods Grant Program, and for other purposes.

H.R. 3996. An act to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court.

H.R. 4909. An act to reauthorize the grant program for school security in the Omnibus Crime Control and Safe Streets Act of 1968.

ENROLLED BILL SIGNED

At 12:34 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1177. An act to direct the Secretary of Agriculture to release on behalf of the United States the condition that certain lands conveyed to the City of Old Town, Maine, be used for a municipal airport, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

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

H.R. 506. An act to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes; to the Committee on the Judiciary.

H.R. 1116. An act to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3249. An act to authorize the Project Safe Neighborhoods Grant Program, and for other purposes; to the Committee on the Judiciary.

H.R. 3996. An act to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court; to the Committee on the Judiciary.

H.R. 4909. An act to reauthorize the grant program for school security in the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4579. A communication from the Assistant Secretary of Defense (Special Operations and Low Intensity Conflict), transmitting, pursuant to law, a report relative to the report on activities of the National Guard Counterdrug Schools for fiscal year 2017; to the Committee on Armed Services.

EC-4580. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trinexapac-ethyl; Pesticide Tolerances" (FRL No. 9973-20) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4581. A joint communication from the Secretary of Energy and the Secretary of the Interior, transmitting, pursuant to law, a report relative to the certification of the sum of moneys deposited in the Treasury in relation to environmental cleanup and infrastructure costs; to the Committee on Energy and Natural Resources.

EC-4582. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Vermont; Non-attainment New Source Review and Prevention of Significant Deterioration Permit Program Revisions; Infrastructure Requirements for National Ambient Air Quality Standards" (FRL No. 9975-16-Region 1) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Environment and Public Works.

EC-4583. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; City of Philadelphia; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator Units" (FRL No. 9975-33-Region 3) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Environment and Public Works.

EC-4584. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; City of Philadelphia; Control of Emissions from Existing Sewage Sludge Incineration Units" (FRL No. 9975-38-Region 3) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Environment and Public Works.

EC-4585. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Approval of Implementation Plans; State of Iowa; Elements of the Infrastructure SIP Requirements for the 2010 Nitrogen Dioxide National Ambient Air Quality Standard (NAAQS); Final Rule" (FRL No. 9975-69-Region 7) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Environment and Public Works.

EC-4586. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Implementation Plans; State of Iowa; Elements of the Infrastructure SIP Requirements for the 2012 Particulate Matter (PM_{2.5}) National Ambient Air Quality Standard (NAAQS); Final Rule" (FRL No. 9975-68-Region 7) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Environment and Public Works.

EC-4587. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Method 301: Field Validation of Pollutant Measurement Methods from Various Waste Media" (FRL No. 9975-62-DAR) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Environment and Public Works.

EC-4588. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the Millennium Challenge Corporation's Annual Report for fiscal year 2017; to the Committee on Foreign Relations.

EC-4589. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-270, "Office of Employee Appeals Hearing Examiner Classification Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4590. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-271, "Public Employee Relations Board Term Limit Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4591. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-272, "Extension of Time to Dispose of 8th & O Streets, N.W., Temporary Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4592. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-257, "Relieve High Unemployment Tax Incentives Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4593. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-258, "City Innovation Fund Re-Establishment Amendment Act of 2018"; to the Committee on Homeland Security and Governmental Affairs.

EC-4594. A communication from the Impact Analyst, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Electronic Submission of Certain Servicemembers' Group Life Insurance, Family Servicemembers' Group Life Insurance, and Veterans' Group Life Insurance Forms" (RIN2900-AP98) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Veterans' Affairs.

EC-4595. A communication from the Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Connect America Fund Phase II Auction Scheduled for July 24, 2018; Notice and Filing Requirements and Other Procedures for Auction 903" ((AU Docket No. 17-182 and WC Docket No. 10-90) (FCC 18-06)) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Commerce, Science, and Transportation.

EC-4596. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "All-Terrain Vehicles" ((16 CFR Part 1420) (Docket No. CPSC-2017-0032)) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Commerce, Science, and Transportation.

EC-4597. A communication from the Acting Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Ex Parte Communications in Informal Rulemaking Proceedings" ((RIN2140-AB39) (Docket No. EP 739) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Commerce, Science, and Transportation.

EC-4598. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Testing and Training Activities Conducted in the Eglin Gulf Test and Training Range in the Gulf of Mexico" (RIN0648-BH21) received in the Office of the President of the Senate on March 14, 2018; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Joel M. Carson III, of New Mexico, to be United States Circuit Judge for the Tenth Circuit.

Colm F. Connolly, of Delaware, to be United States District Judge for the District of Delaware.

William F. Jung, of Florida, to be United States District Judge for the Middle District of Florida.

Maryellen Noreika, of Delaware, to be United States District Judge for the District of Delaware.

Ryan T. Holte, of Ohio, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Jonathan F. Mitchell, of Washington, to be Chairman of the Administrative Conference of the United States for the term of five years.

William M. McSwain, of Pennsylvania, to be United States Attorney for the Eastern District of Pennsylvania for the term of four years.

Matthew D. Harris, of Utah, to be United States Marshal for the District of Utah for the term of four years.

Johnny Lee Kuhlman, of Oklahoma, to be United States Marshal for the Western District of Oklahoma for the term of four years.

Joseph D. McClain, of Indiana, to be United States Marshal for the Southern District of Indiana for the term of four years.

