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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.

God of hope and love, through all the length of changing years, Your goodness never fails. Help us to know that to embrace Your counsel is the way to find the road to abundant life. Sustain our Senators. Empower them to walk blamelessly and honor You by doing what is right.

Lord, prosper the works of their hands, and use them to help our Nation and world reflect the greatness of Your Kingdom. May their mouths speak wisdom and their hearts possess a knowledge of Your holiness, as You sanctify them through Your truth.

We pray in Your Holy 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 (Mrs. HYDE-SMITH). The majority leader is recognized.

RELEASE OF AMERICAN PRISONERS IN NORTH KOREA AND NOMINATION OF GINA HASPEL

Mr. McCONNELL. Madam President, let me begin this morning with gratitude to Secretary of State Mike Pompeo. Overnight, he completed a sensitive diplomatic mission and returned home from North Korea with

three freed American prisoners. The families of these three men, and the entire country, are so grateful.

This episode offers just one more example of the complex, relentless foreign policy challenges that confront our country. Clearly, America was fortunate that our new Secretary of State was prepared to execute his responsibilities from day one. Leadership and expertise matter.

Yesterday, our colleagues on the Intelligence Committee heard from another well-prepared leader, Gina Haspel—President Trump's selection to head the Central Intelligence Agency. Ms. Haspel's testimony showcased the judgment and poise that have defined her 33-year career of selfless service with the Agency. Her testimony confirmed what her gold standard resume and her bipartisan support from seasoned national security leaders had actually already told us: Gina Haspel has the experience, the talent, and the unique skill set to excel in this important job at this important moment.

Since 1985, she served the Nation in clandestine operations around the globe and rose to the highest levels of Agency leadership. True to the best traditions of intelligence professionals, numerous former Directors have lauded her qualifications, notwithstanding whether their service was for Democratic or Republican administrations. Her nomination carries the full-throated endorsement of 53 of our Nation's most respected national security leaders.

Today, more than ever, the value of Ms. Haspel's insights and experiences cannot be understated. Her career has encompassed both the Cold War and the ongoing Global War on Terror. In a moment when our national security demands excellence in each of these areas—great power competition and counterterrorism alike—Ms. Haspel stands uniquely ready to assume the responsibilities of CIA Director as perhaps its most qualified candidate in the

Agency's history. As the Intelligence Committee continues its consideration, I strongly urge my colleagues to support this fine nominee. We will all sleep better at night knowing Gina Haspel is on the job.

JUDICIAL NOMINATIONS

Mr. McCONNELL. Madam President, on another matter, today the Senate continues our work to confirm President Trump's well-qualified judicial nominees. Yesterday, we confirmed Kurt Engelhardt to the Fifth Circuit by a significant bipartisan margin.

The nominee now before us, Michael Brennan, is similarly qualified. His nomination carries bipartisan support from the people who know him best, including the endorsement of more than 30 current and former peers in Wisconsin. In the words of one such colleague, Mr. Brennan possesses "the mind, heart, and soul of a great jurist." It is not too surprising, then, that the American Bar Association has awarded Mr. Brennan its highest rating, unanimously—unanimously—"well-qualified."

I look forward to voting to confirm Mr. Brennan later today. Later, we will be voting to advance two more circuit court nominees: Joel Carson and John Nalbandian. Each possesses their own set of sterling qualifications, each comes recommended widely by those who have worked closely with them, and each deserves to be confirmed by this body and take their place on the Federal bench.

Our friends across the aisle aren't making it easy, but despite the historic obstruction, this Senate will continue to do what it takes to process and confirm the President's fine nominees for these important posts.

TAX REFORM

Mr. McCONNELL. Madam President, on one final matter, later today, President Trump is visiting the great State

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



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of Indiana. He is joining Hoosiers to celebrate the new jobs and prosperity our Republican agenda is delivering to communities in Indiana and all over the country. After years of Democratic policies that made life harder for job creators, the United States of America is officially open for business once again.

Surveys show that since President Trump and this Republican Congress were elected, the percentage of small and independent employers feeling confident about expanding their businesses has nearly tripled. The amount that employers spend on wages, salaries, and benefits for American workers grew more in 2017 than in any calendar year of the Obama administration. The number of Americans receiving unemployment benefits is the lowest—the lowest—since 1973. Let me say that again. The number of Americans receiving unemployment benefits is the lowest it has been since 1973. Richard Nixon was in the White House back then. Republicans have focused like a laser on getting Washington out of the way. More job opportunities, higher pay, and greater prosperity are already reaching middle-class Americans.

My colleague Senator YOUNG has been sharing some of the great news that awaits the President when he gets to Indiana. He has heard from constituents like Donald from Noblesville. Donald said:

I don't consider myself rich, but applying next year's tax changes to this year's income, I'll pay over \$1,000 less in taxes next year. Everyone benefits with the new tax cuts.

A Bloomington resident named Cathy said this about her husband's tax reform bonus:

We have never had this happen. It was much appreciated.

First Farmers Bank & Trust is raising wages, writing employee bonus checks, and investing more in development for the communities it serves, with 34 branches all across Indiana.

There are stories like these being written all over the country—largely because Republicans rolled back job-killing regulations and cut taxes significantly for working families and for small businesses.

Oddly, our Democratic colleagues can't bring themselves to admit this is a good thing. Even when the facts show our growing economy is making life better for middle-class Americans, they try to shrug off the facts and fall back on the same old class warfare rhetoric. Even when people like Donald and Cathy explain how tax reform is helping them, Democrats scoff at their household finances, saying multi-thousand-dollar tax cuts are just "crumbs."

Crumbs? Maybe in New York or San Francisco, but in Kentucky, where I come from, working families don't see their tax cuts, bonuses, and pay raises as crumbs. I have a hunch it is the same in Indiana.

It is curious that only one of Indiana's Senators voted to give Hoosiers

these tax cuts and these new job opportunities. Indiana's senior Senator voted in lockstep with Democratic leaders to block tax reform from ever taking effect. Instead of working with Republicans and the President to keep the new prosperity coming, he and his colleagues have chosen to obstruct and resist on nearly every subject.

Just the other day, the Democratic leader in the House declared she plans to campaign on repealing the tax reform—that is, the Democratic leader in the U.S. House—campaign on repealing the tax reform. Tax cuts versus tax hikes, that is about as clear a contrast as you can imagine. Fortunately, for Hoosiers, Kentuckians, and all the other communities that are finally growing again after years of atrophy, Republicans will defend the American people's tax cuts and defend their new jobs.

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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Madam President, later today the Senate will vote on the confirmation of Michael Brennan to the Seventh Circuit over the objections of one of his home-State Senators, Ms. BALDWIN, who has not returned a blue slip on his nomination.

It is an abject breach of senatorial courtesy that both parties have long respected. In fact, the seat Mr. Brennan will fill on the Seventh Circuit has been held open for 6 years by the senior Senator from Wisconsin, Mr. JOHNSON,

via the same process, the blue slip. When Barack Obama was President and when PATRICK LEAHY was chairman of the Judiciary Committee, we Democrats obeyed the blue slip, and it led that seat to be vacant for 6 years. Now that the shoe is on the other foot, the Republican majority will ignore the blue-slip rights of the Democratic Senator even though it fervently believes that we ought to listen to the rights of the Republican Senator from Wisconsin. The actions of the Republican leader erode one of the few remaining customs in the Senate that forces consultation and consensus on judicial nominations.

In the grand scheme of things, the vote may seem to some of my colleagues on the other side like a small one—one judge for one circuit court. But in truth, the vote on Mr. Brennan is a death by a thousand cuts of the grand tradition of bipartisanship and comity in the U.S. Senate. I know all too well that there is plenty of blame to go around on both sides of the aisle, but if we don't take a step back now, the Senate will soon become a rubberstamp or graveyard for Presidential nominees, rendering our advice and consent nearly meaningless.

I understand the pressure on the leader from the hard right. They want judges who are not bipartisan. They wanted a judge in this case who did not go through a bipartisan judicial panel, composed of both Democrats and Republicans, who have always sent us judges from Wisconsin. Two were sent, but, instead, Brennan, who couldn't get through the panel, was sent.

This is so wrong. This goes beyond what we have seen done before. When Leader McCONNELL changed the rules on the Supreme Court—which we didn't—many on the other side, I understand, said: Well, that is tit for tat because Democrats changed the rules on the lower courts. But the blue-slip tradition has always been obeyed. We didn't change that. We could have. We could have stuffed through our nominees with no Republican support, but we didn't.

I hope for the sake of comity that one or two of my Republican colleagues will stand up and vote against Mr. Brennan's nomination, not because of his beliefs—which they may agree with, for all I know—but for the sake of the Senate, for the grand tradition of the Senate, for the right afforded to every Senator to consult on judges from their State, minority or majority, and most of all, for the traditions that have held this body together for more than two centuries and separated it from the more partisan Chamber on the other end of the Capitol.

RELEASE OF AMERICAN HOSTAGES IN NORTH KOREA

Madam President, on another matter—North Korea—early this morning, the three American hostages who were being held in North Korea were returned home. It was great to see them come home, back in America, back with their families.

It is a wonderful thing, but the exultation by the President and others of the greatness of North Korea doing this evades me. We can't be fooled into giving the North Korean regime credit for returning Americans who never should have been detained in the first place. American citizens are not diplomatic bargaining chips. While we celebrate the return of the three Americans, for the sake of their freedom and their families, we should not feel as if we need to give Kim Jong Un anything in return.

It is troubling to hear President Trump say that Kim Jong Un treated the Americans excellently. Kim Jong Un is a dictator. He capriciously detained American citizens, robbed them of their freedom, and didn't let them go home to their families. Their release should not be exalted; it should be expected. It is no great accomplishment of Kim Jong Un to do this.

When the President does this, he weakens American foreign policy and puts Americans at risk around the world. If our adversaries look at what the President has said in reaction to Kim Jong Un, why shouldn't they detain American citizens and get a huge pat on the back when they release them?

It is like so many of the President's foreign policy actions—quick, not thought through, related to show and to ego. If our adversaries from Iran to China who already wrongfully hold Americans think they can get something—praise, standing, diplomatic concessions—by unlawfully detaining Americans in their country, you can bet they will try. These are bad people, the leaders of these dictatorships like Iran.

So I caution the administration. We are all rooting for diplomacy to succeed on the Korean Peninsula, but we cannot sacrifice the safety of American citizens around the world in exchange for an illusory veneer of peace. I worry that this President, in his eagerness to get acclaim and a photo op, will strike a quick and bad deal, not a strong and lasting one. President Trump and Secretary Pompeo must seek strong, verifiable, enduring commitments from North Korea to disarm.

NUCLEAR DEAL WITH IRAN

Madam President, now on oil prices and Iran, earlier this week the President exited the Iran deal. We all know that. Even as someone who opposed the deal—which I did because I thought it was flawed; I thought President Obama and Secretary Kerry should have waited longer and given more time for the sanctions to bite, and we would have gotten a stronger and better deal. I still believe that. But once the deal is in place, it seems to me that we should not be focused on undoing this deal. We don't want a nuclear Iran. That is one of the reasons I opposed the deal. But there is no report from anybody, including our own intelligence, that Iran is violating that part of the deal.

In the meantime, Iran is doing some very bad things. It is not a country we

should admire or respect in any way—the leadership, anyway. They are trying to develop an ICBM. They are creating havoc with the Houthis in Yemen. Worst of all, in my opinion, the greatest immediate danger is that there are Iranian Revolutionary Guard troops in Syria, right near Israel's border, and hundreds, if not thousands, of deadly rockets that Iran gives to Hezbollah, a militant terrorist organization. They placed them in Lebanon where they have hegemony in certain areas. That is the greatest danger to Israel. That is the greatest danger to peace in the Middle East. Down the road, it will be the greatest danger to the United States, at least in the next several years.

What we should be doing is not undoing this deal right now but creating new sanctions and telling Iran that if they continue giving missiles to Hezbollah, if they continue sending troops to Iran, if they continue their activities with the Houthis and the placing of additional missiles, we will put on additional sanctions. That is the smartest thing to do, and that is what is most in need now, given America's and the world's security needs. But we need our allies to do it.

Sanctions don't work when they are unilateral. We learned that in South Africa years ago with apartheid. Only when the sanctions became broad and enacted by many nations did they have an effect. It is the same situation here.

The United States, by pulling out of the agreement and getting our European allies' noses way out of joint, makes it far harder to enact new sanctions on what I perceive to be the greatest dangers we face.

There is one other thing Americans should realize about pulling out of the Iran deal, and that is it affects gasoline prices across the country. According to the U.S. Energy Information Administration, gas prices will rise over the summer, and the average American family can expect to pay \$200 more this driving season than last. The Iran deal is certainly some part of that. For middle-class families, \$200 this summer is more than the tax break they will get, if they get one at all.

When President Trump makes rash decisions without consideration of the consequences and no coherent strategy, which is what has happened with Iran, the American people pay the price in many different ways: security, the declining ability to find and go after the greatest dangers we face with Iran, and money out of our own pocketbooks with an increase in gasoline prices. One of the ways Americans will pay for President Trump's unthought-out decision to exit the Iran deal will be at the gas pump this summer.

So again, to repeat, I didn't think the deal was a good deal; still, I am proud I voted no. But at this time, in this place, and for so many reasons, pulling out precipitously without our allies involved does not achieve anything, does not achieve the goals we need to

achieve, and hurts Americans in different ways.

PRESCRIPTION DRUG PRICES

Madam President, finally, on prescription drugs, tomorrow the President will give a speech on another important topic in American healthcare: the high cost of prescription drug prices. He is right to give that speech. Americans suffer from the highest prescription drug costs in the developed world. On average, Americans pay over \$850 a year on prescription drugs, compared to an average of \$400 across 19 other industrialized nations. Remember, that is on average.

If you are sick and need one specific new drug on the market for your condition, you could be paying in the tens of thousands of dollars per month for that drug. Sometimes that new drug isn't much different from one already on the market and hasn't been proven to be more effective. Sometimes pharmaceutical companies intentionally corner the market on the drug and raise prices by absurd percentages. We saw that with Mr. Shkreli, and there is no cop on the beat to stop the Shkrelis of the world. It is outrageous, venal, and hurts seniors, the infirm, and regular middle-class families every day.

We ought to do something about it. That is why Democrats make lowering the cost of prescription drugs a central pillar of our Better Deal agenda. We propose that there should be greater transparency from companies when they are proposing to increase the prices of their drugs. We propose allowing the government to negotiate for lower drug prices and to establish an office that would go after the most egregious companies and actors who are raising prices on drugs for no reason—price-gouging enforcement. If we were in the majority, these policies would be our top priorities.

Hopefully, President Trump will get on board. In fact, I agree with a lot of what President Trump has already said on the issue. He said that the drug companies are "getting away with murder" and in the State of the Union Address he said:

One of my greatest priorities is to reduce the price of prescription drugs. Prices will come down.

President Trump's rhetoric focuses on a problem that we have to address, and we hope sincerely that tomorrow he will follow through on that rhetoric with a tough and detailed plan to achieve what we both wish to achieve. But so far, President Trump has taken little action to downgrade the price of prescription drugs. He installed a former top executive of a pharmaceutical company, Alex Azar, to be the Secretary of Health and Human Services. Now, 6 months before the election, without consulting Democrats or Republicans on the Hill, he will give a speech tomorrow on his plan to bring down the cost of prescription drugs.

We welcome the newfound attention. We sincerely hope the President outlines a clear, strong plan in detail

about how to tackle this incredible problem. Another “all hat and no cattle” speech will not get the job done. More rhetoric, more half measures will not move the needle.

We need to do something bold and effective to bring down the outrageous cost of prescription drugs, and we Democrats have a good, strong proposal. We hope he will embrace it.

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

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

Mr. WHITEHOUSE. Madam President, let me just say, as a personal matter, this is the first time I have seen you presiding in the Senate. It is a nice sight, and I welcome you.

I am here today to talk about the eroding and perhaps even vanishing tradition that we refer to in the Senate as the blue slip. People don't necessarily know what a blue slip is, but there has been a tradition with respect to U.S. attorneys, local U.S. district judges, U.S. marshals, and the seats on the U.S. circuit courts of appeals that are by tradition associated with a particular State. With respect to all of those nominations, there has been a tradition that they require the approval of the home State Senators. The mechanism for that approval is called a blue slip, and there actually is a blue slip.

The tradition in the Senate Judiciary Committee that was very rigorously enforced most recently by Chairman LEAHY, when he was chairman, is that a nominee for one of those offices does not get a hearing and cannot proceed without the blue slip of the home State Senators. I commend the ranking member on the Judiciary Committee, Senator DIANNE FEINSTEIN, on the great work she has done on the minority report she led that describes the history of the blue slip and the extent to which what we are doing today is a break with that tradition.

What provokes this is the nomination of Michael Brennan to proceed without a blue slip having been returned by his home State Senator, Ms. BALDWIN. Obviously this signals a disrespect to the local Senators with respect to the office for which they heretofore had a blue slip. It also represents a very significant shift of power in Washington from this body, from this Chamber, to the Oval Office, which is a little bit unusual. Politics come and politics go, but it is rare for a political body like the Senate to willingly and willfully emasculate itself to some degree and transfer all of that power down to the executive branch and to the Oval Office. I think there is a quite significant price to be paid for this choice.

Representing Rhode Island, we are on the First Circuit Court of Appeals. There is one seat—we are not a very big State; we have just one seat—on the U.S. Court of Appeals for the First Circuit, more properly, that is denominated as the Rhode Island seat. It is now occupied by a terrific judge, the Honorable Rogerie Thompson, whom Senator REED and I had a very significant role in getting appointed to that position. Should she step down, that vacancy would ordinarily be seen as the Rhode Island seat on the U.S. Court of Appeals for the First Circuit, and we would expect that we would be consulted and that our blue slips would be honored with respect to a nominee the President—whichever President—wished to push through.

Without divulging too many confidences, I will say that there was some considerable back-and-forth with the Obama administration in order for Senator REED and me to get the assurances we needed that judges we approved of would be appointed.

What I can't figure out is how the tradition of circuit courts of appeals seats having an affiliation with a particular State survives this decision to stop honoring blue slips for circuit courts of appeals. Every single Senator in this Chamber represents a State that lays claim to a certain seat—or a certain number of seats for the big States—on our circuit courts of appeals, but the only thing that undergirds that is the blue slip. The notion that there is a Rhode Island seat on the First Circuit or a Texas seat on the Fifth Circuit or New York seats on the Second Circuit or California seats on the Ninth Circuit or an Alaska seat on the Ninth Circuit doesn't exist in the Constitution. It doesn't exist in law. It exists by virtue of traditions of the Senate, and the only tool that gives that tradition any teeth at all is the blue slip.

So what happens if we, on a categorical basis, decide that circuit court of appeals nominees are no longer subject to the home State blue slip?

(Mr. SULLIVAN assumed the Chair.)

At that point, there is no method for assuring that there is any home State affiliation for that seat whatsoever. A future President could choose to put a New York judge, a Tennessee judge, or an Alaska judge into the so-called Rhode Island seat on the First Circuit. Contrarily, if a so-called Alaska seat on the Ninth Circuit opened up, a future President could put a Rhode Islander into that seat because the only mechanism preventing that from happening is the fact that we honor each other's blue slip. That is the only mechanism that protects this long tradition that the seats on the U.S. circuit courts of appeals are associated with particular home States.

So in this mad rush to get circuit judges confirmed—a rush that has completely overwhelmed this body and that has just completely stampeded the tradition of the blue slip—one of the

prices that we will pay is that there is no longer any mechanism to enforce that any seat on any circuit court of appeals in this country has any association with any State.

I have been joined by my distinguished colleague from Massachusetts on the floor. Massachusetts is a bigger State than Rhode Island. Massachusetts has several seats that the Massachusetts delegation would claim as the Massachusetts seats on the First Circuit if and when an opening should occur in those seats. But with no blue slip, how does that stay a Massachusetts seat? How do we have any voice in this whatsoever if there is no blue slip?

We could easily end up in a situation in which all of the circuit courts of appeals have essentially been nationalized. I think there are a great number of lawyers who would more than happily pull up stakes and travel to another location. The distinguished Presiding Officer from Alaska and I have had conversations about the enormous reach of the Ninth Circuit. That already takes quite a lot of traveling. For a lawyer to have the distinction of being able to be a U.S. court of appeals judge—let's say that I have to pull up stakes and move from Texas to Rhode Island—there are plenty of lawyers who would do that.

I urge my colleagues—as we undo this blue slip—to think about where this road ends, because a few years from now, if there is a President of a different party and there are circuit court nominees who come up, our Republican colleagues who have supported the abandonment of the blue slip will have no objection and no complaint—no legitimate objection and no legitimate complaint—if seats that are nominally the Alaska seat, the Massachusetts seat, the Rhode Island seat on the circuit get simply given to somebody else. There is no mechanism to prevent that if we don't honor the blue slip. That entire tradition falls right behind the collapse of the blue slip for the circuit courts of appeals.

Of course, it is a massive transfer of power from this body to the Oval Office, which is obviously fine with our Republican friends now, given the identity of the person who is in the Oval Office, but that is not forever. Changes like this are forever. So we need to think this through.

I will close by saying this. Why is it that we would behave in such a peculiar way with respect to the institution that we love and serve, as to basically disable ourselves with respect to local control over circuit court of appeals nominees and transfer that entire power down to the Oval Office? Why would we do that? That is peculiar behavior.

When you look to the heavens and you see peculiar behavior from heavenly bodies, you look for an explanation. One of the reasons we know that dark stars and black holes exist is because they create peculiar behavior

in the heavenly bodies around them. What might be the dark star that is causing the peculiar behavior of the Senate in willfully disabling its own power and authority with respect to nominations for circuit courts of appeals? What could explain the otherwise inexplicable dismantling of our own tradition and our own authority in this area?

I submit that there is a \$17.9 million donation that was brought to bear on the nomination of Judge Garland—the obstruction of that nomination—and the subsequent nomination of Judge Gorsuch from one donor. One anonymous donor put nearly \$18 million into an effort to manipulate that process. That is not what has gone wrong with the Courts of Appeals, but it is a signal of powerful political interests out there seeking control over judicial nominees. For what other reason would an individual donor anonymously spend nearly \$18 million? That is just one donor. There is plenty of anonymous money flowing into operations that seek to get specific types of people into robes.

My concern is that it is the power of special interests that is the dark star that is causing the Senate to undergo this deformation of its traditions—this relinquishment of our individual power as Senators and our group power as a branch of government.

It is special interest power that is driving this. There are special interests, such as the gun lobby, that would like to be able to go into a court and know that they have a judge who is predisposed in their favor. There are special interests, such as anti-choice groups, that would like to go into court and know that they have a judge who is predisposed in their favor. The actual very dark money forces that are meddling in our politics are desperate to show up in court when the question of dark money is litigated and have a judge who they know is predisposed in their favor.

There are business interests that seek to disable, diminish, and hobble courts and juries, and provide people home cooking arbitration alternatives to their constitutional right to go to court and to face a jury of their peers. They are very interested in seeing to it that when they appear in court on those issues, they have a judge who they believe is predisposed in their interests.

