

said in her testimony yesterday that she has evolved her thinking about that, but I would ask those same Members who were talking about what happened in the early 1990s to think about what is happening today and to wonder who could be more qualified.

By the way, if she is not qualified, that means a number of other people, such as anybody in a senior leadership role at the CIA who happened to have been there at that time, would not be qualified, including John Brennan would not be qualified, who got a large bipartisan vote in this body to be the Director of the CIA, even though he was in a higher leadership role at that time at the CIA.

So, again, I hope she will be confirmed. I think she will be confirmed, but I do hope that any colleagues who are wondering which way to go will think about where we are today. It is a dangerous and volatile world. We do need somebody who has that experience, knowledge, background, and wisdom that comes with years of experience borne of actual experience in the field. And to have this smart, decent, well-qualified woman not be confirmed would be not just bad for the CIA but bad for our country and indeed bad for what all of us hope for, which is a more peaceful world and one where we do have the kind of intelligence we need to be able to keep that peace.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE CALENDAR

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 740, 830, and 831.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Patrick Hovakimian, of California, to be a Member of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2020; Gregory Allyn Forest, of North Carolina, to be United States Marshal for the Western District of North Carolina for the term of four years; and Bradley A. Maxwell, of Illinois, to be United States Marshal for the Southern District of Illinois for the term of four years.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate vote on the nominations with no inter-

vening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD, all en bloc.

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

The question is, Will the Senate advise and consent to the Hovakimian, Forest, and Maxwell nominations en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. PORTMAN. Mr. 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. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. BOOKER. Mr. President, I was necessarily absent for the votes on the confirmation of Executive Calendar No. 690, the motion to invoke cloture on Executive Calendar No. 729, and the motion to invoke cloture on Executive Calendar No. 777.

On vote No. 89, had I been present, I would have voted nay on the confirmation of Executive Calendar No. 690.

On vote No. 90, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 729.

On vote No. 91, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 777.●

VOTE EXPLANATION

Mr. DONNELLY. Mr. President, yesterday, May 9, 2018, I was in Terre Haute, IN, to attend the funeral services for police officer, Rob Pitts, a veteran of the Terre Haute Police Department and a Hoosier hero who was killed in the line of duty while serving his community. As a result, I was unable to vote.

Had I been present, I would have voted in support of the confirmation of Kurt Engelhardt to be United States Circuit Judge for the Fifth Circuit, and I would have opposed cloture on the nomination of Michael Brennan to be United States Circuit Judge for the Seventh Circuit.

NOMINATION OBJECTION

Mr. WYDEN. Mr. President, I must regretfully object to the Senate pro-

ceeding to the nomination of Christopher C. Krebs of Virginia to be Under Secretary of the National Protection and Programs Directorate at the Department of Homeland Security, DHS.

Since November of 2017, I have urged the Department, and Mr. Krebs specifically, to be more open with the American people about the threat posed by foreign governments using cellular surveillance technology to target phones in the United States, including those used by senior government officials.

In a March 26, 2018, letter, Mr. Krebs revealed to me that DHS "has observed anomalous activity in the National Capital Region (NCR) that appears to be consistent with International Mobile Subscriber Identity (IMSI) catchers."

However, as I noted in an April 18, 2018, follow-up letter to Mr. Krebs, which was also signed by my colleagues Senator PAUL, Senator GARDNER, and Senator MARKEY, DHS has in recent months shared additional information about these and other incidents with Federal agencies. Specifically, an official from the DHS National Coordinating Center for Communications, NCC, gave a detailed presentation to an audience of Federal Government employees on February 6, 2018. That presentation included important information that I believe the American people have a right to know. My colleagues and I asked Mr. Krebs to remove the "For Official Use Only," FOUO designation from the slides used at this presentation and make them available for public release.

I remain hopeful that this is an issue we can work through and resolve soon. However, until the FOUO designation is removed from those slides and they are made available for public release, I will object to the Senate proceeding with the Krebs nomination.

ADDITIONAL STATEMENTS

INTERNATIONAL FRANCHISE ASSOCIATION

• Mr. ALEXANDER. Mr. President, I ask that my remarks to the International Franchise Association be printed in the RECORD.

