

Senator THUNE will give Senators an opportunity to pass bipartisan legislation today. I hope we will do that. I hope, once this statement is made, we will move on to enshrining net neutrality principles into a law that protects consumers and promotes innovation.

Graham	Lee	Sasse
Grassley	McConnell	Scott
Hatch	Moran	Shelby
Heller	Paul	Sullivan
Hoeben	Perdue	Thune
Hyde-Smith	Portman	Tillis
Inhofe	Risch	Toomey
Isakson	Roberts	Wicker
Johnson	Rounds	Young
Lankford	Rubio	

NOT VOTING—1

McCain

The motion was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mrs. ERNST). Under the previous order, the Senate will resume legislative session. The Senator from Massachusetts.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION—MOTION TO PROCEED

Mr. MARKEY. Madam President, I move to proceed to the immediate consideration of Calendar No. 406, S.J. Res. 52.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 406, S.J. Res. 52, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom."

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

Mr. MARKEY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 96 Leg.]

YEAS—52

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

NAYS—47

Alexander	Cassidy	Daines
Barrasso	Corker	Enzi
Blunt	Cornyn	Ernst
Boozman	Cotton	Fischer
Burr	Crapo	Flake
Capito	Cruz	Gardner

favorite sites, divvying up the internet into packages like cable TV.

Why was this so important? Because if large cable and internet companies were allowed to do this, the internet wouldn't operate on a level playing field. Big corporations and folks who could pay would enjoy the benefits of fast internet and speedy delivery to their customers while startups and small businesses, public schools, average folks, including communities of color and rural Americans, could well be disadvantaged. Net neutrality protected everyone and prevented large ISPs from discriminating against any customers.

That era—the era of a free and open internet—unfortunately will soon come to an end. In December, the Republican-led FCC voted to repeal the net neutrality rules, and on June 11 of this year, that repeal will go into effect. It may not be a cataclysm on day one, but sure as rain, if internet service providers are given the ability to start charging more for preferred service, they will find a way to do it.

So the Democratic position is very simple: Let's treat the internet like the public good that it is. We don't let water companies or phone companies discriminate against customers. We don't restrict access to interstate highways, saying: You can ride on the highway, and you can't. We shouldn't do that with the internet either. That is what the Democratic net neutrality CRA would ensure.

We appreciate that three Republicans joined on the motion to proceed to our resolution. We hope more will come with us.

Where do Republicans stand on this issue? Why haven't we heard much from them on this issue, when it is a typical issue that protects the middle class, working families, and average Americans from big special interests taking advantage of them?

I suspect our colleagues are kind of quiet on this issue because the arguments made by opponents of net neutrality aren't very convincing. Some opponents say that net neutrality is an unwarranted and burdensome regulation—something that hampers the internet. I would remind those critics that net neutrality has been on the books for several years and the internet is working just fine. Furthermore, the net neutrality rules were upheld by the courts as appropriate consumer protection.

Yet we will hear too many of my Republican friends say that we shouldn't restore net neutrality through this CRA because we need bipartisan legislation to deal with this issue. That argument is a duck. It is a dodge. It is a way for my Republican friends to delay.

Democrats are happy to do bipartisan legislation to enshrine net neutrality into law, but the legislation is going to take time. In the meantime, we must ensure consumers have a safety net right now, and this CRA is the quickest

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 52) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom."

The PRESIDING OFFICER. Pursuant to the provisions of the Congressional Review Act, 5 U.S.C. 802, there will be up to 10 hours of debate, equally divided between those favoring and opposing the resolution.

Who yields time?

If no one yields time, time will be equally divided between the sides.

The Democratic leader.

Mr. SCHUMER. Madam President, as the minority, we typically cannot move legislation on the floor without the consent of the majority leader. But under the rules governing congressional review, any group of 30 Senators can petition to discharge a CRA—a Congressional Review Act—from the committee and bring it to the floor subject to a majority vote. That is what Senator MARKEY has just done with the CRA on net neutrality, and the vote that just concluded means the full Senate will now consider it, because I believe there were 52 votes in favor.

For the first time in this Congress, the majority will be called to vote on an issue that I suspect they would rather avoid.

Net neutrality is a complex issue, but an incredibly consequential one. At stake is the future of the internet, which until this point in our history, has remained free and open, accessible and affordable to most Americans. That fundamental equality of access is what has made the internet so dynamic—a catalyst for innovation, a tool for learning, a means of instant and worldwide communication.

To ensure the internet stayed that way, the Obama-era FCC instituted net neutrality rules to prevent large internet service providers from segmenting the internet into fast and slow lanes, from selling faster service to folks who could pay and slower service to others—we didn't want that—and from charging customers more for their fa-

and surest way of doing it. Plain and simple, if you are for net neutrality, you ought to be for Senator MARKEY's CRA.

This issue presents a stark contrast: Are you on the side of the large internet and cable companies or are you on the side of the average American family? That is what the vote on this legislation is all about.

I say to every American who cares about an open and free internet: Today is the day. Contact your Republican Senator. See who votes for net neutrality and who votes against, and let them know how you feel about the way they voted. This is our chance—our best chance—to make sure the internet stays accessible and affordable for all Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I rise today in support of net neutrality. Let me say that again. I rise in support of net neutrality.

Contrary to the assertions that some of our colleagues on the left have made, there are many of us who believe that codifying net neutrality principles makes sense if we really want to solve this problem. What doesn't make sense is this misguided resolution.

All of us value the internet. It connects us to commerce, friends, family, news, learning opportunities, and entertainment. Most Americans expect their internet experience to remain free from meddling by anyone. It doesn't matter if it is a cable company or an unelected bureaucrat, Americans appreciate online freedom.

If this resolution offered these protections and simply implemented widely supported net neutrality principles, I would support it. Unfortunately, this isn't the case.

The resolution offered by Senator MARKEY would impose partisan, onerous, and heavyhanded regulations on the internet.

Some of these regulations lack a fundamental connection to net neutrality principles and harm consumer freedom. Net neutrality, for example, isn't about regulating mobile phone plan offerings to meet a government internet standard. But the Markey resolution would restore rules that the Obama Federal Communications Commission used to scrutinize such popular and affordable plans.

Net neutrality principles don't necessitate government rate regulation on companies working to connect Americans in rural areas—places like my State of South Dakota—or on upgrading existing networks. But, again, the Chairman of the Obama FCC nonetheless defended the need for broad authority to threaten rate regulation, and that is exactly what the Markey resolution seeks to restore. The implicit threat of such government intervention and statements can have a profound impact on innovation and the 21st century internet.

The internet has certainly thrived under a model that rejects data discrimination. Needless to say, before 2015, it had never before faced such a threat of increased government control. Net neutrality—the idea that legal internet traffic should operate transparently and without discrimination—doesn't represent the heavy hand of government. The heavy hand of government is, however, plain to see in the plan that Democrats first passed in 2015 and are now seeking to reimpose.

The Democrats' plan relies on a legal framework passed by Congress in the 1930s to regulate telephone monopolies. This framework existed for an era and technology that lacked competition and the entrepreneurship of today's internet-based economy.

Last year, the new leadership at the Federal Communications Commission widely discarded these rules. Net neutrality wasn't the problem. The Commission's concern was that onerous, depression-era rules were having an adverse effect on efforts to connect more Americans to the internet and upgrade service. For Congress, the path to restore net neutrality protections while avoiding these unnecessary side effects is straightforward legislation.

This is what the Los Angeles Times had to say about this in their editorial. Last week, the editorial board of California's largest newspaper wrote an important analysis in an editorial entitled "Senate Democrats move to revive net neutrality rules—the wrong way." The Times wrote:

Rather than jousting over a resolution of disapproval, Congress needs to put this issue to bed once and for all by crafting a bipartisan deal giving the commission limited but clear authority to regulate broadband providers and preserve net neutrality.

Madam President, I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Los Angeles Times, May 10, 2018]
SENATE DEMOCRATS MOVE TO REVIVE NET NEUTRALITY RULES—THE WRONG WAY
(By the Times Editorial Board)

Senate Democrats opened up a new front Wednesday in the fight to preserve the internet from interference by the broadband providers that control its on-ramps. But as good as it was to see them push back against the wrongheaded approach taken by the new Republican majority on the Federal Communications Commission, the maneuver is likely to be more of a distraction than a solution.

At issue is how to preserve net neutrality. Broadband providers that serve home internet users face little real competition, and they are uniquely positioned to distort competition online by, for example, favoring particular websites and services for a fee.