I cannot think of another reason why the Senate, as an institution, after all this time, would unilaterally disable itself, would unilaterally emasculate itself with respect to the role of the selection of our circuit court of appeals nominees.

I think this is a day that we will come to regret because that first step to get Judge Brennan confirmed may seem very attractive and appealing to a great many of my colleagues, but once you have crossed that Rubicon with that first step, there is no path that I can see that protects the right of individual Senators to assert an inter-

est in a specific seat or a number of seats on the circuit courts of appeals.

I think we have more or less taken an irrevocable step toward nationalizing the appointments of all circuit court of appeals nominees, and we will look back on this day and say: What fools we were.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I want to start by thanking my colleague from Rhode Island for both his powerful analysis of the influence of money on the selection of our judicial nominees and also for his point about the blue slip and the implications of what this means for an independent judiciary.

He has been a strong voice on this for a long time, and I think his speech on it was extraordinary and something that I hope everyone listens to and pays attention to.

We are facing an unprecedented attack on our courts. This week, once again, Senator MCCONNELL has scheduled confirmation votes on a slate of extremist judicial court nominees—nominees who have demonstrated that they are not committed to the principles of equal justice under law. In this administration, Senate Republicans have been working at breakneck speed to jam our courts with pro-corporate, narrowminded elitists who will tilt the scales of justice in favor of the rich and powerful and against everyone else. They are willing to bend and break and change every rule in the book to do it.

Their latest strategy is to ignore the blue slip. For over a century, home-State Senators have played a critical role in the judicial confirmation process by using something called a blue slip to determine whether a judicial nomination should move forward. The Senate Judiciary Committee has historically refused to move forward on a nomination without a blue slip from both home-State Senators. In fact, during the Obama administration, Senate Republicans insisted on maintaining that rule, refusing to move forward on any judicial nominee who did not secure blue slips from both home State Senators. They even stretched the rule beyond all reasonable bounds to stop fairminded, mainstream nominees from being confirmed. But now that Donald Trump is in the White House, Republicans have changed their tune. In order to force extremist nominees onto our courts, they are willing to toss the blue slip right out the window.

Michael Brennan, President Trump's nominee to serve on the Seventh Circuit Court of Appeals, is just the latest example. Even though Mr. Brennan did not receive a blue slip from both home-State Senators, Senate Republicans moved forward on his nomination. Perhaps the ultimate irony is that when President Obama nominated another candidate to fill this very same seat, Mr. Brennan penned a strong defense of

Senator JOHNSON's decision to withhold his blue slip. Now that the shoe is on the other foot, those principles have magically disappeared.

Let's be clear here. There are plenty of reasons for any Senator to be concerned about Mr. Brennan's fitness to serve on the Federal bench. I will just mention a few.

Mr. Brennan has mocked millions of hard-working women who have faced sexism and obstacles to advancement.

He has dismissed the idea of a glass ceiling.

Mr. Brennan has defended a Wisconsin law that added unnecessary barriers to women who were seeking access to abortion, even in the case of rape or incest.

Mr. Brennan supports criminal sentencing policies that slap low-level offenders with long jail sentences and exacerbate the problem of mass incarceration in America.

And it gets worse. Mr. Brennan believes that it is A-OK for judges to refuse to follow binding court precedent when the judge just thinks it is incorrect. Now, that is extreme.

But Senate Republicans have shown that they just don't care. They are willing to do whatever it takes to hand over our courts to moneyed interests.

NOMINATION OF THOMAS FARR

There are many other radical nominees who are also in line. I want to take some time to talk about one of them, but I think it is important to explain just what is at stake here.

In 2015, I was honored to join thousands of marchers to commemorate the anniversary of Bloody Sunday. On that chilly March morning 53 years ago, hundreds of nonviolent voting rights advocates, including many poor and rural African Americans who had been systemically shut out of the political process, joined together to march 54 miles from Selma to Montgomery to demand equal access to their constitutional right to vote. As they crossed the Edmund Pettus Bridge, the marchers, including my friend Congressman JOHN LEWIS, came face-to-face with a wall of State troopers armed with billy clubs. The troopers had one message for the marchers: Turn back. Don't fight this fight. It is not worth it.

Fully aware that they were putting their lives on the line, the protesters decided it was worth it. They held their ground. As the protesters fell to their knees to pray, they were brutally attacked by the State troopers.

As television footage and pictures of the brutality that day ricocheted across America, the country was forced to grapple with an ugly truth: In a country that is supposed to be a beacon of democracy, many citizens had systematically been stripped of the fundamental right to vote.

The march set in motion the signing of the Voting Rights Act of 1965—a landmark law that banned racially discriminatory voting practices. I wish I could say the fight for voting rights ended that day—the day President

Johnson signed that law—but it didn't. Even today, powerful forces combine to strip Americans of their lawful right to vote. States have passed restrictive voter ID laws, purged voting rolls, limited opportunities to register, and erected other barriers to the political process, all with the same goal—to make sure that people who wouldn't vote for them wouldn't get a chance to vote at all.

Federal courts have been on the frontlines of that battle. Citizens have sought justice by asking the courts to strike down laws that make it harder for people of color, low-income people, the elderly, disabled, or others to vote. The judges who sit on those courts have one duty—to uphold equal justice under law.

The Senate must determine whether Federal judicial nominees are prepared to meet that obligation. Thomas Farr, the nominee for the Eastern District of North Carolina, clearly fails that test. Instead of standing up for the rights of all people to vote, Mr. Farr has been the go-to lawyer for powerful interests who have worked to stop people of color and marginalized groups from exercising their right to vote.

Among the most appalling parts of Mr. Farr's resume is his work for Jesse Helms, the former U.S. Senator and shameless bigot. Helms made his views on civil rights and equal treatment clear. He opposed renewal of the Voting Rights Act. He led opposition to commemorate the birthday of Martin Luther King, Jr., as a holiday. He called LGBTQ individuals "disgusting, weak, and morally sick wretches." He supported the apartheid regime in South Africa.

Senator Helms led some of the most blatantly racist political campaigns in modern history. For example, to drive down Black turnout, his campaign mailed over 100,000 postcards to homes in predominantly Black neighborhoods threatening that those individuals could be criminally prosecuted if they voted. Helms's most infamous campaign ad was a television spot that showed White hands crumpling up a job application, with an announcer saying that the person needed that job, but it was taken by a minority.

These ugly appeals to racism were a core part of Helms's campaign, and Mr. Farr was right by his side, serving as Helms's campaign lawyer. But Mr. Farr's troubling record doesn't end there. In recent years, he has played a central role in resisting anti-discrimination efforts in North Carolina.

In 2013, the Supreme Court dismantled a key part of the 1965 Voting Rights Act in its *Shelby County v. Holder* ruling, making it easier for States to enact discriminatory voter laws. After *Shelby County*, North Carolina's Republican-led legislature wasted no time in restricting voting rights, searching for ways to make it harder for African Americans in the State to vote.

North Carolina legislators requested data about voting practices broken

down by race, identified laws that helped African Americans vote, and went about gutting each one of them. In just 3 legislative days, the State legislature rammed through an omnibus voter suppression bill. The bill included a voter ID provision that specifically excluded IDs that African Americans disproportionately used. It eliminated the first week of early voting. It ended same-day registration. It eliminated out-of-precinct voting. It stopped preregistration for 16- and 17-years-olds. These were all—every one of them—practices that helped boost African-American voter turnout.

The bill was challenged in court by faith groups, by civil rights groups, and by the U.S. Government. Where was Thomas Farr? Where was he? He was on the other side, defending the discriminatory law. The Federal appeals court rejected Mr. Farr's argument. It concluded that the North Carolina Legislature had intentionally discriminated in passing its voting laws, targeting African Americans with "surgical precision."

That case represents just one of many times Mr. Farr has defended powerful interests who discriminate against and harass those who are less powerful. I will mention a few more.

When North Carolina redrew its district lines in a way that diluted the votes of African Americans, Mr. Farr defended it. When Avis, a car rental company, was sued for discriminating against African-American customers, Mr. Farr was there once again defending discrimination.

Time after time, Mr. Farr has defended racial discrimination. He has also defended discrimination against workers, discrimination against women, and discrimination against LGBTQ individuals. For example, Mr. Farr defended an employer who created a toxic work environment for female employees, instructing them to wear skirts to attract clients, commenting that women belonged in the home instead of the workplace, and telling one woman that he would help her pick up her panties from the floor. He defended the discriminatory North Carolina law that prevents transgender men and women from using the bathrooms that reflect their gender identity.

Anyone paying attention to judicial nominations knows that powerful interests are working to capture our courts. They have been having a field day in this administration. I have come before this Chamber on many occasions to oppose radical, pro-corporate nominees handpicked by those powerful interests. Thomas Farr is one of those radical, pro-corporate nominees. He is one of them, but he has set himself apart even from the many terrible nominees the Trump administration has forced through the Senate because Mr. Farr has directly worked to dismantle one of the most precious and fundamental rights of our democracy—the right to vote.

In a State that is over one-fifth African American, the Eastern District of

North Carolina has never had an African-American Federal district judge—not a single one. The Senate held up two thoroughly qualified African-American women for this same seat—two women who would have sailed through the Senate if they had gotten a vote, but they were held up so that a Republican President could fill the vacancy. And now President Trump has nominated someone who has spent much of his career defending discrimination against African Americans. Talk about rubbing salt in the wound.

Equal justice under the law is a cornerstone of American democracy, but that promise cannot be fully realized if we allow individuals like Mr. Farr to secure lifetime positions on our courts. Someone who thinks that States should be able to make it harder for Americans to vote based on the color of their skin or the likelihood that they will vote for a particular political party should be automatically disqualified from a Federal judgeship.

I urge my colleagues to vote no on Mr. Farr's nomination. The integrity of our courts is at stake.

Thank you.

The PRESIDING OFFICER. The Senator from Arizona.

UNANIMOUS CONSENT REQUEST—H.R. 1551

Mr. FLAKE. Mr. President, I rise today to fulfill a promise to continue to advocate for a solution that will address the critical issues of securing the border and protecting young immigrants impacted by an uncertain future—those who are part of the DACA Program.

Last month, I again offered legislation to extend the DACA Program for 3 years and to provide 3 years of increased funding for border security—a so-called 3-for-3 program. I think this is a way we can reach a compromise on this issue that will do two important things—one, provide much needed funding to secure the border. Being from a border State like Arizona, I can certainly understand that. We need a more secure border. We need additional resources, including barriers, technology, and manpower, and this legislation would provide that. At the same time, it would provide protection for those kids—numbering about 800,000 and many more eligible as well—who face an uncertain future because we haven't been able to extend or to make permanent this program.

By the way, these are kids who were brought across the border through no fault of their own when their average median age, I think, was about 6 years old. It is not their fault that they were brought here this way. For all intents and purposes, they are American—everything without the papers. Many of them have now graduated from college and face an uncertain future in the job market. Many of them are in school looking to continue that education. Many of them serve in our military. We have to do right by them and do what is good for the country, as well, and I think this legislation would do that.

Unfortunately, some of my colleagues have repeatedly chosen to block the measure. I am the first to admit that this solution is far from perfect. We need to do a lot of other things with immigration reform. We need to address long-term labor needs, as well as a more permanent solution for those who are here illegally who weren't brought across the border as children. But this is a compromise that can pass.

Given the action over the last couple of days in the House, where there was a group of House Members—Republicans and Democrats—looking to force that body to finally take action on this, it is again time to have the Senate make another attempt. Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 300, H.R. 1551. I further ask that the Flake substitute amendment at the desk be considered 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. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from North Carolina.

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, a couple of weeks ago, I started the first of what will be a weekly speech to bring attention to what I think is a travesty of justice occurring in Turkey.

I wish to speak about a pastor, a Presbyterian minister from North Carolina, who has lived in Turkey for about 20 years and who has done his very best to respect the laws of Turkey and to bring the Word to people who want to hear it.

Unfortunately, he has been swept up in a coup. He has been swept up in the emergency powers of Turkey. He has been in prison for 580 days.

I went to Turkey about 6 weeks ago to visit Pastor Brunson in prison because I heard that after being in prison for about a year and a half—and for much of that time in a cell that is designed for 8 people and had 21 people in it—he was then indicted. I heard he was afraid the American people were going to read that 62-page bogus indictment, with some of the flimsiest charges we could imagine—charges that wouldn't keep someone overnight in an American jail—that have kept him in prison for 580 days. About 2 months ago, he was indicted, but he said to his wife and friends, he was afraid the American people would read that indictment and turn their backs on him.

So it was important for me to travel over there and tell him face-to-face in that Turkish prison that is the last thing that is going to happen. We are

going to continue to work every day he is in prison. I am going to come to the Senate floor, and other Members are, every week for as long as he is illegally in prison, and we are going to make sure the American people and the Turkish people know what is going on and send a very clear message to the leaders of Turkey that this is an unacceptable way to deal with a NATO ally. It is a horrible way to deal with somebody who is only guilty of standing up for a church in Izmir.

It is a small church. Actually, the seating area down below, maybe if it was packed, could hold 150 people. It opens up to a street. It is in a residential area. They let anybody come in. They open their windows. They actually talk with the police about security matters so they know what is going on, but it is just a small church, and all he was trying to do is provide aid and comfort for those who want to seek it.

Every once in a while, he would go to Syria or other parts of Turkey to try to provide aid and comfort to those who need it, Syrian refugees or anyone else. Part of the charges are actually related to that. If you provide aid and comfort, food, to a Kurdish person, in Turkey today, you may be considered a terrorist or a coup plotter. That is what he has been charged with.

In my second trip, I spent 12 hours in a Turkish courtroom to hear every word of the testimony from secret witnesses—whom Pastor Brunson didn't get to face—about the horrible things he did. One of the charges was that one night a witness saw for 4 hours a light on in one of the rooms in the church. Here is the problem with that charge: That is the room. It doesn't have a window. So unless they had x-ray vision, there is no possible way they could have observed that, but it became weighty testimony in the courtroom.

It is a kangaroo court. I want to continue to say, if you don't know "kangaroo court," there is the definition. It is just a trumped-up theater that bears no resemblance to anything you would ever see in American jurisprudence.

Let me give another idea of the level of absurdity of the charges. Pastor Brunson's daughter posted how much she enjoyed a meal with friends. It turns out the prosecutor thought this particular meal was something that was enjoyed by people who participated in the Gulen movement, and therefore her father must somehow be associated with the coup attempt. These are actually serious discussions going on in a Turkish courtroom.

I wasn't able to make it back to Turkey on Monday. I understand that basically the same thing happened, but it got worse. On Monday, when Pastor Brunson and his defense attorney had asked that 10 other witnesses testify on his behalf, they weren't allowed to testify because they were suspects. They weren't convicted. They apparently have been charged or considered to be charged, but in Turkish jurisprudence

standards, to be suspect is enough to prevent you from actually helping defend someone who is on trial for a 35-year sentence.

He has been in prison for 580 days. He has lost 50 pounds. He is struggling to keep his wits about him, and he and his wife are doing an extraordinary job. This is a miscarriage of justice.

I believe, today, as I said in a speech 2 weeks ago, and I will say it again: Don't travel to Turkey right now. If you are thinking about making a trip to Turkey, make sure you don't eat this meal—and, for goodness' sake, if you do, don't post how much you enjoyed it because you may be considered a Gulenist. Don't take a picture with friendly people on the street whose ethnic origins you don't know because they may have you associated with somebody who is suspected of plotting a coup. That is the reality of Turkey today.

I can't guarantee the safety of North Carolinians because I have yet to actually speak with people in their state department and their foreign ministry who actually understand the absurdity of what is going on in Turkey today.

I hope we can get back to a better position, but until this man is released, and others who have been falsely charged are treated fairly, I am going to have to come to the Senate floor each and every week we are in session to make sure the American people know what is going on in Turkey and to make absolutely certain that people like Pastor Brunson who are in prison know they have people in the U.S. Senate.

In fact, 66 Senate Members have signed a letter—that is a big lift in the U.S. Senate to get any 66 Members to agree on something—to send a very clear message that we are watching, and there will be consequences if this man is wrongfully imprisoned and could potentially spend the rest of his life in Turkey.

Mr. President, I ask unanimous consent to enter into a colloquy with my friend and colleague from Oklahoma.

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

Mr. TILLIS. Mr. President, with that approval, I will pass it over and thank Senator LANKFORD for his hard work—he has been aware of this issue from day one—and collaboration on it.

Mr. LANKFORD. Mr. President, I thank Senator TILLIS and the Presiding Officer for acknowledging our time to have this conversation. This is a serious conversation because this is a NATO ally.

Dr. Andrew Brunson has been in Turkey 24 years. For 23 of these years, he served as a pastor in humanitarian work. He took care of providing food and clothing and pastoral ministry for anyone who would come, just like anyone does.

That has not been an issue in Turkey for decades because Turkey has been very open to all faiths, all religions, and they have prided themselves on

being a nation that recognizes all faiths, all backgrounds, and all religions and ethnicity. At least that was the old Turkey. Literally, under Dr. Brunson's feet, Turkey shifted from where they were to where we don't recognize them anymore as a NATO ally.

In October of 2016, Dr. Brunson was called by the police department there. Assuming it was an immigration issue, he and his wife went because they had gone multiple times to the police department to renew their visa and keep everything up to date. They had a great relationship with the local police department, with local individuals, and with all the authorities in the area because they had been there for two decades and had developed great friendships.

So they went to check in, but this time, instead just checking in again for an immigration issue, they took them into custody, without any charges, and held them for a year—with no charges—then, eventually, presented these trumped-up charges which they have laid out that are absolutely absurd.

How a Christian minister is somehow cooperating with a Muslim in a coup in Turkey is absurd on its face. All of the crazy accusations from secret witnesses who would appear by video with their faces blurred out, making accusations that they had seen or they had heard—allowing no one to actually ask them questions is absurd. Just as absurd is not allowing Dr. Brunson to bring any witnesses in his defense.

There have now been two hearings that have been just this style: Dr. Brunson not allowed to bring anyone to speak on his behalf; all of these trumped-up witnesses who come with blurred-out faces—this secret testimony that they can present—to come back and present something they would consider evidence that we would never allow in any court, and, quite frankly, no one would take seriously these accusations.

In 2016, after Dr. Brunson had been in jail for a few weeks, I went to Turkey and visited with the Minister of Justice there. The Minister of Justice at that time said: We have some information. We are going to work this out. We are going to allow the process to go through the court system, but we will rapidly go through this process. Now, a year and a half later, we are finding out there never was any evidence, there never was any issue—and we are still dealing with an American being held hostage by a NATO ally.

I thought I would never say this sentence, but I would like to see Turkey follow the example of North Korea and release the American hostages they are holding. Now, when Turkey—a NATO ally—is behind North Korea in how they are handling humanitarian issues, Turkey has moved to a very bad spot. It is not a place they need to stay.

Turkey has been a friend and an ally—we work together against terrorism; we work together on econom-

ics—but I join Senator TILLIS in the statement he just made: I discourage anyone I speak to, to do any business in Turkey or to travel to Turkey at this point. If you are doing business in Turkey, you cannot guarantee the safety of your employees any longer; if you are traveling to Turkey, you cannot be guaranteed safety anymore. Because of the emergency powers that are currently being used in their legal system, they can sweep up anyone for any accusation and hold them for any length of time. That is not just theory; that is being proven by a pastor being held for a year and a half in Turkey with false charges. I highly recommend no one does business in Turkey at this moment, just for the safety of your employees and the people you would work with.

Now, Turkey has not just done this. They have also turned toward Russia, pursuing Russia for their air defense systems. As a NATO ally, that is unheard of, to say they are going to have NATO equipment, but then they are also going to go to Russia. That shows the turning of President Erdogan and the leadership of the country.

Congress is not going to just sit back on this and should not. Senator SHAHEEN and I have already put language out for the foreign ops bill in Appropriations which would specifically identify those individuals—the judges in the court, the officials who are holding Pastor Brunson, the officials in the city jail and in their national government who are specifically holding those individuals—to apply sanctions directly to the individuals who are holding an American pastor hostage.

Senator SHAHEEN, Senator TILLIS, and I have already put forward a piece of legislation blocking Turkey from maintaining or purchasing the F-35. They are a NATO ally, and they should have access to that, but they are not acting like a NATO ally. We don't know where they are going, and it would be a mistake for the United States to give our best technology—somewhere that we don't know where it is going to go and how it is going to be used in the future.

Just this week, the House released their National Defense Authorization Act. In the base text of the NDAA coming from the House is a provision which would block all defense sales to Turkey until we get more information about what is happening in the future and what direction Turkey is going. That is a reasonable precaution to take in a nation that is rapidly shifting away from democracy, a free court, free speech, and freedom of religion. They are losing humanitarian values. We should address that and respond to that, and we are.

It is not just what we might do; it is what we are doing currently to try to respond to this issue. The State Department continues to apply diplomatic pressure, but we have moved past the time when diplomatic pressure needs to be applied. It is time to apply

economic pressure and pressure on how our partnership will work long term.

We want our ally back—the Turkey we used to know, that we cooperated with, and maintained a long-term friendship with. We would love to maintain that long-term friendship with an ally that has strongly stood with us, and we have stood with them, but we do not recognize what Turkey is anymore.

A good first step with them would be to follow the lead of North Korea and release our hostages out of their jails.

Mr. President, I yield back.

Mr. TILLIS. Mr. President, I thank Senator LANKFORD.

I went to Turkey when I was speaker of the house in North Carolina and led a delegation there about 7 years ago, spent 9 days, met with business leaders, and met with President Erdogan. I came away with a great deal of optimism—as a matter of fact, so much optimism. I hosted a delegation from the mayor of Kayseri, who is now a Minister in the Turkish Government, to talk about how North Carolina and Turkey could build stronger economic ties. We both have textile and furniture industries. It looked like a great opportunity, but, as Senator LANKFORD said, the Turkey of today bears no resemblance to the Turkey I visited about 7 years ago, to the Turkey I visited just a few weeks ago.

I would like to be talking about how we help Turkey take the fight to terrorist organizations threatening their homeland. I would like to work more with Turkey, as we have this week, to identify ISIS leaders, detain them, and make that region safer.

I would like to be a member of the Senate Armed Services Committee—and sit right next to Senator SULLIVAN—fighting for additional NDAA provisions that underscore our commitment to our NATO ally in Turkey, but now I am at a fork in the road, and right now I only have one position to take; that is, to put Turkey on notice for their bad actions as a NATO ally and for their bad actions toward American nationals in the country of Turkey.

So I am with Senator LANKFORD, Senator SHAHEEN, and other Senators. When we do our markup on the national defense authorization, instead of talking about how we strengthen our relationship for their part in manufacturing the Joint Strike Fighter and what is the timeline to actually have our NATO ally have Joint Strike Fighters, F-35s, within their military base, now I have to start talking about whether they should have it at all. I have to start talking about what are the implications of a Russian missile defense system in a NATO country, with all the intelligence, surveillance, and reconnaissance assets that come with it. I have to start talking about what the future of our relationship is with a nation that is, for the first time in NATO history, holding American hostages—a NATO ally. I have to take

things in a different direction. It is my responsibility, as the co-lead of the Senate NATO observer group, as the Senator of a State who has had a citizen in prison for 580 days. I have no choice.

