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Senate

The Senate met at 10:02 a.m. and was called to order by the Honorable TOM COTTON, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

God, Sovereign over us all, thank You for healing our hearts, minds, and bodies when we turn to You. Lord, we are grateful that You desire for us to prosper and be in physical health even as our souls prosper.

Guard and guide our lawmakers so that their work will enable us to live in peace and justice with one another. Lord, use them to bring order and calm to our vulnerable Nation and world. As they seek to do Your will, may our Senators bring beauty from ashes, clarity from confusion, and harmony from discord. Fill them with the power of Your Holy Spirit, that they may rightfully represent You.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 6, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TOM COTTON, a Senator from the State of Arkansas, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. COTTON thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Annemarie Carney Axon, of Alabama, to be United States District Judge for the Northern District of Alabama.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

HEALTHCARE

Mr. SCHUMER. Mr. President, yesterday the majority leader announced that the Senate would remain in session during much of the planned August recess. President Trump tweeted: "Great. Maybe the Democrats will finally get something done other than their acceptance of high crime and high taxes." As usual, the President's tweet makes little sense given that Republicans control both Houses of Con-

gress. But I agree with the President on one thing: Canceling the recess is a great opportunity to get something done. In fact, I have a suggestion for what Congress should do. How about this, Mr. President? Why don't we get something done on the issue that numerous polls say is the No. 1 priority of Americans—healthcare.

We Democrats—our entire caucus—believe this previously unscheduled session time could be put to good use to finally help Americans secure affordable healthcare that the President and congressional Republicans have thus far failed to deliver. Before being sworn in, President Trump promised to deliver healthcare that was "far less expensive and far better." Those are his words. But since he has taken office, President Trump has completely dropped the ball on healthcare. Instead of shoring up our healthcare system and driving down costs, President Trump and Republicans have sabotaged our healthcare system and driven up costs.

Yesterday, Maine and Pennsylvania joined a growing list of States that will see higher healthcare rates thanks to the policies of the Trump administration and congressional Republicans. In States such as Virginia, Maryland, New York, and Washington, rate increases are in double digits. One PPO plan in Maryland requested a rate increase of 91 percent. And when you ask these CEOs of companies why their rates are going up, many of them cite Trump administration policies and congressional Republican policies.

Again, the No. 1 issue affecting Americans is the high cost of healthcare. My Republican colleagues are busy touting tax breaks. If you are very wealthy, you got a big break. If you are a middle-class person, far too often, your increase in your premiums exceeds your tax break.

Let's do something to put more money—net more money—in the pockets of working class people. Let's spend

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



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August working on healthcare. Folks were already paying too much for healthcare in the form of premiums, out-of-pocket expenses, and the eye-popping costs of so many prescription drugs. Now all of those costs are going up because “the unified Republican government” has done little to bring down the high cost of healthcare, and what it has done has made the situation worse.

Again, President Trump has dropped the ball on healthcare, and the August recess is a time to recover and do something good. President Trump deliberately sowed uncertainty in the healthcare marketplace as a way to make a political point against ObamaCare, and then congressional Republicans repealed the coverage requirement in their tax bill. Health insurers from coast to coast cite the repeal of the coverage requirement as one of the major reasons they are increasing rates next year.

Just last night, a report issued by the Trump administration itself showed that Medicare is going insolvent faster than expected. What caused it? In part it is the Republican tax bill and “the repeal of the individual mandate, which increased the estimate of the number of uninsured, in turn leading to a large increase in uncompensated care payments.” Again, the tax bill led to Medicare being less solvent and running out of money sooner.

In short order, the Trump administration will make things worse. They will be offering junk insurance plans that will bring back the dark days when Americans with preexisting conditions faced higher premiums, denied care, and medical bankruptcy.

We now have a few extra weeks in August. What will be No. 1 on the American people’s list? It is not the things Leader MCCONNELL mentioned, falsely blaming Democrats when appropriations aren’t moving along well, and he brags about how many appointments he has made to the bench. No, the No. 1 thing Americans want is healthcare, and we Democrats will spend the August recess focusing on that issue and forcing our Republicans to either cast votes or deny votes on those important issues. It is a great opportunity not just for Democrats, but just for Republicans, but for America. We are going to do it. We already have an agenda ready to go, and we are going to push for votes on these measures in August.

One, we want to expand access to Medicare. Many of us Democrats in this caucus believe 55 should be the age when you can buy in. Loads of Americans support that.

Two, we want to increase tax breaks to help families afford the cost of healthcare.

Three, we want to create a national reinsurance program to lower premiums.