After several earlier net-neutrality efforts ran into legal trouble, the FCC's Democratic majority in 2015 classified broadband access service as a utility and imposed a set of strict neutrality rules. Last year, however, the commission's new Republican majority voted not just to rescind those rules, but effectively to drop all efforts by the FCC to preserve net neutrality.

On Wednesday, Senate Democrats moved to force a vote on a resolution to restore the 2015 rules, and they have 50 Senators lined up in support. Yet the resolution faces next-to-insurmountable odds in the House, where top Republicans have praised the FCC's deregulatory approach, and with like-minded President Trump. The most meaningful fights will take place in the courts and in state legislatures, where net neutrality supporters are seeking to restore the 2015 rules or impose similar ones at the state level.

Even opponents of the strict 2015 rules recognize that the continual legal and regulatory gyrations are a problem. Rather than jousting over a resolution of disapproval, Congress needs to put this issue to bed once and for all by crafting a bipartisan deal giving the commission limited but clear authority to regulate broadband providers and preserve net neutrality.

Mr. THUNE. Madam President, in my hand, I hold the 2015 draft text of legislation I released with my colleagues in the House of Representatives, Congressman FRED UPTON and Congressman GREG WALDEN. Since 2015, I have publicly and consistently been ready to work with my colleagues across the aisle on bipartisan net neutrality legislation. Specifically, my draft proposed giving Federal regulators new authority to ban blocking, throttling, and paid prioritization of legal internet content. It did this without relying on the heavyhanded use of law written to police phone monopolies, which is what we are talking about here. We are talking about a 1934 law governing the 21st-century internet. Think about that. That is precisely what this resolution would do.

I recognize that this draft legislation I came up with isn't perfect. My draft obviously did not anticipate all the concerns my colleagues raised, and of course there is always room for compromise. That is what legislative discussion and legislative negotiation are all about. But I need a partner from the other side of the aisle who shares my commitment to crafting a bipartisan solution that puts net neutrality first.

Some of my colleagues on the other side of the aisle have certainly expressed a view about the need for legislation. Some of them come up to me privately, offline, and say: You are right. We need to do this legislatively. We need to put clear rules of the road in place. This is not the way to solve this problem.

But very few of them are willing to say that publicly. My colleague and the distinguished ranking member of the Commerce Committee's Subcommittee on Communications and Technology told the publication TechCrunch only 6 months ago: "My point of view—and by the way, I had this point of view when it was President Obama and Tom Wheeler [at the FCC at the time], to the chagrin of my progressive friends—is that we should legislate."

This statement was made with knowledge and virtually on the eve of the FCC's final vote to disassemble the 2015 rule. So what changed? Why aren't we debating a bipartisan bill instead of

this partisan resolution? Some on the other side of the aisle reached the cynical conclusion that exploiting concern about the internet outweighed the value of working with Republicans to pass net neutrality protections. For others who had a genuine desire to work with me, the forces of a highly politicized campaign to impose a Democrat-only solution can overwhelm the best of intentions.

Make no mistake—the campaign behind this Congressional Review Act resolution has been primarily driven by fearmongering hypotheticals, misdirection, and outright false claims. To make that point, this March, the Washington Post Fact Checker took Senate Democrats to task for a particularly egregious claim that failure to pass the Markey resolution would lead to a slower internet. The fact check concluded that the examined claim—made through the Democratic caucus's official Twitter account—conveyed the false impression that a slowdown is imminent. Fact Checker wrote that “there’s scant evidence that Internet users should brace for a slowdown.” What that meant is that statement by the Democratic caucus on this particular subject got not one, not two, but three Pinocchios from the Washington Post for being a false claim—from the Washington Post Fact Checker.

Madam President, I ask unanimous consent that the March 5, 2018, Fact Checker be printed in the RECORD.

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

[From the Washington Post, Mar. 5, 2018]
WILL THE FCC'S NET NEUTRALITY REPEAL
GRIND THE INTERNET TO A HALT?
(By Salvador Rizzo)

“If we don't save net neutrality, you'll get the Internet one word at a time.”—U.S. Senate Democrats, in a tweet, Feb. 27, 2018
THE PINOCCHIO TEST

The debate over net neutrality is reshaping the Internet and raising big-picture questions about modern life. But we can't help but feel that we've spilled a lot of pixels here analyzing something that simply hasn't happened.

Senate Democrats, industry leaders and net neutrality activists say the FCC's move to toss out the Obama-era rules will bog down and end the Internet as we know it. The biggest broadband providers forcefully reject this claim, saying they have no plans to block or throttle content or offer paid prioritization.

That could change in time. As the D.C. Circuit said, broadband companies could make more money from paid prioritization, and it's “common sense” to think they might try it. These providers have the ability and the incentive to slow down or speed up Internet traffic, and they've engaged in these practices in the past.

For now, though, there's scant evidence that Internet users should brace for a slowdown. Yet the Democrats' tweet conveys the false impression that a slowdown is imminent unless net neutrality rules are restored. This transmission error merits Three Pinocchios, but we will monitor the situation and update our ruling depending on whether the fears were overstated or came true.

Three Pinocchios

(Senate Commerce Committee note: the submission to the Senate Record includes only the conclusion of the Washington Post's fact check story.)

Mr. THUNE. In reality, all major cable and phone providers have said they will continue net neutrality policies. Under the new rules being put in place, Federal agencies can still take action against privacy violations and unfair business practices by internet companies.

In stark contrast, one unavoidable irony of the Markey resolution, as observed by an editorial in today's Wall Street Journal, is that it would actually weaken online consumer privacy protections by taking the only agency enforcing them off the beat. If this resolution were ultimately to be enacted—which it won't, but if it were, it would take the Federal Trade Commission, which currently regulates and polices privacy issues, completely out of the equation.

To be sure, Congress still needs to set long-term protections for the internet, and it shouldn't delay. But the significant harm uncertainty inflicts on the internet will manifest itself through stifled investment and innovation over time rather than on consumers in a sudden wave of net neutrality violations. That is just a simple fact.

After all, the new rules, approved under the Trump administration, closely follow those that long regulated the internet before 2015 and are largely, although not completely, in effect now.

One thing I want to continue to hammer is that what we are talking about here are the rules that were in place for the first two decades of the internet. For the first two decades of the internet, we operated under what was called a light-touch approach to regulation. Under that regime of light touch, the internet prospered, flourished, grew, expanded, and innovated to the point where it has become a huge economic engine in our economy. So what was the 2015 FCC ruling designed to solve? That, frankly, is a very good question. But the fact is, what the FCC is proposing to do and will do on June 11 of this year is to go back to the 2015 rules—the rules that were in place for the first two decades of the internet.

I would tell you that on June 12, after these rules go into effect, no consumer in this country is going to see any change from what they see today. They are still going to be able to watch the internet—they are still going to be able to go to all their favorite social media platforms. There isn't going to be any change from what we have seen up to this point because that is what we are going back to—our rules that were in place for two decades, under a light-touch regulatory approach, that allowed the internet to explode and prosper and grow.

The Markey resolution is offered to this body without opportunity for amendment or any bipartisan input

about what the rules governing the internet should say. A vote against the Markey resolution is a vote for ending this cynical exploitation of the internet. A vote against the Markey resolution is a vote for the Senate to get to work on bipartisan net neutrality legislation. That is what the L.A. Times said: Pass legislation. That is the best way to solve this, not coming up with this bizarre exercise, which we all know isn't going anywhere but will give the activists and the donors out there on the far left an opportunity to take this campaign to the House of Representatives, where it isn't going anywhere. Of course it would be vetoed by the President even if it did. So all we are doing is stalling, delaying, making it more difficult to get to a solution on this because what it will do is prevent those who are truly interested in a bipartisan solution and answer on net neutrality from coming to the table in order to make that happen.

As I have said, we have been working on this for a long time, and I have been looking for a Democratic partner. All we need are a few courageous Democrats who are willing to acknowledge what this is—which is a political, partisan charade—and get serious about bipartisan legislation, because there isn't going to be a single amendment that can be offered to this. This is not going anywhere.

If we really, truly want to solve the problem, there are fairminded people who are serious about this who would like to sit down across the table and work on a draft of legislation that would put internet principles in place and would put consumer protections in place but would use a light-touch regulatory approach—not the 1930s approach this resolution would turn to—to regulate the 21st-century internet. Frankly, I am at a loss to understand why any rational, reasonable person could come to the conclusion that using a 1934 law and regulating the internet like a public utility—a Ma Bell telephone company—would be the right approach in the age in which we live where the internet is thriving and prosperous under a light-touch regulatory regime.

