

Republicans heard our marching orders loud and clear. We used the Congressional Review Act a record 16 times to root out invasive rules that tripped up small businesses. We uprooted key pieces of ObamaCare and Dodd-Frank that had burdened the middle class, and we delivered a long-overdue, comprehensive overhaul of America's Tax Code. It is helping to rejuvenate the economy and is letting American families keep more of what they earn.

Today, under this Republican government, the U.S. economy is healthier than it has been in a long time. We have the lowest unemployment in 18 years, and more open positions than workers seeking jobs for the first time since the Labor Department started collecting these data. There is record levels of optimism among small businesses and manufacturers. More Americans are saying that now is a good time to find a quality job than at any point in the last 17 years.

In the Obama years, prosperity was slower in coming. Opportunities were comparatively few, and what limited growth did occur flowed disproportionately into America's very biggest urban centers.

Now our economy is starting to work better for all kinds of communities. I recently heard a few inspiring stories from my friend Senator PORTMAN. In Zanesville, OH, the owners of GKM Auto Parts spent much of the last decade watching health insurance premiums soar. By 2016 they could no longer support coverage for their employees, but as Senator PORTMAN recently explained, one of the first things the company was able to do following the passage of historic tax reform last year was to restore that coverage.

He also shared that builders and manufacturers across his State, from Wolf Metals in Columbus to Advanced Industrial Roofing in Massillon, are increasing pay and benefits, investing in equipment, and creating jobs as a direct result of tax reform and this pro-growth economic climate.

We are hearing stories like these from every corner of our country.

American workers and job creators are turning the page on the last decade and writing brand-new success stories, and Republican policies are helping to make that happen.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Kenneth L. Marcus, of Virginia, to be Assistant Secretary for Civil Rights, Department of Education.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided between the two leaders or their designees.

The Senator from North Carolina.

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Madam President, I wish to speak briefly. I thank the Democratic leader for giving me the opportunity to speak for 5 minutes to do what I have done every week for the past couple of months and what I will do every week until we get a resolution; that is, to talk about Pastor Brunson, a Presbyterian minister who has been in prison in Turkey since October of 2016.

As best as we can tell, the only thing Pastor Brunson is guilty of is being a missionary who has committed 20 years of his life to working with people in Turkey who want to hear the Word of God. That is it. We can talk about—I will not today because my time is limited—all the trumped-up charges I witnessed when I spent 12 hours in a Turkish courtroom a couple of months ago or that I discussed with Pastor Brunson about 3 weeks earlier when I visited him in a prison.

Today what I want to talk about is relevant to the national defense authorization and the work we have done in committee to put Turkey on notice that this is unacceptable.

Turkey has been an ally of the United States since 1952. The NATO alliance commits every member of NATO to send their men and women in uniform into harm's way to defend the national security of a nation of the alliance. We have that with Turkey; we have since 1952.

Over the past month or so, we have seen a would-be adversary in North Korea release three prisoners, we have seen Venezuela release a prisoner, but in Turkey, since October of 2016, we have seen them hold a man for almost a year and a half without charges. Then I saw a man go before a court—and I witnessed for a whole day—being subjected to some of the most absurd charges possible. Next week, when I have more time, I will get into those.

I thank my colleagues on both sides of the aisle who voted to put a provision in the national defense authorization that really makes us wonder whether we have to rethink our relationship with Turkey, particularly around the Joint Strike Fighter. The Joint Strike Fighter is one of the most sophisticated tactical fighters that has ever flown; arguably, the most sophisticated. Turkey is a NATO ally and, as such, they have access to that weapons system. In fact, they manufacture a lot of the critical parts for it.

What we offered in the NDAA is an examination of whether that relationship makes sense; No. 1, because of the way they are treating one of our American citizens, not letting him come back home, he and his wife; and No. 2, if that is the behavior of a NATO ally, is that really where we should be putting, in our supply chains and in our defensive systems, one of the most sophisticated weapons, one of the most important weapons in our arsenal. I, for one, think we have to look at it.

Until the Turkish Government recognizes that they are illegally holding Pastor Brunson, and a number of others, then I think we have to put the spotlight on them and hold them accountable. If I have an obligation, as a member of the Senate Armed Services Committee and the Senate, to defend their integrity, they have an obligation to treat our American citizens with respect.

We have the amendment in the NDAA. We also have another amendment we may offer. We need to make Turkey know we believe our alliance with them is important, but it is also important to treat American citizens who are not guilty of a crime with respect and bring Pastor Brunson home.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

TURKEY

Mr. SCHUMER. Madam President, first, I thank my colleague. I was asked by my colleague from North Carolina if I would agree with his remarks, and he said he thought so. I definitely do. I think Erdogan is doing very bad things to the Turkish people, to our NATO alliance in the Middle East. He has had a vehemently anti-Israel position. To allow him to get away with all of this stuff without putting maximum pressure on him makes no sense. So I thank my colleague from North Carolina.

NATIONAL DEFENSE AUTHORIZATION BILL

Madam President, on other subjects, later today the Senate will move to the consideration of the John S. McCain National Defense Authorization Act. The annual defense authorization is something our friend Senator MCCAIN cares deeply about and has talked to me about regularly, and we wish he were here to shepherd it on the floor as we have seen him do many times before.

It is important that we get this done for our military, for our broader national security, for Senator MCCAIN, and to ensure that this critical authorization bill moves forward on a steady track. Any time we say the name or see the name written, "John S. McCain," our hearts go pitter-patter a little bit, and we pray for his speedy recovery.

The NDAA is an opportunity to revise and improve our national security to meet the evolving threats of a world that is changing so very fast. I just

want to highlight a few provisions in the bill that are important.

Just this morning, Secretary Ross announced that the Trump administration will relax penalties on Chinese telecom giant ZTE. Instead of permanently crippling ZTE, the administration will settle for a smaller fine than the company paid in 2017 and a reorganization of the company's board. It is essentially a slap on the wrist.

As a reminder, ZTE has been a threat to our national security, and that was stated by the Republican-led FCC, Republican-led FBI, and Republican-led Pentagon. This is not a partisan issue. ZTE was guilty not only of evading U.S. sanctions but lying to U.S. officials about it afterward. ZTE has been deemed such a threat to our telecommunications networks that the FCC recommended forbidding the sale of any ZTE products in the United States.

But, inexplicably, President Trump, after talking tough, did a total reversal. Once again, it seems President Xi has outfoxed President Trump. There is absolutely no good reason that ZTE should get a second chance, but with this deal, the President has inexplicably thrown him a lifeline. President Xi must be laughing all the way to the forbidden palace. He has once again taken advantage of President Trump on an issue vital to our security.

Many believe ZTE could be a mechanism for spying on our military and on lots of different parts of the United States. China has shown no reluctance to do that in the past, and we are just rolling over for no reason, having gotten nothing in return. This is a serious mistake, a 180-degree turn away from the President's promise to be tough on China. Donald Trump should be aiming his trade fire at China, but instead he inexplicably aims it at allies, such as Canada and Europe. When it comes to China, despite his tough talk, this deal with ZTE proves that President Trump just shoots blanks. This guy—the art of the deal? He has gotten taken to the cleaners by President Xi, and the rest of the world is probably laughing at him.

We cannot allow the damage from this action by Secretary Ross to stay. We must undo it. It will be up to Congress to reverse this deal if the President goes forward with it, which he has announced this morning he will.

The Banking Committee already adopted an amendment that would prohibit the administration from weakening sanctions against the Chinese telecoms, including ZTE; however, the President has rushed to undo the sanctions before that bill could pass, so it won't affect ZTE because the sanctions have just been lifted by the administration.

Now that the President has rushed to give this company relief, we will offer a bipartisan amendment, led by Senators Cotton and Van Hollen, that retroactively imposes the sanctions

originally leveled against ZTE, reversing the consent agreement signed this morning. This is a bipartisan bill. Senator COTTON and Senator VAN HOLLEN don't agree on much, but thank God, when it comes to national security, they are agreeing. This Chamber should overwhelmingly vote for the Cotton-Van Hollen amendment, which I am proud to cosponsor, as I believe Senator CORNYN and others on the other side will do. We must do that. We hope Leader MCCONNELL will allow a vote or, at minimum, put it in the managers' package. We cannot move forward with this danger to national security without doing something about ZTE.

There is also a provision in the Defense bill to expand the jurisdiction of the Committee on Foreign Investment in the United States, known as CFIUS, so that the board can review minority-position investments and joint ventures in critical technology and infrastructure companies.

Too often, foreign companies—usually Chinese—backed by some hostile foreign governments—usually the Chinese Government—and they are hostile to us economically, make no mistake about it. That word is not too strong. They try to gain controlling or minority positions in critical American technology companies to pilfer their intellectual property and reproduce it in their own countries. They don't allow us to sell the goods; they instead buy minority interests in American companies, learn how to do it, produce it in China, and then undercut us and sell it here. No wonder we lose millions of jobs to China.