David A. Weaver, of Colorado, to be United States Marshal for the District of Colorado for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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 Mr. KENNEDY (for himself and Ms. CORTEZ MASTO):

S. 2556. A bill to direct the Administrator of the Federal Aviation Administration to promulgate regulations to prohibit the storage of live animals in overhead compartments of airplanes; to the Committee on Commerce, Science, and Transportation.

By Mrs. ERNST (for herself, Mr. BROWN, Mr. GRASSLEY, and Mr. CASEY):

S. 2557. A bill to amend the Food Security Act of 1985 to improve conservation programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 2558. A bill to direct the Secretary of Agriculture to transfer to Scenic Rivers Development Alliance certain National Forest System land in the State of Mississippi; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. CORKER, Mr. MENENDEZ, Mr. HATCH, Ms. HARRIS, and Mr. LEAHY):

S. 2559. A bill to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes; to the Committee on the Judiciary.

By Mr. RISCH:

S. 2560. A bill to authorize the Secretary of the Interior to establish a program to facilitate the transfer to non-Federal ownership of appropriate reclamation projects or facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mrs. CAPITO):

S. 2561. A bill to authorize the Attorney General to suspend a controlled substances registration if there is a likelihood of a threat of diversion of a controlled substance, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself and Ms. COLLINS):

S. 2562. A bill to posthumously award a Congressional Gold Medal to Alice Paul in recognition of her role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FLAKE (for himself, Mr. MCCAIN, Mr. GARDNER, and Mr. BARASSO):

S. 2563. A bill to improve the water supply and drought resilience of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TILLIS (for himself, Mr. CORNYN, and Mr. GRASSLEY):

S. 2564. A bill to amend title 11, United States Code, to promote the investigation of fraudulent claims against certain trusts, to amend title 18, United States Code, to provide penalties against fraudulent claims against certain trusts, and for other purposes; to the Committee on the Judiciary.

By Ms. DUCKWORTH (for herself, Ms. HIRONO, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Ms. HASSAN, Ms. SMITH, and Mr. NELSON):

S. 2565. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain training or vocational rehabilitation, and for other purposes; to the Committee on Veterans' Affairs.

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

S. 2566. A bill to require that any trade agreement eligible for expedited consideration by Congress include enforceable standards requiring paying adequate wages and maintaining sustainable production methods, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 177

At the request of Mr. LEE, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 177, a bill to provide for congressional review of the imposition of duties and other trade measures by the executive branch, and for other purposes.

S. 292

At the request of Mr. REED, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 292, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 422

At the request of Mrs. GILLIBRAND, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive co-insurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 636

At the request of Mrs. MURRAY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 636, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 936

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont

(Mr. LEAHY) was added as a cosponsor of S. 936, a bill to designate certain National Forest System land and certain public land under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes.

S. 943

At the request of Ms. HEITKAMP, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 943, a bill to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes.

S. 1091

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

S. 1106

At the request of Mr. MERKLEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1106, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 1113

At the request of Mrs. FEINSTEIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2135

At the request of Mr. CORNYN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2135, a bill to enforce current law regarding the National Instant Criminal Background Check System.

S. 2269

At the request of Mr. CASEY, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 2269, a bill to reauthorize the Global Food Security Act of 2016 for 5 additional years.

S. 2398

At the request of Mr. HOEVEN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2398, a bill to amend title 31, United States Code, to provide that

activities relating to the training and readiness of the reserve components of the Armed Forces during a lapse in appropriations shall constitute voluntary services that may be accepted by the United States.

S. 2500

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2500, a bill to award a Congressional Gold Medal, collectively, to the women in the United States who joined the workforce during World War II, providing the vehicles, weaponry, and ammunition to win the war, that were referred to as “Rosie the Riveter”, in recognition of their contributions to the United States and the inspiration they have provided to ensuing generations.

S. 2507

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2507, a bill to require short-term limited duration insurance issuers to renew or continue in force such coverage at the option of the enrollees.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 434

At the request of Mr. COONS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 434, a resolution recognizing the contributions of AmeriCorps members and alumni to the lives of the people of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. CORKER, Mr. MENENDEZ, Mr. HATCH, Ms. HARRIS, and Mr. LEAHY):

S. 2559. A bill to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise today to introduce legislation that would implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are Blind, Visually Impaired, or Otherwise Print Disabled (“Marrakesh Treaty”). I’m pleased that Senators FEINSTEIN, CORKER, MENENDEZ, HATCH, HARRIS and LEAHY are joining me as original cosponsors.

The Marrakesh Treaty was signed by the United States in October 2013. It seeks to help address the global “book famine” and facilitate access to printed works for visually impaired individ-

uals by providing, with appropriate safeguards, that copyright protection should not impede the creation and distribution of accessible format copies, including the exchange of such copies internationally.

The Marrakesh Treaty Implementation Act represents a consensus approach developed by the Senate Judiciary and Foreign Relations Committees with stakeholders within the publishers, libraries and print disabilities communities, in consultation with the U.S. Patent and Trademark Office and the U.S. Copyright Office as well as other interested industry and public interest stakeholders. I particularly want to commend the National Federation of the Blind, the Association of American Publishers and the Library Copyright Alliance for working with us in reaching an agreement on legislative text and proposed legislative history. We would not be here today without their efforts.

I look forward to working with my colleagues on the Foreign Relations Committee, Chairman CORKER and Ranking Member MENENDEZ, on ratification of the Marrakesh Treaty in the Senate, and with Judiciary Committee Ranking Member FEINSTEIN on passing the Marrakesh Treaty Implementation Act.