Four, we want to ensure that people with preexisting conditions don’t get denied and priced out of insurance due to an expansion of junk insurance.

Five, we want to lower the skyrocketing costs of drugs.

President Trump should stay in Washington.

No Mar-a-Lago, Mr. President, no golf all the time. You have taken so many vacations, while you criticize others.

It is typical—the double standard that he seems to exhibit every 10 minutes. President Trump should stay in Washington with us, roll up his sleeves, and get to work on making healthcare great again.

TRADE WITH CHINA

Now, Mr. President, on another matter, one that I talked to the Acting President pro tempore about this morning—our trade negotiations with China—as I said many times before, I am closer to President Trump on trade with China than I was to either President Obama or President Bush. I want our President to succeed in winning real concessions from the Chinese on longstanding issues, like intellectual property theft and market access. I believe that unlike previous Presidents, President Trump was serious about being tough on China to achieve our goals. But week after week, I keep reading reports that President Trump and his team are not being tough with China. They are conciliatory or accommodating, whether it is our national security or our economic security, where China is now eating our lunch.

Yesterday it was reported that the Trump administration would agree to relax penalties on the Chinese telecom giant ZTE. If the reports are true about a sweetheart deal for ZTE, President Trump has put China first, not America first. If these reports are true, once again, President Xi has outfoxed President Trump, the so-called deal maker.

ZTE has repeatedly violated U.S. sanctions and lied to U.S. officials about their efforts to rectify those violations. Their technology has been deemed a national security threat by the FCC, the FBI, and the Pentagon. Again, let me repeat that. Their technology is a national security threat, according to our defense and law enforcement authorities. Why on Earth is the Trump administration considering relaxing penalties on such a bad actor?

Some reports suggest that the Trump administration is forgiving ZTE to set up an exchange for a short-term, limited purchase of U.S. goods from China. If that is the case, what a terrible deal that is for America. Our No. 1 priority should be reducing the threat of intellectual property theft. Intellectual property theft not only threatens our short-term economic outlook, but it threatens our long-term leadership in high-tech industries, middle-class jobs of the future, and the security of our country.

To relax penalties on ZTE, a proven threat to American intellectual property, in a possible exchange for something as small as a one-time purchase of goods is like trading away your star

player for a last-round draft pick. By backing off and letting ZTE off the hook, China wins. If the reports are true, Congress should move in a bipartisan fashion to block this deal right away.

On top of the ZTE matter, there is no apparent path forward with the ongoing trade negotiations—nothing concerning intellectual property theft, nothing concerning market access, not even a framework. The two recent negotiations with China, led by Secretary Mnuchin and then by Secretary Ross, have failed to produce anything that is concrete, real, lasting, and important to America.

The administration keeps sending different officials with different priorities to lead discussions with China. Some are tough on China, and others are soft. Some have the President’s instincts in mind, and others do not. Secretary Mnuchin and Ambassador Lighthizer are in totally different camps. I am in the Lighthizer camp, but dissension is causing tremendous confusion and making our bargaining position so much weaker.

President Trump ought to direct our negotiators—all of our negotiators—to be tough with China and to stick with it.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VA MISSION ACT

Mr. DAINES. Mr. President, I am proud that today President Trump will sign into law a piece of legislation that I fought for called the VA MISSION Act.

This important legislation will help fix many of the problems plaguing the VA Choice Program and will work to ensure that our Nation keeps the promises it has made to our veterans.

This bill is badly needed.

Take Hank, for example, a Montana veteran. Last year it took him more than 3 months to get an appointment and then another month to get the glasses he needed. It was clear to him that the Choice Program representatives were completely unaware of the distance issues that Montana veterans have to deal with.

And it is not just Hank. All across Montana, we have heard about how the VA Choice Program has consistently fallen short. It has missed the mark. Payment delays take up to 8 months. In fact, sometimes we have bill collectors coming after our veterans for something they should not be responsible for.

Veterans suffer hours-long waits to talk with representatives about claims, and veterans get the runaround on receiving the most basic services. This is unacceptable.

Our veterans deserve better. That is why the bipartisan MISSION Act is so vitally important. It helps fix many of the problems our veterans still face as they try to access the healthcare services they need.

Rural veterans will get greater, easier, and quicker access to healthcare. Telemedicine services will be strengthened. The oversight of opioid prescriptions will be increased. There will be greater accountability in how companies like Health Net manage this new program. Finally, it will help the VA's medical professional shortage through scholarship and loan repayment programs for medical and dental students who commit to serving in the VA.

The problems plaguing the VA aren't just occasional news stories; they are the daily reality for Montana veterans.

Enough is enough.