This must be stopped. Because these foreign companies go to great lengths to avoid a CFIUS review and sneak in under the radar, we ought to widen the scope of cases that CFIUS can look at, better protecting our national security and our economic security, and the Defense bill, fortunately, is the first opportunity to do that.

Now back to ZTE, the ZTE example is perhaps the best example of how this administration's trade policies are in shambles. The President has talked tough on China. President Trump and I agree very strongly—or we had agreed. I don't know where he is now, but in the past, we have agreed. We just had a conversation a few weeks ago about the need to combat China's rapacious trade practices. Initially, I was hopeful the President would follow through. He seemed to do this out of conviction. But it seems that even though President Trump roars like a lion on China, he behaves like a lamb. Instead of ramping up pressure on China, he tells them he is weak. He tells them he will back off. He tells them he is not for real. President Trump has directed far too much of the administration's energies on trade toward punishing allies such as Canada and Europe instead of focusing on the real menace, the No. 1 menace—China.

So if President Trump is listening this morning, I tell him: Be strong on

China. Don't trade away our leverage for anything short of real concessions on intellectual property theft and market access—the two things that most threaten our long-term economic standing, that most threaten the American economy, the American worker, and American jobs.

EMOLUMENTS CLAUSE

Now on another matter, Madam President, today the U.S. District Court for the District of Columbia will hear oral arguments in a case concerning the potential violation of the emoluments clause by the President of the United States—none other than the President of the United States violating this clause. The emoluments clause of the Constitution of the United States—written over 200 years ago into the Constitution by our Founding Fathers—prohibits any member of our government from profiting from their office, accepting any present, emolument, office, or title, of any kind whatever, from any King, Prince, or foreign state.

The reason for the emoluments clause is plain: The Framers were worried that members of our government could be co-opted or influenced by the bribery of foreign capitals and thus prohibited even the potential for self-enrichment. They knew then what we know now: We don't want double-dealing by our elected officials, and when they have private interests, you never know—are they acting in what they believe is the national interests or what will help make them a profit?

With President Trump, we sincerely hope that no such self-enrichment is going on, but it remains a great concern to millions of Americans that President Trump has maintained a stake in vast business empire holdings all over the world. President Trump continues to profit from these holdings while he refuses to divest—an appalling departure from well-established practices of past Presidents. It shows a degree of selfishness that we haven't seen in Presidents. The President still refuses to disclose his tax returns and the precise extent of his foreign holdings—another radical and disturbing departure from past Presidents. This President acts like he is in the swamp, not like he is cleaning it up.

The President's actions certainly present the possibility of exposure to violation of the emoluments clause, so I believe it is a good thing that the courts are looking at this issue and taking it seriously. That is what our Constitution says they should do. It is a good thing the courts are taking it seriously. We cannot afford to have the Office of the Presidency of the United States corrupted for narrow, selfish means.

President Trump could easily—if you want to be President, you give up all the stuff you own. Every President has done it. There are blind trusts. There are all kinds of ways to do it. But this President seems to think he is measured by a different standard than anyone else. Everyone else makes their tax

returns public; he does not. Everyone else divests themselves of any interest in foreign business to avoid even the appearance of conflict; he does not. It is a double standard.

When the President says he wants to clean up the swamp when he goes to his rallies and gets cheered, what are those people cheering for? He has made the swamp worse than any President I know.

PARDON POWER

In other news, Madam President, we have learned that the President is very keen on his pardon power. The President went so far as to tweet earlier this week that he believes he has the absolute right—his words—to pardon himself.

Let me remind President Trump of a very simple fact: President Trump, you do not have the right to pardon yourself. No one—no one—in America is above the law, not even the President—especially the President. If the President did have the right to pardon himself, he could engage in blatant corruption and self-dealing without consequence. The President could violate the emoluments clause, for example, and simply exonerate himself for taking bribes from foreign interests. Surely that is not what our Framers intended. It would turn the Presidency into a farce and render American democracy greatly defunct.

When the President says and tweets things like this, we have to be very clear about how wrong he is. We cannot allow the morality of this government, the shining example the Founding Fathers put together, to just recede. President Trump is doing that on almost a daily basis, and we need not just Democrats, we need Republicans and Independents to stand up when he says things like that.

I was glad to hear that a number of my Republican colleagues said he doesn't have the power to pardon himself. I was proud of Senator GRASSLEY, who always speaks his mind—sometimes I like it, sometimes I don't, but he always speaks his mind—who talked about how wrong it was for the President to say he could pardon himself.

The idea that the President could pardon anyone, anytime, himself included, is antithetical to the very idea of a democracy.

President Trump, you are not King by another name.

I hope the President will focus instead on the Nation's business in the months ahead.

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. INHOFE. Madam Present, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. INHOFE. Will the Senator yield for a UC?

Mr. BOOKER. Mr. Chairman, I will yield to you under almost every circumstance.

Mr. INHOFE. Madam President, I ask unanimous consent that at the conclusion of the remarks by the Senator from New Jersey, I be recognized as in morning business for as much time as I shall consume.

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

The Senator from New Jersey.

Mr. BOOKER. Madam President, I rise today to speak in opposition to the nomination of Kenneth Marcus to serve as the Assistant Secretary for Civil Rights at the Department of Education. One of the most critical functions of the Department of Education is the role in enforcing Federal civil rights and upholding the protection of students' civil rights in schools.

The Office for Civil Rights within the Department of Education is a particularly important instrument in enforcing civil rights in schools, protecting those precious rights of our children, and ensuring that schools provide students with access to equal educational opportunities and a nondiscriminatory environment in which to learn. It is an idea we have in our country that it is fundamental that we have a level playing field and abundant opportunity for all kids, no matter what their background is.

The continued need for this office is clear. In fact, during the Obama administration, the Office for Civil Rights and the Department of Education handled 76,000 complaints over 8 years and issued dozens of policy guidance documents to help schools better protect and preserve civil rights of students.

In the last year alone, or year and a half, we have seen what is clearly an abdication of this leadership in the Trump administration and what that has meant for the protection of civil rights for our country's children and for our country's students. We have seen an Office for Civil Rights that has rolled back protections for LGBTQ students, an office that has rolled back protections for students with disabilities, and an office that is set on gutting the very mission of the office itself, which is to protect all of our students from discrimination and empower them with equal opportunities to succeed.

The confirmation of Kenneth Marcus would be another blow to the civil rights of our students. Mr. Marcus is someone who, in his record and in his testimony to my colleagues on the Senate HELP Committee, has demonstrated that he possesses at best a disturbing apathy and at worst a wanton disregard for the importance, if not urgency, of protecting the rights of our kids in school.

When Mr. Marcus was asked by Senator MURRAY to name an example of something—anything—that Donald Trump had said or done when it comes to discrimination or civil rights that he disagrees with, and Mr. Marcus

could not name any area of disagreement. He couldn't find a single disagreement in the way that Donald Trump demeaned Americans with disabilities or how the President has spoken about Mexicans or even the way the President has issued policies that attack the rights of Muslims or the rights of LGBTQ Americans. There was no disagreement mentioned whatsoever.

When he was asked during his confirmation hearing if as Assistant Secretary he would intervene in an instance where Black students in a school district were receiving lower quality teachers, fewer books, fewer AP classes, and fewer educational resources than White students, one would expect his answer to have been: Yes, I would intervene. Yes, I would stand up for equality. Instead, Mr. Marcus refused to say that he would step in in such a hypothetical circumstance.

When Senator MURPHY asked about disparities in school districts that were suspending or expelling five times as many Black students for the same set of behaviors compared to White students, instead of just saying the obvious thing—that this is wrong, that the same behavior necessitates the same disciplinary action—instead of saying something as simple as that, Mr. Marcus went on to say this:

"I believe that disparities of that size are grounds for concern, but my experience says that one needs to approach each compliant, or compliance review, with an open mind and a sense of fairness to find out what the answers are. I will tell you that I have seen what appeared to be inexcusable disparities that were the result of paperwork errors, they just got the numbers wrong."

I don't know how much of the data on this issue of disciplinary inequality Mr. Marcus has seen, but it is abundantly clear that for someone who wants to be in this position, they should understand the crisis we have with discipline in this country. The data has shown that even in preschool—from the age of 4 years old—Black preschool kids are 3.6 times more likely to receive an out-of-school suspension than White preschool kids. Again, that is also for the same infraction.