UNANIMOUS CONSENT REQUEST—S. 2853

Mr. President, I ask unanimous consent that S.J. Res. 52 be returned to the calendar and the Senate proceed to the immediate consideration of S. 2853. I further ask that it be in order for 10 amendments, equally divided, between the managers or their designees and relative to the bill to be made pending; further, that there be 10 hours of debate, equally divided between the managers or their designees, and that upon the use or yielding back of that time, the Senate vote on any pending amendments; finally, that upon disposition of the amendments, the bill, as amended, if amended, be considered read a third time and the Senate vote on passage of the bill.

The PRESIDING OFFICER (Mr. TILLIS). Is there objection?

The Senator from Massachusetts.

Mr. MARKEY. Mr. President, reserving the right to object, Senator THUNE's bill is problematic both substantively and procedurally. There have been no committee hearings on his proposal, and it is not yet ripe for consideration here on the Senate floor. As a result, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. THUNE. Mr. President, what you just heard is an objection to having a reasonable debate.

To the point that the Senator from Massachusetts made, clearly the unanimous consent request asks for—calls for—an opportunity to have amendments considered by both sides of this discussion. What that tells me is that what this is about isn't serious legislating; it is about, again, the political theater associated with this congressional resolution of disapproval, which has absolutely no future, is going nowhere, and does nothing to address the fundamental underlying problem that colleagues on both sides acknowledge needs to be addressed.

For the record, I will point out that we did attempt to bring up a serious piece of legislation, one that provides consumer protection, that bans blocking lawful content, that bans the throttling of lawful content, that bans paid prioritization—the very things most of my colleagues on the other side want addressed.

Frankly, no piece of legislation is perfect, and I would say to my colleague from Massachusetts that we would be more than willing to enter into a discussion and a debate, with an opportunity to offer amendments, in order to perfect this piece of legislation. But, frankly, if we continue down this path with the CRA, all we are going to do is waste more time—valuable time, I might add—and continue to live in a cloud of uncertainty where one FCC to the next continues to change the rules and where companies spend millions of dollars in litigation in courtrooms on lawsuits rather than ploughing it into infrastructure, investment, and new and innovative technologies that literally could deliver higher speed, faster internet services and higher quality services to people around this country, including those in rural areas who desperately need those types of services made available to them.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, only in Washington, DC, and perhaps only in the walls of this Capitol, is net neutrality regarded as a partisan issue. Only here are there accusations that the left or the right favor a position on net neutrality. In the rest of America, net neutrality is bipartisan; in fact, nonpolitical. It is the lifeblood of the internet. It is the animating principle that enables companies and individuals to have equal access to the internet

without blocking, discriminating, price gouging, or favoring of some companies at the expense of others.

In fact, in legislatures across the country, like Connecticut, there have been proposals to do there what we are seeking to do here; that is, to preserve an open internet in accordance with the open internet order, which has been rolled back by the FCC. Strong net neutrality rules are accepted across the country on both sides of the aisle in State legislatures and State governments, in board rooms, and in all the communities where people come together seeking to communicate and use the internet in the highest and best way it can be used. One example, in New Haven, is SeeClickFix. SeeClickFix is a New Haven company that helps citizens communicate with their local governments to improve their community. The internet's incredible economic success and this company's have been made possible because it is a free and open platform. This company has a good idea. It can put that good idea to work, helping people make their local and State governments work better and be more responsive.

That success story has been repeated countless times because of net neutrality and the open internet. We are here to stop maligned rulemaking run amok. The FCC, under the leadership of its Chairman, has, in effect, rolled back the progress that was made with the open internet order. It defied 10 years of evidence and the pattern of market consolidation and merger that endangered the open internet. It defied evidence of discrimination that was taken over the rulemaking process, and it basically ignored a court order upholding the open internet order—a court order that was the result of in-depth and determined litigation to stop that order, and that effort was rejected.

The Justice Department has shown, from AT&T's own internal documents, that it sought to use its merger with Time Warner to raise prices and to hinder competition from online video services. A proposed merger between T-Mobile and Sprint threatens to further reduce scarce competition in wireless. Big broadband companies have more financial incentive and less market deterrence to obstruct competition than ever before.

Chairman Pai's plan would enable those broadband companies holding near-monopolies over access to consolidate even more power. If broadband companies are able to block, throttle, or charge fees for certain applications on websites, the result will be higher pricing, less innovation, and fewer new products. Reversal of net neutrality is a consumer's worst nightmare, but it is also a nightmare for small businesses and for competition and innovation and creativity in America.

I urge my colleagues to support S.J. Res. 52, the resolution of disapproval of the FCC's disastrous plan to roll back

net neutrality. It is vital to protecting consumers and small businesses, preserving the open internet, and upholding the integrity of the rulemaking process.

If this effort fails to succeed, the challenge in the courts will overturn Chairman Pai's rollback of net neutrality because he embarked on a pre-ordained purpose without proper rulemaking to overturn the rule adopted by the FCC before he became Chairman. When he initiated that process, he promised an "open and transparent process," but the outcome was predetermined from the start. That is not the way rulemaking should occur. That is why the courts will overturn it, and that is why we should be protected and proactive in this body and pass S.J. Res. 52.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, at this very moment, a high school junior is reading a report online for a class paper she has due at the end of the week. Not far from her house, a single mom who recently quit her job to follow her dream of becoming an app developer is online teaching herself to code. In a city thousands of miles away, a small business owner is processing an order online to keep the lights on and the bills paid for another month. Every night in living rooms across this country, grandparents pick up their smartphones to video chat with newborn grandchildren who are hundreds or even thousands of miles away.

Let's face it, the internet is intricately woven into the fabric of American society. It is a very important part of our lives, but right now our access to a fair and open internet is under siege. In December, the Federal Communications Commission, the FCC, voted to eliminate the net neutrality protections that stop internet providers from blocking access, filtering content, or charging higher fees for fast lanes—three tactics that giant internet companies want to use to control the internet.

The repeal of these protections has corporate greed and corruption written all over it. This may be what the special interests want, but the American people are opposed to the very idea of a restricted internet. Net neutrality provisions are wildly popular. When it comes to a free and open internet, 83 percent of Americans are clear about their position. They want and demand a free and open internet. That is true for small businesses, entrepreneurs, and people from all backgrounds. You have to ask yourself, Why would the FCC vote to eliminate those protections?

I will tell you why. Because under this administration, the FCC has become a puppet for giant internet providers. The FCC's current Chairman, Ajit Pai, has made it clear he will work to put special interests over what is good for the American people.

The FCC was once an agency dedicated to protecting and promoting the public interest, but it has morphed into an agency that exists solely to do the bidding of giant telecom companies. It is a disgrace. Who can say we didn't see this coming? When Donald Trump won the White House, then-FCC Commissioner Pai said that net neutrality's days were numbered.

Once Trump selected Pai to lead the FCC, Chairman Pai immediately got to work getting rid of net neutrality. He opened up a new public comment period, laying out a plan to destroy net neutrality, and he made it clear he would ignore the views of millions of Americans who weighed in to urge him to abandon that plan.

The FCC received more comments on Chairman Pai's plan to kill net neutrality than any other rule in the FCC's history. Millions submitted comments opposing Chairman Pai's plan to kill net neutrality, but the FCC said it would ignore those comments unless they were, in its opinion, serious legal arguments. During the comment process, it was revealed that some of the comments had come from bots that had stolen Americans' identities and others had come from Russian addresses, but Pai dismissed those concerns. He demonstrated that, no matter what, he would forge ahead with his plan to hand over the internet to the biggest and most powerful internet providers.

If Chairman Pai's plan is implemented, internet companies will literally get to set their own rules governing access to the internet. As long as they put their rules somewhere in the fine print, internet providers can pretty much do whatever they please. That is not the way government is supposed to work. The internet was created by a bunch of government and government-funded workers, and it is the government's job to protect Americans' access to a fair and open internet.

The internet doesn't belong to giant internet companies. It belongs to the students striving to build a better future. It belongs to the young women and men working day and night on a new idea that will change the world. It belongs to the small business owner whose success depends on operating her business online. It belongs to the grandmas and grandpas, the mothers and fathers, the sisters and brothers, and friends who depend on the internet to remain connected to the people they love. It belongs to people who like to watch their favorite shows online or read the news or shop or play video games or just browse the internet. It belongs to all of us.

If the FCC will not stand up for the public interest, it is up to Congress to do so, but it will take this Republican-controlled Congress prying itself free from the grip of giant companies and doing what is right for the American people.