I thank the Presiding Officer for the time today. I will be back next week, and I will be back every week until we see justice served for Pastor Brunson.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

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

Mr. WYDEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Delaware (Mr. COONS), and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 89 Ex.]

YEAS—49

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

NAYS—46

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

NOT VOTING—5

Booker	Duckworth	McCain
Coons	Graham	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid

upon the table and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Joel M. Carson III, of New Mexico, to be United States Circuit Judge for the Tenth Circuit.

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

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

The question is, Is it the sense of the Senate that debate on the nomination of Joel M. Carson III, of New Mexico, to be United States Circuit Judge for the Tenth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Delaware (Mr. COONS), and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The yeas and nays resulted—yeas 71, nays 24, as follows:

[Rollcall Vote No. 90 Ex.]

YEAS—71

Alexander	Flake	McConnell
Barrasso	Gardner	Moran
Bennet	Grassley	Murkowski
Blunt	Hassan	Murphy
Boozman	Hatch	Nelson
Burr	Heinrich	Paul
Capito	Heitkamp	Perdue
Carper	Heller	Portman
Cassidy	Hoeven	Risch
Collins	Hyde-Smith	Roberts
Corker	Inhofe	Rounds
Cornyn	Isakson	Rubio
Cotton	Johnson	Sasse
Crapo	Jones	Schatz
Cruz	Kaine	Schumer
Daines	Kennedy	Scott
Donnelly	King	Shaheen
Durbin	Lankford	Shelby
Enzi	Leahy	Sullivan
Ernst	Lee	Tester
Feinstein	Manchin	Thune
Fischer	McCaskill	

Tillis	Udall	Wicker
Toomey	Warner	Young

NAYS—24

Baldwin	Harris	Reed
Blumenthal	Hirono	Sanders
Brown	Klobuchar	Smith
Cantwell	Markey	Stabenow
Cardin	Menendez	Van Hollen
Casey	Merkley	Warren
Cortez Masto	Murray	Whitehouse
Gillibrand	Peters	Wyden

NOT VOTING—5

Booker	Duckworth	McCain
Coons	Graham	

The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 24.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Joel M. Carson III, of New Mexico, to be United States Circuit Judge for the Tenth Circuit.

The PRESIDING OFFICER. The majority whip.

NOMINATION OF GINA HASPEL

Mr. CORNYN. Mr. President, I wish to return to a theme that I have been addressing the last few days, and that is the nomination of Ms. Gina Haspel to be Director of the CIA.

Yesterday, the entire country—indeed, the entire world—saw Ms. Haspel's performance before the Senate Select Committee on Intelligence. Speaking for myself, I could not have been more impressed, and taking an informal poll among others, I think many people felt the same way.

It is a tough requirement of her confirmation process for somebody who has spent 33 years working for the CIA in some of the most obscure—and unknown to the rest of us—spots around the world to have to come and answer questions about her career, much of which happens to be classified information.

We had an open session and then a classified hearing where she and we on the committee could protect the sources and methods and alliances we have around the world that help us collect intelligence for our policymakers and help to keep our country safe. As expected, she faced intense rounds of questioning, as I said, both in an open session and behind closed doors. I believe she did so with patience, courtesy, and poise.

She articulated her view on a number of topics, of course. She defended her record against a series of false accusations and said repeatedly what those of us who have supported her already knew. She believes that U.S. Government actions must be held to a strict moral standard. If confirmed, she would not obey an order she believed to be unlawful, and in her new role, she would not restart interrogation programs inside the CIA.

I want to highlight three developments that I believe lend credence to many of Ms. Haspel's statements during yesterday's hearing. First are the

comparisons that have been drawn with John Brennan, former CIA Director under President Obama.

As many others have pointed out, Mr. Brennan served as the No. 4 official at the CIA—much higher up the food chain, so to speak, than Ms. Haspel, who was a GS-15. Yesterday, I asked someone to tell me, as a civilian intelligence officer, how that rank would compare to the military. I was told that would be the equivalent of roughly a major or maybe a lieutenant colonel in the military. I think that is significant when you think that Mr. Brennan was the No. 4 official at the CIA, and at relevant times Ms. Haspel was an intelligence officer in a mid-level position to be sure.

Getting back to Mr. Brennan, he had direct personal knowledge of the interrogation program many have questioned Ms. Haspel about. She told us she was not a part of it, had not been read into the program, and did not interrogate anyone.

Mr. Brennan was confirmed by a vote of 63 to 34, with only 2 Democrats and 1 Independent voting against him. If Mr. Brennan was confirmed, despite his history at the CIA at a time when this program was being implemented, Ms. Haspel should be confirmed as well.

It is worth noting that Mr. Brennan himself agrees. He has called Ms. Haspel “an exceptionally well-respected professional within the CIA,” one “who has held a number of senior-level positions over the years, and has acquitted herself very competently.” He said she will be able to provide “unvarnished, apolitical, objective intelligence . . . to [President] Trump and to others.”

Given this body’s past support of Mr. Brennan’s nomination and our Democratic colleagues’ current opposition to Ms. Haspel, it strikes me that she and our current President are being held to a standard to which Mr. Brennan and President Obama were not held. In other words, it is a double standard. I think that is highly regrettable and indefensible.

The truth is that all the Senate Democrats currently on the Intelligence Committee who were Senators at the time of John Brennan’s confirmation voted to confirm him, so I believe they have no good reason not to vote to confirm Ms. Haspel as well.

I also remember when President Obama declassified certain Office of Legal Counsel memos in 2009. He promised the men and women of the CIA:

We will protect all who acted reasonably and relied upon legal advice from the Department of Justice that their actions were lawful.

They need to be fully confident that as they defend the Nation, I will defend them.

I hope we will hear from President Obama as he keeps the promise he made back in 2009 to defend those who acted on legal advice from the Department of Justice in good faith. I think we all need to remember those words

by President Obama and apply them when considering Ms. Haspel’s nomination.

The second thing I want to mention is a letter dated just yesterday that was sent to Chairman BURR and Vice Chairman WARNER of the Permanent Select Committee on Intelligence. It was signed by more than 30 former senior government officials with national security experience in administrations of different parties or on Capitol Hill. They called Ms. Haspel “an excellent choice to lead the CIA at a time when our intelligence community is under significant pressure at home and abroad.” They praised her as a leader with “discipline and guts to take the CIA into the future,” saying that she is highly regarded in the storied halls of Langley. That letter was signed by former CIA and National Security Agency Director Michael Hayden, former NSA Director GEN Keith Alexander, former Attorney General Michael Mukasey, and many others.

I have said it before, but I will say it again. Those people who know Ms. Haspel best, who have worked alongside her on a daily basis, who have been in meetings with her and have witnessed her decision making like this woman. They respect her, and they think she is the best of the best, so enough already. I think we should listen to the people who know her the best.

The third item related to Ms. Haspel that I will mention was a telling exchange she had with our colleague and friend, the senior Senator from California, Ms. FEINSTEIN. Senator FEINSTEIN asked about a certain book that at least one journalist has claimed proves Ms. Haspel “ran” an interrogation program in the days after 9/11. In graciously responding to our colleague’s question, Ms. Haspel pointed out something important: The author of the book in question has said definitively that he “never intended to suggest in [the] book that Gina Haspel was in charge of the CIA’s interrogation program. She was not.”

In other words, he corrected a misimpression that was created by the way the book was written and made clear she was not in charge of the CIA interrogation program. The author went on to say that he fully supports Ms. Haspel’s nomination.

I think that short episode establishes how careful we need to be in evaluating what is known about Ms. Haspel’s distinguished record of service. There are a lot of things being said that simply are not true.

As many have mentioned this week, when it comes to interrogation programs following the devastating attack of 9/11, where 3,000 Americans lost their lives, she in fact was exonerated by both internal reviews at the CIA, as well as two Justice Departments, which determined that she had complied with appropriate legal guidance in place at the time she acted.

Toward the end of the open session, Ms. Haspel spoke about the sacrifices

made by the men and women with whom she had served. I think we need to keep in mind how difficult intelligence work can be, especially when it requires one to leave family and friends and take up hardship assignments in far-off corners of the globe. They are not like our men and women in the military, who perform such dedicated and patriotic service; intelligence officers have the additional burden of not even being able to tell their own family and friends where they are and exactly what they are doing because of the sensitivity of their work.

Ms. Haspel told us about a CIA al-Qaida expert who gave birth to her third child in the days leading up to September 11. This analyst, because of her expertise, was deployed to Afghanistan shortly after the terrible events of 9/11, leaving her family and three children behind. Later, she and six of her colleagues were murdered while serving in that combat zone in the service of the Central Intelligence Agency and the U.S. Government. This is exactly the kind of dangerous and selfless work that intelligence professionals embark upon day after day.

They do it because they feel a deep, abiding sense of duty and loyalty to a country that has given us freedoms many parts of the world do not enjoy, and it is that loyalty, it is that sense of duty that propels them to put it all on the line. They pour their blood, sweat, and tears into detecting and helping to stop threats posed against this country by nations and actors intent on doing us enormous harm.

As we heard yesterday from Ms. Haspel, there are more than 100 stars on the CIA Memorial Wall, and 7 more were added just last year. Those are a reminder of the U.S. men and women who have lost their lives while engaged in the service of the intelligence community and our country.

Having served for 33 years with distinction, Ms. Haspel is acutely aware of the sacrifices that have been made by so many with whom she will be working in her new capacity as Director of the CIA, and I know she is mindful of the colleagues and friends she has lost. Yet she believes so firmly in the Agency’s mission that she is willing to take on one more challenge, one that may be her greatest challenge yet; that is, leading the entire CIA into an uncertain future.

I want to close by saying that I appreciate her willingness and desire to serve in this new and never easy capacity. I hope we can confirm her in short order so that she can get back to work and continue to do what she loves and help keep our Nation safe.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I appreciate the remarks made by the Senator from Texas. Indeed, I think we have a career intelligence officer who, over three decades, has performed commendable service for this country. I

will be meeting with her next week. I have a number of questions, and after meeting with her, I will make my decision.

I thank the Senator from Texas, as I have thanked many on the Intelligence Committee from whom I have sought opinions while reading all the relevant documents.

HEALTHCARE

Mr. President, I rise today because the State of Florida has again proposed to harm thousands of seniors and folks with disabilities who rely on Medicaid for their healthcare, as well as for their financial security.

Under current law, critical protections in Medicaid allow those who rely on the program for their healthcare to get up to 3 months of retroactive coverage after they apply for Medicaid and after they have enrolled in the program. To put that in another way, a person who has had healthcare problems and who is eligible under Medicaid, once they apply, under current law, there is a look-back period of 3 months in which those healthcare expenses they incurred would be reimbursed to their healthcare providers—the doctors, the nurses, whatever the service is—and paid by Medicaid because they have been deemed to be eligible—certain people with disabilities and certain people because of their income level and their status.

What the State of Florida is proposing—and this is what is so damaging—is to cut those 3 months of reimbursement for Medicaid down to 1 month. The current law is 3 months, so why should the State of Florida penalize its citizens who are eligible under Florida's law for healthcare through Medicaid by saying: We are going to make you eligible only for 30 days instead of 3 months. It defies understanding.

The State proposed to CMS just a week or so ago to eliminate this critical protection, and in the process, it jeopardizes many people in Florida right now—39,000 of the most vulnerable Floridians and the countless medical providers who treat them. If they constrict this period, that means a lot of providers will not get compensated by Medicaid, such as a hospital. The hospital can't eat all of those uncompensated expenses, so what happens? Ultimately, it finds its way to the rest of us taxpayers who have private health insurance, and it runs up the price of health insurance.

If what the State of Florida is doing is not enough of an outrage to these 39,000 people, this maneuver will also cut up to \$100 million from an already underfunded Medicaid Program that is suffering because the State of Florida has decided over the last several years that it is not going to expand Medicaid up to 138 percent of the poverty level. Do you know how much money the State of Florida has passed up that, otherwise, 800,000 people in Florida would be getting healthcare through Medicaid? They passed up \$66 billion in

Federal funds that is sitting there on the shelf ready to be used for healthcare through Medicaid for Florida by refusing to expand Medicaid that is allowed under the law up to 138 percent of poverty. It is unacceptable.

This provision was designed to protect seniors and veterans and pregnant women and individuals with disabilities and parents and their families with high medical bills and the costs associated with long-term care. So not only are we jeopardizing the pay of the hospitals and the doctors and the nurses and all of the medical providers, for which they are eligible under current law, we are also putting into financial jeopardy the poor people who are sick and need to be treated, and they don't have the money because of their income level. They don't have the money. Then they start getting all of these dunning statements saying: We are going to come after you financially, and we are going to put you into the poor house.

That is why I joined with my colleague in the House, Congresswoman CASTOR. We have a letter signed by half of the Florida delegation calling on CMS to reject this heinous provision that the State of Florida is asking for.

I ask unanimous consent that this letter be printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,

Washington, DC, May 10, 2018.

Re Oppose Florida's 1115 Medicaid Waiver Amendment to Eliminate Retroactive Eligibility Due to Potential Extreme Harm to Older and Disabled Floridians

Hon. SEEMA VERMA,
Administrator, Centers for Medicare & Medicaid Services, Baltimore, MD.

DEAR ADMINISTRATOR VERMA: As members of the Florida Congressional Delegation, we write to urge you to oppose provisions of the State of Florida's 1115 Medicaid MMA Waiver Amendment that would directly harm thousands of seniors and neighbors with disabilities in Florida.

Today, critical protections in Medicaid mean beneficiaries can get up to three months of retroactive coverage from the date they apply to enroll in the program as long as these individuals were eligible for Medicaid when they received care. In March, the state proposed eliminating this policy of retroactive eligibility by amending its ongoing Section 1115 demonstration. If approved, this decision could jeopardize the financial security of at least 39,000 of the most vulnerable Floridians and countless providers who treat them. It will also cut at least \$100 million from an already underfunded Medicaid program that is suffering from the state's continued choice to pass up more than \$66 billion in federal funds by refusing to expand its Medicaid program.

Retroactive eligibility is designed to protect Medicaid beneficiaries—including seniors, pregnant women, individuals with disabilities, and parents—and their families from the steep costs of medical services and long-term care. Importantly, this protection was also designed to minimize uncompensated care costs faced by hospitals and other health care providers who take care of our neighbors and are already challenged by the state's low reimbursement rates. Also important to remember is, even though retro-

active, folks who end up covered are unquestionably eligible for Medicaid and this existing policy and time frame protects those who are unaware—through no fault of their own—that they qualify.

Applying for Medicaid coverage can be a complicated and sometimes burdensome process, particularly when an individual or family member is dealing with securing admission to a nursing home, addressing a medical emergency, or seeking care for a worsening illness or injury. Leaving Medicaid-eligible applicants without financial protection simply because they have not enrolled is cruel and in direct conflict with the goals of the Medicaid program. This proposal will directly hurt Floridians with disabilities and seniors in nursing homes. If CMS approves this proposal in its current form, it would likely prevent vulnerable populations, especially seniors in nursing homes, from getting the care they need.

It is our duty to ensure eligible individuals have access to care without going into debt to obtain it, which is why retroactive eligibility is so vital. This proposal would not only wipe out many families' pocketbooks, but it would also place a financial burden on health care providers, the state and indeed all Florida taxpayers through increased uncompensated care costs. We fail to see how this proposal will "enhance fiscal predictability" as the state claims when it will increase costs across the board. If the state were serious about securing greater financial security, they should expand Medicaid and accept the \$66 billion in federal funds that Floridians have already paid for with their tax dollars and provide health care to about 700,000 Floridians.

Instead of building barriers to coverage, we need to focus on getting our uninsured and underinsured neighbors quality and affordable health coverage and reducing uncompensated care costs that hurt health care providers' ability to provide needed care and strain Florida's economy. That is why we urge you to reject the State of Florida's proposal to eliminate retroactive eligibility.

Thank you for considering our request.

Sincerely,

Bill Nelson, U.S. Senator; Frederica S. Wilson, U.S. Representative; Charlie Crist, U.S. Representative; Kathy Cas, U.S. Representative; Lois Frankel, U.S. Representative; Kathy Castor, U.S. Representative; Ted Deutch, U.S. Representative; Al Lawson, Jr., U.S. Representative; Stephanie Murphy, U.S. Representative; Debbie Wasserman Schultz, U.S. Representative; Alcee L. Hastings, U.S. Representative; Darren Soto, U.S. Representative; Val Butler Demings, U.S. Representative.

Mr. NELSON. Mr. President, it is our duty to ensure that folks—our folks, the people in our States—have access to care without having to go into debt to obtain that care. The State of Florida is attempting to take that away. In doing so, it is attempting to wipe out many families' pocketbooks and increase the strain on the healthcare providers—the doctors, the nurses, the hospitals—and all Florida taxpayers, who ultimately, on uncompensated care, are the ones who pick up the bill.

The State of Florida claims that this proposal will "enhance fiscal predictability." That begs the question: For whom? If the State really wanted to secure greater financial security, it would expand Medicaid and accept the \$66 billion of our Florida financial taxpayer money sitting on the shelf,

which Floridians have already paid for with their tax dollars, and provide healthcare for up to 800,000 Floridians who don't have it now.

Perhaps what is even more troubling is that the letter accompanying the State of Florida's request stated that the agency—get this—“was not aware of any concern or opposition raised by any member of either party regarding this provision during extensive budget debate.” So now not only is the State of Florida trying to harm thousands of Floridians, including many of our seniors and veterans—by the way, veterans are on the Medicaid Program as well. Don't forget that. All veterans are not taken care of under only the Veterans' Administration; there are a lot of veterans on Medicaid.

So the State is trying to harm these people, and I wonder now, in that letter that I just quoted from, if the State is misleading the Federal agency CMS in trying to get their waiver approved to cut the 90 days down to 30 days. Indeed, members of the Florida State Senate, the legislature, raised innumerable concerns and objections to the provision. Most recently, the Florida Senate minority leader called out the Governor's administration for the misleading claims.

Instead of making it harder to gain coverage, we ought to be focusing on getting our uninsured neighbors quality and affordable health coverage and reducing uninsured, uncompensated costs. We need to do what is good for the people of Florida.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

YUCCA MOUNTAIN

Mr. HELLER. Mr. President, I rise today to reiterate my strong opposition to the House of Representatives' effort to restart licensing activities at Yucca Mountain and in particular the Nuclear Waste Policy Amendments Act, which passed the House just a few hours ago.

This bill, which is a complete and total waste of taxpayer dollars, is dead on arrival in the U.S. Senate. Not only will I place a hold on the bill now that it has passed the House, I will also object to the motion to proceed to the bill. This vote today proves my point that I am the only person in Washington, DC, standing between a pristine, beautiful Nevada or a Nevada dripping with nuclear waste. As I have said in the past, I will continue to serve as a roadblock to every effort to make Nevada our Nation's nuclear waste dump.

Despite the House of Representatives' repeated attempts to revive a failed project, I have been able to ensure that not a single dollar has been appropriated to restart licensing activities at Yucca Mountain. This vote is nothing but a failed exercise because as long as I am in the Senate, Yucca Mountain is dead. It is as simple as that. As I have previously said, under my watch, I will not let one more hard-

earned taxpayer dollar go toward the failed Yucca Mountain project. My State refuses to serve as our Nation's nuclear waste dump. That is why I am proud to say that because of my leadership, the Senate has repeatedly refused to pass a law funding the high-level nuclear waste repository—a position that was most recently confirmed in the most recent omnibus spending measure.

Because of my current work as Nevada's senior Senator and my bipartisan work with the former Senate majority leader, Yucca Mountain remains dead. I repeat, it is simple as that. But despite Yucca's clear and unquestionable death long ago, some of my friends on the other side of the Capitol continue to waste their time attempting to bring back life to this ill-conceived and fiscally irresponsible plan. Their efforts keep alive a longstanding fight over States' rights and distract us from the real task at hand, which is finding a viable, long-term nuclear waste storage solution that meets the needs of all Americans.

I will be the first person to recognize the important role nuclear power plays in a stable and secure “all of the above” energy strategy and that with nuclear energy comes the need to properly store spent nuclear fuel, but I firmly believe that our Nation cannot progress towards achieving viable and sustainable storage solutions for spent nuclear fuel and defense high-level waste without first abandoning Yucca Mountain.

I am not saying that we shouldn't come to the table to discuss our Nation's nuclear waste storage needs. We should, and I would. But I also believe States should have a say in the matter. That is why, in my opinion, consent-based siting presents the only viable path forward on this issue. Consent-based siting offers a means of addressing our Nation's high-level nuclear waste problem while at the same time respecting the sovereignty of States to object to becoming nuclear waste dumps. The Yucca Mountain proposal, however, represents the exact opposite of consent; it is a unilaterally imposed Federal mandate that goes against the will of the people it directly affects.

My colleagues have heard me raise the question many times that I and Nevadans are thinking: Why should a State without a single nuclear powerplant of its own be forced against its will to house all of our Nation's nuclear waste?

Let me repeat that. Why should a State without a single nuclear powerplant of its own be forced against its will to house all of our Nation's nuclear waste? This is a question that has never been answered—not from the Presiding Officer's seat, not from the Speaker of the House, nor from the author of this bill. And I think if we want an intellectually honest answer, it would be that it shouldn't have to.

Beyond the violation of the State sovereignty and the disregard for the

will of the local population, the Yucca Mountain proposal poses significant health and safety risks and potentially catastrophic financial risks that must be addressed before, not after, the proposal moves forward, should it move forward at all.

What are these risks? Well, for one, Yucca Mountain is located just 90 miles from the world's premier tourist and convention and entertainment destination of Las Vegas, NV. Last year, Las Vegas welcomed nearly 43 million visitors. Over the past decade, the greater Las Vegas area has been one of the fastest growing in the United States, with a population that now exceeds 2.1 million people, according to the latest U.S. Census Bureau numbers. Any issues with the transportation of nuclear waste to that site or issues with storage there would bring devastating consequences to the Las Vegas, NV, and national economies—issues that would inevitably result from shipping 9,500 rail casks in 2,800 trains and 2,650 trucks hauling 1 cask each to Yucca Mountain over the next 50 years. These shipments would use 22,000 miles of railways and 7,000 miles of highways and cross over 44 States.

To date, however, Nevadans have not received sufficient assurance from the Department of Energy or the Nuclear Regulatory Commission that their concerns about these risks will receive the procedural due process and thoughtful consideration they are owed under existing law. In fact, in my recent correspondence with the Nuclear Regulatory Commission, I continue to stress to the Commission the importance of procedural safeguards, such as local hearings and local adjudication, to ensure that parties directly affected by the proposal have the opportunity to air their concerns and have them considered in an open and reasonably close forum.

It is because of these and other unresolved concerns that I continue to stand with the State of Nevada in its strong opposition to restarting licensing activities at the Yucca Mountain repository.

Rather than forcing the State of Nevada to accept nuclear waste at a scientifically unsound site, taxpayer dollars would be better spent identifying viable alternatives for the long-term storage of nuclear waste in areas that are willing to house it. Finding alternatives is the commonsense path forward, as well as the fiscally responsible decision.