This is not about getting the numbers wrong. This is about being aware of a problem we have in this country that fuels the school-to-prison pipeline. It is a problem that is so severe that I fought in a bipartisan way to get an amendment about school expulsions in the Every Student Succeeds Act. This is a problem that is so severe that in 2014 the Department of Education issued guidance clarifying that schools must administer discipline without discrimination on the basis of race, color, or national origin. The guidance provided important information and support for schools to create a safer, more inclusive environment. We know this problem is not going away, because just last month a new report from the Government Accountability Office concluded that Black students, boys, and

students with disabilities were still significantly overrepresented in disciplinary action.

What we need is a Department of Education that is going to stand up for kids on problems that we know exist. I was stunned that this is a candidate who doesn't even acknowledge the urgency in protecting LGBTQ kids. And at a time of such crisis, Secretary Betsy DeVos continues to fail to protect the rights of all of our students, just this week, she called discrimination against LGBTQ students in schools "an issue for Congress and the courts to settle," abdicating any responsibility.

That is unacceptable, and I don't understand. We have children who are literally under attack. We face a crisis in this country when it comes to LGBTQ youth. This is not an argument over facts. The facts are clear: LGBTQ youths face a stunning level of prejudice and discrimination inside and outside of schools, starting at a young age. We know that LGBTQ youths are two times more likely than their heterosexual peers to be physically assaulted in school. LGBTQ youths are four times as likely to attempt suicide.

According to the Youth Risk Behavior Survey, 34 percent of gay and lesbian youth students were bullied on school property, and 13 percent report not going to school because of fear for their safety. This kind of harassment has no place in our classrooms or schools or anywhere in the United States. It is far too common, from discriminating disciplinary practice to physical violence against our kids, and we have work to do in this country to keep all children safe, to treat all children equally, to give every kid a fair shot in schools to make it and thrive. Yet we are trying to elevate someone to one of the most significant positions in our land to protect children who has a disregard and an apathy toward the compelling and continuing problems in our schools.

When I think about the role of the Federal Government in protecting children, I think about a picture that, as soon as I walk out of my office, the picture is there, and it is that picture from Norman Rockwell of Ruby Bridges trying to walk to school, at the age of 6, to become the first Black child to attend a White elementary school in the South. The photo of her—and the famous painting—is jarring when you see it. It is a reminder to me every day when I leave my office about the roles and responsibilities we have in this body. The hate that was being spewed on her—Ruby Bridges—was plainly evident.

I am telling you, if you visit schools right now and talk to some of our children who are being bullied and intimidated, they can speak to that kind of hate as well. You can still feel the pain and hatred echoing from our past, and you can see it. You can see it echoing in our present. She was determined, and, most importantly, she was not

alone. At the age of 6, walking to school, Ruby Bridges walked not alone but, as Norman Rockwell's picture captures, she walked with Federal Marshals, and they stood with her. She was not alone. She had government folks who said: Your rights are my rights. Your future is my future. We pledge an oath to be a nation of liberty and nation not for some but for all—that "injustice anywhere," as King said, "is a threat to justice everywhere."

The Federal Government alone is not enough to educate our kids. It is about local communities that keep them safe. It is about those soccer coaches. It is about the drama teacher. It is about the love and the kindness and the nurturing environment that is the common standard in all of our schools in America in every State. We have seen from history that there is a role for us to play in keeping folks safe. There are aberrations in our country where hatred still thrives, where discrimination still exists, where there is a role for us to play, and we can't surrender that role.

We can't retreat from our vigilance in protecting every child in America. That is why the Office for Civil Rights and the Department of Education are so critical and must be led by someone who understands our history and understands the urgent work that still needs to be done. We need a person in this role who is committed to every single child no matter who they are and a person who sees within that child their truth, their divinity, their limitless potential, their promise, and how we as a nation need them to succeed.

We have a long way to go. There is work still to do. Children in this country who are hurting now need champions in positions of high office. That is why I oppose the nomination of Mr. Marcus. He is not the person, by his own testimony, who sees our children, who will protect all of our children, who understands their crises, and hears their cries. I will be voting against his nomination.

I yield the floor.

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

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. INHOFE. Mr. President, arguably, the most significant bill to be introduced and passed every year is the National Defense Authorization Act. Yesterday, the leader moved to proceed to that bill, but then there was some objection. Senator REED and I have spent some time and have been very concerned about getting this started. We passed this out of committee in record time and share the commitment that this bill is a matter fitting for the Senate's deliberative process. We want to have an amendment process, and we proposed this, but there was some objection to it yesterday.

I think an open legislative process is one of the hallmarks of the democracy that we ask our servicemembers to protect and defend. They are out there on

the line. We owe them everything that is in an annual bill. In fact, that bill has actually been passed every year. For the past 57 years, we have had a national defense authorization act. What we wanted to do this time, which would have been different from the last time, was to have had an open amendment process—heard a lot of amendments and had a lot of discussion on the floor. We intended to do that but were disappointed that there was an objection to that yesterday. That is why we have been working on satisfying those objections, and I think we have done this.

I believe, by 12 noon or after the 12:30 vote, we are going to be in a position to go ahead and ask that the majority leader restate his motion to proceed and that it will be passed without objection. I am looking forward to that. I think we need to get started. I don't need to go into the arguments, as others are waiting for the floor right now, but we want to get this bill started immediately.

It is not just to make sure we have the pay raises for our kids who are out there risking their lives, and it is not just that we have to keep up with the commitments we have made. We have gone through some dry years over the last 10 years. When I go around the country and talk to groups, there is this assumption that America has the best of everything, but that is not true anymore. That is one reason there is a sense of urgency on this.

Take artillery, for example. The two things you use to measure the artillery capability of a country are those of range and rapid fire, and we are out-ranged and out-rapid fired by both Russia and China. They have other systems that are better than ours.

Right now, one of the most modern systems is hypersonic warfare. A lot of people are not aware of this, but it allows us to go five times the speed of sound with a weapon. We have been developing this for some time. However, now we have found out that both Russia and China have been ahead of us on this. This bill is going to put us in high gear and make sure this development actually happens.

Our triad system, our nuclear triad, is also one on which we have not been doing anything for the last 8 or 10 years, and now Russia and China have gotten ahead. This is something we are not going to tolerate.

We have the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and we are going to get to it today. I will mention that we are actually hoping for a couple of amendments to take place this afternoon. These have to be agreed to and have been agreed to by both sides. Boozman amendment No. 2276 is a study to suggest the permanent stationing of our troops in Poland. The second one is the McCain fellowship amendment, by Senator REED, amendment No. 2284.

I, and I am sure Senator REED—I speak for him too—would like to get

started on some amendments today instead of waiting around until Monday. Doing so will put us a lot further ahead than we otherwise would be. Our anticipation is to get this thing done by next week, and I think we can do it.

I thank those who had some objection to moving to this bill. I very much appreciate their working with us. I think it will be completed, and I anticipate that the majority leader will have a motion that he will make after the 12:30 p.m. vote today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

TARIFFS

Mr. FLAKE. Mr. President, I rise to sound the alarm about the President's decision to impose steep tariffs on our trading partners.

Make no mistake, we are not, as some administration officials have suggested, in the leisurely early innings of a baseball game. We are in the nascent stages of a full-scale trade war. Despite the President's statement that this war will be easily won, any student of history knows that unlike a baseball game, in which a winner is guaranteed, a trade war only guarantees there will be losers.

Free trade allows the most efficient allocation of labor and capital. Protectionism, on the other hand, stifles innovation and reduces productivity. Recognition of this philosophy has been as close to a consensus as this body has achieved in more than 70 years, and the application of these principles has provided the foundation for growth and prosperity that was unimagined by previous generations.

If tariffs aimed at our adversaries produce disastrous results, what will happen when we target our allies?

Imagine claiming that imports from Canada represent a national security threat. Well, that is exactly what we are doing. Canada is our largest trading partner—a trading partner, coincidentally, with whom we enjoy a trade surplus. Just yesterday, we learned of a phone call in which Canadian Prime Minister Justin Trudeau challenged the President's use of national security as a justification for levying tariffs against a steadfast ally. These new tariffs imposed on our allies will not and are not going unanswered. A number of them have already introduced retaliatory measures.

In March, when the tariffs on steel and aluminum were first announced, I proposed legislation to block their implementation. Yesterday, I joined with a bipartisan group of Senators, led by Senator CORKER, in introducing legislation to rein in the President's use of section 232 of the Trade Expansion Act of 1962 to justify protectionist measures. This bipartisan group includes Senators from coast to coast and from across the political spectrum.

The Constitution grants Congress the preeminent role in regulating trade and tariffs. Congress must show leadership on this issue. We are elected to be

leaders, not followers here. It is not our charge to just go along because the President shares our party affiliation, to throw out our long-held beliefs just because they might complicate our political standing.

PROTECTING THE VALUES OF FREEDOM

Now, Mr. President, let me speak for a few minutes on our unique standing in the world and the opportunities and responsibilities that come as a result of that standing.