By Mrs. FEINSTEIN (for herself and Mrs. CAPITO):

S. 2561. A bill to authorize the Attorney General to suspend a controlled substances registration if there is a likelihood of a threat of diversion of a controlled substance, and for other purposes; to the Committee on the Judiciary.

Ms. FEINSTEIN. Mr. President, I rise today with my colleague, Senator CAPITO, to introduce the Stopping Suspicious Orders of Opioids Act.

In 2016, the opioid epidemic caused more than 42,000 deaths in the United States.

In 2017, this epidemic was declared a public health emergency.

Now, more than 400 State, local, and Tribal governments have filed suits (some consolidated, some individual) against opioid manufacturers and distributors for their alleged roles in fueling and perpetuating this devastating crisis. The U.S. Justice Department, or DOJ, has filed a statement of interest in these lawsuits, which are currently pending.

As our Nation struggles to effectively address the opioid epidemic, one thing is clear: there is no silver bullet.

Yet, it is also clear that law enforcement can play a critical role in preventing and reducing overdose deaths.

That is why we must ensure that law enforcement has and uses the necessary tools to hold opioid manufacturers, distributors and others accountable when they fail to properly disclose to the Drug Enforcement Administration, or the DEA, opioid orders that are suspicious because of their size, frequency, or patterns. This simple disclo-

sure could prevent millions of prescription opioid pills from ending up on the black market.

Unfortunately, current law has inadvertently created a standard that is too high for DOJ to meet in order to take immediate action against those who fail to make these disclosures to the DEA or who fail to adequately protect against diversion.

For instance, the DEA has told my staff that under current law, in order to immediately stop a drug manufacturer or distributor from distributing opioids, a pharmacy from dispensing opioids, or a practitioner from prescribing opioids, it must prove that the distribution, dispensation, or prescription of the drugs directly resulted in an immediate and substantial likelihood that death, serious bodily harm, or abuse of a controlled substance occurred.

For this reason, the bill Senator CAPITO and I are introducing today would change the standard in current law to make it easier to immediately stop potentially dangerous shipments of prescription opioids. It would allow DOJ to take action when it can demonstrate that an opioid manufacturer or distributor’s lack of control over a prescription opioid would likely result in the drugs winding up in the hands of someone other than the intended recipient or on the black market.

This change will compel opioid manufacturers and distributors to be more vigilant in their efforts to report and stop the delivery of suspicious orders of opioids as well as to protect against diversion. In the absence of such vigilance, our bill would allow DOJ to immediately stop the delivery of opioids.

Our bill further ensures that bad actors are held accountable by establishing backstops and consequences for when opioid manufacturers, distributors, dispensers, and prescribers fail to take corrective action.

Under current law, if there is no immediate threat to the public health or safety, opioid manufacturers, distributors, dispensers and prescribers can submit a corrective action plan to DOJ before their registrations can be revoked or suspended. DOJ does not have to accept this plan, but if it does, current law does not outline a timeframe by which the plan must be fully implemented or consequences for failure to do so.

Given the magnitude of the opioid epidemic, this is unacceptable.

That is why our bill would require those who manufacture, distribute, dispense or prescribe opioids to fully implement any plan that is accepted by DOJ within 30 days. Failure to do so will result in the immediate suspension of a registration until the reinstated proceedings to deny, revoke, or suspend the registration permanently have concluded.

Mr. President, I have been struck by the seemingly countless examples of opioid manufacturers and distributors that have done little to safeguard

against diversion that have been raised in hearings, roundtables, and in the news over the last several years.

The example most often cited is that of Kermit, West Virginia, where, over a two year period nine million opioids were delivered to a single pharmacy. Between 2007 and 2012, 780 million oxycodone and hydrocodone pills were delivered to pharmacies throughout that state. This resulted in 1,728 fatal overdoses that were largely preventable.

We cannot allow this to happen again.

The bill Senator CAPITO and I are introducing today will strengthen current law by providing law enforcement with the additional tools it needs to better and more proactively combat the opioid epidemic and hold bad actors accountable.

I hope my colleagues will join us in supporting this important legislation.

Thank you, Mr. President. I yield the floor.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2210. Mr. McCONNELL (for Mr. JOHNSON (for himself and Mrs. McCASKILL)) proposed an amendment to the bill H.R. 3210, to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes.

SA 2211. Mr. McCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 1869, to reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator.

TEXT OF AMENDMENTS

SA 2210. Mr. McCONNELL (for Mr. JOHNSON (for himself and Mrs. McCASKILL)) proposed an amendment to the bill H.R. 3210, to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Securely Expediting Clearances Through Reporting Transparency Act of 2018” or the “SECRET Act of 2018”.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “Bureau” means the National Background Investigations Bureau of the Office;

(2) the term “Director” means the Director of National Intelligence acting as the Security Executive Agent; and

(3) the term “Office” means the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent.

SEC. 3. REPORT ON BACKLOG OF PERSONNEL SECURITY CLEARANCE INVESTIGATIONS.