Today, we can take the first step. I ask every one of my colleagues in the Senate to join me in voting yes on the

CRA resolution to restore net neutrality provisions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am here to lift up the voices of the families I represent in the State of Washington who, like so many other Americans, agree the internet should be free and open; who agree our country should support small business owners and entrepreneurs and students and middle-class families, not big corporations and special interests; who agree that consumers, not broadband providers, should get to pick the websites they visit or applications they use; who agree the internet should be a level playing field that benefits end users and not slanted by broadband providers blocking content or charging for prioritized access.

That is why so many of us are on the floor today, to give a voice to the vast majority of Americans who want the internet to remain a place that fosters innovation, economic opportunity, robust consumer choice, and the free flow of knowledge.

These things are not a luxury. They are what make American ingenuity possible. As a former preschool teacher, I support net neutrality because it helps the next generation of innovators—our students, especially those in rural and low-income areas. Schools have worked very hard to improve access to high-speed connectivity for all students because they know, from early education through higher education, and through workforce training, students need high-speed internet in order to learn and get the skills they need. Their teachers need the internet to collaborate with colleagues, access educational materials, help students learn valuable research and internet safety skills, and expand access to a high-quality education for students with disabilities and English learners.

Rolling back net neutrality threatens that educational equity and worsens the digital divide. So let's protect the free and open internet, not just for today's consumers but for our students—the next generation of American innovators. The choice could not be easier. Either we stand with everyday Americans or with the massive corporations that have found a new way to make more money off of them.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. NELSON. Mr. President, I rise, along with my colleagues here, to speak in strong support of the resolution to restore strong net neutrality protections for Americans.

This is, obviously, what the American people want. For the vote that was just taken on the motion to proceed, 52 for and 47 against, I think it shows how the American people's will is being expressed in a bipartisan way. The American people understand how important these protections are to their lives and to the future of the internet. They do not want to have their websites blocked or internet access slowed, and they certainly don't want internet providers making those decisions to block or slow.

More than 20 million residents of Florida understand just how vital it is to have a free and open internet. I say that for my State, but that is, obviously, the same for every other State as well. Millions of schoolchildren in my State—from Pensacola to Orlando, to the Florida Keys—and across the entire country benefit from educations that are built on a free and open internet. That is why educators and librarians throughout the country have rallied in favor of net neutrality. They know that an internet that is no longer free and open is a lost educational opportunity for our children.

Florida's colleges, universities, and technical schools rely on the free and open internet for their vital educational and research missions. Unfettered access to the internet is essential for research into issues that are critical to the State and Nation, such as medical research, climate change, sea level rise—whatever the research is.

Florida's growing economy is equally reliant on a free and open internet. The growth of high-tech jobs all over the country and particularly in Florida, including the growth across the middle swath of Florida and the booming Space Coast has largely been built on advanced high-speed internet networks that have been available in those areas.

Small businesses that are all around also use the internet as the great equalizer and bring the global marketplace to their very doorsteps, but that global market for those companies exists only as long as everyone on the internet is treated the same. If you start picking and choosing, then you lose the value of that equalizing, of a small company's having a great idea and having access to the information just like a big company has.

Citizens throughout my home State rely on the internet for civic and social engagement. The internet is today's social forum—the tool we use to stay engaged in the lives of family, friends, and peers.

The internet can also be an equalizing force. As such, it has been a place where communities of color have been able to tell their own stories in a way that they have never been able to before. It has given minority communities the power to organize, to share, and to support each other's causes. To limit access to the net would be to help silence these voices that are just beginning to be heard. I don't think we want to do that.

Congress must ensure that the internet remains open to all—thus, the vote that we have coming up in just about an hour and a half. Unfortunately, the FCC has empowered internet providers to dictate consumers' experiences online. What the Chairman of the Federal Communications Commission did, Ajit Pai, is to go overboard in what he has tried. This Senator has spoken over and over for moderation in the approaches to how the FCC would be involved with regard to regulating the internet. When websites can be blocked, when downloads can be slowed, and when consumers then have to pay more to access what they are actually looking for—that is not a free and open internet. It becomes a closed internet.

I am very happy to be on the Senate floor with all of these other Senators who have spoken in favor of restoring the FCC's net neutrality protections. The resolution before us immediately restores the FCC's strong consumer protections for the internet. It will make sure that the internet content cannot be blocked or cannot be throttled. It will prevent internet providers from charging more for transmitting certain favored content. It will preserve the FCC's authority to examine other practices that could harm consumers, and it will make sure that consumers will be given understandable, basic information about their internet services. It is necessary that this Congress protect consumers' access to the internet.

The choice before us today is clear. A vote in favor of this resolution is a vote to restore the free and open internet. It is a vote to keep control of the internet in the hands of those who use it. Congress must undo the FCC's decision to turn its back on American consumers by stripping away net neutrality. The American public ought to be what we consider first. So I am happy to support this resolution. I call on my colleagues to join us in protecting a free and open internet.

In closing, this Senator, as one of the leaders of the Commerce, Science, and Transportation Committee, has so often spoken in favor of the two sides getting together and negotiating legislation because we keep going on this roller coaster whereby the FCC does one thing and, then, the roller coaster goes the other way and it does another thing, and each time it acts, it goes to court. Ultimately, there ought to be a legislative solution.

Today is about taking a stand on the excessive action by the FCC so that we can make sure to protect the free and open internet and give the ingenuity and creativity and Yankee inventiveness of this country the opportunity to continue to blossom by using this new technological tool that has been, virtually, put into use in the past decade. We don't want that internet throttled and limited. It needs to be free and open.

I yield the floor.

Mr. LEAHY. Mr President, millions of Americans were outraged last year when the Federal Communications Commission, FCC, voted to repeal the strong and enforceable net neutrality rules that were adopted in 2015. As a supporter of a free and open internet, I share the public's outrage over the loss of these critical protections, which is why I am voting in favor of this resolution to restore the previous rules.

By repealing net neutrality rules, the FCC and its supporters in Congress have achieved little more than to plunge consumers and small businesses into a fog of uncertainty. Instead of having concrete legal protections in place against blocking, throttling, and paid prioritization, internet users now have little more than vague promises from broadband providers about how they will treat content online. These promises could disappear with little notice or no recourse for those affected. This is the wrong way to approach policy for the greatest engine of economic growth and free speech ever devised.

The uncertainty created by Republicans at the FCC and blessed by too many here in Congress jeopardizes the success of small businesses and startups across the country. One of the main concerns I hear from small businesses in Vermont is fear of paid prioritization. Without clear rules in place, broadband providers can set up pay-to-play schemes that disadvantage small businesses against deep-pocketed competitors.

In a pay-to-play online world, small businesses will be forced to decide whether or not to pay tolls in order to avoid being stuck in the slow lane. These tolls do nothing to promote innovation, but they would impose a tremendous cost on entrepreneurs. These costs would come at the expense of investing in new equipment, new products, or new jobs. For those who choose not to pay, the cost would be access to customers, who today already make decisions based on how fast a page or application loads. A few seconds of lag time can mean the difference between a sale made or a sale lost to a competitor.

Net neutrality rules matter because they provide small businesses with the certainty that paid prioritization will not happen. The promises and statements made by leading broadband providers following the repeal of the rules too often make no mention at all of their stance on paid prioritization. Others have quietly deleted promises not to engage in this behavior from their website. In February, the CEO of Sprint was quoted comparing the internet to roads, saying that, on many roads, "you have a faster road and you pay more. There's nothing wrong with that." Concerns about paid prioritization cannot be dismissed when CEOs of leading companies are speaking openly about the benefits of toll roads on the internet.

This should not be a partisan issue. Republicans and Democrats alike

should want to provide the small business community with the certainty that the internet will remain an equal playing field. The simple reality is that, without net neutrality rules, this certainty will not exist. The resolution we are considering today gives us the clearest path to restoring that certainty. I urge all Senators to stand with the American people, small businesses, and startups in supporting this resolution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SCHATZ. Mr. President, in December, the FCC made a colossal mistake by rolling back net neutrality protections. Today, the Senate has an opportunity to begin the process of righting that wrong with an up-or-down vote to overturn the FCC's repeal and to restore the free and open internet.

This is a big deal. We just had a vote with all Democrats, Independents, and three Republicans, and we have another vote at around 3 o'clock. If we fail, the FCC will end net neutrality protections in early June. But if we succeed, then this fight will go on to the next step in the House of Representatives.

This vote is a no-brainer. Net neutrality is one of the most popular issues that the Senate will consider this year. There is no other issue that polls so decisively on one side. A survey by the University of Maryland found that 83 percent of people are in favor of net neutrality, and that includes 75 percent of Republicans, 89 percent of Democrats, and 86 percent of Independents.