From its very creation, the United States of America has played a vital role in world leadership. Our Founding Fathers showed how a band of colonies could not only break free from a despotic monarchy but could build a functional democracy on the sturdy scaffold of life, liberty, and the pursuit of happiness. They entrenched this hallowed trio of principles within our Declaration of Independence, making America the first country in the world to be born not of accidents of geography or of Tribe but of an idea—a powerful idea—the idea of freedom.

More than 100 years later, at the turn of the 20th century, one that would come to be called the American Century, President Theodore Roosevelt used his inaugural address to highlight America's role: A country that had broken free from tyranny had a moral obligation to help others do likewise.

Roosevelt said:

Much has been given us, and much will rightfully be expected from us. We have duties to others and duties to ourselves; and we can shirk neither. We have become a great nation, forced by the fact of its greatness into relations with other nations of the earth, and we must behave as befits a people with such responsibilities.

This declaration alerted Americans that the Nation had arrived at a new position of global leadership, and it remains as true today as it was then.

The 20th century saw the United States transition from being merely one voice for freedom and liberty to become the preeminent leader of that sacred cause across the world. In the 40 years that followed Roosevelt's speech, American men and women would twice be called on to fight for peace in the face of World War. Hundreds of thousands of Americans would selflessly lay down their lives for the freedom of others.

Indeed, nowhere in our national history has that been more clearly displayed than 74 years ago yesterday, when, on the beaches of Normandy, thousands of Americans paid the ultimate sacrifice to free our European allies from the most unspeakable tyranny the world has ever known.

Yet this Nation's transformation into an indispensable nation, a necessary nation, was not crafted by military might alone. It was our efforts to build up international institutions and norms aimed at fostering democratic ideals and free market principles that truly secured the global leadership some would now squander.

I believe President Reagan best described the importance of this broader

American role when, during an address to the British Parliament, in the depth of the Cold War, he said this:

Our military strength is a prerequisite to peace, but let it be clear we maintain this strength in the hope it will never be used, for the ultimate determinant in the struggle that's now going on in the world will not be bombs and rockets, but a test of wills and ideas, a trial of spiritual resolve, the values we hold, the beliefs we cherish, the ideals to which we are dedicated.

By 1945, the United States had contributed about half of the world's entire economic activity, and, in 1991, we emerged from the Cold War as the world's sole superpower. The Soviet Union was in a glorious free fall, shedding republics by the day. Eastern Europe was squinting out into the light of liberation for the first time in 40 years. Free markets and free minds were sweeping the world.

I vividly recall the fall of the Berlin Wall. At the time, I was in Africa, assisting in the transition to democracy of the newly independent country of Namibia, as it shrugged off the shackles of apartheid.

A continent away, a dissident playwright, Vaclav Havel, emerged from a Communist prison to become the President of a liberated Czechoslovakia. In appearing before a joint session of our Congress, he praised the powerful inspiration of American democracy, and he thanked us for liberating Europe, once again, "from the tyrant's grip."

Both 1945 and 1991 were moments of American global success, when this Nation could have easily chosen to have turned inward and to have left the rest of the community of nations to fend for themselves or we could have simply maintained our dominance through sheer economic supremacy and military strength. We chose neither.

Instead, we chose to build the foundations of a global order based on the values we venerate, the beliefs we cherish, the ideals we aspire to—a world in which leaders must earn the respect of their peers, not through the coercive tactics of bluster and threat but through the virtues of their actions and the wisdom of their policies.

Winston Churchill famously opined, "Democracy is the worst form of Government except for all those other forms that have been tried from time to time." It was a wry acknowledgment that however messy it may sometimes seem in practice, democracy's genius lies in its regular renewal of the people's mandate, what Thomas Jefferson called the "consent of the governed."

It is our responsibility to be the premier example of this democratic order. This is the golden thread that leads all the way back to our Founding Fathers, but today that golden thread of continuity is in danger of being snapped.

Today we appear to be turning our back on this responsibility—a responsibility upheld by previous generations—the same generations that crafted the Marshall Plan to rebuild Europe and Japan after World War II, helping to

shape our two most aggressive enemies into two of our most stalwart allies; the generations who crafted pivotal international organizations such as NATO, the United Nations, and the World Trade Organization, forums for multilateral compromise to take the place of war as the primary arbiter of conflict between nations; the generations who negotiated nuclear disarmament treaties, pulling us back from the brink of atomic Armageddon—but no more.

Instead we find ourselves today led by those who express admiration for authoritarianism in Russia, China, the Philippines, and other places that make common cause with bullies and who flirt with tyrants. We see a world descending into an atavistic tribalism, a political primitivism where dealings between nations are driven by fear and antagonism, bullying and threats, taunts and brinkmanship, rather than mutual benefit and comity.

We find ourselves led by those who would fall for isolationist instincts and antiquated, preindustrial, protectionist economic philosophies—the very same shortsighted nostrums that ushered in the Great Depression. Those who would reject the decades-long consensus on the virtues of free trade, open markets, international interdependence—the policies which have led to the greatest sustained growth our world has ever seen.

What shall our friends make of such erratic behavior? How will they respond to such confusing actions? Most importantly, how long will they remain our friends if this irrational approach continues?

Alliances, institutions, and pacts that took generations to patiently build, generations more to solidify, that were paid for in both blood and treasure, are shattered in an ill-tempered second, an ill-considered tantrum, a childish taunt here, a bellicose insult there, incoherent policy utterances, often as not by tweet, contradicted in the space of a single news cycle. Muddled and mercurial, this is not grownup leadership. Our allies are left baffled, confused, and often appalled.

Make no mistake, our allies and those who look to American leadership will not wait for us to come to our senses. If we abandon our role as a leader in the world today, it may very well not be there tomorrow. We saw this vividly displayed in the decision to withdraw from the Trans-Pacific Partnership. After we hastily withdrew from those negotiations, the 11 other countries involved did not go home. They did not give up on trade or come back to us on bended knee, begging us to rejoin the process. They simply shrugged and continued on their own, leaving us behind.

Countries in Southeast Asia that would prefer to be part of the American trade orbit will have no other choice than to be sucked into China's vortex. This is the same China our President

correctly acknowledges as America's primary global competitor. Once again, the absurdity of protectionist policies is laid bare.

The question facing us today is this: Do we really want to be the generation that finally gave in to the backward, regressive tug of American isolationism? Do we want future generations to refer to American leadership in the world only in the past tense, with a rueful nostalgia? Are we truly ready to abandon this “shining city on a hill” described by John Winthrop and echoed so eloquently by Ronald Reagan? Do we believe the United States of America is still “the last best hope on earth,” as Abraham Lincoln once proclaimed?

We are not perfect. We have faltered in our leadership at times; at others we have struggled to determine how best to project our national values, but it is our leadership as the designated driver of the vehicle of world order, the so-called Pax Americana that for more than 70 years has maintained unprecedented peace and prosperity throughout the world. Yes, the world we live in is far from perfect, but I believe it is a far better place as a result of American leadership.

It has been said that the universe abhors a vacuum, and if we do not lead, someone else will. Those who are most likely to do so do not share our democratic values. We should not wish for future generations of Americans to come of age in a world led by someone else.

“Freedom,” as John F. Kennedy once proclaimed, “is not merely a word or an abstract theory, but the most effective instrument for advancing the welfare of man.” We owe it to those generations who have come before us, and those who will come after us, to recognize that our defense of that freedom, in all its forms—from free speech and free thought to free markets and free trade—is not an act of recreation. Let us pointedly declare to those who would suggest otherwise that the crossroads in which we find ourselves is not the early innings of any game but a historic moment in which we will either affirm our commitment to the values that have served so well for so long or engage in a trade war that will only lead to economic disaster. Let us not falter in our mission to promote and protect the values of freedom. Let us not turn away from this most noble of responsibilities. Let us proudly take the torch passed to us from our parents and our parents' parents.

Let us continue to serve as a beacon of hope, a shining light of freedom seen across a volatile world. This light stretches from the lanterns in Boston's Old North Church, lit during the ride of Paul Revere, to the light that shines above our Capitol today. It is the light of freedom, the very spirit of America, and it must never be extinguished.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I thank Senator FLAKE for his comments, his willingness to speak out, and for the courage with which he has spoken. His beliefs, I think, are admirable, and this Senator wants to state that for the record. What he has spoken about does not look down the blind alley of partisanship. He is talking about looking at America, and this Senator appreciates his remarks.

CLIMATE CHANGE

Mr. President, I want to talk today about what is happening to the coastal communities in Florida. The Presiding Officer represents Alaska, the State that has the most coastline. Next to Alaska, my State of Florida has more coastline than any other State, and I would venture to say that since Alaska has very few beaches, it ought to be very clear that the State of Florida has more beaches than any other State. That, of course, is an attraction that becomes an economic engine because people from all over the world want to come to enjoy the sands of Florida's beaches and enjoy the bounty of nature the Lord has provided, but we better watch out because we are starting to mess it up.