Not later than 90 days after the date of enactment of this Act, and quarterly thereafter for 5 years, the Director of the Bureau, in coordination with the Director, shall submit to Congress a report on the backlog of per-

sonnel security clearance investigations at the Bureau for the most recent full calendar quarter, which shall include—

(1) the size of the backlog of personnel security clearance investigations of the Bureau, including, for each sensitivity level—

(A) the number of interim clearances granted;

(B) the number of initial investigations for Federal employees;

(C) the number of periodic reinvestigations for Federal employees;

(D) the number of initial investigations for employees of Federal contractors;

(E) the number of periodic reinvestigations for employees of Federal contractors;

(F) the number of initial investigations for employees of, and employees of contractors of, the Department of Defense;

(G) the number of periodic reinvestigations for employees of and employees of contractors of the Department of Defense;

(H) the number of employees of the Bureau conducting background investigations for the Bureau; and

(I) the number of employees of contractors of the Bureau conducting background investigations for the Bureau;

(2) the average length of time, for each sensitivity level, for the Bureau to carry out an initial investigation and a periodic reinvestigation;

(3) a discussion of the factors contributing to the average length of time to carry out an initial investigation and a periodic reinvestigation;

(4) a backlog mitigation plan, which shall include—

(A) the identification of the cause of, and recommendations to remedy, the backlog at the Bureau;

(B) the steps the Director of the Bureau shall take to reduce the backlog;

(C) process reforms to improve efficiencies in, and the quality of, background investigations by the Bureau; and

(D) a projection of when the backlog at the Bureau will be sufficiently reduced to meet required timeliness standards; and

(5) a description of improvements in the information and data security of the Bureau.

SEC. 4. REPORT ON SECURITY CLEARANCE INVESTIGATIONS OF PERSONNEL OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

Not later than 90 days after the date of enactment of this Act, the Director of the Office of Administration of the Executive Office of the President, in coordination with the Director and the Director of the Office, shall submit to Congress a report that explains the process for conducting and adjudicating security clearance investigations for personnel of the Executive Office of the President, including personnel of the White House Office.

SEC. 5. REPORT ON COSTS ASSOCIATED WITH BIFURCATED BACKGROUND INVESTIGATION SYSTEMS.

Not later than 120 days after the date of enactment of this Act, the Director of the Office, in consultation with the other members of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103) and the Under Secretary of Defense for Intelligence, shall submit to Congress a report on the cost of maintaining comprehensive background investigations capability within the Office under the control or direction of the Bureau and a background investigations capability for Department of Defense personnel under the control or direction of the Department of Defense for implementation of the plan referenced in section 925 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), as compared to the cost of sustaining

a single Government-wide background investigations enterprise.

SEC. 6. REPORTS ON CONTINUOUS EVALUATION, RECIPROCITY, AND TIMELINESS MEASURES.

Not later than 120 days after the date of enactment of this Act, the Director shall submit to Congress reports that provide—

(1) the status of implementing continuous evaluation Government-wide, including—

(A) the number of agencies with continuous evaluation programs and how many of those programs are currently conducting automated records checks of the required data sources as identified by the Director; and

(B) a discussion of the barriers for agencies to implement continuous evaluation programs, including any requirement under a statute, regulation, Executive Order, or other administrative requirement;

(2) a detailed explanation of efforts by agencies to meet requirements for reciprocal recognition to access classified information, including—

(A) the range of the length of time for agencies to grant reciprocal recognition to access classified information;

(B) additional requirements for reinvestigations or readjudications, by agency; and

(C) any other barriers to the timely granting of reciprocity, by agency, including any requirement under a statute, regulation, Executive Order, or other administrative requirement; and

(3) a review of whether the schedule for processing security clearances under section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) should be modified.

SEC. 7. REVIEW AND UPDATE OF POSITION DESIGNATION GUIDANCE.

(a) DEFINITIONS.—In this section—

(1) the term “agency” has the meaning given the term in Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto;

(2) the term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives;

(3) the term “background investigation” means any investigation required for the purpose of determining the—

(A) eligibility of a covered individual for logical and physical access to Federally controlled facilities or information systems;

(B) suitability or fitness of a covered individual for Federal employment;

(C) eligibility of a covered individual for access to classified information or to hold a national security sensitive position; or

(D) fitness of a covered individual to perform work for or on behalf of the United States Government as a contractor employee; and

(4) the term “covered individual”—

(A) means a person who performs work for or on behalf of the executive branch or seeks to perform work for or on behalf of the executive branch;

(B) is not limited to Federal employees;

(C) includes all persons, not excluded under subparagraph (D), who require eligibility for access to classified information or eligibility to hold a sensitive position, including, but not limited to, contractors, subcontractors, licensees, certificate holders, grantees, experts, consultants, and government employees; and

(D) does not include—

(i) the President;

(ii) employees of the President under section 105 or 107 of title 3, United States Code (except to the extent otherwise directed by the President);

(iii) the Vice President; or

(iv) employees of the Vice President under section 106 of title 3, United States Code, or an annual legislative branch appropriations Act (except to the extent otherwise directed by the Vice President).

(b) REVIEW AND UPDATING.—

(1) INITIAL REVIEW AND UPDATE OF GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Director and the Director of the Office shall review and make recommendations to Congress and the President as appropriate to issue guidance to assist agencies in determining—

(A) position sensitivity designation; and

(B) the appropriate background investigation to initiate for each position designation.

(2) REVIEWS AND REVISIONS OF POSITION DESIGNATIONS.—Not less frequently than every 4 years, the President, acting through relevant agencies (as determined by the President) and in accordance with the guidance described in paragraph (1), shall review and, if necessary, revise the position designation of positions within agencies.

(c) REPORTS TO CONGRESS.—Not later than 30 days after completing a review under subsection (b)(2), the President shall submit to the appropriate congressional committees a report on—

(1) any issues identified in the review; and

(2) the number of position designations revised as a result of the review.

