

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 2235 to the instructions of the motion to refer.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike “2” and insert “3”

Mr. McCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2236 TO AMENDMENT NO. 2235

Mr. McCONNELL. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 2236 to amendment No. 2235.

The amendment is as follows:

Strike “3 days” and insert “4 days”

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 609.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of JAMES BRIDENSTINE, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration.

CLOTURE MOTION

Mr. McCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration.

Mitch McConnell, John Hoeven, Johnny Isakson, James Lankford, Steve Daines, Mike Crapo, John Kennedy, John Barrasso, John Thune, Thom Tillis, Roger F. Wicker, James M. Inhofe, Richard Burr, Mike Rounds, Shelley Moore Capito, Tom Cotton, Cory Gardner.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

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

VOTE EXPLANATION

• Mr. RUBIO. Mr. President, today I joined President Trump in Florida to discuss the benefits of the Tax Cuts and Jobs Act with local businesses. Due to these important discussions, I will miss today’s vote.●

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

VOTE EXPLANATION

• Ms. DUCKWORTH. Madam President, I was necessarily absent for vote No. 74 on the motion to invoke cloture on the motion to concur in the House amendment to S. 140. On vote No. 74, had I been present, I would have voted nay on the motion to invoke cloture on the motion to concur in the House amendment to S. 140.●

AMENDING THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION BILL

Mr. INHOFE. Madam President, I am delighted the Senate has decided to take up S. 140, a bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund which, in part, includes a bill I have cosponsored, S. 63, the Tribal Labor Sovereignty Act of 2017.

S. 63 is a much needed reform measure aimed at correcting excessive government overreach by the National Labor Relations Board, NLRB. In 2004, the NLRB overturned longstanding precedent by asserting its authority over Native American Tribes. The NLRB never should have expanded its authority to Indian Tribes located on Tribal land. This decision has caused tremendous legal confusion and stagnation of Indian business development. Fortunately, with passage of S. 140, the Congress is acting to address bureaucratic overreach by the NLRB. I urge my colleagues to support its passage.

NOMINATION OBJECTION

Mr. WYDEN. Madam President, I am putting a hold on the nomination of Mr. Jason Klitenic to be General Counsel of the Office of Director of National Intelligence. I intend to maintain the hold until there is a satisfactory response to the March 6, 2018, letter Senator GRASSLEY and I sent the Director of National Intelligence regarding the Intelligence Community Office of Inspector General, OIG, and the termination of its Executive Director of Intelligence Community Whistleblowing and Source Protection. To date, we have received no response to the letter, nor have we been provided the documents related to the Executive Director’s termination requested in the letter.

My hold is not connected to the qualifications of Mr. Klitenic to serve in the position to which he has been nominated, and it is my intention to release the hold once my concerns related to the OIG are resolved.

I ask unanimous consent to have the March 6, 2018, letter printed in the RECORD.

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

MARCH 6, 2018.

Hon. DANIEL COATS,
Director of National Intelligence,
Washington, DC.

DEAR DIRECTOR COATS: We write to express deep concern about the Office of the Intelligence Community Inspector General (OIG) and to urge that you stay actions taken by the OIG pending confirmation of the new Inspector General. We are writing to you because the current acting leadership of the OIG is the subject of our concerns as well as the subject of allegations in connection with the specific personnel matter in question.

Late last week, the OIG’s Executive Director of Intelligence Community Whistleblowing and Source Protection (the “Executive Director”) was terminated in a process marked by procedural irregularities and serious conflicts of interest. Further, the termination of the Executive Director came after an extended period during which the acting leadership of the OIG demonstrated a lack of support for the critical whistleblower protection mission of the office.

The timing of these actions, which occurred during the confirmation process for Mr. Michael Atkinson to be the new Inspector General, is especially troubling. We are concerned that the termination of the Executive Director may constitute an effort to preempt the nominee’s authority to make his own decisions upon confirmation. Moreover, during the nominee’s hearing, multiple U.S. Senators expressed the expectation that the nominee would, if confirmed, address their concerns regarding the current acting leadership of the OIG and its approach to whistleblowers. We are concerned that any preemptive steps taken by the acting leadership risk undercutting the constitutional authority of the U.S. Senate to provide advice and consent through the confirmation process.

We therefore write with several urgent requests. First, on November 29, 2017, Senator Grassley sent you and the Acting Inspector General letters urging the preservation of all records relating to the Executive Director’s then-proposed termination, as well as all the contents of the Executive Director’s office.