When you think about people's experience with their ISP, it makes perfect sense. People are already frustrated with the limited competitive options for the providers they have. Then, once they sign up for service, they find there are hidden fees. They have to pay for the installation. They have to wait for the installation. They have to rent the cable box. Their bill suddenly goes up within a year of service, finding out they were only engaged in a promotional offer. In other words, many people don't like their internet service providers. They like the internet, but they don't like the lack of choice and all the hassle and expense that comes with getting on the internet.

So if you ask people if we should get rid of the rules that actually give consumers control over their internet access, if we should give broadband companies more power over our lives, they say no. Providers promise to be good to consumers. In fact, many of them have said that they don't need the FCC to

maintain a free and open internet because they are already officially committed to the idea. But without net neutrality, there is nothing in the law that prevents companies from treating content or websites differently.

In fact, many of these publicly traded companies—once the dust settles, once the politics of this net neutrality issue wanes—will be talking to their chief financial officers, and their board of directors will be asking: Why are you not maximizing revenue? Why are you not charging consumers more when you can?

If the answer is “In the process of trying to prevent a piece of legislation from passing, we made a promise,” the board of directors will say “Well, change your mind.”

The only thing that can stop a corporation that provides broadband services to consumers from doing all the wrong things is a law. It is not a promise; it is a law.

So the question for the Senate is very simple: Whose side are you on? Are you for the consumers who are asking us to protect the internet or are you with the telecommunications companies?

I want to be really clear here. There is no constituency on the other side of this, other than the telecommunications companies. You don't go to a townhall meeting and see this thing evenly split. When we were debating the Iran deal or the Affordable Care Act or an infrastructure bill or the tax bill, even in a deep blue State like Hawaii or a deep red State like those of some of my colleagues, there are always people on both sides of the issue. I have not met one human being in Hawaii who is against net neutrality, and I challenge anyone out there to find someone who is against net neutrality. The only constituency for this is the people who would benefit from what the FCC has already done.

Some are pointing to a bill in the House that would take care of a few of the problems that come with getting rid of net neutrality. But when you dig a little deeper, it is clear that this is not a compromise. It doesn't offer close to the protection that net neutrality gives consumers and small businesses. In fact, it gives these ISPs the ability to charge small businesses and consumers more money for different types of content, and that is the crux of the issue. Again, go ask a consumer or a small business owner, and they will tell you that they are already frustrated with internet providers, and they expect Congress to do the right thing and look out for their interests.

This issue is incredibly important to young people. They have grown up on the internet. It is part of their lives, and they do not want Congress to stand by and do nothing as this FCC allows internet providers to change the way we access the internet.

It is clear to me that net neutrality is popular among everyone—older people, young people, small business own-

ers, Republicans, Democrats, Independents, red States, and blue States. It is also clear that the benefits of the ISPs do not come close to outweighing the benefits that students, businesses, schools, families, and others will get from a free and open internet.

With this vote, every Member of the Senate will be on the record for or against net neutrality. I hope every Member will choose to vote the way nearly all of America wants us to and restore net neutrality.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I was in a conversation with a group of Oklahomans just last week, and the issue of net neutrality came up in that conversation. A gentleman there who had published his content on the internet seemed very concerned about net neutrality and wanted to make sure that the content he had he could continue to publish, and he would not have to go to every single ISP—internet service provider—across the country and negotiate a deal with them. That is what happens with net neutrality.

I said: It is very interesting. Has that happened to you? Have you faced that?

He said: No, but I am afraid I might.

Here is the problem we have with this conversation about net neutrality. For 20 years, the internet functioned under a very clear set of rules. The Federal Trade Commission had a set of rules both for content providers and for the fiber—the internet service providers. There was a clear set of rules. They couldn't violate any trade practices. They couldn't do monopolies. They couldn't violate the basic rules of commerce. There was a very clear set of rules.

Then, 2 years ago, the FCC—the FTC is the Federal Trade Commission, and the FTC has been the one regulating the internet for two decades. The FCC decided they wanted to regulate not the content and the internet service providers, just the internet service providers. So the FCC, in an unprecedented ruling that had already gone to court multiple times and failed, grabbed the regulatory control from the FTC and said: We will take the internet service providers, and we will manage them, and you keep the content folks. That is the fight we are in right now.

It is the funniest thing to me to be in a conversation about net neutrality because the implication is that the internet will not be free if the government doesn't regulate it with this particular entity—the FCC. When I ask people “Would it be OK if the government regulated with the FTC, the Federal Trade Commission?” most people say “Well, that would be fine too.” Well, good, because that is the way it has been for 20 years. For 20 years, there has been one set of rules on the superhighway of the internet—the Federal Trade Commission.

Here is what I would like to say to people who are trying to listen in and

trying to figure this out: Most of the arguments and the fights that have come about cost increases and about paid prioritization and about blocking and about people monitoring content haven't been from the internet service providers. It has been from the content folks.

You tell me, when you go to your news feed on whatever social media site you go to or whatever news site you go to, are there paid commercials that come up first, and then your friends come up second? Probably most of the time. Are there certain bits of content that you pay more for if you are on Facebook? You can put this out, but you will reach more people if you pay for it? Yes. But that is not net neutrality.

The argument about net neutrality doesn't have anything to do with those content folks. It is about the internet service providers. So why do I bring this up?

Here is what has happened. Over the past 2 years, America has been drawn into a fight between two sets of megacompanies. Google, Facebook, and Netflix are at war with AT&T, Comcast, and all the major internet service providers. You have the content folks on the web fighting with the internet service providers that actually provide the fiber that connects the content. They are fighting over their business, and the way the content providers have worded it, they have said: We want the internet to be neutral. We don't want to have customers pay more for certain content, and we don't want the internet service providers to charge more based on that content, while the whole time the content folks are charging people for the type of content. They are literally arguing and saying: We don't want them to do what we do every single day—what Google does every day, what Facebook does every day. In fact, they fight about not wanting internet service providers to filter out content when, of late, Facebook seems to put out every week a new release about how they are filtering content from places they don't like.

Here is what we really want: a fair, flat playing field for everyone, and everyone who wants free speech can have free speech on the internet. If you want to start a new business, you can put up a website on the internet, and you don't have to worry about somebody filtering you out. This is not China—a place where they will filter out and decide whether you can put your content out. This is the United States of America, and everybody wants their content to be able to go out, to be fair, and not to have someone judge it. That is what we want with an open internet. By the way, that is what you have if the Federal Trade Commission goes back to regulating, as they have for 20 years.

I ask a simple question: Was the internet open and fair for content in 2015? I believe it was. If you check your history books from 3 years ago, I think you will find that the internet was

open in 2015. Facebook was out there. Netflix was out there. YouTube was out there. It was open in 2015.

We are not talking about any set of rules that is different than how the internet operated in 2015. But what we don't want to have is two different sets of rules where this set of companies—Google and Facebook and Netflix—gets to tell a different set of companies, the fiber, how to do their business. Neither do we want the fiber companies telling the content folks how to run their businesses. Let them compete.

A lot of people say that there are only a few internet service providers that are out there. Well, in the United States, there are 4,500 internet service providers that are out there. Yes, there are some big ones, but there are a lot of small ones. If the big ones misbehave, guess what happens. Competition will beat them down, and those small companies will beat them because the big companies get out of line. It is the way America works and the way competition works when you keep it fair and open.

It is a misnomer to talk about net neutrality as if it is not neutral right now. There are a lot of fears and a lot of innuendos. There are a lot of accusations and what-ifs and maybe they will come out and I am afraid the boogeyman is going to come and take the over the internet. Really, what is happening is that two giant sets of companies are competing and asking the government to jump in the middle and the Googles and Facebooks and Netflix are asking this government to put restrictions to the internet service providers that they are not willing to actually have themselves.

Why don't we just do this: Let everyone compete and not try to have the government in between. Can we have net neutrality where we don't have blocking of content, where we have fair trade rules, where we make sure everyone gets access to the internet? Yes. We can have that when the Federal Trade Commission actually oversees those rules as they have for two decades.

There is a lot of hyperbole in this. I just wish there were more facts coming to the table at the same time the hyperbole is coming out.

The simplest conversation I can have is actually a conversation I had with a mayor not long ago. We were talking through the complexity of this and about fiber networks and about broadband and capabilities and speed and all these things.

He said: Hold on. I am a mayor. Can we talk about water pipes for a minute?

I said: Sure.

He said: So what you are telling me is there is lots of water going into the water pipe and lots of people who are using that water, and we have to find a fair way to be able to get all that water out because there is more water trying to get into that pipe than we can actually get out on the other end, and it is backing up.