The Federal Government should not waste another taxpayer dollar on Yucca Mountain—waste that already amounts to nearly \$15 billion. According to Department of Energy estimates, an additional \$82 billion would be needed to license, construct, and operate Yucca Mountain through closure, bringing the total system life cycle cost for the project to around \$100 billion—an amount that would be probably 15 to 20 percent higher in today's dollars.

So it is clear that instead of throwing more taxpayer dollars at a failed proposal, which is exactly what the House of Representatives' Nuclear Waste Policy Amendments Act does, we should be working on a real, long-term solution rooted in consent-based siting.

With that, I urge my colleagues, as we continue the budget and appropriations process for the 2019 fiscal year, to focus on further implementation of the Department of Energy's consent-based siting process.

I stand ready to partner with my colleagues on both sides of the aisle on this issue, and I am confident that together we can find a solution to this problem once and for all.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture motions with respect to the Scudder and St. Eve nominations be withdrawn and that the Senate vote on the nominations in the order listed at 5:30 p.m. on Monday, May 14. I further ask that, if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. I further ask that notwithstanding the provisions of rule XXII, the Senate vote on confirmation of the Carson nomination at 12 noon on Tuesday, May 15; that if cloture is invoked on the Nalbandian nomination, that confirmation vote occur immediately following the disposition of the Carson nomination; and that if either are confirmed, the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

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

The bill 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 John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

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

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

The question is, Is it the sense of the Senate that debate on the nomination

of John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. McCain) and the Senator from Kansas (Mr. Moran).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. Booker), the Senator from Delaware (Mr. Coons), and the Senator from Illinois (Ms. Duckworth) are necessarily absent.

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

The yeas and nays resulted—yeas 52, nays 43, as follows:

[Rollcall Vote No. 91 Ex.]

YEAS—52

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

NAYS—43

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

NOT VOTING—5

Booker	Duckworth	Moran
Coons	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 43.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

The PRESIDING OFFICER (Mr. Cassidy). The Senator from Florida.

(The remarks of Mr. Rubio pertaining to the introduction of S. 2826 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. RUBIO. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

FUEL EFFICIENCY STANDARDS

Mr. CARPER. Mr. President, I was filling up my Chrysler Town & Country minivan with gas last weekend, and I noticed the price in Delaware is up to about \$2.80 a gallon for regular gas. That is up by close to \$1 above what it was not that long ago.

I remember that the first time I bought gasoline in Delaware, I was right out of the Navy. I served in the Vietnam war as a naval flight officer, and I moved from California to Delaware. I drove my car to a gas station right in the middle of a gas war.

I actually benefited from the gas war in 1969 in Texas. I was driving from Pensacola, FL, to the San Diego Naval Station. I filled up my Volkswagen Commandeer for less than \$2 during the gas war in some little town in Texas.

Fast forward to, I think, 1970 through 1974, and we are having a different kind of war. It is with OPEC. They are putting the squeeze on us and much of the rest of the world by reducing the amount of oil they are bringing out of the ground and driving up prices.

Then we had an oil blockade, and things really got interesting for a while. I am not sure who was President then, whether it was Gerald Ford, who was succeeded by Jimmy Carter. But somebody—maybe it was Democrats and Republicans—finally said: You know, we have to be smarter than this. We continue to be dependent on foreign oil. They can put a blockade in place and essentially make it difficult for us to get oil and pay the prices that they want.

So Democrats, Republicans, the President, and Congress, working together, decided we should increase the fuel efficiency of our cars in this country. We hadn't done that for quite a while. They put in place fuel efficiency standards for cars. We stepped up the mileage requirements for a period of years, and after several years, that target level stopped. We reached a ceiling; I think it was like 27 miles per gallon, as I recall. But after that, the CAFE standards stayed right there for years, maybe for a couple of decades.

We kind of revisited the issue, I want to say in 2007, and said: You know, that doesn't make much sense. Why don't we begin to increase fuel efficiency again? We did so with bipartisan legislation. Senator DIANNE FEINSTEIN, Ted Stevens, and I, along with others, worked on it and passed legislation to increase—not dramatically, but for a while, for a number of years—fuel efficiency standards for cars, light trucks, and SUVs.

When we fell into the great recession in 2007, 2008, 2009, we saw the auto companies—a couple of them, Chrysler and I believe GM—going into bankruptcy. They got a huge bailout from our taxpayers, from the government. I was one of the people who sponsored and supported that. But in return for their getting that kind of help, they agreed to a

more rigorous increase in fuel efficiency standards going forward.

There is going to be talk tomorrow in the White House about whether we should continue to raise fuel efficiency standards for cars and light trucks and SUVs.

Interestingly enough, the CEOs from a number of American auto companies and those that have plants here but are actually maybe foreign-based, foreign-headquartered auto companies are going to meet with the President tomorrow, and they are going to be talking about what should be done with these fuel efficiency standards. Should we continue to ramp them up? Under current law, they are going to continue to be ramped up until about 2024, 2025, and then after that, there is really nothing in the law that says what should happen after 2025.

There are some in the White House—maybe the President but maybe some others in the White House—who think that we ought to basically hold them in place where they are and not continue to increase fuel efficiency standards for cars and light trucks and SUVs. The administration has been basically suggesting a message or a path forward that says: Let's just sort of hold it in place—kind of like we did for 20 years on the heels of the Arab oil embargo.

So the White House will be meeting tomorrow with these auto executives, and it will be an interesting conversation. I expect the President is going to say: Look, we are going to give you a break. We don't think you ought to be building cars, trucks, and vans that nobody wants to buy. People want to buy big vehicles, fuel-inefficient vehicles. It doesn't matter; they are basically going to stop increasing fuel efficiency standards. That should help the idea of the White House and the auto companies to say: That should be what you want. That should be what you need.

The message that I think the President will hear from the auto industry is going to probably be a surprising one for him because that is not what they are going to be asking for.

I don't know if our Presiding Officer makes customer calls. I do. I was doing it when I was Governor and as a Congressman and a treasurer before that. I visit businesses large and small, year in and year out.

At one time, Delaware built more cars, trucks, and vans per capita than any other State in the United States. We had a plant in Newark, DE, near the University of Delaware, and 4,000 people worked there for Chrysler. We had another 4,000 who worked at the GM plant not far from here, between Wilmington and Newark. We lost them both during the great recession. We lost them both, 8,000 jobs, just like that. So I like to stay close to the auto industry. I think it is important to have a vibrant and strong auto industry in this country. I have done a lot of customer calls over the years to auto manufacturers, including Chrysler and

GM, for reasons that are important for Delaware, but I have visited a bunch of other companies as well.

When I do customer calls, I ask three questions of whomever I am visiting. I ask: How are you doing? How are we doing—"we" being the State of Delaware, whether as the Governor of Delaware or from the Federal Government. How are we doing, and what can we do to help? How are you doing? How are we doing? What can we do to help?

I hope that during this conversation that will take place about 25 hours from now—I hope the President is in a listening mood. I hope he will say: Well, what do you need? Because here is what he is likely to hear from them: They are not asking for relief and to not have to comply with fuel efficiency standards. Here is what they are asking for: They are asking for some flexibility in the near years, between 2021 and 2025, and in return for some flexibility in the targets for fuel efficiency during those years, they are willing to agree to more aggressive targets in the outyears, between 2025 and 2030.

The auto industry knows that by then—I don't know if the majority of vehicles being built in this country will be electric-powered, battery-powered, maybe powered with fuel cells, but we are going to see a revolution here in this country and, frankly, around the world. In the rest of the world, they are going to be building vehicles—cars, trucks, vans, SUVs—that are much more fuel efficient and, frankly, far less polluting. We in this country will get to compete in a world marketplace against those competitors. How do we better ensure that we are able to compete?

So what the auto industry is going to say is, give us some flexibility in the near term—2021 to 2025—and we are willing to work with more rigorous standards thereafter. Give us some certainty.

Currently, the folks in California and about 10 other States who support California have the ability to, under the law, have their own separate standards, fuel efficiency standards, compared to the rest of the country. When this was first envisioned, the auto companies almost had a heart attack. They said that the idea of having to build one set of models—say for a Ford—or having to build one version of that model for California and 10 or 11 other States and then something different for the other maybe 40 States—they didn't want to worry about that. They didn't want to have to do that. They know we need to be more energy efficient and less polluting. They were concerned about having to do that—two versions of every model. So it has been worked out that California can continue to have its own standards, but the auto industry—and, frankly, other countries, too, that build vehicles—will build one version of one model for each of the models that are sold in this country.

Tomorrow, the auto companies are going to say: We need to be able to con-

tinue to do that. We don't need to be building two versions of the same automobile for every car and truck and SUV that is sold in this country.

The automobile industry is going to say to the President that there is no need to kick California to the curb, or these other States that support that position; what we do need is what I said earlier—some flexibility in the fuel efficiency targets in the near term, up to 2025, and after that, more rigorous standards going forward.

One of the things I learned a long time before I was Governor was that among the things that businesses need are certainty and predictability. They need certainty. They need predictability. That is especially true in the auto industry, where the lead time building a new car or truck or SUV or van can be 5, 6, 7 years. That is why this is an important conversation to have tomorrow.

I learned long before I was Governor that Governors don't create jobs, Presidents don't create jobs, Senators don't create jobs, and mayors don't create jobs. What we do is we help create a nurturing environment for job creation. Among the things that help provide that nurturing environment are predictability and certainty with respect to our laws, with respect to our regulations. It is also helpful to have the Federal Government and maybe colleges and universities provide some money for research and development. Some of the R&D that has enabled our auto fleet—our trucks, our light trucks and SUVs—to be more energy efficient—some of the R&D provided, appropriated here by this body, has been used to make us more competitive in world markets.

Our tax policy is designed to encourage people to buy more energy-efficient vehicles. We use the government's purchasing power to buy more energy-efficient vehicles so they will be making a market, so they will be more likely to be able to sell them and build them in quantity.

I would just conclude by saying: Mr. President, when you meet with these folks tomorrow, carmakers from across the country and around the world, I hope that you won't just tell them what you think they want to hear but that you will ask them: What do you need? What do you need?

I think the message he will hear will be quite different from the message he is prepared to give them.

If we really want to help the domestic auto industry, we can do that. It is not by rolling back or freezing in place fuel efficiency standards; it is by helping us to get to the next level using the kind of technology in our vehicles that we can sell around the world and compete against the best in the rest of the world.

I think that is it for me. I don't see anybody else on the floor asking to speak, so 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.

NOMINATION OF GINA HASPEL

Mr. PORTMAN. Mr. President, I rise to talk about an extremely qualified person who has been nominated to be the next Director of the Central Intelligence Agency.

I just left a meeting with Gina Haspel, who is a woman who has spent her entire career at the Central Intelligence Agency protecting our country. Over the decades, she has been in the field a number of times and has been in a number of dangerous situations. She has been an analyst. She has been in leadership. She is currently the Deputy Director of the Central Intelligence Agency. By the way, she is the first woman who has ever been the Deputy Director of this Agency. Of course, she would be the first woman Director if she is to be confirmed.

I had an opportunity to talk to her about a lot of issues, including the morale at the CIA and how people feel about her being the Director. As you can imagine, folks over there are extremely excited about this—one of their own, someone they know and trust. They understand she has their interests at heart. I think it would be terrific for that Agency to have someone with her capability. She would be only the second Director in the history of that Agency who came up through the ranks.

I also went down to what is called the SCIF, which is a place where you can look at classified information. This week, I had the opportunity to review her background, not just what is available publicly but also what is in a classified form. Suffice it to say, I was very impressed.

I spent my time looking at her record, looking at her background, talking to her personally, talking to other people in the intelligence community to understand the impact she would have on the men and women of that Agency. I can state that I truly believe she is not only qualified, but she may be the most qualified person you could think of to run this Agency, and she will be good for the Agency.

I have the opportunity, when I go around the world to make visits on behalf of the Foreign Relations Committee—I am a member of the Foreign Relations Committee—to meet with CIA personnel. I was in Ukraine, in the Czech Republic, in Germany over the Easter break, with our troops on Easter, and had the opportunity to meet with some of the CIA employees overseas. I can just state, you would be so proud if you had the opportunity, as I have had, to meet with some of these people and talk to them about what they are doing every day to help protect us and the risks they take every day to help protect us on behalf of our national security.

Who better to provide the President of the United States with the sort of intelligence analysis needed to deal with so many challenges we face around the world than someone who has been in the trenches, who has been one of those people out in the field like the folks I met with as recently as last month? She is someone who has a deep understanding of intelligence operations.

By the way, she is not political at all—not a Republican, not a Democrat. She is a career professional. What better Agency than the Central Intelligence Agency to have someone who is a consummate professional? I believe that is one reason she has such strong support from former CIA Directors. You probably have seen this, but former Secretaries of State and former CIA Directors have come forward to support her, including Republicans and Democrats. The list includes Leon Panetta, John Brennan, and James Clapper, who were all intelligence leaders in the Obama administration. They have come out in support of Gina Haspel. It is easy to see why she is so widely supported.

Let me share one quick account I have read about. She is probably too modest to talk about it. One of her assignments was in a difficult part of the world, a dangerous part of the world. She was a station chief there. She got news that there were two senior al-Qaida associates linked to the Embassy bombings in Kenya and Tanzania. You may remember those horrible bombings. They were on their way to the country where she was stationed. With that little bit of information, she went to work. As a result of her swift actions and her dedication and intensity, she actually went full time, 24/7—they say she slept on the office floor to the extent she slept at all—and she was able to determine that these terrorists had gone to a particular hotel. Intelligence tracked them there, and after a firefight, they were apprehended. These two evil men who had killed so many people in Africa through terrorist attacks were stopped, but just as important, their computers were seized, and their computers revealed the next terror plot they were planning. Lives were saved, and Gina Haspel was awarded by George H.W. Bush the Award for Excellence in Counterterrorism.

So she has received a lot of honors like that throughout her career. I tell you that story just to give you a sense of who this woman is because I think when we hear debate in this Chamber and talking back and forth, sometimes we forget the fact that these people do work in dangerous situations to protect us.

She has been in situations where gunshots have been fired upon her vehicle, as an example. She is one of those people who all of these years has been out there serving us, and now for us not to support her, I think would be the wrong thing to do.

I look forward to the confirmation. It will be another first for her, the first

woman Deputy Director, the first woman Director, but that is not why she is doing it. She is doing it, as she told me today, because she is a patriot.

She is from Kentucky, right across the river from where I live in Cincinnati, OH. She grew up as a kid who believed in patriotism and service and protecting our country, and she has devoted her life to this.

One final point I hope some of my colleagues who might be listening or who are undecided might think about. This is an incredibly dangerous world we live in right now. Unfortunately, we face a lot of dangers. I just had the chance to talk to Gina Haspel about what is happening with regard to Iran, Syria, and the latest news with regard to the conflict between Israel and Syria. We had a chance to talk at some length about what is happening with regard to the Russian influence in Eastern Europe and particularly what is going on on the eastern border of Ukraine—the line of contact where I was a month ago, learning some of the challenges we now have with getting good intelligence with regard to what is happening in that part of the world. We talked about issues relating to North Korea and the recent return of the three hostages. I can just state, without going into detail, this woman knows the world. There would be no on-the-job training. She has been Deputy Director for 18 months, but long before that she had a grasp of what is going on around the world. She knows the people around the world, and she knows her senior leadership team as well. She is a woman who is prepared to step forward at a time when we cannot afford mistakes, when we need to have somebody who has that experience.

I would just say to the families we all represent, we are charged with voting up here, but ultimately we are charged with representing millions of Americans, each of us in our respective States. Think about their safety and think about whom you would want—whom you would want in that position. I would challenge my colleagues to think of somebody who is better qualified.

I know there are some concerns that have been raised by some of my colleagues about actions that were taken by the CIA immediately after 9/11. One, we have to put ourselves in that mindset after 9/11 and the great dangers we faced. Certain decisions were made that were considered absolutely legal. In fact, the congressional leadership, the so-called Big Eight, including the Intelligence Committee, Democrats and Republicans, were all read into it and knew what was going on and were approving of it. In fact, some would say that some Members of Congress even pushed the CIA to do even more in terms of interrogating people and getting more information to reveal thoughts that were being planned to save lives.

I understand there is new thinking about that, and Gina Haspel herself

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 hamstrung 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

who used video to observe parent-infant interactions, and his teachings provided parents with the security and skills they needed to understand their babies. Throughout his career, Dr. Brazelton worked with tens of thousands of parents and children, published more than 30 books on pediatrics and child development, and founded the Brazelton Touchpoints Center at Boston Children's Hospital.

Dr. Brazelton's work and influence extended past the research lab and his pediatric practice. He created Touchpoints, professional training programs that equip family-facing providers with the skills they need to empower parents and families through research-informed family engagement practice. Dr. Brazelton and I shared a commitment to advancing the health and safety of children, and his approach to child wellness helped to inspire much of my work on this critical issue. Dr. Brazelton was credited for putting the practice of natural childbirth and breastfeeding back at the forefront of childrearing practices. His research contributed to the removal of lead from gasoline in the United States, the enactment of the Family and Medical Leave Act, and many more policies aimed at expanding the rights of children.

Dr. Brazelton was more than just a clinician and scientist. His constant curiosity and charisma allowed him to cross many disciplines. He was a writer, a mentor, and a lover of the arts. He was loved by his wife, the late Christina Lowell Brazelton, and is survived by his children, Christina, Catherine, Pauline, and Thomas III, and his seven grandchildren.

Dr. Brazelton's research and findings garnered him many accolades and awards, including the Presidential Citizens Medal in 2013. However, the advances he made in science's understanding of the importance of the first years of life; the improvements in clinical care of infants, young children, and their parents; and the policies based on his scientific contributions to promote healthy child and family development will leave the biggest mark. We have lost a champion and visionary, but his legacy will live on in the hearts of many, and his work will continue to influence advancements in child development.●

TRIBUTE TO KERRY ADAMS

● Mr. RUBIO. Mr. President, today I recognize Kerry Adams, the Wakulla County Teacher of the Year from Shadeville Elementary School in Crawfordville, FL.

Kerry says the most important life lesson she teaches her students is that, even though things can be challenging, through struggle and desire they can achieve their goals. The growth her students achieve is especially notable because she works primarily with students whose previous year's test scores indicate they are struggling in math and/or reading.

Kerry recently had a student who entered her class and struggled with new math concepts. She worked with this student as a dedicated teacher who is committed to their student's success. At the beginning of the school year, he would grow frustrated and not want to correct his work. He settled for failure or less than his fullest potential. Kerry, however, would not settle for anything less than what she knew he could achieve.

Later that year, she gave him an assignment and told him she knew this was hard work, but 1 day, he will think back to this moment and appreciate her actions. This student left her classroom scoring on grade level and ready for success in the future.

Kerry graduated *summa cum laude* from Flagler College, earning a bachelor's degree in elementary education and holds the English for Speakers of Other Languages endorsement. She currently teaches math to fifth-grade inclusion classes and has taught all subjects in her 11 years of working with fifth graders.

I extend my best wishes to Kerry for her dedication to ensuring her students achieve their full potential. I look forward to hearing of her continued success in the years to come.●

TRIBUTE TO BRIAN ANDREWS

● Mr. RUBIO. Mr. President, today I am pleased to honor Brian Andrews, the Florida Principal of the Year from Lawton Chiles Middle Academy in Lakeland, FL.

Brian's colleagues commend him for the innovative ways he has led their school to incorporate innovation and technology into everyday learning. In one of the school's lab classrooms, students use 3D printers to make their computer-created designs come to life. They are then able to use a large spindle device to cut those designs into plywood. Elsewhere on campus, students work on and maintain a hydroponic garden.

Brian supports these new ideas for students and gives teachers flexibility in implementing the ideas in their classrooms. Brian instills his trust in his teachers to develop lesson plans and implement technology that benefits all students.

Brian firmly believes that, if something is good for the students, and his teachers focus on those needs that, despite the myriad of challenges faced in education, their students will be successful in life. He teaches his students to believe they can do anything and to believe in themselves.

Brian received his bachelor of arts degree in English literature and his master of science in education from Hofstra University in New York. He has worked in public education for 22 years and has served as an English teacher and administrator.

I would like to thank Brian for his dedication in providing students with a successful learning environment and

for the support he gives to the teachers. I extend my best wishes to Brian, and his family, and all of Lawton Chiles Middle Academy and look forward to hearing of his continued success in the years to come.●

TRIBUTE TO TRACI ATHANASON

● Mr. RUBIO. Mr. President, today I am pleased to honor Traci Athanason, the Henderson County Teacher of the Year from Spring Hill Elementary School in Spring Hill, FL.

Traci believes the most challenging thing about teaching is motivating students who have no desire to be at school. She tackles this challenge by providing fun, engaging lessons and being her student's biggest cheerleader. It has been her belief that, when a teacher builds trust and rapport with their students, every student can achieve success.

As a teacher, Traci finds the most fulfilling aspect of her profession is empowering her students to take control of their own learning. Though teaching has its challenges, she is a firm believer in knowing every day is a chance for her to make a difference in the lives of her students.

The principal of her school attests that Traci is a problem-solver, an innovator, and a dynamic mentor to multiple first-year teachers on her team. She helps them build their lesson plans and develop their practice.

Traci is currently a fourth grade teacher at Spring Hill Elementary School. She earned her bachelor of arts degree in elementary education, along with her master's degree in curriculum and instruction from the University of Central Florida. She has taught for 29 years, the last 7 in Hernando County. Her favorite subject to teach is writing.

I thank Traci for her devotion to educating students throughout her district. I extend my best wishes to her and look forward to hearing of her continued success in the years to come.●

TRIBUTE TO KAYLA BAILEY

● Mr. RUBIO. Mr. President, today I honor Kayla Bailey, the Gulf County Teacher of the Year from Wewahitchka Elementary School in Wewahitchka, FL.

Kayla possesses a very positive attitude in the classroom and engages her students at a high level. These traits undoubtedly helped contribute to her receiving the Teacher of the Year award.

Her colleagues attest that Kayla works hard to learn the needs of every student in order to reach them at their instructional level. Kayla's desire to teach to the best of her ability and treat every available moment as teachable for her students distinguishes her among her peers.

Kayla is a fifth-grade English language arts teacher and, although relatively new to teaching and to the district, has quickly gained a reputation

for her respect to students, parents, staff, and the administration.

I am pleased to congratulate Kayla for receiving this important award and her commitment to teaching her students. I extend my best wishes to her and look forward to hearing of her continued success.●

TRIBUTE TO LINDSEY BORCHERDING

● Mr. RUBIO. Mr. President, today I recognize Lindsey Borcharding, the Okeechobee County Teacher of the Year from Yearling Middle School in Okeechobee, FL.

Lindsey teaches seventh grade math at Yearling Middle School and said her students were really excited and supportive of her nomination. While accepting the award, Lindsey thanked the people who have supported and helped her throughout her teaching career, especially her students. Lindsey stated that none of this would be possible without the help of countless others, and she is grateful to be a part of the lives of her students and colleagues. She said it was an exciting and emotional moment and was incredibly honored to be named the winner.

I would like to congratulate Lindsey for her commitment to teaching her students throughout the years. I extend my best wishes to her and look forward to hearing of her continued success.●

TRIBUTE TO TESS BORENGASSER

● Mr. RUBIO. Mr. President, today I recognize Tess Borengasser, the Indian River County Teacher of the Year from Glendale Elementary School in Vero Beach, FL.