The material follows:

INTERNATIONAL FRANCHISE ASSOCIATION

Mr. ALEXANDER. What I have discovered is that those who like a center-right administration, which I do, have a hard time accepting success. I could probably do the accomplishments and achievements over the last 15 or 16 months in a 60 second version, which would be a better economy, lower taxes, fewer regulations, more conservative judges, repeal of the part of Dodd Frank that hamstringed small financial institutions in mortgage lending, Alaskan energy, a new NLRB, the local control of schools—that actually happened before President Trump came in because of a Republican majority in the Senate—and the repeal of the individual mandate. That's a pretty good list. In fact, if you only did economy, taxes, regulations and judges, at the end of four years, most administrations would be pretty happy with the

different direction. So if you cut through all the tweets and the chaos and confusion and the noise and the cable television in Washington, D.C. and look at the direction of the country, I think it's significantly different.

I'll give a couple of examples of that: rolling back regulations—only once before this administration and this Republican majority in Congress, we've used a provision in the law that allows us to overturn a regulation with 51 votes. We've done it 15 times in the last 15 months, including the blacklisting rule, including the OSHA record keeping rule. Most of you know about all these things in detail so I won't go into detail, but those are important. They're unusual and they're a completely different direction.

We passed the first major tax reform for 31 years. In Tennessee, I hear a lot about that, not just from individuals whose taxes are lower but I hear it from corporations who are now paying 21 percent on their income tax. But I'm hearing especially about being able to deduct capital investments in the first year, and I think we can see the results in the economy.

We have been able to confirm experienced and qualified nominees in a whole range of areas and I would suggest that in no area has the shift in policy been more marked than in the Labor area. For example, there's a new labor secretary, Acosta. A new deputy labor secretary, Pizzella. There's a new NLRB chairman Ring, NLRB member Kaplan, NLRB member Emanuel, NLRB general counsel. Those are big changes in the policy direction of this country. Then we've been examining, or these new appointees have been examining policies that are harmful that you work on a regular basis. Let's start with joint employer guidance. At least Secretary Acosta was able to pull back that guidance as it bled over from the NLRB to the department.

The problem with the joint-employer decision for me is that we live in a time when it's harder to find a good middle class job close to home. People are always flying here, flying there in what I would call the Internet economy. The hundreds of thousands of franchisees we have in America are an opportunity for mom or mom and dad or a family to work 12 hours a day, work several days a week, build their own business in their own home, contribute to their own community and be a part of the American middle class. And the joint employer decision during the last administration was a direct assault on that route for the middle class. And I'm glad to see this administration heading in a different direction on that as well as the Micro Union decision, as well as beginning to review the Ambush Election Rule.

These are all major, major decisions. Where are we likely to go on joint employer? Well, the House has done its job, but in the Senate to get legislative results, you need 60 votes, and that's going to be hard to do—impossible to do—without Democratic support. We don't have any Democratic support in the Senate right now. Your association has been working hard to try and develop that. I hear Democrats privately talking about it, but when it comes to co-sponsor a bill or vote for a bill, they don't want to do that. So I think I would suggest to keep pushing, but a more likely solution is when the NLRB revisits the rule, because that's after all how it was changed in the first place, and by a new administration with new appointees from a center-right administration and a center-right Senate that keeps things headed in that direction.

Last thing I want to mention to you has to do with what I believe is a prominent Labor Department proposed rule involving health insurance called association health plans. I worked for the last seven months to try to at

least temporarily fix the individual market. President Trump asked me to do it. He did a very good job of working with us. In the end, we had a proposal which he called Senator McConnell and Speaker Ryan and asked him to put it in the omnibus spending bill a month ago. They agreed to do it but the Democrats blocked it because Democrats didn't want to vote for the so called Hyde compromise language that they'd been voting for on elective abortion since 1976 and that they voted for in a hundred other provisions in the same bill. The shame of that is that we have millions of Americans who don't get any government subsidy. A contractor, for example, may be earning \$60,000 and paying 15 or \$20,000 for their insurance.