Yesterday, NOAA, the National Oceanic and Atmospheric Administration, released data that the contiguous United States had the warmest May on record. The entire continent of the United States had the warmest May on record. The heat is having real-world impacts.

NOAA also released its “2017 State of High Tide Flooding and 2018 Outlook.” During 2017, the average high-tide flooding in the United States was the highest ever recorded. In 2018, NOAA predicts that high-tide flooding will be 60 percent more frequent across U.S. coastlines than it was 18 years ago in 2000, primarily because of the local sea level rise.

Doesn't this suggest something? In the lower latitudes, our seas are rising. It should not surprise us. It doesn't surprise this Senator. We got a glimpse of this when 4 years ago I took our Commerce Committee to Miami Beach and in fact had a hearing.

One of the witnesses was a NASA scientist, Dr. Piers Sellers, a prestigious scientist and former astronaut who, unfortunately, we lost to cancer just recently. At the hearing he said, “By the end of the century, the intensity of hurricanes . . . will increase . . . but even if hurricane frequency and intensity do not change, rising sea levels and coastal development will likely increase the impact of hurricanes and other coastal storms on those coastal communities and infrastructure.”

I would like to show a picture. A picture tells the real story. This shows a sunny day in Miami Beach—a sunny day when the king tide is flooding Miami Beach. OK. That is obvious, looking at it. This happens frequently at high tide.

What has the city of Miami Beach had to do? Spend tens of millions of

dollars on big pumps and raising the level of the road to try to alleviate this problem. This is happening with some frequency in South Florida. Dr. Sellers testified back in 2014 that not projections or forecasts but actual measurements showed the sea had risen over the last four decades 5 to 8 inches.

Let's take another look at other flooding. That photo was Miami Beach, which is down at the southeast part of the peninsula of Florida. This photo was taken in downtown Sarasota. Sarasota is on the Gulf Coast and is closer to the middle of the peninsula; in other words, about 150 miles north of the latitude of Miami Beach. The vice mayor brought me these pictures of Sarasota. Look at this car on the street. Pictures don't tell the full story.

We held another field hearing in West Palm Beach a year ago, and the Broward County resilience officer came to Palm Beach County for that hearing and showed a video of a man biking along the city of Fort Lauderdale, where the sidewalk is submerged in water. In other words, what has happened in Miami Beach is happening in the Las Olas section of Fort Lauderdale.

Then we took the committee to St. Petersburg, which is on the opposite coast, the gulf coast, where the city has designed its new pier out of floating docks to accommodate the rising sea as they rise up and down in Tampa Bay.

Or how about St. Augustine, where the public works department is seeing nuisance flooding from high tides that are overwhelming their storm water system.

All of these are examples of how sea level rise affects coastal Florida on sunny days, not rainstorm days. The NASA scientist at our hearing was talking about how climate could exacerbate damage from hurricanes. Why? Because if the water is warmer, that is the fuel for a hurricane, and that is what is sucked up into that vortex as the hurricane feeds itself. The hotter the water it is over, the more ferocious—and likely frequent—those storms will be. Warmer ocean water fuels hurricanes, making them more intense, and the sea level rise compounds the storm surge and the rain-induced flooding.

Let me show you another image. Here is an image that shows what Florida's coastal communities face when the Sun is not shining. This is during a rainstorm. Here is flooding in Jacksonville. Where is Jacksonville? It is at the north end of the peninsula. It is almost right next to the Georgia line. You can see a sign that says "no skateboarding" is almost completely engulfed by the rising water.

Then you think: What about a place further south on the latitudes, Puerto Rico? Hurricane Maria absolutely ravaged that island, and it is not an exaggeration to say that climate change and sea level rise are putting people's

lives and their property at risk. It is the reality.

I am going to continue to extend an invitation to our colleagues. I want you to come with me to Florida, and I want to show you these impacts. I have had the privilege of taking several of our colleagues to the Florida Everglades, where alligators are plentiful, to see this unusual ecosystem as we travel about in an airboat. I want you to come and see what is happening as a result of the rising water, and the real question is, What are we going to do about it?

There are two pieces to the solution. One is that we are going to have to stop putting so many greenhouse gases into the air. CO₂, which is carbon dioxide, and methane are the two big culprits. Part of the solution is climate mitigation, which means we must invest in new technology, in the economy of the future—things like wind, solar, electric vehicles, and more efficient buildings. We are going to have to make our communities more resilient to the greenhouse gasses and the warming that they already have caused in the system. This is called climate change adaptation.

You don't have to agree with climate science to know that it makes sense; it makes dollars and cents to do this. We are talking about strengthening our building codes to withstand wind events. We are talking about restoring the function of the floodplains so that when 2 to 3 feet of rainwater suddenly gets dumped in one place, it can absorb and gradually recede. We are talking about rebuilding natural flood protection, like sand dunes and beaches. In the Commerce Committee we have heard countless stories from local government officials that if they could have invested before the natural catastrophe that hit them, they would have saved the Federal Government a lot of money by avoiding the enormous cost of the disaster response and relief itself, not to mention reducing the risk to human life.

The proof is in front of our very eyes. The photos we have shown—let's show the rest of them here—don't lie. Yet here we are upon another hurricane season. Of course, we hope the big storms don't come, but the likelihood is that they will. Remember, they don't necessarily go just to Florida. Remember Hurricane Sandy? Look what it did to the Northeast.

We hope we don't see any more of these harrowing images. But, as we hope, we are going to have to act because what we have shown here in these photos today is not about projections; it is about real-time observation. Let's quit ignoring the obvious.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

ACCOMPLISHMENTS OF THE REPUBLICAN-LED CONGRESS

Mr. ALEXANDER. Mr. President, sometimes when I am traveling across Tennessee, someone will come up to me

and say: Why don't you guys in the U.S. Senate ever do anything? So I have taken to carrying around a little card that I keep in my pocket. I hand it to them and I say: Well, I can read this to you in about 30 seconds, and this is what has happened in the last 18 months: the best economy in 18 years; lower taxes; biggest reforms in 31 years; biggest increase in financial support for the military in 15 years; biggest pay raise in 8 years for the military; more repeal of regulations than anyone can remember; a Supreme Court Justice; 21 conservative appeals court judges; Alaska energy, which took 38 years, and the Presiding Officer knows all about that; a new National Labor Relations Board, which could be the most important change of all; repealed the ObamaCare individual mandate; the Dodd-Frank mortgage rules are gone; Veterans Choice, which the President signed yesterday; Iran, Russia, and North Korea sanctions.

All of that would not have happened without a Republican President, and it would not have happened without Republican majorities in the U.S. Congress. It took both.

The person who asks me "When are you guys ever going to do anything?" will often say "Well, I didn't know that; I hadn't realized that."

So I am very proud of that record; that is in 18 months. I think if you like a conservative government, a center-right government, you would have to agree that those are the most accomplishments in at least 30 years in this country. The President should be justly proud of that, and so should the Congress.

TARIFFS

Mr. President, despite the fact that I agree with President Trump on taxes, judges, regulations, and the list I just read, there is one area in which I have been supremely ineffective in persuading him, and that is in the area of tariffs.

I care about tariffs, especially because Tennessee has become, in many ways, the No. 1 auto state. I have spent a lot of time over the last 40 years watching the auto industry in Tennessee grow—ever since I helped to recruit the Nissan plant to Tennessee in 1980 as Governor at a time when we had literally no auto jobs—and suddenly today, one-third of our manufacturing jobs are auto jobs. They are not only in three big auto plants, like Nissan, General Motors, and Volkswagen, but they are in over 900 different auto suppliers in 88 of Tennessee's 95 counties.

Let me say that again: We have over 900 auto suppliers in 88 of 95 of Tennessee's counties—one-third of all of our manufacturing jobs. Nothing has done more in the last 40 years to move us from the third poorest State in average family incomes up toward the middle and heading toward the top. It has been the greatest source of benefit for Tennessee families of anything that has happened, so you can see why I become concerned when anything threatens that.

A 25-percent tariff on steel and a 10-percent tariff on aluminum threatens that because almost every one of those auto parts suppliers in Tennessee uses aluminum and steel in making their parts for cars and trucks that will be sold in the United States and exported around the world.

If your price goes up, what usually happens is your profits go down, your sales go down, and your wages don't go up as fast or jobs might disappear. That is what happened when President George W. Bush did something similar at the beginning of his term. I had just come to the U.S. Senate in 2003, and President Bush tried to protect the steel companies, but what he did was hurt everyone else more than the steel companies. There were more jobs lost in the companies that used steel than in the companies that produced steel.