Tess was honored with this award because of her dedication to not only providing her students with the best educational opportunities possible, but also because she strives to provide her new colleagues with ideas to teach their students as well. When these new teachers come to her school, she is a leading voice in helping them establish a successful curriculum for their students.

Tess's students know that, because of her motivation to encourage and educate, they have someone who is looking out for their best interests and will always be a voice they can rely on when needing help with their schoolwork. These students know Tess listens to their needs and will help them become successful in every way she can.

Tess was born in Houston, TX, and grew up in Vero Beach. She graduated from the University of Florida with a bachelor's degree in elementary education and a master's degree in special education. She currently leads Glendale Elementary School's second-grade team, teaches at the school's after-school program, and serves as a mentor for new teachers.

I am pleased to congratulate Tess for her dedication to teaching her students

over the years. I extend my best wishes to her and look forward to learning of her continued success in her future endeavors.●

TRIBUTE TO BONNIE BRESNYAN

● Mr. RUBIO. Mr. President, today I honor Bonnie Bresnyan, the Hillsborough County Teacher of the Year from Lewis Elementary School in Temple Terrace, FL.

After receiving the Teacher of the Year award, Bonnie said that those who want to make a difference, who want to shape the future, and who want the best for children are the people who teach. She knows these are the people who work in our schools.

Bonnie compares her classroom of kindergarten and first grade students to a beehive. She states that all the bees—her students—can and are expected to contribute in some way in making the class a success.

Bonnie has also done extensive training for other teachers within the district. According to her, we retain 95 percent of what we learn when we teach it to someone else. From her students to her colleagues, they all can attest that she has a simple message for them: Be the best you can be.

Bonnie has been a teacher for 31 years, with 20 of those years in Hillsborough County.

She currently serves Lewis Elementary School as a student education specialist. Some of her accomplishments include National Board Certification, 2006–2007 Ida S. Baker Distinguished Educator of the Year finalist, and 2002–2003 Teacher of the Year—Shaw Elementary/District Finalist. She also trains for the district, mentors new teachers at the University of South Florida, and teaches Sunday School.

I would like to extend my best wishes to Bonnie for her hard and look forward to hearing of her continued success in the years to come.●

TRIBUTE TO REBECCA CASKEY

● Mr. RUBIO. Mr. President, today I am pleased to recognize Rebecca Caskey, the Citrus County Teacher of the Year from Citrus Springs Elementary School in Citrus Springs, FL.

Rebecca believes students need a curriculum that teaches skills such as self-awareness, self-management, social awareness, relationship building, and responsible decision-making that will provide the tools to succeed in school, their future careers, and in life.

Rebecca is encouraged when she witnesses students authentically apply and communicate newly learned concepts and behaviors with peers in new constructs and environments. These opportunities motivate her to continue developing challenging, engaging, and rigorous learning experiences for children that leave a lasting impact into adulthood.

Rebecca has taught physical science, biology, environmental science, and

general math skills in secondary education and has provided guidance and counseling services in elementary education. She also provides therapeutic services to children in the private sector. Rebecca currently teaches K–5 with a self-made program titled SEEK UP, promoting Self-Esteem, Empathy, and Kindness by Unifying Peers. As a member of Citrus Springs Elementary School's administrative team, she serves in a leadership capacity by creating and executing decisions benefiting the advancement of the school's overall culture.

Rebecca holds a bachelor's degree in animal science, a master's degree in counseling, and has a license for mental health counseling from the Board of Clinical Social Work, Marriage, and Family Therapy and Mental Health Counseling. Throughout her 14 years in the educational system, she has worked at the elementary, middle, and high school levels.

I would like to thank Rebecca for the good work she has done for her students over the years. I wish her the best and look forward to learning of her continued success in coming years.●

TRIBUTE TO TAMMY CHABOT

● Mr. RUBIO. Mr. President, today I honor Tammy Chabot, the Collier County Teacher of the Year from Gulf Coast High School in Naples, FL.

Fittingly, Tammy was notified of her Teacher of the Year award while she was teaching one of her classes. Her students and colleagues praise Tammy for her dedication to ensuring those who enter her classroom are able to achieve success and gain a better understanding of science.

Tammy also seeks to establish a relationship with her students' parents, with many congratulating her for winning this award. Outside of the classroom, Tammy and her colleagues note the importance of student involvement in clubs and activities.

Tammy teaches at Gulf Coast High School in the Science Department. She has served as a sponsor for her school's Girl Up! Club and was named a Discovery Education STEAM Award winner in 2016.

I extend my best wishes to Tammy for her hard work throughout the years and look forward to hearing of her continued success in the upcoming years.●

TRIBUTE TO LYNSEE DICKS

● Mr. RUBIO. Mr. President, today I recognize Lynsee Dicks, the Suwannee County Teacher of the Year from Branford Elementary School in Branford, FL.

Lynsee's former students say her passion, dedication and determination pushed them to the edge and then convinced them to jump in. This passion for learning motivates those around her to work hard in the classroom. Lynsee's determination has shown students how to persevere even when the challenge seemed overwhelming.

At the Teacher of the Year awards ceremony, Lynsee felt overwhelmed and humbled to hear the firsthand accounts from her students on how she inspired them. She thanked God and believes He makes teachers special in Heaven, crafting them with hands to serve in an array of capacities and to be ready at any moment for anything.

Lynsee is currently a fifth-grade teacher of writing and social studies in Suwannee County. She has been instructing students for the past 14 years in grades ranging from second to eighth. At the University of Florida, she earned a bachelor's degree in advertising and holds a master's degree in curriculum and instruction from Florida Gulf Coast University. While working as a substitute teacher, she fell in love with educating children and became certified through a transition-to-teaching program in Florida.

I express my best wishes to Lynsee for her dedication to her students and look forward to hearing of her continued success in the years ahead.●

TRIBUTE TO CATHY FELTY

● Mr. RUBIO. Mr. President, today I recognize Cathy Felty, the Bay County Teacher of the Year from Margaret K. Lewis School in Panama City, FL.

Cathy is the media guru at Margaret K. Lewis School, running the media center and striving to inspire her students to reach their full potential. According to her colleagues, the media center is the heart of Margaret K. Lewis School, and Cathy is its heartbeat. Many years ago, Cathy interned at an elementary school, and at the time, it was not what she was looking for. When a position opened up at Margaret K. Lewis, however, it turned out to be the best thing that ever happened to her. She loves her job and focuses on doing what is best for her students.

After winning this award, Cathy took a flight in an adversary T-38 aircraft, becoming the first teacher to do so. While she considers herself a thrill-seeker, she was more focused on how to share this unique experience with her students. She plans to use her flight as an opportunity to work with students, teaching them about flight and the military. Her desire to incorporate personal experiences into her lesson plans demonstrates why she was named Teacher of the Year. In sum, she is always thinking of how to better the lives of her students.

Cathy has worked at Margaret K. Lewis School for 21 years and has been a pioneer for the creation of the school's media center. She specializes in helping and advocating for students with cognitive disabilities.

I would like to extend my best wishes to Cathy for her dedication to teaching for more than two decades. I look forward to hearing of her continued success in the years to come.●

TRIBUTE TO LENORA HENDERSON

● Mr. RUBIO. Mr. President, today I honor Lenora Henderson, the Washington County Teacher of the Year from Chipley High School in Chipley, FL.

When Lenora began teaching chemistry, she quickly learned that her students became bored with lectures. They were more interested and performed better when they were doing more than just listening. She saw they loved being out of their seats, talking, and trying to figure things out on their own. As a result, she designed her lesson plans to include such activity.

Over the past few years, she developed a curriculum with the hopes of eventually flipping her classroom. Flipping means she has removed lectures from part of the curriculum and reserved that time for higher-order thinking skills and project-based learning.

Her regular and honors chemistry classes are partially flipped, while her advanced placement chemistry class is completely flipped. Her students use livescribes and a livebinder to retrieve background information before coming to class to discuss assignments. This allows more time in class for them to complete individual hands-on activities, laboratories, and cooperative learning activities.

Lenora was excited to receive the Teacher of the Year recognition, saying she has been waiting for a long time, but stated in her acceptance speech she knew this would happen on God's timing, not her own. Her faith plays a key role when it comes to teaching. She has been with the Washington County School District for 12 years.

I would like to express my sincere gratitude to Lenora for all of the hard work she does for her students. I extend my best wishes to her and look forward to hearing of her future endeavors.●

TRIBUTE TO JOAN KENNETT

● Mr. RUBIO. Mr. President, today I honor Joan Kennett, the Walton County Teacher of the Year from South Walton High School in Santa Rosa Beach, FL.

Joan was in shock and humbled after she was named Teacher of the Year. She considers it an honor and privilege to represent every teacher and student in Walton County. She is a mentor to other teachers and an advocate for developing best classroom practices.

In the spring of 2017, Joan's students scored 97 percent and ranked fifth Statewide on the biology State test. She has also been awarded grants from Walton Education Foundation and the National Defense Industrial Association ACCEerator Program to enrich students in science, technology, engineering, and mathematics.

Besides helping her students in the classroom, Joan also assists with var-

ious school organizations. Joan motivates student leaders within the school and community as the Student Government Association sponsor and helps with projects such as the Senior Citizen Prom.

Joan earned her bachelor of science degree from Kennesaw State College and received her gifted credentials from West Georgia State College. She has taught in Georgia, Indiana, and Florida, and has now taught biology for 27 years, with 5 years at South Walton High School.

I congratulate Joan for receiving this important recognition after decades of teaching. I express my best wishes to her and look forward to hearing of her continued success in the years to come.●

TRIBUTE TO AMANDA MCGHEE

● Mr. RUBIO. Mr. President, today I honor Amanda McGhee, the Calhoun County Teacher of the Year from Blountstown High School in Blountstown, FL.

As a teenager, Amanda felt that high school was a place with caring teachers who took the time to teach the content while maintaining discipline and, at the same time, asking about your sick brother or sister at home. She thought these teachers seemed to know everything about their students and admired their notion to care for students.

She is inspired every day to bring this same feeling of connectedness, hope, and a passion for learning to her students. She seeks to pass along what was given to her and seeks to validate, teach, and inspire the next generation.

Amanda's colleagues say she teaches her students the foundational skills and then acts as a facilitator that nurtures their ideas to create video game apps, build robots, create videos, use 3D printers, and fly drones to record video. She also teaches her students strategies for critical thinking and involves them in project-based learning that allows them to apply their mathematical skills.

Amanda has been a teacher at Blountstown High School for more than 10 years. Currently, she teaches advanced placement science, along with experimental science, digital media, and aerospace technologies in conjunction with Embry-Riddle Aeronautical University.

I would like to thank Amanda for her hard work to provide students with a successful learning environment. I extend my best wishes to her and look forward to hearing of her continued success in the coming years.●

TRIBUTE TO LYNN MONGIARDINI

● Mr. RUBIO. Mr. President, today I honor Lynn Mongiardini, the Charlotte County Teacher of the Year from Sallie Jones Elementary School in Punta Gorda, FL.

Lynn received the Teacher of the Year award because of her dedication

to her students to equip them with the necessary skills needed to achieve success in both the classroom and real world. She is a member of the district core team responsible for the roll out of the comprehensive literacy framework. Her passion is finding ways to improve students' thinking around academic and social challenges by actively contributing to the growth mindset in professional learning communities and its philosophies.

As both a parent and a teacher, Lynn understands the needs of her students and their families. She uses this understanding to create a nurturing classroom environment that fosters the highest level of learning.

Lynn has been teaching in Charlotte County schools since 2006. She has served as an educator for the second, third, and fifth grades at Peace River Elementary, Myakka River Elementary, and currently at Sallie Jones Elementary School.

I extend my best wishes to Lynn for her hard work and dedication to her students and look forward to hearing of her continued success in the upcoming years.●

TRIBUTE TO MARTIN O'HORA

● Mr. RUBIO. Mr. President, today I honor Martin O'Hora, the Highlands County Teacher of the Year from Avon Park High School in Avon Park, FL.

Martin says he has always wanted to be a teacher thanks to his parents, who served as teachers for more than 30 years. Their dedication to teaching helped guide him to becoming a teacher himself, and he knew how important it is for students to have a positive influence in their lives.

Martin's colleagues and students attest to his commitment as a teacher and coach by noting he is someone they can always come to for advice and help. Martin received this important recognition because he fulfills and exceeds all that is expected from teachers.

Martin has been at Avon Park High School since 2014, teaching exceptional student education and algebra before his current resource position at the school, while also coaching the boys basketball team. He started teaching in the district in 2011 at Hill-Gustate Middle School.

I would like to extend my best wishes to Martin for his hard work and look forward to hearing of his continued success in the years ahead.●

TRIBUTE TO SARAH ANNE ELIZABETH ORAVEC

● Mr. RUBIO. Mr. President, today I recognize Sarah Anne Elizabeth Oravec, the DeSoto County Teacher of the Year from Arcadia, FL.

Sarah received the Teacher of the Year award for her exemplary enthusiasm, innovative teaching approaches, and genuine concern for education.

Her dedication to achieving excellence has earned her an enviable reputation as an excellent teacher and

coach who truly cares about people and is generous with her time. Sarah demonstrates the highest level of professional commitment and competency in her work with students and colleagues.

Sarah has been a valued teacher in the DeSoto school district for more than 3 years and 5 months as the District ESOL Instructional Coach. Her positive attitude, hard work, and respect for children is a true asset to DeSoto County.

I would like to express my sincere appreciation to Sarah and look forward to hearing of her continued success in the years ahead.●

TRIBUTE TO CATHERINE TINSLEY PEEL

● Mr. RUBIO. Mr. President, today I commend Catherine Tinsley Peel, the Holmes County Teacher of the Year from Ponce de Leon Elementary School in Ponce de Leon, FL.

After Catherine won the Teacher of the Year award, she noted that, when new challenges arise daily in the educational field, she approaches them with excitement and suspense. She has a passion to help students in her hometown to become the best academically and socially.

Knowing she can help students inspired her to become a teacher, and each time she receives a handwritten note, card, or illustration saying they appreciate her, she considered it proof that she is doing her job correctly. While teaching requires many demands, she would not trade it for anything because she gets to make a difference in children's daily lives.

Catherine is a fourth grade teacher at Ponce de Leon Elementary school. She is a Ponce de Leon High School alumni who has taught first and third grades, but has now found her home teaching fourth grade.

I congratulate Catherine for her hard work and commitment to teaching her students. I express my best wishes to her and look forward to hearing of her future endeavors.●

TRIBUTE TO HEATHER PHILLIPS

● Mr. RUBIO. Mr. President, today I commend Heather Phillips, the Okaloosa County Teacher of the Year from Bluewater Elementary School in Niceville, FL.

Heather knows that being an educator is never predictable, and she thrives on the ever-changing nature of her profession. Heather was humbled to be considered among such an immensely talented group of educators and considers it an honor to represent her school, and district, as its Teacher of the Year.

She loves seeing the world through the eyes of children and allows their energy to influence her focus on what truly matters. Her teaching experiences in Japan and Hong Kong helped her appreciate diversity, and she works

to implement these experiences in the classroom.

Heather is a 15-year educator who currently teaches fourth grade. She is an active member of her church in Niceville and enjoys being part of the community.

I am pleased to congratulate Heather for her dedication to teaching her students. I extend my best wishes to Heather and look forward to learning of her continued success in her future endeavors.●

TRIBUTE TO CHELSEA SMITH

● Mr. RUBIO. Mr. President, today I honor Chelsea Smith, the Hamilton County Teacher of the Year from Hamilton County Elementary School in Jasper, FL.

Chelsea believes it is important to show her students that she cares about them being successful as individuals. Her students come to her from various socioeconomic backgrounds and academic capabilities, but they all seek success.

According to Chelsea, her educational philosophy is based on teaching students to learn how to deal with frustrations in order to break the learning barrier. Her students can then work on academically improving oneself to become proficient. Implementation of enrichment opportunities should be incorporated to challenge students once they have achieved mastery of grade level skills.

Chelsea says each student has a different mindset for what success means. It is her responsibility to seek out the individual and determine what he or she needs in order to be triumphant. Her students begin class by knowing they will search for whatever opportunity today's class will bring in order to achieve individual success. Every day, once all students are in her classroom, she counts to three, and they recite the quote: I am important. I am intelligent. I will do my best. I will seek opportunity over obligation.

Chelsea has a bachelor's of science degree in elementary education and a master of education degree in education leadership education and training management/instructional technology. She has taught fifth or sixth grade since 2013.

I am pleased to recognize Chelsea for her dedication to providing her students with the opportunity to be successful. I extend my best wishes to her and look forward to hearing of her continued success.●

TRIBUTE TO FIRST SERGEANT TERRY WALKER

● Mr. RUBIO. Mr. President, today I honor 1SG Terry Walker, the Jefferson County Teacher of the Year from Jefferson K-12 Somerset School in Monticello, FL.

Terry has been a valued member of the Jefferson County School District for 9 years as the Junior Reserve Officers Training Corps instructor. He is a

favorite among students and staff because he leads by example. His students trust his judgement and know he is someone that is dedicated to guiding them through school.

Terry's students respect him for the type of mindset he brings to the classroom. Those who have spent time with Terry describe him as a teacher who is dedicated to making sure his students reach their full potential, whether with the JROTC or in their academic careers. Terry's colleagues and students are proud to have him represent both Jefferson County and Jefferson K-12 Somerset School as Teacher of the Year.

I am pleased to extend my best wishes to Terry for the dedication he has shown to his students and look forward to hearing of his continued success in the years to come.●

REMEMBERING SAMUEL EASON BALCH

● Mr. SHELBY. Mr. President, today I wish to honor the life of Samuel Eason Balch of Birmingham, AL, who passed away peacefully at his home on April 14, 2018. He will be long remembered for his love of life and his ability to maintain a positive outlook despite any adversity that came his way.

Mr. Balch's industrious spirit began showing at a young age. While attending high school, he tended to his family farm and worked at a local drugstore. Following graduation, Mr. Balch entered the University of Alabama School of Commerce, where he quickly became involved in the political scene and the campus social scene. After earning his bachelor of science in business, Eason enlisted in the U.S. Army.

Mr. Balch began his military career by entering the Army Officers' Training Corps, OTC, exhibiting his dedicated work ethic from the start. He was quickly commissioned second lieutenant. After graduating from OTC, he was transferred to Fort Pickett, VA, where he was promoted to captain and shipped out to La Havre, France. Eason finished his time in the Army as a major. It will not be forgotten that Mr. Balch spent much of the first half of his life serving our great Nation, proving his honor and dedication to service.

Following his years of service to the Army, Eason attended the University of Virginia School of Law. After receiving his law degree, he and his family moved to Birmingham where he joined the law firm Martin, Turner, and McWhorter, which is today known as Balch and Bingham. Mr. Balch played an integral role in developing and growing the firm and went on to become a highly respected, valued adviser for many young lawyers throughout Alabama. I, along with many others, considered Eason to be one of the top utility lawyers in the United States.

Outside of his professional career, Mr. Balch held a national presence in the Public Utility Bar and served on

the board of directors for the Alabama Power Company for over 20 years. He was also a devoted member of the Cathedral Church of the Advent in Birmingham, AL, for 70 years.

Eason and his lovely wife, Betsy, were good friends to my wife, Annette, and me for many years. I will always remember his ability to entertain any audience. Eason never met a stranger.

I offer my deepest condolences to Eason's children and to all of his loved ones as they celebrate his life and mourn this great loss.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Cuccia, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13667 OF MAY 12, 2014, WITH RESPECT TO THE CENTRAL AFRICAN REPUBLIC—PM 37

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13667 of May 12, 2014, with respect to the Central African Republic, is to continue in effect beyond May 12, 2018.

The situation in and in relation to the Central African Republic, which has been marked by a breakdown of law and order, intersectoral tension, widespread violence and atrocities, and the pervasive, often forced recruitment and use of child soldiers, threatens the

peace, security, or stability of the Central African Republic and the neighboring states, and continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency with respect to the Central African Republic declared in Executive Order 13667.

DONALD J. TRUMP.
THE WHITE HOUSE, May 10, 2018.

MESSAGES FROM THE HOUSE

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

H.R. 2152. An act to require States and units of local government receiving funds under grant programs operated by the Department of Justice, which use such funds for pretrial services programs, to submit to the Attorney General a report relating to such program, and for other purposes.

H.R. 5645. An act to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 112. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 57. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act".

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

ENROLLED BILL SIGNED

At 11:46 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3210. An act 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.

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. 2152. An act to require States and units of local government receiving funds

under grant programs operated by the Department of Justice, which use such funds for pretrial services programs, to submit to the Attorney General a report relating to such program, and for other purposes; to the Committee on the Judiciary.

H.R. 5645. An act to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority; to the Committee on the Judiciary.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, May 10, 2018, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 57. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act".

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-223. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to enact H.R. 2603, or similar legislation, to amend the Endangered Species Act of 1973; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1008

Whereas, H.R. 2603, the Saving America's Endangered Species Act, or the SAVES Act, has been introduced in the United States House of Representatives; and

Whereas, this important legislation would amend the Endangered Species Act of 1973 to provide that nonnative species in the United States not be treated as endangered or threatened species for the purposes of that act.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress enact H.R. 2603, or similar legislation, to amend the Endangered Species Act of 1973.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-224. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to act to address the border sanitation problems that have resulted from the inadequate maintenance of the Naco, Sonora wastewater treatment facility; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1012

Whereas, Naco, Arizona and Naco, Sonora are sister cities on either side of the United States-Mexico border; and

Whereas, the Naco, Sonora wastewater treatment facility is located adjacent to the international border and was last upgraded two decades ago; and

Whereas, the Naco, Sonora wastewater treatment facility has not been adequately maintained and, as a result, regularly exceeds capacity during periods of equipment maintenance, rain or other events that interrupt normal operations; and

Whereas, exceedances of capacity have resulted in intermittent flows of untreated wastewater for years from the surface discharge point in Naco, Sonora across the international boundary onto public and private property in and adjacent to Naco, Arizona; and

Whereas, as stated in Minute No. 273 titled Recommendations for the Solution of the Border Sanitation Problem at Naco, Arizona-Naco, Sonora, which was executed by the United States and Mexico sections of the International Boundary and Water Commission, the "Commissioners observed that the border sanitation problem in the Naco, Arizona-Naco, Sonora area results from the Naco, Sonora wastewater collection, treatment and disposal system into the natural drainage courses that flow northward across the international boundary"; and

Whereas, also according to Minute No. 273, the "Commissioners further observed that because of the topography, the natural drainage traverses a wellfield area which provides the municipal water supply for the City of Bisbee, Arizona"; and

Whereas, Minute No. 273 also references Article 3 of the 1944 Treaty on the Utilization of the Water of the Colorado and Tijuana Rivers and of the Rio Grande, which stipulates that the two Governments "agree to give preferential attention to the solution of all border sanitation problems"; and

Whereas, the International Outfall Interceptor is the binational sewage pipe that conveys wastewater from Sonora and Arizona to the Nogales International Wastewater Treatment Plant; and

Whereas, the United States International Boundary and Water Commission and the City of Nogales are co-owners of the Nogales International Wastewater Treatment Plant, which provides treatment of sewage for both Nogales, Arizona and Nogales, Sonora; and

Whereas, legislation has been introduced in the United States Senate and United States House of Representatives to direct the United States section of the International Boundary and Water Commission to charge Nogales, Arizona an equitable proportion of the costs for operating and maintaining the Nogales sanitation project based on the average daily volume of wastewater originating from Nogales; and

Whereas, the proposed legislation declares that Nogales is not obligated to contribute any capital costs of repairing or upgrading the project; and

Whereas, Arizonans who reside near the Arizona-Mexico border are concerned about the quality of drinking water because of previous international sewage disasters.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress act to address the border sanitation problems that have resulted from the inadequate maintenance of the Naco, Sonora wastewater treatment facility.