(d) NO CHANGE IN AUTHORITY.—Nothing in this section limits or expands the authority of any agency to designate a position as sensitive or as requiring its occupant to have access to classified information.

SA 2211. Mr. McCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 1869, to reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator; as follows:

On page 6, strike lines 1 through 3 and insert the following:

(d) REPEAL OF SUNSET.—

(1) IN GENERAL.—Subsection (c) of section 117 of the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199; 126 Stat. 1475) is repealed.

(2) RETROACTIVE EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on November 26, 2017.

AUTHORITY FOR COMMITTEES TO MEET

Mrs. FISCHER. Mr. President, I have 7 requests 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 15, 2018, at 9:30 a.m. to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on

Thursday, March 15, 2018, at 10 a.m. to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 14, 2018, at 10 a.m. to conduct a hearing entitled, "Review of the FY 2019 State Department Budget."

THE 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 Thursday, March 15, 2018, at 10 a.m. to conduct a hearing entitled "Perspective on the 340B Drug Pricing Program."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, March 15, 2018, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 14, 2018, at 10 a.m. to conduct a joint hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, March 14, 2018, at 10 a.m. to conduct a hearing on nomination of Lieutenant General Paul M. Nakasone, to be Director of the National Security Agency, Department of Defense.

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that Kennis Brady, a member of my staff, be granted floor privileges for the remainder of the day.

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

SECURELY EXPEDITING CLEARANCES THROUGH REPORTING TRANSPARENCY ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 264, H.R. 3210.

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

The legislative clerk read as follows:

A bill (H.R. 3210) to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, 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 "Securely Expediting Clearances Through Reporting Transparency Act of 2017" or the "SECRET Act of 2017".

SEC. 2. REPORT ON BACKLOG OF PERSONNEL SECURITY CLEARANCE INVESTIGATIONS.

Not later than 90 days after the date of enactment of this Act, and quarterly thereafter for 5 years, the Director of the National Background Investigations Bureau of the Office of Personnel Management shall submit to Congress a report on the backlog of security clearance investigations that includes, for the most recent full calendar quarter—

(1) the size of the personnel security clearance investigation process backlog, including, for each sensitivity level—

(A) the number of interim clearances granted;

(B) the number of initial investigations for Federal employees;

(C) the number of periodic reinvestigations for Federal employees;

(D) the number of initial investigations for employees of Federal contractors;

(E) the number of periodic reinvestigations for employees of Federal contractors;

(F) the number of initial investigations for employees of, and employees of contractors of, the Department of Defense;

(G) the number of periodic reinvestigations for employees of and employees of contractors of the Department of Defense;

(H) the number of Federal employees conducting background investigations; and

(I) the number of employees of Federal contractors conducting background investigations;

(2) the average length of time, for each sensitivity level, to carry out an initial investigation and a periodic reinvestigation;

(3) a discussion of the factors contributing to the average length of time to carry out an initial investigation and a periodic reinvestigation;

(4) a backlog mitigation plan, which shall include—

(A) the identification of the cause of, and recommendations to remedy, the backlog;

(B) the steps the Director shall take to reduce the backlog;

(C) process reforms to improve efficiencies in, and the quality of, background investigations; and

(D) a projection of when the backlog will be sufficiently reduced to meet required timeliness standards; and

(5) a description of improvements in information and data security.

SEC. 3. REPORT ON SECURITY CLEARANCE INVESTIGATIONS OF PERSONNEL OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

Not later than 90 days after the date of enactment of this Act, the Director of the Office of Administration of the Executive Office of the President shall submit to Congress a report that explains the process for conducting and adjudicating security clearance investigations for personnel of the Executive Office of the President, including White House personnel.

SEC. 4. REPORT ON DUPLICATIVE COSTS.

Not later than 120 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the other members of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), shall submit to Congress a report on the cost of duplicating resources under the control or direction of the National Background Investigations Bureau for implementation of the plan referenced in section 951(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1564 note).

SEC. 5. REPORT ON CONTINUOUS EVALUATION AND RECIPROCITY.

Not later than 120 days after the date of enactment of this Act, the Director of National Intelligence and the Director of the Office of Personnel Management shall submit to Congress a report that provides—

(1) the status of implementing continuous evaluation Governmentwide, including—

(A) the number of agencies with continuous evaluation programs and how many of those programs are currently meeting the investigative standards;

(B) a risk assessment of replacing current re-investigation requirements with continuous evaluation programs by 2020;

(C) a discussion of the barriers for agencies to implement continuous evaluation programs, including any requirement under a statute, regulation, Executive Order, or other administrative requirement; and

(D) plans, including timelines, for implementing continuous evaluation Governmentwide and phasing out periodic reinvestigations;

(2) a detailed explanation of efforts by agencies to meet requirements for reciprocal recognition to access classified information, including—

(A) the range of the length of time for agencies to grant reciprocal recognition to access classified information;

(B) additional requirements for reinvestigations or readjudications, by agency; and

(C) any other barriers to the timely granting of reciprocity, by agency, including any requirement under a statute, regulation, Executive Order, or other administrative requirement;

(3) recommendations, including timelines, to improve the background investigation process to—

(A) simplify the Questionnaire for National Security Positions (Standard Form 86) and increase customer support for applicants completing such questionnaire;

(B) use remote and virtual techniques and centralized locations during field investigation work;

(C) use secure and reliable digitization of information obtained during the clearance process; and

(D) build the capacity of the background investigation labor sector; and

(4) a review of whether the schedule for processing security clearances under section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) should be modified.