Already, I am hearing stories all across our State about the effects of tariffs, and I was hearing stories about the potential effects of tariffs even before they were imposed. For example, not just auto parts but Electrolux—a big home appliance manufacturer planning a \$250 million new plant to make home appliances in Springfield, TN—buys 100 percent of its steel in the United States. But as soon as the steel tariffs were announced, it put that expansion on hold because when you raise the price of steel coming into the United States, then all the domestic suppliers raise their prices. Electrolux said that even though it bought all of its steel from U.S. suppliers, it couldn't be competitive in the marketplace with tariffs on imported steel. That is one example.

Here is a different kind of example. Bush Brothers in East Tennessee, in Newport, has a remarkable operation. They can one-third of all the beans in the United States. You have probably bought Bush Brothers beans. Well, the cans have a certain kind of steel that is mostly imported because not enough of it is made in the United States. Bush Brothers estimates that the tariff on steel will reduce their revenues by 8.5 percent. They are a big company. That is one-third of all beans in the United States. These aren't served in country clubs. These are people who are in ordinary homes around the country buying cans of baked beans. Their prices go up, and the revenues go down, profits go down, employees go down, jobs go down, and wages don't go up in Newport, TN.

Then we have two big tire companies in Tennessee. Bridgestone is one of them. All tires have a strengthening kind of steel to make them stronger. None of that is produced in the United States. All of it is imported. So when you put a 25-percent tax on that strengthening steel coming in for the tires there at Bridgestone and at Hankook, in Clarksville, TN, up goes the price for American consumers who buy tires, and down go the profits for Bridgestone and Hankook, and down go the revenues, and down go the opportunities for increased wages and jobs.

So think about the impact of a 25-percent increase on the materials you use to make parts in the companies that employ one-third of all the manufacturing jobs in Tennessee. We have a big, strong auto industry in the Southeastern United States. We think a lot about the Midwest, and we are proud of that. While the Midwest lost 3.6 million jobs in the last 20 years in the auto industry, the Southeast gained 3.6 million jobs. We have a good, strong auto industry in Tennessee, and we don't want to see it hurt.

That is why I have respectfully said to President Trump—I saw him in Nashville last week, and I said: Mr. President, as you know, I agree with you, and I am proud of what has happened with the best economy in the last 18 years with lower taxes, with fewer regulations, and all of those things. These are the most significant accomplishments in at least 30 years by a conservative government. I would like to persuade you to change your mind on tariffs. Our State is likely to be hurt more than any other State because, in many ways, we are the No. 1 auto State. What I would suggest, respectfully, is a focus shift from tariffs to reciprocity; in other words, say to every country: Please do for us what we do for you. We are going to insist on that. And then we have various tools and weapons—maybe including tariffs in some cases—to enforce that. But the goal should be, you do for us what we do for you.

Mexico and Canada can do that. That shouldn't be a problem. The trade deficit is not the right indicator with Mexico and Canada. We produce nearly 24 percent of all the money in the world in the United States. Mexico produces about 1 percent. So they spend 25 percent of their money buying stuff from us, and we spend one-fifth of 1 percent buying stuff from them.

Let's not focus on the trade deficit. Let's not start with tariffs. Say to other countries: Do for us what we do for you. Go country by country and enforce that. That would be consistent with all the other accomplishments that happened in the last 18 months. That would be consistent with the lower taxes and the fewer regulations and the other actions that have increased the best economy in the last 18 years. It is my hope that I can become more persuasive on that. Article I, section 8, gives Congress the specific right to deal with tariffs and trade, and I hope we do.

Madam President, if I may say one more thing about the vote we will be having at 12:30. Today the Senate is finally voting to confirm Ken Marcus, a well-qualified nominee, to serve as Assistant Secretary for Civil Rights at the Department of Education.

I worked to get a time agreement for this vote because Mr. Marcus did not deserve to be the subject of the Democrats' unreasonable and unnecessary obstruction and delays. I want to thank Senator MURRAY from Wash-

ington and the Democratic leader, Senator SCHUMER, for helping to bring these delays to a conclusion today.

For example, Mr. Marcus was nominated on October 30, 2017—220 days ago. He has been pending on the floor since the HELP Committee approved his nomination on January 18, 2018—140 days ago. To compare, President Obama's two nominees to this position, Russlynn Ali and Catherine Lhamon, were confirmed in 45 and 52 days, and both were confirmed by a voice vote. That doesn't mean that every Republican supported these nominees, but it means we knew that students would be better served when the Department of Education had a confirmed civil rights official in place even if Republicans might disagree with that person.

I would remind my colleagues that when President Obama proposed to have John King serve as Acting Secretary of Education for 1 year, I said: Mr. President, the country is better served and we are better served if you send us a nomination and let us confirm Mr. King, even though we disagree with him. The President did that. I made sure he was confirmed within a month. That is what should happen when a President makes nominations.

It is time to confirm Mr. Marcus and give Secretary DeVos and our country an Assistant Secretary for Civil Rights. Mr. Marcus has a deep understanding of civil rights law. He founded the Louis D. Brandeis Center for Human Rights Under Law and served as Staff Director for the U.S. Commission on Civil Rights for four years. He effectively served in this position before. When he worked in the Department of Education under President George W. Bush, he was delegated the authority of Assistant Secretary for Civil Rights. In that position, he was charged with enforcing civil rights laws, such as Title IX, and he issued guidance reminding schools of their obligation, established in regulation, to have in place Title IX coordinators and procedures for when there was an alleged Title IX violation.

Mr. Marcus enjoys wide support. Sixty-eight organizations signed letters supporting his nomination, including Hillel International, the largest Jewish campus organization in the world, which had this to say:

"Mr. Marcus has been a longtime champion for civil rights and for college students. We have worked personally with him on several campuses across the country in response to specific issues of bigotry and discrimination, and we have found him to be extremely skilled and knowledgeable in Civil Rights laws."

As Assistant Secretary for Civil Rights, Mr. Marcus will lead a very important office. The Office for Civil Rights has the responsibility of ensuring that Title IX and other civil rights laws, and the protections they provide to all students, are fully enforced. When Mr. Marcus is confirmed, he will get to work enforcing these laws so that all students feel safe at school.

I am glad we are having this vote today. I support the nomination, and I urge my colleagues to support Mr. Marcus as well.

I yield the floor.

Mr. SANDERS. Mr. President, I oppose the confirmation of Kenneth Marcus to be Assistant Secretary for Civil Rights at the Department of Education. Mr. Marcus has a long record of targeting First Amendment-protected speech and scholarship of people with whom he disagrees. His history also reflects a hostility towards civil rights, including making racially charged accusations and opposing affirmative action. In addition, Mr. Marcus has not publicly committed to upholding the civil rights protections of every student in the country, without regard to LGBTQI status, race, home language, gender, religion, disability, or immigration status.

I am particularly concerned with Mr. Marcus's nomination, given the important role that the Office of Civil Rights—OCR—plays in protecting students from discrimination in schools and on campuses, as well as holding schools accountable for their sexual assault prevention policies. As we are all aware, Secretary DeVos and Acting OCR Director Candice Jackson have already taken very concerning steps to roll back guidance and investigations of potential civil rights violations. Given his testimony before the Senate HELP committee, I fear Mr. Marcus will likely contribute to this troubling pattern of neglect at the Department.

According to a joint statement by UnidosUS and National Urban League: “Kenneth Marcus’ troubling record with regard to enforcing the rights of immigrant students and English learners, and past attempts to undermine critical policies aimed at remedying racial discrimination, including affirmative action. Mr. Marcus [also] has a demonstrated history of hostility toward affirmative action and all race-based remedies to discrimination. He lacks a commitment to enforcing civil rights protections for students of color, and does not believe in disparate-impact or unintentional discrimination. J Street released a statement expressing its concerns with Kenneth Marcus’ nomination, stating that “[s]tudents deserve an assistant secretary who will uphold all of our community’s values and priorities—including support for the fight against sexual violence and all forms of discrimination. We need government officials who will defend women and all those impacted by sexual violence, and who will fight this epidemic on college campuses and in our society. It’s evident that Marcus would be an obstacle and not an ally in this work. His record shows that he is not prepared to take a stand against the many forms of discrimination based on gender, race, sexual identity and disability that harm students today.”

In addition, the following various education, civil and disability rights

groups oppose the nomination: American Association of University Women, AAUW; American Federation of Teachers; American-Arab Anti-Discrimination Committee; Americans for Peace Now; Arab American Institute; Asian Americans Advancing Justice; Autistic Self Advocacy Network; Center for Law and Social Policy, CLASP; Disability Rights Education & Defense Fund; End Rape on Campus; Feminist Majority Foundation; Hispanic Federation; Human Rights Campaign; J Street; Jewish Voices for Peace; Lambda Legal; Lawyers’ Committee for Civil Rights Under Law; The Leadership Conference on Civil and Human Rights; League of United Latin American Citizens; Middle East Studies Association of North America; Muslim Advocates; NAACP; NAACP Legal Defense and Educational Fund; National Alliance for Partnerships in Equity, NAPE; National Bar Association; National Center for Lesbian Rights; National Center for Transgender Equality; National Council of Jewish Women; National Education Association; National Urban League; National Women’s Law Center; Know Your IX; People for American Way; Policy Link; Poverty & Race Research Action Council; Southeast Asia Resource Action Center; Southern Poverty Law Center; TASH; UnidosUS, formerly NCLR; and YWCA USA.