I said: Yes, sir. That is exactly what I am saying, but it is zeros and ones running through a piece of fiber, not water running through a pipe.

He said: I can get that. Let's just keep it fair so that every person who wants to get access to it can get access to it and we are not discriminating on the water coming through the pipe.

It is pretty easy. We can do that right now with the Federal Trade Commission.

Tomorrow, I am chairing the hearing in the subcommittee that I lead in Appropriations. We will have the Chairman of the FCC and the Chairman of the FTC sit down for a 2-hour conversation, and I am sure much of it will be on this issue of net neutrality. My encouragement is for people to actually listen in to get the facts about net neutrality and not the emotion and not what the Googles and Facebooks and Netflix are telling you what to think, because they are competing against the other guys. Come and get the real facts. We will lay the facts on the table.

If there is an area that needs to be handled with new regulations, I would be glad to engage, but quite frankly, I think the internet needs the lightest touch possible. I don't see a reason why the Federal Government should get in the business of free speech and tell people what they can and can't say. Let's keep the internet open and free and fair and not block content, but let's also not try to jump between two sets of megacompanies and pick winners and losers at the same time. Let's keep it open and stay out of the business of telling businesses how to run their businesses.

Mr. President, I yield back.

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

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

Mr. DURBIN. Mr. President, before the Senate today is the question of whether we will continue to have free and open access to the internet in the United States of America.

Every day, millions of Americans log on. They rely on the internet to help their child with his or her homework assignment, help a father video call his mother, who may live three States away, or help a small business woman make a sale to a customer halfway across the world.

Currently, the people who use the internet in the United States and others like them are free to enjoy the internet as they wish. When you logged on this morning, you had the same access to the internet as every other American. There is no fear that some internet provider is going to step in and say: Wait a minute. We are going to slow down your service until you

pay us more money or limit your access to certain apps and information based on whether you pay an additional fee. What a contrast that is to things like cable television. What package did you buy? How many channels are in there? How much access do you have? Are you going to pay the bill again next month? That is quite a bit different, isn't it, from our access to the internet?

Currently, users around the country are enjoying free access to an open and neutral internet, but that is all about to change. It is about to change because this new President and his new head of the Federal Communications Commission believe that our access to the internet should be for sale. In fact, this administration thinks everything ought to be for sale—public lands, our privacy, and in this case, our unfettered pathway to information.

Thanks to the leadership of ED MARKEY of Massachusetts and many of my colleagues, we come today to discuss this fundamental issue. This is a rare day in the Senate. We are actually discussing an issue of substance on the floor. I welcome the visitors for this historic moment. We are preparing to vote tomorrow on whether the decision of the Trump administration's Federal Communications Commission, which ends net neutrality, is going to succeed or fail.

Luckily, we were joined by at least one Republican—I didn't look at the final rollcall—to move us forward in this debate. All the Democrats and at least one Republican voted for this, and we prevailed. Tomorrow, we hope to do the same. We hope it will be done on a bipartisan basis as well.

Follow this debate because my guess is that it is going to impact you and your life. If the Trump administration and the Federal Communications Commission have their way, they are going to change our access to the internet for every single family, every single business, every single doctor—the list goes on.

In December, the FCC voted to put the needs of companies ahead of consumers and to undo net neutrality in the United States. This great party on the other side of the aisle who talks about freedom—we want Americans to have freedom—wants to take away our freedom for access to the internet. Why? So somebody can buy parts of it and sell them back to us.

Under their new plan, the FCC would allow companies to freely block or slow down any American's access to websites based on the company's financial interests and would allow paid prioritization practices which create internet fast lanes and slow lanes based on who can afford to pay more for the service. What a change that is from what we have today.

Everyone has a favorite website they visit every day. In the morning, I race in here and get to the newspapers in Illinois, for example, to see what is going on in my home State. Well, what if one

day you typed in the address of that newspaper and nothing popped up or you were able to visit it, but it took twice as long to download it?

Remember those days when you used to deal with dial-up? Some of the young people in the Chamber are probably scratching their head and asking: What is dial-up all about? Well, those days did exist, and it was a much different world in the internet, which we could return to because of that FCC decision. This could be the reality under the Trump administration's Federal Communications Commission.

For internet providers, this means they can discriminate against specific content on the internet and be free to do so in the name of competition. For consumers, it means less service and higher costs. For entrepreneurs and small businesses, there is also a risk.

I had a meeting this morning with the Illinois Realtors. There were about 20 of them gathered in the hallway. I was in a committee hearing.

They said: The first item on our agenda is net neutrality.

I said: Realtors and net neutrality? Explain.

They said: Well, people are now looking for their homes on the internet. Perspective purchasers of homes do video tours of all of these different homes. We want our customers to have access to the internet so they can go shopping for their next home. We think it is good for American business.

So do I—but not the Federal Communications Commission. They disagree.

The internet has given the businesses not only access to customers but a global reach and ability to compete with companies large and small. Success isn't determined on how rich your business is. It is how good your product is. If our country wants to grow its economy and continue to lead the world in innovation, we cannot allow the internet to become a place where businesses impose a pay-to-play scenario.

I can't understand how the other party—this party of individualism and freedom—wants to take this freedom away from the American people.

If the FCC's harmful new plan is allowed to take effect, consumers, businesses, and hard-working families will be hurt. It is no wonder that public support for net neutrality is overwhelming. America gets it. The Federal Communications Commission and the President may not, but America understands this. All over the country, students, teachers, businesses, individuals, and families, are all making their voices heard, and I encourage them to continue to do so.

We need more Republicans to stand up for your freedom. We need more Republican Senators to join us in what should be a strong, bipartisan effort.

The Federal Communications Commission has announced that its radical plan to end net neutrality will take effect next month—next month—unless Congress stops it.

We are starting today with this vote in the Senate. We will finish it tomorrow. Then, if we are successful, it goes across the Rotunda to the House. If they do nothing, your right to the internet is going to be destroyed.

Today every Senator will have a chance to tell their constituents exactly where they stood on this issue of personal freedom—whether content on the internet should be treated equally and consumer access be a matter of how much you can pay. I think the answer is obvious, and so do the overwhelming majority of Americans.

Will the Republican Party please join us in a bipartisan effort to stand up for something that Americans across the board support?

I urge my colleagues to support the concept of net neutrality and the CRA resolution before the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, last year, in 2017, we watched a series of battles related to the very fundamental vision of our Constitution—whether we are going to do the people's work or whether we are going to be a Senate run by the most powerful and privileged in America. There is no question how that came out. It was the powerful and the privileged.

Three major things happened in 2017. The first was a health bill designed to destroy healthcare for some 30 million Americans, thereby also affecting everybody else by raising the costs of healthcare and putting our rural healthcare clinics and our rural hospitals out of business. That was a bill for the powerful and the privileged and against the people.

Then we had the tax bill—a bill that borrows \$1.5 trillion from the next generation. Our pages on the floor here are the next generation. We gave the bill to them and then gave the proceeds to the very richest of Americans, increasing and accelerating inequality in wages and inequality in wealth. That is legislation by and for the powerful—not we the people.

Then we saw the theft of a Supreme Court seat, done directly to maintain a court case called *Citizens United*, which allows the wealthiest Americans to spend hundreds of millions of dollars to drown out the voices of the people here in our democratic republic. That is government by and for the powerful and the privileged instead of we the people.

Wouldn't it be amazing if this Chamber actually believed in this Constitution—this vision of distributing power among the voting citizens—so we have, as Jefferson said, laws that reflect the will of the people?

Here we are today with another issue that is a battle between the vision of our Constitution and government by and for the powerful. It is called net neutrality.

What is net neutrality? It is making the internet a place where we can all

participate on an equal foundation, with the freedom to have a full right to participate in the information world of today and tomorrow and a full opportunity to participate on a level playing field in the economic battleground of today and tomorrow. Freedom is what net neutrality is about.

This is what the Federal Communications Commission wants: It wants to have a fast lane for the rich and the powerful, and it wants to have a slow lane, where you are hardly moving at all, for all the rest of us—all of working America, stuck here in a congested internet while they sell off the fast lane to the wealthiest. That is what this is about.

The FCC, or the Federal Communications Commission, proceeded in its decision to take away equality on the internet, to ignore the technical experts, to produce studies that are debunked by the experts, and to conduct a fraudulent public comment period where bots, or robotized comments, were filing fake comments by the millions. They didn't even want America to be able to weigh in legitimately.

We said: Redo the comment period and put up an interface to stop the bots so real people can weigh in. You could have real input from real Americans. That is "we the people" government. The FCC said: No way, because we are bent on our track.