SEC. 6. REVIEW AND UPDATE OF POSITION DESIGNATION GUIDANCE.

(a) **DEFINITIONS.**—In this section—

(1) the term “agency” has the meaning given the term in Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto;

(2) the term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives;

(3) the term “background investigation” means any investigation required for the purpose of determining the—

(A) eligibility of a covered individual for logical and physical access to Federally controlled facilities or information systems;

(B) suitability or fitness of a covered individual for Federal employment;

(C) eligibility of a covered individual for access to classified information or to hold a national security sensitive position; or

(D) fitness of a covered individual to perform work for or on behalf of the United States Government as a contractor employee; and

(4) the term “covered individual” means an individual who—

(A) performs work for or on behalf of an agency; or

(B) seeks to perform work for or on behalf of an agency.

(b) **REVIEW AND UPDATING.**—

(1) **INITIAL REVIEW AND UPDATE OF GUIDANCE.**—Not later than 180 days after the date of enactment of this Act, the President shall review and, if appropriate, update the guidance the President issues to assist agencies in determining—

(A) position sensitivity designation; and

(B) the appropriate background investigation to initiate for each position designation.

(2) **REVIEWS AND REVISIONS OF POSITION DESIGNATIONS.**—Not less frequently than every 4 years, the President, acting through relevant agencies (as determined by the President) and in accordance with the guidance described in paragraph (1), shall review and, if necessary, revise the position designation of positions within agencies.

(c) **REPORTS TO CONGRESS.**—Not later than 30 days after completing a review under subsection (b)(2), the President shall submit to the appropriate congressional committees a report on—

(1) any issues identified in the review; and

(2) the number of position designations revised as a result of the review.

(d) **NO CHANGE IN AUTHORITY.**—Nothing in this section limits or expands the authority of any agency to designate a position as sensitive or as requiring its occupant to have access to classified information.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported amendment be withdrawn; that the Johnson-McCaskill substitute amendment be considered and agreed to; that the bill, as amended, be considered

read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

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

The amendment (No. 2210) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Securely Expediting Clearances Through Reporting Transparency Act of 2018” or the “SECRET Act of 2018”.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term “Bureau” means the National Background Investigations Bureau of the Office;

(2) the term “Director” means the Director of National Intelligence acting as the Security Executive Agent; and

(3) the term “Office” means the Office of Personnel Management acting as the Suitability and Credentialing Executive Agent.

SEC. 3. REPORT ON BACKLOG OF PERSONNEL SECURITY CLEARANCE INVESTIGATIONS.

Not later than 90 days after the date of enactment of this Act, and quarterly thereafter for 5 years, the Director of the Bureau, in coordination with the Director, shall submit to Congress a report on the backlog of personnel security clearance investigations at the Bureau for the most recent full calendar quarter, which shall include—

(1) the size of the backlog of personnel security clearance investigations of the Bureau, including, for each sensitivity level—

(A) the number of interim clearances granted;

(B) the number of initial investigations for Federal employees;

(C) the number of periodic reinvestigations for Federal employees;

(D) the number of initial investigations for employees of Federal contractors;

(E) the number of periodic reinvestigations for employees of Federal contractors;

(F) the number of initial investigations for employees of, and employees of contractors of, the Department of Defense;

(G) the number of periodic reinvestigations for employees of and employees of contractors of the Department of Defense;

(H) the number of employees of the Bureau conducting background investigations for the Bureau; and

(I) the number of employees of contractors of the Bureau conducting background investigations for the Bureau;

(2) the average length of time, for each sensitivity level, for the Bureau to carry out an initial investigation and a periodic reinvestigation;

(3) a discussion of the factors contributing to the average length of time to carry out an initial investigation and a periodic reinvestigation;

(4) a backlog mitigation plan, which shall include—

(A) the identification of the cause of, and recommendations to remedy, the backlog at the Bureau;

(B) the steps the Director of the Bureau shall take to reduce the backlog;

(C) process reforms to improve efficiencies in, and the quality of, background investigations by the Bureau; and

(D) a projection of when the backlog at the Bureau will be sufficiently reduced to meet required timeliness standards; and

(5) a description of improvements in the information and data security of the Bureau.

SEC. 4. REPORT ON SECURITY CLEARANCE INVESTIGATIONS OF PERSONNEL OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

Not later than 90 days after the date of enactment of this Act, the Director of the Office of Administration of the Executive Office of the President, in coordination with the Director and the Director of the Office, shall submit to Congress a report that explains the process for conducting and adjudicating security clearance investigations for personnel of the Executive Office of the President, including personnel of the White House Office.

SEC. 5. REPORT ON COSTS ASSOCIATED WITH BIFURCATED BACKGROUND INVESTIGATION SYSTEMS.

Not later than 120 days after the date of enactment of this Act, the Director of the Office, in consultation with the other members of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103) and the Under Secretary of Defense for Intelligence, shall submit to Congress a report on the cost of maintaining comprehensive background investigations capability within the Office under the control or direction of the Bureau and a background investigations capability for Department of Defense personnel under the control or direction of the Department of Defense for implementation of the plan referenced in section 925 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), as compared to the cost of sustaining a single Government-wide background investigations enterprise.

SEC. 6. REPORTS ON CONTINUOUS EVALUATION, RECIPROCITY, AND TIMELINESS MEASURES.