Our Nation has a lot of work to do to fulfill the promises we have made to our veterans. The MISSION Act is an important step forward. I am proud I have helped get this bill across the finish line and on to President Trump's desk.

I look forward to honoring our veterans' service by standing with President Trump today as he signs this important bill into law.

Thank you.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SENATE SCHEDULE

Mr. MCCONNELL. Mr. President, yesterday I announced that the Senate's regularly scheduled August recess will not occur this year. Members will be able to meet with our constituents during a standard 1-week State work period at the beginning of the month, and then we will come right back here and get back to work.

The reason is simple: We have too much left to do for the American people.

Sixteen months into the Trump administration, Senate Democrats persist in their unprecedented campaign to obstruct the President's nominees for a wide array of executive and judicial positions.

It is time for a little historic perspective.

During President Obama's first 2 years, the Senate needed only 12 cloture votes on nominations. In President George W. Bush's first 2 years, there were four cloture votes on nominations and for President Clinton, just eight. But less than a year and a half into this administration, the Democratic minority has stalled progress through—listen to this—101 cloture votes, and counting, on nominations—101 cloture votes.

This used to be a rare tool of last resort, used only in a tiny handful of cases. Well, not these days. In many cases, the nominees in question are completely without controversy. Not a single Senator in either party voted

against confirming Robert Wier or Fernando Rodriguez to serve as district court judges just yesterday. They were both confirmed unanimously. So were Walter Counts and Karen Scholer, two more district judges we considered back in January. But Senate Democrats forced us to invoke cloture on each of these nominees and then made sure they soaked up Senate floor time, even though literally no Senator opposed them.

This isn't due diligence. It certainly isn't good government. It is what happens when our friends across the aisle put political slogans about "the resistance" ahead of the country's needs.

We have gotten a great deal done this Congress. We have bolstered our economy with historic tax reform and regulatory reform. We have delivered critical resources to communities afflicted by the opioid crisis, with more on the way. We have undone harmful spending caps to fully equip our military. We have taken action to combat human trafficking and school violence. We have repealed ObamaCare's individual mandate tax and its Independent Payment Advisory Board and delayed several other healthcare taxes.

Republicans are still working to do more. We need to confirm more of the President's team and judicial nominees. We need to take up regular appropriations bills. We need to tackle legislative priorities like the water infrastructure bill, the farm bill, the Defense bill, and many others.

So the Senate will remain in session in August. We will work on legislation. We will confirm more nominees.

We will keep delivering on the agenda that has already done so much to make America stronger, safer, and more prosperous.

HONORING OUR VETERANS

On another matter, Mr. President, I was honored to meet a number of Kentucky veterans at the World War II Memorial and welcome them to Washington.

My father fought in World War II, so I was particularly grateful to hear these veterans' stories and share their special moments of remembrance. One man I talked to is 100 years old. He was in the initial invasion when we finally got on offense in North Africa. He fought in every theater in Europe and was there when the Germans surrendered on May 8, 1945. He landed at Omaha Beach, but he said it was 2 days after the invasion, so there was a second wave of soldiers coming in after the invasion, and there are stories and stories of people like that.

I had a chance to thank each of them, as well as the Honor Flight Bluegrass organization, which takes on the logistical and financial burdens so that veterans can travel to their monuments at no personal cost.

I was especially glad this opportunity came today, on the 74th anniversary of the D-day invasion. On June 6, 1944, the free world embarked on a daring mission of historic proportions. With con-

viction, bravery, and patriotism, the "greatest generation" ran into the breach.

Many paid the ultimate price on D-day, but their bravery paved the road to victory in Europe. Allied troops stared down the most pernicious evil the modern world had ever seen—and prevailed.

The world has changed in the years since D-day, but some things haven't changed at all. We still honor the sacrifices of those who ran into the breach.

Today, the President will sign into law the VA MISSION Act that Congress passed last month. It is a set of major improvements in the way we care for American veterans—increasing their choices and expanding access to care for those who sacrificed to serve.

Here is something else that hasn't changed: We still call on brave men and women to take on a wide array of difficult missions.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. President, soon the Senate will take up the John S. McCain 2019 National Defense Authorization Act. It is the result of months of serious bipartisan work by the Armed Services Committee, and it is a major step toward delivering the resources our men and women in uniform need to tackle the challenges of today—challenges like an emboldened Iran, the destabilizing force it abets in the Middle East; challenges like the expanding capabilities of Russia and China in this era of renewed great power competition.

This moment requires that we support our All-Volunteer Armed Forces with the tools, training, equipment, and resources they need to support our allies, to defend the homeland, and secure the peace. Secretary Mattis's new national defense strategy spells out what our Nation must do.