What was their track? To allow discrimination on the internet by the type of user, to allow discrimination on the internet based on the type of business or the type of social content, to allow discrimination on the internet by the type of website, to allow discrimination by the type of platform or by using an iPhone or a desktop, to allow discrimination based on the software application—is it Safari or is it Google?

Why is that? Because the internet service providers can sell, through that license to discriminate, a fast lane to the rich and powerful while the rest of us are stuck in traffic.

It is totally unfair. People in America get it. They understand that this is the opposite of what it means to have a government that reflects the will of the people.

If we go back to our Founders, James Madison said: "The advancement and diffusion of knowledge is the only guardian of true liberty." "The advancement and diffusion of knowledge is the guardian of true liberty." But today a sizable share of the Members of the Senate want to shut down advancement and diffusion of knowledge on a level playing field and sell our right to equality to the highest bidder.

They want to put the modern user—the student, the child, the math teacher, the entrepreneur, the small business—they want to lock them in chains and say: We are taking away your freedom to participate in the public square on an equal basis. That is simply wrong. We know it is wrong because millions of Americans have weighed in.

On some days in my office, I have had phone calls that are 100 to 1—1 or 2 or 3 people arguing: Sure, let the powerful sell off our freedom. But for every 1 of those folks, there are 100 citizens saying: No way, fight for fairness. Fight for equality. Fight for our freedom to participate on a level playing field.

We hear it from all kinds of small businesses. More than 6,000 have formally weighed in. We hear it from all kinds of organizations. I hear it from the Realtors. I hear it from the restaurant owners. Everyone who isn't one of the superelite in America wants equal participation and freedom on the internet, but there is a whole host of colleagues today who are considering voting for the elite and rich and powerful over their constituents.

I encourage you to rethink your priorities because we have a responsibility, under our Constitution, to do government by and for the people, not the powerful.

We have heard from chiropractors. We have heard from people who perform at music venues. We have heard from graphic design artists. We have heard from medical startups. We have heard from everyone across the spectrum saying: Give me a fair chance to compete.

A fair chance to compete is an American value. Let us not trounce that value into the mud today.

I anticipate that at 3 p.m. we are going to have a vote on this floor, and the majority of this Senate—a slim majority—is going to fight for freedom, and the rest are going to say: No way, I am not fighting for freedom. I am fighting for the big and powerful people in America.

That is just wrong.

Then this bill will go to the House. When it goes to the House, there will be another battle. So having won here by a slim margin—a slim, bipartisan margin—we have to win in the House, which means that we need the American people to weigh in.

Here is the thing. The rich and powerful really want to win the fight. Oh, they are going to be spending a lot of money to win this fight. They are going to be sending a lot of lobbyists down the hall to win this fight. So we have to have the people of America weigh in and let them know across the hall, down the hall, down this road to the House that as the people's House, they should do the people's business.

Let's set the example here in the Senate. Let's not have a slim majority fight for freedom for Americans. Let's have the entire body weigh in with a robust, extensive majority, fighting—fighting—for freedom on the internet. Let's win this battle today, and let's win it in a few days down the hall.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Wyoming.

NOMINATION OF GINA HASPEL

Mr. BARRASSO. Mr. President, yesterday President Trump joined Republican Senators for lunch. He was very

optimistic and very positive about a lot of the developments in America's foreign policy in places like North Korea. At the same time, we all recognize that the world continues to be a very dangerous place. National security must be our first responsibility. My goal is a nation that is safe, strong, and secure.

To have safety and security at home, we need peace and stability abroad. Republicans in Congress understand that. So does President Trump, and so does Gina Haspel. That is why the Senate Select Committee on Intelligence today approved Gina Haspel's nomination to lead the Central Intelligence Agency. It was a bipartisan vote.

That used to be the normal way things operated around here—in a bipartisan way. When you had a nominee who was undeniably qualified, they got support from both sides of the aisle. It has become very uncommon over the past year.

Democrats have decided to obstruct President Trump's nominees for important jobs almost at any cost, but Gina Haspel got this rare bipartisan approval from the committee for the right reason—because she is the right person for this job. Now we will have a vote on the Senate floor.

This should be one of the easiest votes for Members of the Senate to cast all year. The Director of the Central Intelligence Agency is a very important member of the President Trump's national security team. She is the right person for the job.

She has been a career intelligence officer for 33 years. That goes back to the days of the Ronald Reagan administration. She actually got interested in the CIA when she learned that women could serve there doing clandestine work all around the world.

She has served in Africa, Russia, Central Europe, and Asia. She has held top jobs at the Agency's headquarters. She understands every element of the work of America's intelligence community.

Since she is actually the acting head of the Agency today, I think anyone would be hard-pressed to say she is not up to the job, because she is doing the job. She has the faith and the trust of the men and women in the field who keep us safe every day.

Let's not forget that she has also worked very closely with Mike Pompeo. He was head of the CIA. Now he is Secretary of State. Having two people in these important jobs who already have a solid, respectful working relationship is extremely important for making sure that the U.S. foreign policy is airtight.

No one else that the President could have nominated would have been able to work as closely with Secretary of State Pompeo. She is an expert on terrorism. She is an intelligence expert. She is a national security expert.

She began her work at the CIA during the Cold War. So she has a deep understanding of Russia and a deep understanding of our challenges there.

I think it is clear that Gina Haspel is an absolute star nominee for this vitally important job. I am not the only one saying so. The list of people who have come out and endorsed her nomination goes on and on. At least six former leaders of the Central Intelligence Agency have all come out publicly to praise her qualifications and her abilities. CIA Directors under President Obama, under President Bush, under President Clinton—Republicans and Democrats alike—all agree she is the right person for this job.

Look at what they have had to say. Michael Hayden was Director under President Bush. He wrote: "Gina Haspel is the person America needs at the CIA." He said: "She is someone you want in the room when big decisions are being made."

Listen to what Leon Panetta, who had the job under President Obama, said. He said that he was glad she would be the first woman to head the Agency because "frankly she is someone who really knows the CIA inside out."

Look at John Brennan, who also ran the Agency for President Obama. He said in an interview that she has the experience, the breadth, and the depth—on intelligence issues and foreign policy issues over many, many years.

It is clear this is someone who is very highly regarded by people who know her, people who have worked with her, and people who have relied on her judgment and her expertise. That expertise and that clear-eyed judgment is more important today than perhaps at any other time since the end of the Cold War.

Our Nation's adversaries are cunning, they are opportunistic, and they are aggressive. We face challenges in dealing with Syria and in dealing with ISIS. We have a lot of work ahead of us in Iran.

Next month, President Trump will be meeting with North Korea to try to end their nuclear program. Now, I remain skeptical about North Korea, and so do a lot of Republicans in the Senate, but this is the best opportunity we have ever had to try to get nuclear weapons out of North Korea. The President needs his full team in place.

This isn't a simple political game for Democrats to play for the TV cameras. This is about the peace and security of the world and safety and strength for the United States.

As a CIA officer for more than 30 years, Gina Haspel has had to make tough decisions to keep our country safe. The decision we face to confirm her nomination to be Director of the Central Intelligence Agency is not a tough decision at all. I will vote loudly and clearly in support of her nomination.

When she is confirmed, all Americans will be able to sleep soundly, knowing she is on the job providing the security we all need.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MARKEY. Mr. President, I thank the Presiding Officer, and I thank all of my colleagues here today. This has been a very important debate to have on the floor of the U.S. Senate. It is a debate over whether we are going to continue to have a free and open internet. This vote is a test of the U.S. Senate, and the American people are watching very closely.

This vote is about small businesses, librarians, schoolteachers, innovators, social advocates, YouTubers, college students, and millions of other Americans who have spoken with one voice to say: Access to the internet is our right, and we will not sit idly by while this administration stomps on that right.

This vote is our moment to show our constituents that the U.S. Senate can break through the partisanship and break past the powerful outside influences to do the right thing—the right thing for our economy, the right thing for our democracy, the right thing for our consumers, and the right thing for our future.

This is common sense to Americans around the country, with the only exception being telecom lobbyists and lawyers inside the beltway. How do I know? Because 86 percent of all Americans in polling agree that net neutrality should stay on the books as the law of the United States.

The public is telling us loudly and clearly to vote for this resolution. They are telling us they don't trust their internet service provider to show up on time for a customer service appointment at their house, so they certainly don't trust them to put consumers ahead of profits.

They are telling us that once they pay their internet bill, they expect fair access to the internet. They are telling us they are sick of the special interests getting their way while the rest of us get the short end of the stick.