Not later than 120 days after the date of enactment of this Act, the Director shall submit to Congress reports that provide—

(1) the status of implementing continuous evaluation Government-wide, including—

(A) the number of agencies with continuous evaluation programs and how many of those programs are currently conducting automated records checks of the required data sources as identified by the Director; and

(B) a discussion of the barriers for agencies to implement continuous evaluation programs, including any requirement under a

statute, regulation, Executive Order, or other administrative requirement;

(2) a detailed explanation of efforts by agencies to meet requirements for reciprocal recognition to access classified information, including—

(A) the range of the length of time for agencies to grant reciprocal recognition to access classified information;

(B) additional requirements for reinvestigations or readjudications, by agency; and

(C) any other barriers to the timely granting of reciprocity, by agency, including any requirement under a statute, regulation, Executive Order, or other administrative requirement; and

(3) a review of whether the schedule for processing security clearances under section 3001 of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341) should be modified.

SEC. 7. REVIEW AND UPDATE OF POSITION DESIGNATION GUIDANCE.

(a) DEFINITIONS.—In this section—

(1) the term “agency” has the meaning given the term in Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto;

(2) the term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Oversight and Government Reform and the Permanent Select Committee on Intelligence of the House of Representatives;

(3) the term “background investigation” means any investigation required for the purpose of determining the—

(A) eligibility of a covered individual for logical and physical access to Federally controlled facilities or information systems;

(B) suitability or fitness of a covered individual for Federal employment;

(C) eligibility of a covered individual for access to classified information or to hold a national security sensitive position; or

(D) fitness of a covered individual to perform work for or on behalf of the United States Government as a contractor employee; and

(4) the term “covered individual”—

(A) means a person who performs work for or on behalf of the executive branch or seeks to perform work for or on behalf of the executive branch;

(B) is not limited to Federal employees;

(C) includes all persons, not excluded under subparagraph (D), who require eligibility for access to classified information or eligibility to hold a sensitive position, including, but not limited to, contractors, subcontractors, licensees, certificate holders, grantees, experts, consultants, and government employees; and

(D) does not include—

(i) the President;

(ii) employees of the President under section 105 or 107 of title 3, United States Code (except to the extent otherwise directed by the President);

(iii) the Vice President; or

(iv) employees of the Vice President under section 106 of title 3, United States Code, or an annual legislative branch appropriations Act (except to the extent otherwise directed by the Vice President).

(b) REVIEW AND UPDATING.—

(1) INITIAL REVIEW AND UPDATE OF GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Director and the Director of the Office shall review and make recommendations to Congress and the President as appropriate to issue guidance to assist agencies in determining—

(A) position sensitivity designation; and

(B) the appropriate background investigation to initiate for each position designation.

(2) REVIEWS AND REVISIONS OF POSITION DESIGNATIONS.—Not less frequently than every 4 years, the President, acting through relevant agencies (as determined by the President) and in accordance with the guidance described in paragraph (1), shall review and, if necessary, revise the position designation of positions within agencies.

(c) REPORTS TO CONGRESS.—Not later than 30 days after completing a review under subsection (b)(2), the President shall submit to the appropriate congressional committees a report on—

(1) any issues identified in the review; and

(2) the number of position designations revised as a result of the review.

(d) NO CHANGE IN AUTHORITY.—Nothing in this section limits or expands the authority of any agency to designate a position as sensitive or as requiring its occupant to have access to classified information.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 3210), as amended, was passed.

WHISTLEBLOWER PROTECTION COORDINATION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 286, S. 1869.

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

The legislative clerk read as follows:

A bill (S. 1869) to reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment, as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the part of the bill intended to be inserted is shown in *italics*.)

S. 1869

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Whistleblower Protection Coordination Act”.

SEC. 2. REAUTHORIZATION.

(a) IN GENERAL.—Section 3(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1)(C)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and adjusting the margins accordingly;

(B) by striking “Ombudsman who shall educate agency employees—” and inserting the following: “Coordinator who shall—

“(i) educate agency employees—”;

(C) in subclause (I), as so redesignated, by striking “on retaliation” and inserting “against retaliation”;

(D) in subclause (II), as so redesignated, by striking the period at the end and inserting the following: “, including—

“(aa) the means by which employees may seek review of any allegation of reprisal, including the roles of the Office of the Inspec-

tor General, the Office of Special Counsel, the Merit Systems Protection Board, and any other relevant entities; and

“(bb) general information about the timeliness of such cases, the availability of any alternative dispute mechanisms, and avenues for potential relief.”; and

(E) by adding at the end the following:

“(ii) assist the Inspector General in promoting the timely and appropriate handling and consideration of protected disclosures and allegations of reprisal, to the extent practicable, by the Inspector General; and

“(iii) assist the Inspector General in facilitating communication and coordination with the Special Counsel, the Council of the Inspectors General on Integrity and Efficiency, the [agency] establishment, Congress, and any other relevant entity regarding the timely and appropriate handling and consideration of protected disclosures, allegations of reprisal, and general matters regarding the implementation and administration of whistleblower protection laws, rules, and regulations.”;

(2) in paragraph (2), by striking “Ombudsman” and inserting “Coordinator”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

“(3) The Whistleblower Protection Coordinator shall have direct access to the Inspector General as needed to accomplish the requirements of this subsection.”.