Given the widespread opposition to Mr. Marcus’s nomination, his troubling testimony in support of his confirmation, I cannot support his nomination. I urge my colleagues to likewise oppose it.

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

• Ms. DUCKWORTH. Mr. President, I rise today to oppose the nomination of Kenneth L. Marcus, of Virginia, to be Assistant Secretary for Civil Rights, Department of Education.

The U.S. Department of Education’s Office for Civil Rights, OCR, was established to address discrimination that prevents all students from receiving an equal opportunity to learn. No student should experience harmful discrimination because of their race, gender, disability, religion, ethnicity, sexual orientation, or gender identity.

Based on Mr. Marcus’s record and performance during his confirmation process, I have no confidence that he is ready to effectively lead OCR and robustly enforce civil rights protections throughout the country. Mr. Marcus’s demonstrated lack of commitment to the mission of OCR and his failure to understand that all children, regardless of citizenship status, have a right to attend public schools, are warning signs that the nominee is not the right person to lead OCR.

Students in Illinois and across the Nation deserve a leader of OCR who will actively investigate and enforce civil rights protections, particularly in cases where there is evidence of systemic discrimination. An unwillingness or inability to address comprehensive,

systemic discrimination in education is disqualifying, and I must oppose Mr. Marcus’s confirmation.●

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Kansas.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MORAN. Madam President, I want to speak briefly about the National Defense Authorization Act, which will soon be our topic of business.

I compliment the Armed Services Committee for their diligence and their efforts to authorize appropriations for our Armed Forces in a very thoughtful and deliberative manner.

I have submitted several amendments. I want to talk about a particular one to that underlying bill, amendment No. 2269, which is cosponsored by the senior Senator from Kansas, Mr. ROBERTS, as well as Senator GILLIBRAND from New York and the Democratic leader, Senator SCHUMER from New York.

Our amendment takes the same approach that the committee takes by addressing the Army’s internal process on force structure—to thoughtfully deliberate how and where the Army makes smart investments, which includes the stationing decisions for soldiers and families that have a consequence not only on those soldiers and families but also on the cost of defending our country for decades to come.

Fortunately, both the Department of Defense and the Army are now experiencing a much-needed period of time in which there is growth—opportunities for us to spend additional dollars to defend our Nation. Our Armed Forces are modernizing, and they are increasing their readiness and lethality to be in a position to better deter, confront, and defeat adversaries in a security environment more complex and volatile than possibly anytime in our country’s history, certainly within recent time. During this moment of growth, the Army ought not miss the opportunity to conduct due diligence in all of their decisions and invest wisely to pay down the cost in the future.

The Army is focusing on reform and seeking to maximize the value of every dollar, to operate transparently, and to appropriately use the resources that the Congress has entrusted to them. They are taxpayer dollars. With this focus on reform, transparency, and on using every dollar wisely, this amendment No. 2269 helps the Army maximize the value of every dollar, operate transparently with Congress, and appropriately use the resources entrusted to them.

I have been working with Army staff and senior leadership since February of this year to better understand their process, and I thank them for their efforts and the straightforward conversations we have had during this process.

Based upon our conversations and testimony, my amendment codifies the transparency they are seeking and updates to the Army’s stationing process that will better ensure that the Army

is making wiser decisions, more cost-effective decisions, and are making decisions that are beneficial in the long term.

Stationing decisions are long-term decisions. They will impact the Army for many years to come. If we have learned anything from recent budget cycles, as the Commandant of the Marine Corps, General Neller, said before our Appropriations Defense Subcommittee several times, it is that the only certainty is uncertainty.

The Army has the benefit of a growing budget right now, but in future years, there will surely be periods of fiscal stress and uncertainty where smart investments today will be paid forward.

Our intent with the amendment is to support the Army in making decisions based on fair, open, and comprehensive data—particularly long-term cost factors—that will help the Army save dollars in future years. Those savings can be put where they are desperately needed—toward training, supporting our soldiers and their families, sustaining our weapons, and increasing the Army's readiness and lethality.

I appreciate the help I have had from the Armed Services Committee, and I appreciate the chairman, Senator McCAIN, and his staff. I also appreciate very much my colleague from Oklahoma, Senator INHOFE, for his efforts in this regard. I appreciate their interest in my amendment.

I will be happy to respond to any questions my colleagues may have on the merits of this amendment.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

CHINA AND THE STUDENT VISA PROGRAM

Mr. CORNYN. Madam President, I thank my friend from Kansas.

I want to talk a little bit about a hearing I chaired yesterday, a Senate Judiciary Subcommittee on Immigration hearing that was called "Student Visa Integrity: Protecting Educational Opportunity and National Security." The point of the hearing was to raise awareness about a very serious issue and to hear from the Federal agencies responsible for our national security, visa policy, and the vetting of foreign nationals studying in the United States.

We hoped to shed light on policies and procedures that are in place, what should be in place but is not, and to address what has become a growing source of concern; that is, foreign countries taking advantage of their international students studying in the United States and turning them into intelligence assets or otherwise using them to gain information that will help other countries grow their economy and their military in a way that undermines U.S. leadership in both of those areas.

That issue relates primarily to China's aggressive plan to surpass the United States on all fronts—militarily, economically, and technologically—

and to do so by whatever means necessary. We already know that China is perhaps the No. 1 abuser of cyber space to steal intellectual property and to use that to advance its economy or its military. They have been very public about their ultimate goal; that is, to use whatever means they need in order to advance their economy or their military.

It is important to remember that China is not a democracy like ours. China is a Communist country guided by a doctrine that does not recognize the human rights or individual rights that we take for granted here in the United States and in other democracies.

They made it very clear what they intend to do. For example, in its "Made in China 2025" strategy, which is something that has been published—you can read it yourself—China is accelerating its efforts to acquire U.S. intellectual property and sensitive research. That is where our universities in particular come in.

Billions of Federal tax dollars—I think it is \$178 billion in the Omnibus appropriations bill alone—are given to universities to conduct research to benefit the American people and hopefully all of humankind. Some of that research is sensitive because it is classified research. We had, for example, the head of security at the Texas A&M University System talk about the steps they have taken to protect that from prying eyes because of the sensitivity of some of that research.

Universities are ground zero in this threat. This past February, Director Christopher Wray testified before the Senate Intelligence Committee in an open hearing about the security risk posed by certain Chinese students, visiting scientists, and scholars at American colleges and universities. His remarks were brief, and because of the sensitive and classified aspects of some part of what he said, he couldn't provide the full context and breadth in that open setting, but what he did say publicly was alarming. He said that the FBI is "watching warily" and that "naivete" was exacerbating the problem. What I think he meant by that is that people were simply unaware and thus unprepared for what was happening. He also made very clear that the Chinese Government was intent on doing whatever it needed to do—whether it is placing intelligence officers or other agents of the Chinese Government on campuses—to get the information they want.

We are fortunate to have the world's top universities and colleges, and they are known for their open research, which fosters collaboration and innovation across a broad array of industry sectors and academic disciplines. One of the crown jewels of our country is our colleges and universities and the research they do, but our openness is also a vulnerability when being exploited by other countries for their own purposes.

What is happening now, Director Wray says, is that foreign actors have taken advantage of that open environment and are using it to study, learn, and acquire sensitive information to the detriment of U.S. national security—and that is what we are primarily talking about here.

It is not an isolated problem. Director Wray said that the Federal Bureau of Investigation is actively monitoring universities in all of its 56 field offices across the country, not just in major cities. Nearly all students and visiting scholars come for legitimate reasons. I take that as a given. We are not talking about everybody; we are talking about the isolated few. But the danger still remains. Most are here to learn and share our culture and to contribute their talents to America.

I tend to think that our colleges and universities are the best elements of our soft power as a nation. When people come here and learn more about us and where we share values, perhaps even take those values back to their home country and serve as someone we can talk to and work with in the future, it promotes world peace, promotes mutual understanding, and, as I said, I think it is one of the most important elements of our soft power as a country.

I am not here suggesting that we ought to conflate Chinese Communist Party influence on all students and academics—far from it. Students from across the world are certainly welcome; we welcome them with open arms to come to study at our colleges and universities, and I encourage them to explore opportunities to do so.