So I ask each and every one of my colleagues today to heed the calls of the American people to keep the internet open, to keep the principle of non-discrimination at the heart of what the internet has been and must continue to be, not just for the most powerful voices but for those who have the smallest voices inside of our society. That includes entrepreneurs who just last year received half of all venture capital in the United States which went to software and internet startups. That is what we need. We need to understand how this incredibly chaotic entrepreneurial system in our country works, and at the heart of it is net neutrality.

Just 2 weeks ago, in Massachusetts, I had a meeting with 500 people on net neutrality. I invited Tim Berners-Lee, the inventor of the worldwide web.

Tim Berners-Lee was selected by Time magazine as one of the 20 greatest thinkers, scientists, and innovators of the 20th century. Who else was on the list with him? Sigmund Freud, Edison, Henry Ford.

Tim Berners-Lee is the inventor of the worldwide web, the organizing principle of the web. What he said is, the principles of nondiscrimination are baked into the internet. It was his intent to have it work that way so there could be no discrimination. What we are talking about is a fundamental change. The largest companies now want to implement fundamental change in order for them to ensure that competitors cannot compete as well as they could if they could not be discriminated against—that consumers have the protections they need so they are not harmed, and so this innovation economy can continue to unleash itself for the benefit of the United States, so we are, No. 1, looking over our shoulders at Nos. 2, 3, 4, 5, and 6 in the world.

The internet and its success is a story about the United States being No. 1, not any individual company, and certainly not a small handful of broadband companies. That is why the rest of the world envies what we have in our country, this incredible engine of innovation which has created millions of new jobs since the 1996 Telecommunications Act was passed, since this digital revolution was unleashed. We must keep these principles intact.

That is what we are debating here today on the floor of the United States Senate. We are debating what the principles should be for this organizing principle of our country for the 21st century, which is the internet. From my perspective, the only way in which every American, every entrepreneur, every new idea is going to have a shot at helping to make our country better is if net neutrality stays on the books.

So this is a defining vote, the most important vote that we are going to have in this generation, on the internet. The whole country is watching. Eighty-six percent of all voters support net neutrality, 82 percent of all Republicans support net neutrality. If it is not broke, don't fix it. It is working, and it works for the smallest voices and for the largest voices. What these huge internet companies, the internet service providers, want to do is change the rules, tilt the playing field.

It was a long route to get to this era. We had one telephone company, one cable company, monopolies going into people's homes. It took a lot to get away from that era so that smaller voices, newer voices could be heard. When that happened, it unleashed trillions of dollars of private-sector investment the software and internet companies, these innovators, were now able to gain access to. They could have done

it if the rules made it possible before we changed the laws in the 1990s. But since then, they have—and they have reinvented, not just the United States of America, but they have reinvented the whole world. There is a vocabulary which has been created since 1996, words that now everyone thinks are common: Google, Amazon, E-Bay, Hulu, You Tube. They didn't exist. They didn't have a role in our society. We had to change the rules in order to make it possible for them. There is a whole new generations of companies whose names we do not know yet, but because of net neutrality they will be known. They will be the job creators for the next several decades in our country.

So I thank all Members who participated in this debate. There won't be a more important one that we have, because it goes right to the heart of our identity as a free and open society. I urge my fellow Senators to vote yes on my Congressional Review Act resolution to restore the net neutrality rules to the books.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from South Dakota.

Mr. THUNE. Mr. President, we are about to vote on this Congressional Review Act resolution of disapproval dealing with this issue of net neutrality.

Let me say again what I said at the beginning of this discussion earlier today; that is, I support principles of net neutrality that can be enshrined in law, that actually do address the issues people on the other side are concerned about, whether that is a ban on blocking of lawful content, a ban on throttling of internet speeds, a ban on paid prioritization that would create fast lanes, slow lanes, and that sort of thing. Those are things on which I think there is pretty broad agreement.

Frankly, it seems to me, at least, there is bipartisan support for pursuing a legislative solution to this—to put into law, to codify once and for all those principles of an open internet. Instead, we are having this fake argument over a Congressional Review Act resolution of disapproval, which is going nowhere, and my colleagues on the other side know that. All it does is prolong the period of uncertainty in which we have been operating for some time, where internet service providers are not investing in new technologies, innovation, and infrastructure and instead are investing in lawyers and litigation as this cloud of uncertainty hangs over the regulation of the internet.

What our colleagues on the other side are proposing is simply this: Regulate the internet like a public utility in the same way that Ma Bell was regulated back in the 1930s, because the law they would use to regulate the internet is title II of the 1934 Communications Act—basically saying: We want to take

a law that is 80 years old and use it to regulate a 21st-century innovation like the internet—the internet that exploded under the light-touch regime that was in place up until 2015.

In 2015, the FCC decided they wanted to use the heavy hand of government regulation as opposed to a light touch. What this FCC has said, simply, is that we are going to go back to the light-touch regulation that was in place for the first two decades of its existence, two decades that led to explosive growth, dramatic increases in productivity, and economic opportunity for Americans all over the country. Here we are today talking about a Congressional Review Act resolution of disapproval that would roll back that FCC's decision in an attempt to restore and put back in place the heavyhanded regulation of title II under the 1934 Communications Act.

I think, frankly, that we can solve this issue quite simply; that is, to sit down in a bipartisan way and figure out a way to enshrine into law those principles of an open internet that would ban the things I just talked about—ban blocking, ban throttling, ban pay prioritization, but do it in a way that does not draw on the title II authority that essentially gives the FCC the authority, if they want to, to regulate rates.

This is a heavyhanded government approach to regulating the most powerful economic engine we have seen literally in generations. I think the clear vote here today is in favor of legislation that would put those rules into effect and against a Congressional Review Act resolution of disapproval, which is simply an attempt to, I guess, gain partisan advantage with an issue that people seem to think will be useful in the upcoming elections.

Honestly, it is not going anywhere. We all know that. I think the sooner we conclude that and the sooner we get serious about sitting down together across from each other and actually putting into law these principles of an open internet, the better off we will all be. I mentioned this earlier today. There are a number of our colleagues who have made statements publicly, as recently as yesterday at a Commerce Subcommittee hearing, where they supported that approach of bipartisan legislation. I had colleagues on the other side who have made public statements—and I quoted some of them today—in support of a legislative solution along the lines of what I am proposing here. Of course, we have had multiple examples of misstatements and hyped-up statements that aren't grounded in any sense of reality, so much so that even a Washington Post Fact Checker came out and said that the statements that were being made by the Democrats warranted three Pinocchios. The L.A. Times just this last week editorialized: "Rather than jousting over a resolution of disapproval, Congress needs to put this issue to bed once and for all by crafting

a bipartisan deal giving the commission limited but clear authority to regulate broadband providers and preserve net neutrality."

That is the way to do this. It is not to have an FCC that bounces back and forth from administration to administration at the whim of whatever the political wins of the day are or, perhaps even worse yet, spends a lot of time in court litigating this issue—millions and millions of dollars that could be spent investing in innovation and new technology and new infrastructure that could deliver higher, faster speeds, higher quality of services to people across this country, including those in rural areas who have missed out on a lot of this. You are not going to get broadband providers to deliver services or invest in rural areas if they are operating under a cloud of uncertainty, which is what this CRA, if it were successful, would ultimately lead to.

I simply ask our colleagues on both sides of the aisle to reject this ill-fated, frankly, charade of an exercise that we are going through in exchange for a true discussion of bipartisan legislation. I mentioned earlier that I had a draft from 2015 that we put together. I have had numerous opportunities to discuss that draft with Members on the other side. We have socialized some of these issues. We shopped them around. It certainly is not the end-all product, but that is what legislation is about. It is about the opportunity to sit down, take input from both sides, and come up with a bipartisan solution. I think that is certainly within our reach here if we are willing to do it, but this is not the way to do it.

This is a dead-end canyon, which does nothing to solve the issue. All it does is perhaps whip up some people who are perhaps interested in trying to use this as a political wedge issue, but it is not going to do anything to solve the problem. I urge my colleagues to reject and vote no on this resolution of disapproval, and let's get serious about legislating.

I yield back the remainder of our time.

The PRESIDING OFFICER. All time has been yielded back.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. MARKEY. 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 legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—52

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

NAYS—47

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

NOT VOTING—1

McCain

The joint resolution (S.J. Res. 52) was passed, as follows:

S.J. RES. 52

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom" (83 Fed. Reg. 7852 (February 22, 2018)), and such rule shall have no force or effect.

EXECUTIVE SESSION

EXECUTIVE CALENDAR—Continued

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 legislative clerk read the nomination of Mitchell Zais, of South Carolina, to be Deputy Secretary of Education.

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

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

Mr. MANCHIN. 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 Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.