2. That the United States Congress enact the Nogales Wastewater Fairness Act as a necessary first step in reaching a comprehensive solution to ongoing border sewage complications of the Arizona border.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-225. A concurrent memorial adopted by the Legislature of the State of Arizona

urging the United States Congress to act expeditiously to increase and maintain staffing for qualified and properly vetted Customs Field Office personnel at the ports of entry in Nogales, Douglas and San Luis, Arizona in order to prudently speed the flow of goods and commerce; to the Committee on Finance.

HOUSE CONCURRENT MEMORIAL 2002

Whereas, the United States and Mexico are important trade partners, and commerce between the two countries is a critical source of jobs, income and exchange; and

Whereas, according to the United States Department of Commerce, more than \$500 billion in bilateral trade and over \$100 billion in cross-border investment occur annually; and

Whereas, in Arizona, \$28 billion in two-way trade is processed annually through Arizona's ports of entry, and

Whereas, according to the United States Census Bureau, Arizona exports to Mexico totaled \$7.1 billion in 2013; and

Whereas, the prime conduits for cross-border trade are through the ports of entry in Nogales, Douglas and San Luis, Arizona; and

Whereas, the Customs Field Office personnel within the United States Customs and Border Protection service of the United States Department of Homeland Security serve a vital function in promoting security and economic stability; and

Whereas, the lack of capacity and staffing for customs inspections at these primary entry points creates congestion for incoming and outgoing goods, hampers commercial activity and potentially compromises border security; and

Whereas, these impediments ultimately translate into perished agricultural produce and lost business opportunities and income; and

Whereas, the rapid delivery of goods and commerce enhances business activity and strengthens economic integration; and

Whereas, greater inspection capacity at the ports of entry in Nogales, Douglas and San Luis, Arizona will enhance the safety and swiftness of goods moving across the border, benefiting the economies of both nations; and

Whereas, increasing the number of Customs Field Office personnel at these United States border sites will facilitate commercial traffic and will result in increased economic growth and stability for Arizona; and

Whereas, a letter dated October 14, 2014 that was signed by every member of the Arizona Congressional delegation and sent to the United States Department of Homeland Security expressed the need for greater staffing and allocation of personnel to Arizona's ports of entry.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress act expeditiously to increase and maintain staffing for qualified and properly vetted Customs Field Office personnel at the ports of entry in Nogales, Douglas and San Luis, Arizona in order to prudently speed the flow of goods and commerce.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-226. A resolution adopted by the House of Representatives of the Commonwealth of Pennsylvania urging the Secretary of Health and Human Services to select former Naval Air Station Joint Reserve Base Willow Grove and the former Naval Air Warfare Center Warminster and Horsham, Warminster and Warminster Townships for an

exposure assessment and study on human health implications of perfluoroalkyl and polyfluoroalkyl substances contamination; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 682

Whereas, The United States military used foam containing perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA), unregulated contaminants, in firefighting training at two former bases, Naval Air Station Joint Reserve Base Willow Grove in Horsham Township, Montgomery County, and Naval Air Warfare Center Warminster in Warminster Township, Bucks County, Pennsylvania; and

Whereas, The former Naval Air Station Joint Reserve Base Willow Grove is the location of Horsham Air Guard Station, an active base of the Pennsylvania Air National Guard; and

Whereas, The chemicals have appeared in elevated levels in public and private water wells; and

Whereas, PFOS and PFOA are “extremely persistent in the environment and resistant to typical environmental degradation processes,” according to the Environmental Protection Agency (EPA), which has also stated: “The toxicity, mobility and bioaccumulation potential of PFOS and PFOA pose potential adverse effects for the environment and human health”; and

Whereas, A growing body of science has established associations between PFOS and PFOA and a range of health effects, including a variety of cancers; and

Whereas, The chemicals were first discovered in local public water supplies near the former military bases by an EPA testing program, resulting in several public water wells being taken offline; and

Whereas, On May 19, 2016, the EPA issued an update to its health advisory for PFOS and PFOA that significantly reduces the amount considered safe in drinking water: in the worst possible case, water containing the chemicals at an amount previously deemed safe would now be more than eight times over the recommended limits; and

Whereas, The new recommended levels have resulted in officials from the Horsham Water and Sewer Authority, Warminster Municipal Authority and Warrington Township Water and Sewer Department shutting down contaminated public drinking water wells, including 16 municipal wells in Horsham, Warrington and Warminster Townships and nearly 150 private wells; and

Whereas, Section 316 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91, 131 Stat. 1283 requires the United States Secretary of Health and Human Services to conduct an exposure assessment of at least eight current or former domestic military installations known to have perfluoroalkyl and polyfluoroalkyl substances (PFASs) contamination, which includes PFOS and PFOA, in addition to commencing a study on the human health implications of PFASs contamination in sources of water and relevant exposure pathways: Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the United States Secretary of Health and Human Services to select these two installations and Horsham, Warrington and Warminster Townships for the exposure assessment and the study on human health implications; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress, to each member of Congress from Pennsylvania, to the United States Secretary of Health and Human Serv-

ices and to the United States Secretary of Defense.

POM-227. A concurrent resolution adopted by the Legislature of the State of Michigan urging the United States Congress to take action on immigration reform; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 15

Whereas, Shortly after our Founding Fathers crafted the Declaration of Independence in 1776 and we became an independent, self-governing nation, immigration and naturalization policies were enacted to govern the stream of foreign nationals who sought out this great nation. Over the course of our country's history, the Congress and President of the United States have updated these policies in response to domestic and world events and economic evolution; and

Whereas, Michigan has continued to welcome more and more immigrant families to our state. In 1990, foreign-born residents in Michigan accounted for 38 percent of the population. By 2015, that figure had increased to 66 percent. According to 2014 data from the U.S. Census Bureau, the state of Michigan ranks 15th nationally in the number of foreign-born residents; and

Whereas, Immigrants are indispensable to a healthy state economy, and their contributions are substantial. Immigrants account for approximately 7.2 percent of Michigan's workforce. One-third of Michigan's Fortune 500 companies were formed by immigrants or their children. These firms generate \$186.4 billion annually and employ 400,000 individuals around the world. Immigrants are also indispensable to Michigan's farming community, accounting for 58 percent of the economic impact of the state's farming sector; and

Whereas, Everyday Americans have become increasingly frustrated with the current immigration and naturalization system. Organizations and leaders from across the ideological spectrum—spanning from business groups to faith leaders and from educators to human service organizations—agree that a comprehensive approach is necessary to resolve the country's long-standing immigration and naturalization problems; and

Whereas, A 21st-century nation requires 21st-century immigration and naturalization policies. For too long, comprehensive immigration reform has been an unaddressed priority of both political parties and in many states, including the state of Michigan. The absence of such reform leaves in place a patchwork of policies that creates confusion, uncertainty, and fear within immigrant communities and for employers, universities, and congregations of various faiths. Moreover, our nation's imperfect immigration system dampens tourism and burdens our state and local governments with high enforcement and legal costs. Only a bipartisan solution to our nation's immigration woes will ensure that our nation's physical and economic well-being are secure, now, therefore, be it

Resolved by the House of Representatives (THE SENATE CONCURRING), That we memorialize the Congress of the United States to take action on immigration reform; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-228. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida memorializing its opposition to the addition of a question regarding citi-

zenship being added to the 2020 United States Census questionnaire; to the Committee on Homeland Security and Governmental Affairs.

POM-229. A resolution adopted by the City Council of the City of Solana Beach, California urging federal and state representatives to enact responsible gun safety regulations; to the Committee on the Judiciary.

POM-230. A resolution adopted by the City Council of the City of Solana Beach, California urging federal and state representatives to enact responsible gun safety regulations; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1867. A bill to amend title 40, United States Code, to eliminate the sunset of certain provisions relating to information technology, to amend the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 to extend the sunset relating to the Federal Data Center Consolidation Initiative, and for other purposes (Rept. No. 115–244).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2178. A bill to require the Council of Inspectors General on Integrity and Efficiency to make open recommendations of Inspectors General publicly available, and for other purposes (Rept. No. 115–245).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 79. A bill to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector (Rept. No. 115–246).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1059. A bill to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado (Rept. No. 115–247).

S. 1981. A bill to amend the Natural Gas Act to expedite approval of exports of small volumes of natural gas, and for other purposes (Rept. No. 115–248).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Mark Jeremy Bennett, of Hawaii, to be United States Circuit Judge for the Ninth Circuit.

Nancy E. Brasel, of Minnesota, to be United States District Judge for the District of Minnesota.

Robert R. Summerhays, of Louisiana, to be United States District Judge for the Western District of Louisiana.

Eric C. Tostrud, of Minnesota, to be United States District Judge for the District of Minnesota.

Cheryl A. Lydon, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years.

Sonya K. Chavez, of New Mexico, to be United States Marshal for the District of New Mexico for the term of four years.

Scott E. Krael, of Nebraska, to be United States Marshal for the District of Nebraska for the term of four years.

J. C. Raffety, of West Virginia, to be United States Marshal for the Northern District of West Virginia 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 Mrs. MCCASKILL:

S. 2812. A bill to improve consumer protections for customers of air ambulance operators, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MURPHY (for himself and Mr. CASEY):

S. 2813. A bill to amend the Agricultural Adjustment Act to assist small cheese producers; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROUNDS (for himself, Mr. KING, and Mr. THUNE):

S. 2814. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to allow the interstate sale of State-inspected meat and poultry, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 2815. A bill to amend title 28, United States Code, to increase transparency and oversight of third-party litigation funding in certain actions, and for other purposes; to the Committee on the Judiciary.

By Mr. ENZI:

S. 2816. A bill to clarify that funding for the Securities Investor Protection Corporation is not subject to the sequester; to the Committee on the Budget.

By Mr. ENZI:

S. 2817. A bill to clarify that funding for the Public Company Accounting Oversight Board is not subject to the sequester; to the Committee on the Budget.

By Mr. ENZI (for himself and Mr. MURPHY):

S. 2818. A bill to clarify that funding for the standard setting body designated pursuant to section 19(b) of the Securities Act of 1933 is not subject to the sequester; to the Committee on the Budget.

By Mr. INHOFE:

S. 2819. A bill to require the Secretary of Veterans Affairs to report on opioid prescribing rates of physicians of the Veterans Health Administration and to conduct pain management training for those physicians with the highest rates of opioid prescribing; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ:

S. 2820. A bill to amend the Internal Revenue Code of 1986 to repeal the Trump tax increase on victims of sexual harassment; to the Committee on Finance.

By Ms. SMITH (for herself, Mr. TILLIS, Mr. WYDEN, Mr. MERKLEY, Ms. BALDWIN, Mr. KING, Ms. WARREN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. BROWN, Mr. TESTER, Mr. COONS, and Ms. HIRONO):

S. 2821. A bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. STABENOW (for herself and Mr. ROBERTS):

S. 2822. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to expand the availability of programs of the Department of Agriculture to veteran farmers and ranchers, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HATCH (for himself, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. ALEXANDER, Mr. COONS, Mr. KENNEDY, Ms. HARRIS, Mr. CORKER, Mr. DURBIN, Mr. ISAKSON, Mr. LEAHY, Mr. CRAPO, Mr. JONES, Mr. TILLIS, Mr. PERDUE, Mrs. CAPITO, Mr. NELSON, and Mr. BLUNT):

S. 2823. A bill to modernize copyright law, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY:

S. 2824. A bill to amend the Food, Conservation, and Energy Act of 2008 to establish in each State a network between agricultural producers and food banks to provide food to the needy and reduce food waste, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 2825. A bill to amend the Clean Air Act to modify provisions relating to international border areas, marginal areas, and rural transport areas, and for other purposes; to the Committee on Environment and Public Works.

By Mr. RUBIO:

S. 2826. A bill to safeguard certain technology and intellectual property in the United States from export to or influence by the People's Republic of China and to protect United States industry from unfair competition by the People's Republic of China, and for other purposes; to the Committee on Finance.

By Mr. HEINRICH (for himself and Mr. MCCAIN):

S. 2827. A bill to amend the Morris K. Udall and Stewart L. Udall Foundation Act; to the Committee on Environment and Public Works.

By Mr. RUBIO (for himself and Mr. NELSON):

S. 2828. A bill to develop and identify indicators of potentially fraudulent and disreputable recovery housing operators, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HARRIS (for herself, Mr. BOOKER, Mrs. GILLIBRAND, and Mrs. FEINSTEIN):

S. 2829. A bill to amend the Federal Reserve Act to require Federal Reserve banks to interview at least one individual reflective of gender diversity and one individual reflective of racial or ethnic diversity when appointing Federal Reserve bank presidents, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. ROBERTS, Ms. BALDWIN, and Ms. STABENOW):

S. 2830. A bill to reauthorize the rural emergency medical services training and equipment assistance program under section 330J of the Public Health Service Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself and Mr. LEE):

S. 2831. A bill to redesignate Golden Spike National Historic Site and to establish the Transcontinental Railroad Network; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself, Mr. MERKLEY, Ms. WARREN, and Mr. UDALL):

S. 2832. A bill to require the collection of data by officers enforcing United States laws and regulations, including at border security stops within United States borders, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HOEVEN:

S. 2833. A bill to amend the Agricultural Act of 2014 to improve the calculation of county-level agriculture risk coverage payments; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HOEVEN:

S. 2834. A bill to amend the Food Security Act of 1985 to improve the wetland conservation program; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 503. A resolution commemorating the tricentennial of the City of San Antonio, Texas; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. TILLIS):

S. Res. 504. A resolution designating May 11, 2018, as Military Spouse Appreciation Day; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Mr. BROWN, Mr. BOOZMAN, Mr. KENNEDY, Mr. TOOMEY, Mr. DAINES, Mr. KING, Mrs. MURRAY, Mrs. CAPITO, Mr. CARPER, Ms. HASSAN, Mr. UDALL, Ms. WARREN, Mr. COONS, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. WYDEN, Mr. BOOKER, Mr. KAINE, Mr. DONNELLY, Mr. DURBIN, Ms. HIRONO, Mrs. SHAHEEN, Mr. HOEVEN, Ms. STABENOW, Mr. SANDERS, Mr. BLUMENTHAL, Mr. JONES, Ms. CORTEZ MASTO, Mr. MURPHY, Mr. BLUNT, Mr. HATCH, Ms. DUCKWORTH, and Mrs. HYDE-SMITH):

S. Res. 505. A resolution recognizing the roles and contributions of the teachers of the United States in building and enhancing the civic, cultural, and economic well-being of the United States; considered and agreed to.

By Ms. COLLINS (for herself, Mr. CASEY, Mr. RUBIO, Mr. NELSON, and Ms. CORTEZ MASTO):

S. Res. 506. A resolution supporting the designation of May 15, 2018, as "National Senior Fraud Awareness Day" to raise awareness about the increasing number of fraudulent schemes targeted at older people of the United States, to encourage the implementation of policies to prevent these scams from happening, and to improve protections from these scams for seniors; considered and agreed to.

ADDITIONAL COSPONSORS

S. 256

At the request of Ms. HEITKAMP, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 256, a bill to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

S. 477

At the request of Mr. DURBIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 477, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research and surveillance efforts and to improve public

education and awareness of congenital heart disease, and for other purposes.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 751

At the request of Mr. WARNER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 781

At the request of Mr. CASSIDY, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 781, a bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster.

S. 783

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 783, a bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

S. 821

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 821, a bill to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

S. 991

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 991, a bill to prohibit drilling in the Arctic Ocean.

S. 1086

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1086, a bill to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under chapter 89 of title 5, United States Code.

S. 1112

At the request of Ms. HEITKAMP, the names of the Senator from Florida (Mr. NELSON) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1112, a bill to support

States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1338

At the request of Mr. CORNYN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1338, a bill to award a Congressional Gold Medal to the United States Army Dust Off crews of the Vietnam War, collectively, in recognition of their extraordinary heroism and life-saving actions in Vietnam.

S. 1348

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1348, a bill to amend title XI of the Social Security Act to require drug manufacturers to publicly justify unnecessary price increases.

S. 1357

At the request of Ms. BALDWIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1357, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic family care services in Medicaid.

S. 1689

At the request of Ms. HARRIS, her name was added as a cosponsor of S. 1689, a bill to amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marihuana, and for other purposes.

S. 1871

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

S. 1917

At the request of Mr. GRASSLEY, the names of the Senator from Montana (Mr. DAINES) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1917, a bill to reform sentencing laws and correctional institutions, and for other purposes.

S. 2144

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

S. 2208

At the request of Mr. MARKEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2208, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 2237

At the request of Mr. MORAN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2237, a bill to amend the Federal Financial Institutions Examination Council Act of 1978 to improve the examination of depository institutions, and for other purposes.

S. 2271

At the request of Mr. REED, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2271, a bill to reauthorize the Museum and Library Services Act.

S. 2395

At the request of Mr. SCHATZ, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2395, a bill to amend title 54, United States Code, to authorize the provision of technical assistance under the Preserve America Program and to direct the Secretary of the Interior to enter into partnerships with communities adjacent to units of the National Park System to leverage local cultural heritage tourism assets.

S. 2429

At the request of Mr. BROWN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2429, a bill to amend chapter 77 of title 18, United States Code, to clarify that using drugs or illegal substances to cause a person to engage in a commercial sex act constitutes coercion and using drugs or illegal substances to provide or obtain the labor or services of a person constitutes forced labor.

S. 2497

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2497, a bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 2501

At the request of Mr. GARDNER, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 2501, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account.

S. 2597

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2597, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

S. 2633

At the request of Ms. HARRIS, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor

of S. 2633, a bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals, and for other purposes.

S. 2652

At the request of Mr. CASSIDY, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Alabama (Mr. JONES), the Senator from Delaware (Mr. CARPER) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 2652, a bill to award a Congressional Gold Medal to Stephen Michael Gleason.

S. 2667

At the request of Mr. MCCONNELL, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2667, a bill to amend the Agricultural Marketing Act of 1946 to provide for State and Tribal regulation of hemp production, and for other purposes.

S. 2757

At the request of Mr. YOUNG, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2757, a bill to require a national economic security strategy, and for other purposes.

S. 2762

At the request of Ms. HEITKAMP, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2762, a bill to amend the Farm Security and Rural Investment Act of 2002 to support opportunities for beginning farmers and ranchers, and for other purposes.

S. 2789

At the request of Mr. CORNYN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 2789, a bill to prevent substance abuse and reduce demand for illicit narcotics.

S. 2811

At the request of Mr. MERKLEY, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2811, a bill to amend the Omnibus Public Land Management Act of 2009 to reauthorize the Collaborative Forest Landscape Restoration Fund, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 2815. A bill to amend title 28, United States Code, to increase transparency and oversight of third-party litigation funding in certain actions, and for other purposes; to the Committee on the Judiciary.

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

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

S. 2815

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 “Litigation Funding Transparency Act of 2018”.

SEC. 2. TRANSPARENCY AND OVERSIGHT OF THIRD-PARTY LITIGATION FUNDING IN CLASS ACTIONS.

(a) IN GENERAL.—Chapter 114 of title 28, United States Code, is amended by adding at the end the following:

“§ 1716. Third-party litigation funding disclosure

“(a) IN GENERAL.—In any class action, class counsel shall—

“(1) disclose in writing to the court and all other named parties to the class action the identity of any commercial enterprise, other than a class member or class counsel of record, that has a right to receive payment that is contingent on the receipt of monetary relief in the class action by settlement, judgment, or otherwise; and

“(2) produce for inspection and copying, except as otherwise stipulated or ordered by the court, any agreement creating the contingent right.

“(b) TIMING.—The disclosure required by subsection (a) shall be made not later than the later of—

“(1) 10 days after execution of any agreement described in subsection (a)(2); or

“(2) the time of service of the action.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 114 of title 28, United States Code, is amended by adding at the end the following:

“1716. Third-party litigation funding disclosure.”.

SEC. 3. TRANSPARENCY AND OVERSIGHT OF THIRD-PARTY LITIGATION FUNDING IN MULTIDISTRICT LITIGATION.

Section 1407 of title 28, United States Code, is amended—

(1) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(2) by inserting after subsection (f) the following:

“(g)(1) In any coordinated or consolidated pretrial proceedings conducted pursuant to this section, counsel for a party asserting a claim whose civil action is assigned to or directly filed in the proceedings shall—

“(A) disclose in writing to the court and all other parties the identity of any commercial enterprise, other than the named parties or counsel, that has a right to receive payment that is contingent on the receipt of monetary relief in the civil action by settlement, judgment, or otherwise; and

“(B) produce for inspection and copying, except as otherwise stipulated or ordered by the court, any agreement creating the contingent right.

“(2) The disclosure required by paragraph (1) shall be made not later than the later of—

“(A) 10 days after execution of any agreement described in paragraph (1)(B); or

“(B) the time the civil action becomes subject to this section.”.

SEC. 4. APPLICABILITY.

The amendments made by this Act shall apply to any case pending on or commenced after the date of the enactment of this Act.

By Mr. RUBIO:

S. 2826. A bill to safeguard certain technology and intellectual property in the United States from export to or influence by the People's Republic of China and to protect United States industry from unfair competition by the People's Republic of China, and for other purposes; to the Committee on Finance.

Mr. RUBIO. Mr. President, when the story of the 21st century is written,

there will be a couple chapters about Vladimir Putin's Russia, most certainly chapters about radical jihadists, and perhaps a few chapters on some other things we have yet to fully anticipate.

There still remains over 80 years in this century, but there is no doubt that the vast majority of the story about the 21st century will be about the relationship between the United States and China. China—the most populous nation on Earth, the second largest economy, and soon to be the largest economy on the planet—is a country that cannot be contained. It will be a major factor, both economically and geopolitically, as it should be for a nation of that magnitude and a culture that deep, with such long history. However, there are imbalances developing in that relationship, which I believe are threatening, not just to our Nation but ultimately to the peace and security and the stability of the world.

It is on that topic I wanted to come to the floor and speak today and perhaps about some of the things we need to do about it. There was a consensus—which I would admit I, perhaps, from time to time, was a partaker in—that China was a country that would, eventually, as it grew more prosperous, become not just more democratic but more willing to live by the rules the world has conducted itself by since the end of the Second World War.

Perhaps I wasn't as strong an adherent to that as some others. I have always been, of course, deeply suspicious of communism and autocratic nations, but there was still the belief that things could work out, and, eventually, at some point, both demographics and economics would force China to accept the benefits and the wisdom of a global economic order that has maintained the peace since the end of the Second World War.