Our landmark budget agreement this year set aside the funds to put that plan into action, and now, with this NDAA, Congress will take the next step toward getting those resources where they need to be. Its authorizations include quality-of-life improvements for servicemembers and their families, land, sea, and air weapons systems, and reforms to the acquisitions process to keep America's military on the cutting edge.

With bipartisan action on the NDAA, the Senate will ensure that the next generation of American warfighters is every bit as ready as the "greatest generation" to write a new chapter of courageous service.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REMEMBERING BOBBY KENNEDY

Ms. WARREN. Mr. President, I rise to honor the life and legacy of an American treasure, Bobby Kennedy.

Robert Kennedy lived his life with courage and conviction, never afraid to challenge a divided nation to face its moral failings. Bobby challenged us all to take a step back from the stale, cheap politics of the moment and to do better by each other. His service to this Nation will never be forgotten.

Today, 50 years after he was brutally assassinated, we pause to acknowledge the brilliance and beauty that rested in his vision of America—a vision that led him to seek the highest office in this land, a vision of love, wisdom, compassion, and justice. Bobby believed we all have a shared responsibility to leave this world just a little bit better off than when we came.

“Few will have the greatness to bend history itself,” he once said, “but each of us can work to change a small portion of events, and in the total; of all those acts will be written the history of this generation.”

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

Too often our political and business leaders refuse to see this. Instead, they hide behind macroeconomic statistics, using them as a shield to dismiss the concerns of the American people as faulty, wrongheaded, or even nonexistent. Robert Kennedy understood that America’s national economy is not the same as the economic well-being of its people. In a 1968 speech at the University of Kansas, he spoke eloquently about the differences between them, and here is what he said:

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

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

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

Consider three statistics: corporate profits, the stock market, and unem-

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

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

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

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

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

It is time to try something different. It is time to challenge each of us to do better by each other, to see the dignity in one another, to put our values first. I believe together we can make that Robert Kennedy’s legacy, and I am proud to fight for it.

I yield the floor.

Mr. SHELBY. Mr. President, I rise today in support of Annemarie Carney Axon to be U.S. district judge for the Northern District of Alabama.

Annemarie Axon is exceptionally qualified to be a U.S. district judge. Her strong, respectful temperament and commitment to impartiality prove that she is well-suited for this esteemed position.

Ms. Axon has spent her entire career devoted to the law. She is presently a

member of Wallace, Jordan, Ratcliff, & Brandt, LLC, in Birmingham, AL, where she focuses on fiduciary and probate litigation. Prior to her current role, she served as assistant vice president at AmSouth Bank. She began her legal career in 2000 as an associate at the firm Edwards & Angell, LLP, in Rhode Island.

Axon is a member of both the Alabama and Rhode Island State Bar Associations and represents a broad range of clients including individual and corporate fiduciaries and financial institutions in both State and Federal court.

In addition to her experience in the courtroom, Axon serves as the president of the YWCA Junior Board, as well as the Girls on the Run board of directors. She is also a member of the Mountain Brook City Schools Foundation Board and a member of the American Cancer Society.

Following her initial nomination in July 2017, Ms. Axon appeared before the Judiciary Committee for consideration. During the hearing, Axon stressed the importance of certain characteristics required to serve as a judge, including the ability to be fair, open-minded, courteous, and respectful to the attorneys and parties in each case. The committee favorably reported her nomination in October 2017.

I believe Annemarie Axon exemplifies all of the characteristics of a proper judge. I am confident that she will base her decisions on the law above all else, despite the outcome of each case.

Confirmation of her nomination is beyond imperative, as the swift confirmation of district judges plays a vital role in the functioning ability of the U.S. judicial system.

By confirming Annemarie Axon to be a U.S. district judge, Congress is allowing the work of the U.S. judicial branch to continue in a manner that will best serve our Nation.

The PRESIDING OFFICER (Mr. SULLIVAN). Under the previous order, all postcloture time has expired.

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

Mr. COTTON. 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).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. LEAHY), and the Senator from Massachusetts (Mr. MARKEY) are necessarily absent.

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

The result was announced—yeas 83, nays 11, as follows:

[Rollcall Vote No. 117 Ex.]