(b) RESPONSIBILITIES OF CIGIE.—Section 11(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(5) ADDITIONAL RESPONSIBILITIES RELATING TO WHISTLEBLOWER PROTECTION.—The Council shall—

“(A) facilitate the work of the Whistleblower Protection Coordinators designated under section 3(d)(C); and

“(B) in consultation with the Office of Special Counsel and Whistleblower Protection Coordinators from the member offices of the Inspector General, develop best practices for coordination and communication in promoting the timely and appropriate handling and consideration of protected disclosures, allegations of reprisal, and general matters regarding the implementation and administration of whistleblower protection laws, in accordance with Federal law.”.

(c) REPORTING.—Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a), by amending paragraph (20) to read as follows:

“(20)(A) a detailed description of any instance of whistleblower retaliation, including information about the official found to have engaged in retaliation; and

“(B) what, if any, consequences the establishment actually imposed to hold the official described in subparagraph (A) accountable;”;

(2) in subsection (b)—

(A) in paragraph (3)(D), by striking “and” at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

“(4) whether the establishment entered into a settlement agreement with the official described in subsection (a)(20)(A), which shall be reported regardless of any confidentiality agreement relating to the settlement agreement; and”.

(d) REPEAL OF SUNSET.—Subsection (c) of section 117 of the Whistleblower Protection Enhancement Act of 2012 (Public Law 112-199; 126 Stat. 1475) is repealed.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported

amendment be agreed to; that the Grassley amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendment was agreed to.

The amendment (No. 2211) was agreed to, as follows:

(Purpose: To modify the repeal of sunset provision)

On page 6, strike lines 1 through 3 and insert the following:

(d) REPEAL OF SUNSET.—

(1) IN GENERAL.—Subsection (c) of section 117 of the Whistleblower Protection Enhancement Act of 2012 (Public Law 112-199; 126 Stat. 1475) is repealed.

(2) RETROACTIVE EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on November 26, 2017.

The bill (S. 1869), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1869

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Whistleblower Protection Coordination Act”.

SEC. 2. REAUTHORIZATION.

(a) IN GENERAL.—Section 3(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1)(C)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and adjusting the margins accordingly;

(B) by striking “Ombudsman who shall educate agency employees—” and inserting the following: “Coordinator who shall—

“(i) educate agency employees—”;

(C) in subclause (I), as so redesignated, by striking “on retaliation” and inserting “against retaliation”;

(D) in subclause (II), as so redesignated, by striking the period at the end and inserting the following: “, including—

“(aa) the means by which employees may seek review of any allegation of reprisal, including the roles of the Office of the Inspector General, the Office of Special Counsel, the Merit Systems Protection Board, and any other relevant entities; and

“(bb) general information about the timeliness of such cases, the availability of any alternative dispute mechanisms, and avenues for potential relief.”; and

(E) by adding at the end the following:

“(ii) assist the Inspector General in promoting the timely and appropriate handling and consideration of protected disclosures and allegations of reprisal, to the extent practicable, by the Inspector General; and

“(iii) assist the Inspector General in facilitating communication and coordination with the Special Counsel, the Council of the Inspectors General on Integrity and Efficiency, the establishment, Congress, and any other relevant entity regarding the timely and appropriate handling and consideration of protected disclosures, allegations of reprisal, and general matters regarding the implementation and administration of whistleblower protection laws, rules, and regulations.”;

(2) in paragraph (2), by striking “Ombudsman” and inserting “Coordinator”;

(3) by redesignating paragraph (3) as paragraph (4); and

(4) by inserting after paragraph (2) the following:

“(3) The Whistleblower Protection Coordinator shall have direct access to the Inspector General as needed to accomplish the requirements of this subsection.”.

(b) RESPONSIBILITIES OF CIGIE.—Section 11(c) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(5) ADDITIONAL RESPONSIBILITIES RELATING TO WHISTLEBLOWER PROTECTION.—The Council shall—

“(A) facilitate the work of the Whistleblower Protection Coordinators designated under section 3(d)(C); and

“(B) in consultation with the Office of Special Counsel and Whistleblower Protection Coordinators from the member offices of the Inspector General, develop best practices for coordination and communication in promoting the timely and appropriate handling and consideration of protected disclosures, allegations of reprisal, and general matters regarding the implementation and administration of whistleblower protection laws, in accordance with Federal law.”.

(c) REPORTING.—Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a), by amending paragraph (20) to read as follows:

“(20)(A) a detailed description of any instance of whistleblower retaliation, including information about the official found to have engaged in retaliation; and

“(B) what, if any, consequences the establishment actually imposed to hold the offi-

cial described in subparagraph (A) accountable;”;

(2) in subsection (b)—

(A) in paragraph (3)(D), by striking “and” at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

“(4) whether the establishment entered into a settlement agreement with the official described in subsection (a)(20)(A), which shall be reported regardless of any confidentiality agreement relating to the settlement agreement; and”.

(d) REPEAL OF SUNSET.—

(1) IN GENERAL.—Subsection (c) of section 117 of the Whistleblower Protection Enhancement Act of 2012 (Public Law 112-199; 126 Stat. 1475) is repealed.

(2) RETROACTIVE EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on November 26, 2017.

ORDERS FOR MONDAY, MARCH 19, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, March 19; 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. Finally, I ask that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 1865 and that notwithstanding rule XXII, the cloture vote on that motion occur following disposition of the McAleenan nomination.

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

ADJOURNMENT UNTIL MONDAY, MARCH 19, 2018, AT 3 P.M.

Mr. McCONNELL. 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 3:29 p.m., adjourned until Monday, March 19, 2018, at 3 p.m.