That was a terrible mistake. For, in fact, that is not how it has played out. For the better part of 30 years now, China has been allowed to systemically violate all of the rules of fair play in trade and commerce under the guise of saying, eventually, they are going to come around and behave. Not only has it not worked, it has allowed them to accelerate their economic growth to the detriment of American workers, American industry, and economies all over the world.

Today, China is 3 years into a plan called Made in China 2025. What “Made in China” means, and what it is all about, is China intends to be the dominant power and dominate 10 key sectors of the future economy. They outline what all 10 of those are.

Now, if that dominance was the result of being more innovative or spending more money on research or just being better, then we would have little to complain about. It would be on us to become more innovative ourselves and put more money into research and technology and these sorts of things. That is not what it is the product of. It

is the product of cheating. It is the massive theft of intellectual property—the largest single transfer of wealth in the history of mankind stolen; stolen because they buy small companies that are developing some key component in a broader technology, and they take it for themselves; stolen because when an American company or any foreign company, for that matter, wants to do business in China and have access to their 1.4 billion people, you have to partner with them. They make you partner with a Chinese company. Your “partner” steals your secrets and then they kick you out and now they are your competitor.

So think about it. They are able to make all of these advances without paying for them. Imagine if you had a business that was able to grow without having to pay for all the research that went to getting you to that point. This is what they do. It has allowed them to expand militarily, commercially, and economically to the point where we are at the edge of a very dangerous economic and geopolitical imbalance that needs to be addressed. It needs to be addressed now. We are almost out of time because 5 years from now, 6 years from now, or 3 years from now, it may be too late to address this.

I want to reiterate what I said at the outset. This is not about containing China, nor is it about crippling China. It is about ensuring that we are going to have stability in the world; a stability in which our companies and their companies can partner, but they need to do so voluntarily; a stability where they cannot steal our secrets; a stability where they cannot violate the rules of trade but benefit from the rules of trade.

That is what I hope to address through a new bill called the Fair Trade With China Enforcement Act, which I am introducing today. The first problem we want to address is that China is building its industrial capacity with U.S. intellectual property and technology.

I have highlighted how they steal our technology and our intellectual property, and they use it. As an example, General Electric and Honeywell technology is being used in China by one of GE's and Honeywell's competitors. They didn't sell it to them. It was stolen from them. Two American companies had their secrets stolen, and now their competitor in China is using their technology that they spent money and time investing in.

The solution to that problem is to pass a law that prohibits the sale of national security-sensitive technology and intellectual property to China. The bill would do this by directing the Department of Commerce to use its export control authority to block military capacity exports and components of Made in China 2025 exports to China.

So, basically, the Department of Commerce would look at Made in China 2025. These are the sectors they are trying to dominate, and we would

prohibit the sale or the transfer of intellectual property sensitive to those industries. That means American companies—even if they have a partnership with China—would be prohibited by law in sharing this information with them willingly.

The second problem we have, frankly, is here at home. We have these large multinational U.S. companies that have very valuable intellectual property and technology that partner with Chinese firms. They know their intellectual property is going to be stolen, but they don't care. They don't care, No. 1, because they are not going to pay the full cost of the loss of this intellectual property. It is going to be borne by the entire country.

A great example of that would be a CEO or business executive who knows they are only going to be at the company for x number of years. They make the decision: I don't care if they are going to steal our intellectual property. I want to have access to the Chinese market because it is 1.4 billion people. That is going to allow us to sell a bunch of stuff there. Our profits will go up. I am going to look good in the quarterly reports and look good before the board of directors. Who cares if this harms the United States? My obligation is to the corporation and not the country.

That is their view. In fact, many of these CEOs of large multinational companies consider themselves to be citizens of the world before they consider themselves to be citizens of the United States. They are willing to turn these things over because by the time we are hurt by it as a nation, they are long gone; by the time they are hurt by it as a company, they are long gone, but they are going to have some pretty good quarters as they expand into the largest market in the world, and their shareholders and board of directors are going to be very happy about it.

That is a big problem. Just because a company has their address in the United States, does not mean they consider themselves to be American companies. Of course, this is a big problem among many large multinational corporations that are doing business there and know exactly what is going on but are more interested in the short-term profits than the impact on our national security.

The solution I propose to that problem in this law is to increase taxes on multinational corporations on the income they earn in China. The tax would be increased equal to the amount of the lost value of the stolen intellectual property or technology. So if we lost \$1 billion, there would be a \$1 billion increase in that business's profit that they made in China through that partnership.

It does this by imposing a tax rate of 2 percent—roughly equal to what the Trade Representative's office estimates is the cost of lost intellectual property as a percent of total corporate profits in China.

The third problem we have is that China—and I mean China, both its sovereign wealth management and individuals who made a lot of money, directed by the government, in many cases—has gone on a buying spree of U.S. debt—meaning Treasuries, stocks, and even real estate. My hometown of Miami is one of the places being heavily invested in now to increase their trade surplus and to weaken the U.S. economy.

You say how? Let me give you an example. After China rose to the World Trade Organization, it had all this excess capital resulting from its large surpluses. That drove them to take that excess capital they were making now that they were part of the WTO and invest it in the United States in real estate, for example. Here you have people coming in and paying for real estate above the value of the property, driving up prices. It is one of the things that helped fuel the housing bubble. You can only imagine that if the property next door, the building next door, or the luxury condominium units next door are sold at a price higher than what the asking price might be, you are driving up the market for everyone. But they do this over and over again. This cheap financing of our debt, this buying up so many of our Treasury notes because there is such demand for our debt, our yield—the amount of interest we pay back to the investor—is lower. The result is it is one of the things that has driven our national debt here. It has been easy to borrow because it has been cheap.

What is the solution? The solution is to update the income tax treaty that was signed in the 1980s and that taxes China's profits on these investments, including their holdings of the national debt at a preferential rate for what it would be for anybody else.

What my law would do is make withholding taxes on China's investment income revert to what the law is for everyone else. For example, the U.S. payor would withhold the greater amount of tax on distributions to Chinese payees, so whatever income they are making from the debt, from the stocks, from the assets they bought in the United States and they have invested in—whatever they are making on it, they would pay taxes on that income the same as anyone else would, as opposed to under a preferential rate from the 1980s.

This is important because among the things that all of this surplus investment does in the United States, it increases the value of the dollar artificially. They did that when they were manipulating the currency. The stronger the dollar, the weaker our exports, the more expensive it is to buy something in the United States than somewhere else.

The currency fluctuates as a matter of course through economic engagement. This is the deliberate manipulation of our currency. This is one of the byproducts of this. Taxing the income

they make on those investments the same as anybody else would have to pay—and not this preferential rate—would help bring some balance to that.

One additional problem we want to address is that the Chinese Government's Made in China 2025 plan is a plan to displace advanced American manufacturing, and they intend to do that no matter what it takes. Let me give you an example. Made in China 2025 targets artificial intelligence and next-generation information technology. They target robotics. They target new energy vehicles. They target biotechnology—meaning biopharma, biologics—in terms of curing disease. They target energy and power generation. They target aerospace, which is not just airplanes and space travel. They target high-tech shipping, advanced railway, new material, agricultural machinery. These advanced, high-tech industries are supposed to be the competitive advantage of the United States in the 21st century.

What I am talking about is not protectionism. If this were a fair competition of these technologies versus them, that is what free markets are supposed to do. That is not how they are doing it. The way they compete with us in these industries—in addition to stealing our secrets and buying up the companies that are up in the supply chain—is to deny our companies access to their markets, but they want full and unfettered access to ours.

What is the solution? The solution is to prepare duties on and impose Chinese investor shareholding caps on U.S. companies producing goods targeted by Made in China 2025. This bill would do this by defining Made in China 2025 as a countervailable subsidy for American industries affected by Made in China 2025 exports, thus reducing future demand for Chinese exports in these industries.

We have to raise the prices of the products they are stealing from us; otherwise, they will put our industries out of business, and our children will live in a world where we depend on China for artificial intelligence, for robotics, for new energy vehicles, for aerospace, for biopharma.

Can you imagine living in a world where the cure to Alzheimer's is controlled by Chinese pharmaceutical companies—the amount of leverage it would give them geopolitically? If they reach that plateau because they outthrust us, that is one thing. But to get there by stealing what we produce, by denying our companies the ability to sell over there but asking us to allow their companies to sell here—that is not competition; that is theft. That is an imbalance that needs to be addressed.

We will also have the SEC block any majority stake acquisition of a listed company producing the component goods in any of these industries—the Made in China 2025 exports—in order to limit their ability to buy up our small companies or buy up enough of a con-

trolling interest in American companies to take them from us. That is the other strategy they have. They go into industries that go under the threshold of what the government looks into, and they buy up percentages of the company or the entire company itself. Then they control what is supposedly an American company, and they own it. Try doing that in China if you are an American.

The argument that we should continue to allow them to do it because they are a developing industry is ridiculous. No one can make that argument anymore. That is the argument that has been made for all of these years.

There is one last thing we need to do, and it has been on the news a lot lately. The Chinese have tried in the United States and around the world to use their companies involved in telecommunications, particularly Huawei and ZTE, to infiltrate U.S. networks. Basically how that works is they wanted us to buy components, parts, and equipment from Huawei and use it for our cell phone networks, our internet networks, our servers and routers—put those in our country. If you are a country that, as a matter of geopolitical strategy, steals—not just spies as normal countries do, but steals intellectual property and corporate secrets to build your economy at the expense of someone else's and you control the routers and the telecom system or enough of it in another country, we are just making it easier for you to steal these things from us.

Imagine a major U.S. university conducting research, and their entire back office and all of their computer networks in which it is stored has Huawei equipment. This would allow the Chinese Government to go into this equipment and use it remotely to extract all of this information. They don't even have to send any spies over here because we have brought them inside. This is a problem across the economy, and that needs to be dealt with in broader terms.

In this bill—a bill I have separately introduced with Senator COTTON—we would prohibit the Federal Government or subsidiaries and contractors of the Federal Government from buying telecommunications equipment or services from Huawei or ZTE. What we cannot afford is to have in our own government—or in companies that are servicing the government—telecommunications equipment and services vulnerable to espionage, either corporate or national security.

Let me close with this. There are a lot of big issues going on in the world, and for a lot of people, including myself, this issue is pretty new. I have long been concerned about China's military expansion. They are putting all kinds of missiles now on the islands in the South China Sea. I most certainly have long been concerned about human rights violations—what they have done with Tibet and the way they are bullying people in Taiwan. By the

way, just so you know the sort of influence level they have, Marriott Corporation fired an American worker—an American living in the United States, working for Marriott, was fired because they liked a social media post about Tibet. So the Chinese got mad. They told Marriott: You need to correct this. And they fired the employee—this American—because he liked a social media post by mistake about Tibet.

Do you know that United Airlines and American Airlines just got a letter from the Chinese Government saying: Unless you change your website so that it says Taiwan-China and not just Taiwan, we are going to start fining you and may take away your ability to fly into China. These are American companies that I hope do not give in. This is happening every single day.

Do you know that Hollywood movies are made so that they will be allowed to be distributed in China? Hollywood entertainment is deliberately not making movies or saying certain things in movies—political things, things that would offend the Chinese Government—because if they do, they will not let them sell their movies to 1.3, 1.4 billion people. Do you know there are actors, like Richard Gere, for example, who can't make major movies anymore because they can't be distributed in China because he is in favor of Tibet and its independence?

These things are happening, and we are arguing about a bunch of other silly things. This is historic. This is the single biggest challenge facing this Nation for the next 20, 30, or 40 years, and we are almost out of time to take it seriously.

Just a week ago, I traveled to Latin America. I was in Panama, where the Chinese have built not one but two port facilities on the Panama Canal. Not surprisingly, because of all this investment, last year Panama decided to switch. It no longer recognizes Taiwan. It switched to China. Last week, while I was in Panama, the Dominican Republic announced they have switched. Little by little they are going and using their investments in these countries, first just to get them to derecognize Taiwan but, ultimately, because they are spending so much money in these countries to leverage them, to align their foreign policy to China's in our own hemisphere.

We do not want conflict with China. We want parity, stability, reciprocity, and fairness. That is not what we have right now, and we have taken far too long to take it seriously. Now is the time to do it.

This is about more than just trade. This is about geopolitics and national security. It will be the defining issue of the century, and the time to take it seriously is now.

My bill, which we hope to continue to build on and improve, is our effort to hopefully begin this dialogue and take steps on this very important topic.

By Mr. DURBIN (for himself, Mr. ROBERTS, Ms. BALDWIN, and Ms. STABENOW):

S. 2830. A bill to reauthorize the rural emergency medical services training and equipment assistance program under section 330J of the Public Health Service Act; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 2830

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 “Supporting and Improving Rural EMS Needs Act of 2018” or the “SIREN Act of 2018”.

SEC. 2. REAUTHORIZATION OF RURAL EMERGENCY MEDICAL SERVICES TRAINING AND EQUIPMENT ASSISTANCE PROGRAM.

Section 330J of the Public Health Service Act (42 U.S.C. 254c-15) is amended—

(1) in subsection (a), by striking “in rural areas” and inserting “in rural areas or to residents of rural areas”; and

(2) by striking subsections (b) through (g) and inserting the following:

“(b) ELIGIBILITY; APPLICATION.—To be eligible to receive grant under this section, an entity shall—

“(1) be—

“(A) an emergency medical services agency operated by a local or tribal government (including fire-based and non-fire based); or

“(B) an emergency medical services agency that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

“(2) submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(c) USE OF FUNDS.—An entity shall use amounts received through a grant under subsection (a) to—

“(1) recruit and retain emergency medical services personnel, which may include volunteer personnel;

“(2) train emergency medical services personnel as appropriate to obtain and maintain licenses and certifications relevant to service in an emergency medical services agency described in subsection (b)(1);

“(3) conduct courses that qualify graduates to serve in an emergency medical services agency described in subsection (b)(1) in accordance with State and local requirements;

“(4) fund specific training to meet Federal or State licensing or certification requirements;

“(5) develop new ways to educate emergency health care providers through the use of technology-enhanced educational methods;

“(6) acquire emergency medical services equipment; or

“(7) acquire personal protective equipment for emergency medical services personnel as required by the Occupational Safety and Health Administration.

“(d) GRANT AMOUNTS.—Each grant awarded under this section shall be in an amount not to exceed \$200,000.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘emergency medical services’—

“(A) means resources used by a public or private nonprofit licensed entity to deliver

medical care outside of a medical facility under emergency conditions that occur as a result of the condition of the patient; and

“(B) includes services delivered (either on a compensated or volunteer basis) by an emergency medical services provider or other provider that is licensed or certified by the State involved as an emergency medical technician, a paramedic, or an equivalent professional (as determined by the State).

“(2) The term ‘rural area’ means—

“(A) a nonmetropolitan statistical area;

“(B) an area designated as a rural area by any law or regulation of a State; or

“(C) a rural census tract of a metropolitan statistical area (as determined under the most recent rural urban commuting area code as set forth by the Office of Management and Budget).

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this section \$20,000,000 for each fiscal years 2019 through 2023.

“(2) ADMINISTRATIVE COSTS.—The Secretary may use not more than 10 percent of the amount appropriated pursuant to paragraph (1) for a fiscal year for the administrative expenses of carrying out this section.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 503—COMMEMORATING THE TRICENTENIAL OF THE CITY OF SAN ANTONIO, TEXAS

Mr. CORNYN (for himself and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 503

Whereas in 1718, the Mission San Antonio de Valero, the Presidio San Antonio de Bejar, and the Villa de Bejar were founded in the area that would become the City of San Antonio (referred to in this preamble as “San Antonio”);

Whereas in 1821, San Antonio became a part of the Mexican empire;

Whereas in the Battle of the Alamo in 1836, Mexican forces led by General Lopez de Santa Anna stormed the Alamo and more than 200 United States colonists, Texians, and Tejanos died defending the future State of Texas;

Whereas in 1836, the new government of the State of Texas formed the county government of Bexar, and made San Antonio the county seat of Bexar;

Whereas in 1837, by action of the City Council, Ciudad San Antonio de Bejar was officially renamed the City of San Antonio;

Whereas the United States Army post at San Antonio was established in 1865, and is known today as Fort Sam Houston;

Whereas in 1877, the first passenger train of the renamed Galveston, Harrisburg, and San Antonio railroad arrived in San Antonio;

Whereas Brooks Air Force Base was built in 1917 in San Antonio and operated until closure in 2011;

Whereas Kelly Field, also known as Kelly Air Force Base, was founded in 1917 and operated until 2001, making it the oldest continuously operating air base in the United States;

Whereas in 1931, Randolph Air Force Base began operating as a training facility in San Antonio and is now part of Joint Base San Antonio;

Whereas in 1941, Lackland Air Force Base began operating as a training facility in San Antonio and is now part of Joint Base San Antonio;

Whereas in 1968, San Antonio hosted a 6-month international exposition known as “HemisFair ‘68”, which welcomed more than 6,000,000 visitors from across the world;

Whereas in 1973, San Antonio received the first and only major professional sports team of the city, the San Antonio Spurs, which has won a total of 5 National Basketball Association championships;

Whereas in 1987, Pope John Paul II became the first and only pontiff to visit the State of Texas and San Antonio;

Whereas in 1992, the United States, Mexico, and Canada signed the North American Free Trade Agreement in San Antonio;

Whereas in 2017, the United Nations Educational, Scientific and Cultural Organization inscribed the 5 Spanish colonial missions in San Antonio as a World Heritage Site;

Whereas San Antonio is also called the Alamo City, the Mission City, and the River City, and was officially trademarked “Military City, USA” in 2017;

Whereas San Antonio has been home to several notable individuals, including President Dwight D. Eisenhower, President Lyndon B. Johnson, President Theodore Roosevelt, Attorney General Alberto Gonzales, Congressman David Crockett, Congressman Garlington Jerome Sutton, General Douglas MacArthur, General Jimmy Doolittle, Colonel James Bowie, Lieutenant Colonel Ed White, Master Sergeant Raul Perez Benavidez, Charles Lindbergh, Carol Burnett, Joan Crawford, Tommy Lee Jones, Johnny Cash, Rosita Fernandez, Santiago Jimenez, Santiago Jimenez Jr., Flaco Jimenez, and Secretary Henry Cisneros;

Whereas San Antonio hosts one of the largest annual marches in the United States for Martin Luther King Jr. Day, with nearly 300,000 participants;

Whereas San Antonio is the seventh largest city in the United States based on population;

Whereas San Antonio contributes to the cultural life and historical understanding of the State of Texas through events such as—

- (1) Fiesta;
- (2) Luminaria;
- (3) the San Antonio Stock Show & Rodeo;
- (4) the Armed Forces River Parade; and
- (5) the Texas Folk Life Festival; and

Whereas during the first week of May, 2018—

(1) San Antonio will honor and celebrate the tricentennial anniversary of the city; and

(2) each day of that week will have a specific focus, including a Day of Reflection, History & Education Day, Founders Day, Arts for All Day, Legacy Day, and Military Appreciation Day; Now, therefore, be it

Resolved, That the Senate—

(1) designates 2018 as the year of the “San Antonio Tricentennial”; and

(2) honors the history and founding of the City of San Antonio, Texas.

SENATE RESOLUTION 504—DESIGNATING MAY 11, 2018, AS MILITARY SPOUSE APPRECIATION DAY

Mr. TESTER (for himself and Mr. TILLIS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 504

Whereas the month of May marks National Military Appreciation Month;

Whereas the Senate recognizes military spouses’ dedication of a lifetime of love, support, and patriotism that helps make the service and sacrifice of the men and women in the Armed Forces possible;

Whereas military spouses have been separated from loved ones because of the duty of our Armed Forces to protect our Nation and its interests through deployment in support of overseas contingency operations and other military missions;

Whereas the establishment of Military Spouse Appreciation Day honors the dedication and contributions of spouses of members of the Armed Forces; and

Whereas, May 11, 2018, would be an appropriate date to establish as “Military Spouse Appreciation Day”: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 11, 2018, as “Military Spouse Appreciation Day”;

(2) honors and recognizes the dedication and contributions made by spouses of members of the Armed Forces; and

(3) encourages the people of the United States to observe Military Spouse Appreciation Day to promote awareness of the dedication and contributions of spouses of members of the Armed Forces and the importance of the role of military spouses in the lives of members of the Armed Forces and veterans.

SENATE RESOLUTION 505—RECOGNIZING THE ROLES AND CONTRIBUTIONS OF THE TEACHERS OF THE UNITED STATES IN BUILDING AND ENHANCING THE CIVIC, CULTURAL, AND ECONOMIC WELL-BEING OF THE UNITED STATES

Ms. COLLINS (for herself, Mr. BROWN, Mr. BOOZMAN, Mr. KENNEDY, Mr. TOOMEY, Mr. DAINES, Mr. KING, Mrs. MURRAY, Mrs. CAPITO, Mr. CARPER, Ms. HASSAN, Mr. UDALL, Ms. WARREN, Mr. COONS, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. WYDEN, Mr. BOOKER, Mr. KAINE, Mr. DONNELLY, Mr. DURBIN, Ms. HIRONO, Mrs. SHAHEEN, Mr. HOEVEN, Ms. STABENOW, Mr. SANDERS, Mr. BLUMENTHAL, Mr. JONES, Ms. CORTEZ MASTO, Mr. MURPHY, Mr. BLUNT, Mr. HATCH, Ms. DUCKWORTH, and Mrs. HYDE-SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 505

Whereas education and knowledge are foundational to the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of their students and communities for the selfless dedication of the teachers and staff to community service and the futures of the children of the United States;

Whereas the purposes of National Teacher Appreciation Week, celebrated from May 7, 2018, through May 11, 2018, are—

(1) to raise public awareness of the unquantifiable contributions of teachers; and

(2) to promote greater respect and understanding for the teaching profession; and

Whereas students, schools, communities, and a number of organizations representing educators are hosting teacher appreciation events in recognition of National Teacher Appreciation Week: Now, therefore, be it

Resolved, That the Senate—

(1) thanks the teachers of the United States; and

(2) promotes the profession of teaching by encouraging students, parents, school administrators, and public officials to participate in teacher appreciation events during National Teacher Appreciation Week.