We had a proposal and Oliver Wyman—the experts in health consulting—said over these next three years would reduce those premiums up to 40 percent. If you're paying \$20,000 for your health insurance and you get an \$8,000 reduction, those are real bucks. So we have to turn to the administration to get changes in the Affordable Care Act. One of the most promising potential administrative changes is Secretary Acosta's proposed rule, and I hope you've followed it. It basically would allow uninsured people who are self-employed and more small business people to enjoy some of the same health insurance benefits that people who work for large companies do. Most Americans get a subsidy of some sort from the government for their health insurance. More than half of Americans get their insurance on the job, they get in effect about a \$5,000 subsidy because of the way the tax code interacts with the employer deductions and the income that goes to the employee on large group insurance. So, if you're a small business person, you get the same kind of insurance that somebody who works for IBM might have.

It would be cheaper. I just mentioned the amount of the deduction, and it wouldn't have the same protections that the large group plans have where you couldn't be charged because of a pre-existing condition, you couldn't be denied insurance or be denied coverage. You'd have to have coverage offered for your kids up to the age 26. You couldn't have lifetime limits and you would have of course, the lower costs. That could affect 9,000,000 Americans like the contractor I described who are getting hammered by Obamacare because they get no subsidies when they buy their insurance, and could affect the 11,000,000 other people who are self-employed or work for small businesses that don't provide health insurance. So that rule is not yet final. It's been published by the Department of Labor for everybody to consider.

I expect it to soon become final. And I expect that when it is, it's likely to be the single greatest development in the near term for individuals who are either uninsured or who worked for small businesses and who can't afford the insurance that is offered. So thanks for all that you do. We'll keep our eye on joint employer. At the very least, our committee can continue to focus on it. My hope is that the NLRB revisits the issue soon.

And I hope you remember when you think about this administration and you look through the chaos and the tweets and all that goes on here, that if you stripped that all away, there's a picture of a country heading in a significantly different direction with a better economy, lower taxes, fewer regulations, more conservative judges, a repeal of a significant part of Dodd Frank, an energy bill in Alaska that we've been trying for 40 years to do, a different NLRB, more local control of schools and a repeal the individual mandate.

In a big democratic, messy government, that's a significant shift of direction. I hope

we can add joint employer to it before very long.●

RECOGNIZING THE BUSY BEE CAFE

● Mr. DAINES. Mr. President, this week I have the honor of recognizing Mary Ann and Mark Petree for their contributions to Musselshell County as owners of Roundup's Busy Bee Cafe for almost 50 years.

For folks across Musselshell County, the Busy Bee Cafe is iconic. It is a place for the community to gather, have a great meal, and enjoy the best pie in Montana. The Busy Bee Cafe has grown to be a staple in the community, and that comes as a result of their owners, Mary Ann and Mark Petree.

Mary Ann and Mark bought the Busy Bee Cafe 49 years ago. When they purchased the Busy Bee Cafe, they saw the restaurant's potential. Business quickly grew, and they began expanding the size of the restaurant. Business today remains booming, while still holding onto the personal touches that drew them to the cafe in the first place.

With both of their children now grown, Mary Ann and Mark are able to dedicate their time to keeping the business running smoothly. They pride themselves on the local touch of all their food, with 95 percent of it being homemade. Every morning, Mary Ann and Mark start their day by serving coffee to the Busy Bee Cafe regulars.

I congratulate Mary Ann and Mark Petree on their 49 years of dedication to the Busy Bee Cafe. As a result of their hard work and attention to detail in every aspect of the business, the Busy Bee Cafe is a local favorite that brings together the greater Musselshell County.●

REMEMBERING DR. T. BERRY BRAZELTON

● Mr. MARKEY. Mr. President, today, it is my privilege to honor the work and achievements of Dr. T. Berry Brazelton, who dedicated his life to understanding the development of infants and young children and improving their lives, on what would have been his 100th birthday. Dr. Brazelton passed away on March 13, 2018, in Barnstable, MA.

Known as America's pediatrician, Dr. Brazelton's pioneering work in child development changed earlier concepts that parenting needed to be a rigid process. In addition to the clinical aspects of his work as a practicing pediatrician, he was also a scientist who observed, analyzed, and learned about the nature of babies and children and their interactions with their parents. His observations led to newfound understandings of how infants develop, including the importance of the parent-child relationship during the first stages of life. Dr. Brazelton also developed strong connections to the parents of the children with whom he worked. He was among the first researchers