YEAS—83

Alexander	Fischer	Nelson
Baldwin	Flake	Paul
Barrasso	Gardner	Perdue
Bennet	Graham	Portman
Blumenthal	Grassley	Reed
Blunt	Hassan	Risch
Boozman	Hatch	Roberts
Brown	Heitkamp	Rounds
Burr	Heller	Rubio
Cantwell	Hoeven	Sasse
Capito	Hyde-Smith	Schatz
Cardin	Inhofe	Schumer
Carper	Isakson	Scott
Casey	Johnson	Shaheen
Cassidy	Jones	Shelby
Collins	Kaine	Smith
Corker	Kennedy	Sullivan
Cornyn	King	Tester
Cortez Masto	Klobuchar	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Toomey
Cruz	Manchin	Udall
Daines	McCaskill	Van Hollen
Donnelly	McConnell	Warner
Durbin	Moran	Whitehouse
Enzi	Murkowski	Wicker
Ernst	Murphy	Young
Feinstein	Murray	

NAYS—11

Booker	Menendez	Stabenow
Gillibrand	Merkley	Warren
Harris	Peters	Wyden
Hirono	Sanders	

NOT VOTING—6

Coons	Heinrich	Markey
Duckworth	Leahy	McCain

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

The majority leader.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 442, H.R. 5515.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 442, H.R. 5515, a bill to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to proceed be agreed to.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, I hope this is just going to be a speed bump on the way to getting on to the NDAA, because that is very important legisla-

tion that I want to get to, but I have an amendment. It happens to be a germane amendment to a very, very important part of this bill—the CFIUS reform legislation recently reported out of the Banking Committee.

I want to continue to work with the chairman and the ranking member and the leader to ensure that I will have an opportunity to offer this amendment. That is all I am looking for—to have a vote on my germane amendment. When we can work that out, I will be happy to grant my consent, but in the meantime, I object.

The PRESIDING OFFICER. Objection is heard.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk on the motion to proceed.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 442, H.R. 5515, an act to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, Todd Young, Mike Rounds, John Cornyn, Johnny Isakson, Joni Ernst, John Hoeven, Thom Tillis, James E. Risch, Tom Cotton, Dan Sullivan, Mike Crapo, Roger F. Wicker, John Thune, James M. Inhofe, John Barrasso, Deb Fischer.

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

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

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, let me just share what just happened here. I have been involved with this for a long time, including over in the House when we had our NDAA. Now, I am fully aware and everybody here knows that we have passed this NDAA for 57 consecutive years, and we are going to pass it. But one of the things I really don't like about the procedure is that one person—any one person, Democrat or Republican—can object, as this was just objected to, and cause us to have to file cloture. This is going to put this off for a period of time, and two undesirable results can result. One result can be that it can ultimately deny Members from offering their amendments, whether they are germane or not.

I will state how much I appreciate the fact that Senator REED and I in our committee have worked very closely together, and we made a decision that we want to have an open amendment process. We had discussion of this in our committee and everyone agrees with this.

This could have the effect of ultimately closing the door to everyone who has an amendment. We don't want that, but we did everything we could to stop an objection from taking place so that we could at least move on to the bill.

We need to get on the bill, and then we can try to do all kinds of arrangements. At one time, Senator REED and I talked about maybe coming up with 10 amendments or 15 amendments or 3 amendments each, Democrats and Republicans, so that we could at least say to the individuals on our side—and I would say to my Republican friends—that I will do everything within my power to see that you get a vote. Unfortunately you can't do that because you can't guarantee there will be a vote. So that is the thing I regret, and the other bad part of this is that it is going to put it off for about a week.

I just got back from all of our war zones, talking to our troops on the ground, telling them that this is going to happen, that we are going to be taking up the NDAA, and telling them what is in it in terms of pay raises, what is in it in terms of priorities, and how we are going to try to get modernized. Right now we have several pieces of equipment that over the last 10 years have been ignored, and we have peer competitors in Russia and in China that have better equipment than we do. An artillery piece is evaluated by rapid fire and range, and right now our rapid fire is not as fast as either Russia's or China's. We see what is happening in the China Sea. We are over there. We see that our allies are looking and thinking: You know, the Chinese are preparing for World War III. What are we doing?

By postponing this, all of our troops and all of our very valued people who are risking their lives on a daily basis are going to wonder: Why didn't we go ahead and go with this thing? It is wrong.

I do want to say this. Senator REED and I and our committees did everything we could to try to accommodate everyone as best as our rules would allow us to do. In living with the limitations that we have, we have done everything we can do.

I do want to compliment the entire Senate Armed Services Committee. We have also worked on the House side. Between Senator REED and me—Democrats and Republicans—we have done everything we could to keep this from happening. Again, as long as I can remember, at the last minute, one Senator can put this off and create the damage and potential damage that has been created now. I do regret that.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, this is an opportunity for me to commend and thank the Senator from Oklahoma for extraordinary leadership on the committee. Obviously, we were all inspired by Chairman MCCAIN and his incredible leadership over the last many,