SENATE RESOLUTION 506—SUPPORTING THE DESIGNATION OF MAY 15, 2018, AS “NATIONAL SENIOR FRAUD AWARENESS DAY” TO RAISE AWARENESS ABOUT THE INCREASING NUMBER OF FRAUDULENT SCHEMES TARGETED AT OLDER PEOPLE OF THE UNITED STATES, TO ENCOURAGE THE IMPLEMENTATION OF POLICIES TO PREVENT THESE SCAMS FROM HAPPENING, AND TO IMPROVE PROTECTIONS FROM THESE SCAMS FOR SENIORS

Ms. COLLINS (for herself, Mr. CASEY, Mr. RUBIO, Mr. NELSON, and Ms. CORTEZ MASTO) submitted the following resolution; which was considered and agreed to:

S. RES. 506

Whereas, in 2017, there were more than 47,800,000 individuals age 65 or older in the United States (referred to in this preamble as “seniors”), and seniors accounted for 14.9 percent of the total population of the United States;

Whereas senior fraud is a growing concern as millions of older people of the United States are targeted by scams each year, including the Internal Revenue Service impersonation scams, sweepstakes and lottery scams, grandparent scams, computer tech support scams, romance scams, work-at-home scams, charity scams, home improvement scams, fraudulent investment schemes, and identity theft;

Whereas other types of fraud perpetrated against seniors include health care fraud, health insurance fraud, counterfeit prescription drug fraud, funeral and cemetery fraud, “anti-aging” product fraud, telemarketing fraud, and internet fraud;

Whereas the Government Accountability Office has estimated that seniors lose a staggering \$2,900,000,000 each year to an ever-growing array of financial exploitation schemes and scams;

Whereas, since 2013, the fraud hotline of the Special Committee on Aging of the Senate has received more than 7,200 complaints reporting possible scams from individuals in all 50 States, the District of Columbia, and the Commonwealth of Puerto Rico;

Whereas the ease with which criminals contact seniors through the internet and telephone increases as more creative schemes emerge;

Whereas, according to the Consumer Sentinel Network Data Book 2017, released by the Federal Trade Commission, people age 60 years and older were defrauded of \$249,000,000 in 2017, with the median loss to defrauded victims age 80 and older averaging \$1,092 per person, more than double the average amount lost by those victims between the ages 50 and 59 years old;

Whereas senior fraud is underreported by victims due to embarrassment and lack of information about where to report fraud; and

Whereas May 15, 2018, is an appropriate day to establish as “National Senior Fraud Awareness Day”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of May 15, 2018, as “National Senior Fraud Awareness Day”;

(2) recognizes “National Senior Fraud Awareness Day” as an opportunity to raise awareness about the barrage of scams that individuals age 65 or older in the United States (referred to in this resolving clause as “seniors”) face in person, by mail, on the phone, and online;

(3) recognizes that law enforcement, consumer protection groups, area agencies on

aging, and financial institutions all play vital roles in preventing scams targeting seniors and educating seniors about those scams;

(4) encourages implementation of policies to prevent these scams and to improve measures to protect seniors from scams targeting seniors; and

(5) honors the commitment and dedication of the individuals and organizations who work tirelessly to fight against scams targeting seniors.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2242. Mr. PORTMAN (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 931, to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

TEXT OF AMENDMENTS

SA 2242. Mr. PORTMAN (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 931, to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the Firefighter Cancer Registry Act of 2018.

SEC. 2. VOLUNTARY REGISTRY FOR FIREFIGHTER CANCER INCIDENCE.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the Secretary), acting through the Director of the Centers for Disease Control and Prevention and in coordination with other agencies as the Secretary determines appropriate, shall develop and maintain, directly or through a grant or cooperative agreement, a voluntary registry of firefighters (referred to in this section as the Firefighter Registry) to collect relevant health and occupational information of such firefighters for purposes of determining cancer incidence.

(b) USE OF FIREFIGHTER REGISTRY.—The Firefighter Registry may be used for the following purposes:

(1) To improve data collection and data coordination activities related to the nationwide monitoring of the incidence of cancer among firefighters.

(2) To collect, consolidate, and maintain, consistent with subsection (g), epidemiological information and analyses related to cancer incidence and trends among firefighters

(c) RELEVANT DATA.—

(1) DATA COLLECTION.—In carrying out the voluntary data collection for purposes of inclusion under the Firefighter Registry, the Secretary may collect the following:

(A) Information, as determined by the Secretary under subsection (d)(1), of volunteer, paid-on-call, and career firefighters, independent of cancer status or diagnosis.

(B) Individual risk factors and occupational history of firefighters.

(C) Information, if available, related to—

(i) basic demographic information, including—

(I) the age of the firefighter involved during the relevant dates of occupation as a firefighter; and

(II) the age of cancer diagnosis;

(ii) the status of the firefighter as either volunteer, paid-on-call, or career firefighter;

(iii) the total number of years of occupation as a firefighter and a detailing of additional employment experience, whether concurrent, before, or anytime thereafter;

(iv)(I) the approximate number of fire incidents attended, including information related to the type of fire incidents and the role of the firefighter in responding to the incident; or

(II) in the case of a firefighter for whom information on such number and type is unavailable, an estimate of such number and type based on the method developed under subsection (d)(1)(D); and

(v) other medical information and health history, including additional risk factors, as appropriate, and other information relevant to a cancer incidence study of firefighters.

(2) INFORMATION ON DIAGNOSES AND TREATMENT.—In carrying out paragraph (1), with respect to diagnoses and treatment of firefighters with cancer, the Secretary shall, as appropriate, enable the Firefighter Registry to electronically connect to State-based cancer registries, for a purpose described by clause (vi) or (vii) of section 399B(c)(2)(D) of the Public Health Service Act (42 U.S.C. 280e(c)(2)(D)), to obtain—

(A) date of diagnoses and source of information; and

(B) pathological data characterizing the cancer, including cancer site, state of disease (pursuant to Staging Guide), incidence, and type of treatment.

(d) FIREFIGHTER REGISTRY COORDINATION STRATEGY.—

(1) REQUIRED STRATEGY.—The Secretary shall, in consultation with the relevant stakeholders identified in subsection (e), including epidemiologists and pathologists, develop a strategy to coordinate data collection activities, including within existing State registries, for inclusion in the Firefighter Registry established under this Act. The strategy may include the following:

(A) Increasing awareness of the Firefighter Registry and encouraging participation among volunteer, paid-on-call, and career firefighters.

(B) Consideration of unique data collection needs that may arise to generate a statistically reliable representation of minority, female, and volunteer firefighters, including methods, as needed, to encourage participation from such populations.

(C) Information on how the Secretary will store data described in subsection (c)(1) and provide electronic access to relevant health information described in subsection (c)(2).

(D) Working in consultation with the experts described in subsection (e), a reliable and standardized method for estimating the number of fire incidents attended by a firefighter as well as the type of fire incident so attended in the case such firefighter is unable to provide such information.

(2) REPORT TO CONGRESS.—The Secretary shall submit the strategy described in paragraph (1) to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate not later than 30 days after the date of the completion of the strategy.

(3) GUIDANCE FOR INCLUSION AND MAINTENANCE OF DATA ON FIREFIGHTERS.—The Secretary shall develop, in consultation with the stakeholders identified in subsection (e), State health agencies, State departments of homeland security, and volunteer, paid-on-call, combination, and career firefighting agencies, a strategy for inclusion of firefighters in the registry that are representative of the general population of firefighters, that outlines the following:

(A) How new information about firefighters will be submitted to the Firefighter Registry for inclusion.

(B) How information about firefighters will be maintained and updated in the Firefighter Registry over time.

(C) A method for estimating the number of fire incidents attended by a firefighter as well as the type of fire incident so attended in the case such firefighter is unable to provide such information.

(D) Further information, as deemed necessary by the Secretary.

(e) CONSULTATION AND REPORT.—The Secretary shall consult with non-Federal experts on the Firefighter Registry established under this section, and shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes, as appropriate, information on goals achieved and improvements needed to strengthen the Firefighter Registry. Such non-Federal experts shall include the following:

(1) Public health experts with experience in developing and maintaining cancer registries.

(2) Epidemiologists with experience in studying cancer incidence.

(3) Clinicians with experience in diagnosing and treating cancer incidence.

(4) Active and retired volunteer, paid-on-call, and career firefighters as well as relevant national fire and emergency response organizations.

(f) RESEARCH AVAILABILITY.—Subject to subsection (g), the Secretary shall ensure that information and analysis in the Firefighter Registry are available, as appropriate, to the public, including researchers, firefighters, and national fire service organizations.

(g) PRIVACY.—In carrying out this Act, the Secretary shall ensure that information in and analysis of the Firefighter Registry are made available in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State privacy law.

(h) AUTHORIZATION OF FUNDS.—To carry out this section, there are authorized to be appropriated \$2,500,000 for each of the fiscal years 2018 through 2022.

AUTHORITY FOR COMMITTEES TO MEET

Mr. TILLIS. Mr. President, I have 3 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, May 10, 2018, at 10 a.m. to conduct a hearing on the following nominations: Lisa Porter, of Virginia, to be a Deputy Under Secretary, James N. Stewart, of North Carolina, to be an Assistant Secretary, James H. Anderson, of Virginia, to be an Assistant Secretary, and Gregory J. Slavonic, of Oklahoma, to be an Assistant Secretary of the Navy, all of the Department of Defense, and Charles P. Verdon, of California, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, Department of Energy.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, May 10, 2018, at 10 a.m. to conduct a hearing entitled "Modernizing Development Finance."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, May 10, 2018, at 10 a.m. to conduct a hearing on the following nominations: ark Jeremy Bennett, of Hawaii, to be United States Circuit Judge for the Ninth Circuit, Nancy E. Brasel, and Eric C. Tostrud, both to be a United States District Judge for the District of Minnesota, Robert R. Summerhays, to be United States District Judge for the Western District of Louisiana, Andrew S. Oldham, of Texas, to be United States Circuit Judge for the Fifth Circuit, Alan D. Albright, to be United States District Judge for the Western District of Texas, Thomas S. Kleeh, to be United States District Judge for the Northern District of West Virginia, Peter J. Phipps, to be United States District Judge for the Western District of Pennsylvania, Michael J. Truncale, of Texas, to be United States District Judge for the Eastern District of Texas, Wendy Vitter, to be United States District Judge for the Eastern District of Louisiana, and Cheryl A. Lydon, to be United States Attorney for the District of South Carolina, Sonya K. Chavez, to be United States Marshal for the District of New Mexico, Scott E. Kracl, to be United States Marshal for the District of Nebraska, and J. C. Raffety, to be United States Marshal for the Northern District of West Virginia, all of the Department of Justice.

RECOGNIZING THE ROLES AND CONTRIBUTIONS OF THE TEACHERS OF THE UNITED STATES IN BUILDING AND ENHANCING THE CIVIC, CULTURAL, AND ECONOMIC WELL-BEING OF THE UNITED STATES

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 505, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 505) recognizing the roles and contributions of the teachers of the United States in building and enhancing the civic, cultural, and economic well-being of the United States.

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

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

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

The resolution (S. Res. 505) was agreed to.

The preamble was agreed to.

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

SUPPORTING THE DESIGNATION OF MAY 15, 2018, AS "NATIONAL SENIOR FRAUD AWARENESS DAY"

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 506, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 506) supporting the designation of May 15, 2018, as "National Senior Fraud Awareness Day" to raise awareness about the increasing number of fraudulent schemes targeted at older people of the United States, to encourage the implementation of policies to prevent these scams from happening, and to improve protections from these scams for seniors.

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

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

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

The resolution (S. Res. 506) was agreed to.

The preamble was agreed to.

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

FIREFIGHTER CANCER REGISTRY ACT OF 2017

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of H.R. 931 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 931) to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

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

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Alexander amendment at the desk be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2242) was agreed to, as follows:

(Purpose: To require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the Firefighter Cancer Registry Act of 2018.

SEC. 2. VOLUNTARY REGISTRY FOR FIREFIGHTER CANCER INCIDENCE.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the Secretary), acting through the Director of the Centers for Disease Control and Prevention and in coordination with other agencies as the Secretary determines appropriate, shall develop and maintain, directly or through a grant or cooperative agreement, a voluntary registry of firefighters (referred to in this section as the Firefighter Registry) to collect relevant health and occupational information of such firefighters for purposes of determining cancer incidence.

(b) USE OF FIREFIGHTER REGISTRY.—The Firefighter Registry may be used for the following purposes:

(1) To improve data collection and data coordination activities related to the nationwide monitoring of the incidence of cancer among firefighters.

(2) To collect, consolidate, and maintain, consistent with subsection (g), epidemiological information and analyses related to cancer incidence and trends among firefighters

(c) RELEVANT DATA.—

(1) DATA COLLECTION.—In carrying out the voluntary data collection for purposes of inclusion under the Firefighter Registry, the Secretary may collect the following:

(A) Information, as determined by the Secretary under subsection (d)(1), of volunteer, paid-on-call, and career firefighters, independent of cancer status or diagnosis.

(B) Individual risk factors and occupational history of firefighters.

(C) Information, if available, related to—

(i) basic demographic information, including—

(I) the age of the firefighter involved during the relevant dates of occupation as a firefighter; and

(II) the age of cancer diagnosis;

(ii) the status of the firefighter as either volunteer, paid-on-call, or career firefighter;

(iii) the total number of years of occupation as a firefighter and a detailing of additional employment experience, whether concurrent, before, or anytime thereafter;

(iv)(I) the approximate number of fire incidents attended, including information related to the type of fire incidents and the role of the firefighter in responding to the incident; or

(II) in the case of a firefighter for whom information on such number and type is unavailable, an estimate of such number and type based on the method developed under subsection (d)(1)(D); and

(v) other medical information and health history, including additional risk factors, as appropriate, and other information relevant to a cancer incidence study of firefighters.

(2) INFORMATION ON DIAGNOSES AND TREATMENT.—In carrying out paragraph (1), with respect to diagnoses and treatment of firefighters with cancer, the Secretary shall, as appropriate, enable the Firefighter Registry to electronically connect to State-based cancer registries, for a purpose described by clause (vi) or (vii) of section 399B(c)(2)(D) of the Public Health Service Act (42 U.S.C. 280e(c)(2)(D)), to obtain—

(A) date of diagnoses and source of information; and

(B) pathological data characterizing the cancer, including cancer site, state of disease

(pursuant to Staging Guide), incidence, and type of treatment.

(d) FIREFIGHTER REGISTRY COORDINATION STRATEGY.—

(1) REQUIRED STRATEGY.—The Secretary shall, in consultation with the relevant stakeholders identified in subsection (e), including epidemiologists and pathologists, develop a strategy to coordinate data collection activities, including within existing State registries, for inclusion in the Firefighter Registry established under this Act. The strategy may include the following:

(A) Increasing awareness of the Firefighter Registry and encouraging participation among volunteer, paid-on-call, and career firefighters.

(B) Consideration of unique data collection needs that may arise to generate a statistically reliable representation of minority, female, and volunteer firefighters, including methods, as needed, to encourage participation from such populations.

(C) Information on how the Secretary will store data described in subsection (c)(1) and provide electronic access to relevant health information described in subsection (c)(2).

(D) Working in consultation with the experts described in subsection (e), a reliable and standardized method for estimating the number of fire incidents attended by a firefighter as well as the type of fire incident so attended in the case such firefighter is unable to provide such information.

(2) REPORT TO CONGRESS.—The Secretary shall submit the strategy described in paragraph (1) to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate not later than 30 days after the date of the completion of the strategy.

(3) GUIDANCE FOR INCLUSION AND MAINTENANCE OF DATA ON FIREFIGHTERS.—The Secretary shall develop, in consultation with the stakeholders identified in subsection (e), State health agencies, State departments of homeland security, and volunteer, paid-on-call, combination, and career firefighting agencies, a strategy for inclusion of firefighters in the registry that are representative of the general population of firefighters, that outlines the following:

(A) How new information about firefighters will be submitted to the Firefighter Registry for inclusion.

(B) How information about firefighters will be maintained and updated in the Firefighter Registry over time.

(C) A method for estimating the number of fire incidents attended by a firefighter as well as the type of fire incident so attended in the case such firefighter is unable to provide such information.

(D) Further information, as deemed necessary by the Secretary.

(e) CONSULTATION AND REPORT.—The Secretary shall consult with non-Federal experts on the Firefighter Registry established under this section, and shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes, as appropriate, information on goals achieved and improvements needed to strengthen the Firefighter Registry. Such non-Federal experts shall include the following:

(1) Public health experts with experience in developing and maintaining cancer registries.

(2) Epidemiologists with experience in studying cancer incidence.

(3) Clinicians with experience in diagnosing and treating cancer incidence.

(4) Active and retired volunteer, paid-on-call, and career firefighters as well as relevant national fire and emergency response organizations.

(f) RESEARCH AVAILABILITY.—Subject to subsection (g), the Secretary shall ensure that information and analysis in the Firefighter Registry are available, as appropriate, to the public, including researchers, firefighters, and national fire service organizations.

(g) PRIVACY.—In carrying out this Act, the Secretary shall ensure that information in and analysis of the Firefighter Registry are made available in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State privacy law.

(h) AUTHORIZATION OF FUNDS.—To carry out this section, there are authorized to be appropriated \$2,500,000 for each of the fiscal years 2018 through 2022.

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. 931), as amended, was passed.

ORDERS FOR MONDAY, MAY 14, 2018

Mr. PORTMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, May 14; 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. I further ask that following leader remarks, the Senate proceed to executive session and resume consideration of the Scudder nomination under the previous order; finally, that following disposition of the St. Eve nomination, the Senate resume consideration of the Carson nomination.

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

ADJOURNMENT UNTIL MONDAY, MAY 14, 2018, AT 3 P.M.

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

There being no objection, the Senate, at 4:51 p.m., adjourned until Monday, May 14, 2018, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

MINDY BRASHEARS, OF TEXAS, TO BE UNDER SECRETARY OF AGRICULTURE FOR FOOD SAFETY, VICE ELISABETH ANN HAGEN, RESIGNED.

DEPARTMENT OF STATE

RANDY W. BERRY, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-

COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF NEPAL.

KYLE MCCARTER, OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KENYA.

TIBOR PETER NAGY, JR., OF TEXAS, TO BE AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), VICE LINDA THOMAS-GREENFIELD, RESIGNED.

GORDON D. SONDLAND, OF WASHINGTON, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE EUROPEAN UNION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RICHARD M. CLARK

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. DAVID B. BURG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. MICHELE C. EDMONDSON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DARRYL A. WILLIAMS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JEFFREY S. SCHEIDT

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS STAFF JUDGE ADVOCATE TO THE COMMANDANT OF THE MARINE CORPS AND FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10 U.S.C., SECTION 5046:

To be major general

COL. DANIEL J. LECCE

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

GEORGE EUGENE ADAIR, OF VIRGINIA
KATRINA M. BARNAS, OF NEW YORK
ASHLEY M. BARTLETT, OF FLORIDA
JILL Y. BARWIG, OF COLORADO
CATLIN A. BAUER, OF OKLAHOMA
ROBERT A. BLANCO, OF CALIFORNIA
MARIA K. BLEES, OF WASHINGTON
LEAH A. BOYER, OF LOUISIANA
TIFFANY J. BURCHETT, OF TEXAS
GABRIELA S. CANAVATI, OF TEXAS
KARN L. CARLSON, OF TEXAS
RANDY E. COLE, JR., OF SOUTH DAKOTA
MICHAEL S. CULLINAN, OF SOUTH CAROLINA
RENEE M. CUMMINGS, OF WASHINGTON
EVAN LAMAR DAVIS, OF OHIO
MARTHA JOHNSON DEMOS, OF FLORIDA
KAREEM J. DRIGHT, OF CALIFORNIA
LEON P. D'SOUZA, OF VIRGINIA
ARTHUR R. DYMOND, OF MISSOURI
KIMBERLY M. EVERETT, OF ALABAMA
MATTHEW M. FALKOFF, OF CALIFORNIA
LOGHMAN FATTARI, OF VIRGINIA
KRISTA K. FISHER, OF TEXAS
K. A. FISHMAN, OF FLORIDA
BRADLEY M. GARDNER, OF CALIFORNIA
JESSE P. GOLLAND, OF COLORADO
NEIL GUNDAVA, OF THE DISTRICT OF COLUMBIA
LEKISHA R. GUNN, OF ALABAMA
ERIC T. HAN, OF CALIFORNIA
STEPHEN C. HARRIS, JR., OF MISSOURI
JOSHUA D. HATCH, OF TEXAS
TAMEISHA C. HENRY, OF MARYLAND

MEGHAN L. HIGGINS, OF VIRGINIA
JOELY E. HILDEBRAND, OF NEBRASKA
DANIEL J. HOFFMAN, JR., OF TEXAS
NAHDER B. HOUSHMAND, OF ILLINOIS
KAYLA HOWE, OF THE DISTRICT OF COLUMBIA
TETYANA IVANISHENA, OF PENNSYLVANIA
MICHELLE E. JANZEN, OF THE DISTRICT OF COLUMBIA
KATHERINE L. JERNIGAN, OF TEXAS
JENNIFER E. JOHNSON, OF COLORADO
LESHAWNA R. JOHNSON, OF NEW YORK
NATHAN B. JOHNSON, OF CALIFORNIA
DANIEL P. JOYCE, OF THE DISTRICT OF COLUMBIA
AUDREY H. KERANEN, OF IOWA
FAROUK KHAN, OF NEW YORK
CATLYN H. KIM, OF THE DISTRICT OF COLUMBIA
AMY E. KORNBLUTH, OF FLORIDA
SUN J. LEE, OF CALIFORNIA
JESSE L. LYNCH, OF FLORIDA
SALLY A. MEYERS, OF MISSOURI
NATALYA VADIMOVNA MORIN, OF FLORIDA
JAMES T. MOSHER, OF OHIO
SARAH E. MOYER, OF NEVADA
EMILY YOHEVED NARKIS, OF THE DISTRICT OF COLUMBIA

LISA L. NESSELROAD, OF NORTH CAROLINA
DOMINIC T. NGUYEN, OF CALIFORNIA
MIKE ANH NGUYEN, OF CALIFORNIA
AMY M. PADILLA, OF TENNESSEE
BRANDON J. PEART, OF UTAH
ABDEL PERERA, OF FLORIDA
KIRA M. PETERSON, OF MICHIGAN
JASON E. RASKIN, OF NEW YORK
VALERIE M. REED, OF VIRGINIA
MALIKAT O. RUFAI, OF ILLINOIS
PATRICK V. RUMLEY, OF FLORIDA
BRYAN K. SCHELL, OF CALIFORNIA
GLORYA CHO SING KEY, OF WASHINGTON
KRISTIN A. S. SMITH, OF THE DISTRICT OF COLUMBIA
CAMERON D. THOMAS-SHAH, OF NEVADA
HARRY R. THOMPSON III, OF ILLINOIS
ABIGAIL H. TRENHAILE, OF HAWAII
PHILLIP J. WALSKY, OF FLORIDA
KRISTEN ELIZABETH WEAVER, OF CALIFORNIA
BENJAMIN J. WILLIAMS, OF CALIFORNIA
PAUL H. WULFSBERG, OF MASSACHUSETTS
IVAN VILELA, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

JEFFREY PAUL LODINSKY, OF NEW YORK

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE, AS A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR:
ELIZABETH ANNE NOSEWORTHY FITZSIMMONS, OF VIRGINIA
BRIAN J. MCKENNA, OF MARYLAND

CONFIRMATIONS

Executive nominations confirmed by the Senate May 10, 2018:

THE JUDICIARY

MICHAEL B. BRENNAN, OF WISCONSIN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT.

DEPARTMENT OF JUSTICE

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.

BRADLEY A. MAXWELL, OF ILLINOIS, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS.

WITHDRAWALS

Executive message transmitted by the President to the Senate on May 10, 2018 withdrawing from further Senate consideration the following nominations:

RYAN DOUGLAS NELSON, OF IDAHO, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR, VICE HILARY CHANDLER TOMPKINS, WHICH WAS SENT TO THE SENATE ON JANUARY 8, 2018.

ADAM LERRICK, OF WYOMING, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY, VICE RAMIN TOLOUI, WHICH WAS SENT TO THE SENATE ON JANUARY 8, 2018.