What yesterday's hearing was actually about was not them but a small subset of people we should be concerned about—security risks, those who are here to steal and exploit our intellectual property and our national security and economic advantages, people who don't respect the rule of law as we do when it comes to intellectual property rights.

As the FBI Director said, we can't be naive. This theft is occurring. It has been well documented, and we have to take the necessary preventive measures to ensure that it doesn't continue.

By the way, I have mentioned one country, China, but certainly these concerns are not limited to China. There are more than 5,000 Russian students studying in the United States. There are other countries, including state sponsors of terrorism, like Iran, that have foreign students here, actively working to steal U.S. technology and bypass expensive research and development and exploit the student visa program to gain information that will benefit their countries.

I will just pause for a moment to say that we spend untold amounts of money in this country—taxpayers' hard-earned money—to research and develop the newest, most innovative products. That is true in the military sector and in the nonmilitary sector.

But when the American taxpayer pays to produce the necessary weapons and necessary infrastructure to protect us and our security, and other countries are actively trying to steal it and don't have to pay that research and development cost, we can see the obvious problem.

Yesterday's hearing exposed a bigger problem, and that is the issue of competing global visions. Communist China makes no secret of the fact that Karl Marx is, in effect, their national hero. There was a week-long celebration in China just last month, which included a mandatory study session, led by President Xi, of Marx's famous work, "The Communist Manifesto." Events like this show that China, while a rival, in some ways could be a wolf in sheep's clothing when it comes to its most aggressive tactics, which I mentioned just a moment ago. When it tries to present itself as a westernizing economy and a friend of the global community of nations, China conveniently ignores facts about its alternative development model and its state-controlled economy, the fact that it respects no law in pursuit of those policies. It also disguises and downplays its geopolitical aims—to rewrite the rules of our world order and recreate them in China's own image.

Whether it is China's increasing belligerence in places like the South China Sea, its crushing of internal political dissent, its flagrant human rights violations, or its population controls—like the one-child policy, which I understand has now been relaxed, but parents are not free to have all the children they want. It is controlled by the government; you have to ask the government's permission—China has repeatedly shown itself as a power-hungry authoritarian country, willing and able to violate the rights of its own people and dismissive and contemptuous of international norms and international law.

I don't intend to sound hyperbolic about this, but this is the truth. So let's not deceive ourselves into believing otherwise. That is what Director Christopher Wray of the FBI calls naïveté. Let's not be naïve. Let's be wary when China tries to just blend in internationally. Its rosy rhetoric and misleading narrative of cooperation are often camouflaged for its true and more troubling aims.

We know that there are high-level negotiations between the United States and the Chinese Government on the issue of trade, and that is a good thing.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. There is no time remaining for the majority.

Mr. CORNYN. Madam President, I ask unanimous consent for one minute to wrap up.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Madam President, I joined a number of other Senators, 27

Senators, to talk about ongoing trade negotiations with China. The main point of the letter was to emphasize that there is no question that China is actively seeking to surpass the United States economically and militarily. It is imperative that neither the Federal Government nor private U.S. companies abet that effort either deliberately or inadvertently.

When it comes to China, national security isn't just a pretext for economic protectionism. It should not be. I, like many of my colleagues, believe strongly in free trade, and we shouldn't use national security as a pretext for economic protection. But the national security concerns are indeed real, for example, in the ZTE matter, which is a subject of some debate—as it should be—and discussion here in the Congress following the negotiation by Secretary Ross of a deal that he is proposing.

For those of us who serve on the Intelligence Committee and on the Armed Services Committee, I assure you, the threat China poses is real, and the dangers we worry about are already taking effect. Our inaction could have only negative consequences, and we need to aim to prevent any future negative consequences for our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I come to the floor today to speak on the nomination of Kenneth Marcus to lead the Department of Education's Office for Civil Rights, a nomination we are going to vote on in just a few minutes.

First of all, I want to say that I am pleased President Trump and Secretary DeVos have moved away from their original choice for this position. I believe the current Acting Assistant Secretary, Candice Jackson, is unfit for this role and should be removed from her current position, not just because of the callous, insensitive, and egregious comments she made regarding sexual assault on college campuses but also because of the way she has worked to narrow the role of this office and back away from enforcing transgender students' rights and take away the tools and resources it has as an office to protect our students and actually move it away from its core mission. So as I have said before, I am very glad President Trump and Secretary DeVos decided to nominate someone else to replace Ms. Jackson.

Secondly, I want to thank this nominee, Kenneth Marcus, for his service over the years and for his commitment to the goal of halting discrimination on our college campuses, which is certainly an issue the OCR will face in light of incidents of hateful rhetoric and violence occurring on our campuses and in schools.

I respect Mr. Marcus's commitment, but right now, in this administration, it is not enough. We are now just a bit more than 500 days into President Trump's term, and when it comes to his record and his rhetoric on civil rights, I haven't been surprised once.

I want to start with his rhetoric. This is a President who kicked off his campaign by calling Mexicans criminals, who has called for a ban on all Muslims coming to America, who has openly ridiculed a journalist with a disability, who has openly demeaned women, who defended White supremacists rallying in Charlottesville by saying there were "many fine people" among them, who compared immigrants to "animals" and referred to entire countries with an expletive I will not repeat on the Senate floor. Sadly, I can go on.

It goes beyond his hateful rhetoric. President Trump has tried to implement that Muslim ban. He has actually rolled back guidance on enforcing transgender students' rights. He revoked title IX guidance, which protects women and helps bring perpetrators of sexual assault to justice, halted investigations into systemic discrimination, and has pushed his administration to engage in appalling behavior on our border, dehumanizing immigrants and separating kids from their families. That list goes on.

I feel very confident in saying that when it comes to civil rights, when it comes to the rights and safety of women, of people of color, of LGBTQ people, of people with disabilities, this President has purposefully fanned the flames of racism, ableism, bigotry, and sexism in ways that we have not seen in a generation, and anyone who cares about civil rights in America should be able to point that out.

That is why I was so disappointed that President Trump's nominee to lead the Department of Education's Office for Civil Rights could not answer one of my questions at his hearing. When I asked Mr. Marcus to name a single example of something President Trump has said or done that he disagrees with when it comes to discrimination or women's rights or civil rights, he couldn't say one—not a single example, and that is all I was looking for.

He could have talked about how President Trump has stoked hatred and division of Muslims and Latinos; maybe he disagreed with that. He could have talked about how President Trump has downplayed hate crimes against minority communities here in America; maybe he could have said he disagreed with that. He could have talked about how President Trump nominated Jeff Sessions to lead his Justice Department, someone with a record of opposing civil rights protections; maybe he disagreed with that. He could have talked about how President Trump named someone hostile to LGBTQ rights to lead the Office for Civil Rights in the Department of Health and Human Services; maybe he could have disagreed with that. He could have talked about any of the ways President Trump has tried to weaken and has actually weakened the office Mr. Marcus is nominated to lead; maybe he disagreed with that. Unfortunately, in this administration, there is

almost no end to the options Mr. Marcus had when I asked him a simple question, but we do not know where he stands because he wouldn't name a single thing—not one.

He said: "I really couldn't say, Senator." That was his response to my question.

There are reasons to oppose this nomination, but for me, this non-response to what should be an easy question was enough for me. We have to have someone in this position who is not only able to say that he disagrees with President Trump when it comes to civil rights; we need someone who is prepared to stand up to him. We need someone who is not only able to say they stand on the side of civil rights in the face of constant attacks; we need someone who is actually willing to disagree with their bosses—President Trump and Secretary DeVos—when civil rights are being threatened. But Mr. Marcus could not commit to me that he would do either, and that is something I simply cannot support.

I will be opposing this nomination, and I encourage my colleagues to do the same.

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.

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

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

Mrs. MURRAY. We yield back our time.

The PRESIDING OFFICER. All time is yielded back.

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

Mrs. MURRAY. 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 senior assistant 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 Connecticut (Mr. BLUMENTHAL), the Senator from Delaware (Mr. COONS), and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The result was announced—yeas 50, nays 46, as follows:

[Rollcall Vote No. 118 Ex.]

YEAS—50

Alexander	Boozman	Cassidy
Barrasso	Burr	Collins
Blunt	Capito	Corker

Cornyn	Hoever	Risch
Cotton	Hyde-Smith	Roberts
Crapo	Inhofe	Rounds
Cruz	Isakson	Rubio
Daines	Johnson	Sasse
Enzi	Kennedy	Scott
Ernst	Lankford	Shelby
Fischer	Lee	Sullivan
Flake	McConnell	Thune
Gardner	Moran	Tillis
Graham	Murkowski	Toomey
Grassley	Paul	Wicker
Hatch	Perdue	Young
Heller	Portman	

NAYS—46

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

NOT VOTING—4

Blumenthal	Duckworth
Coons	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 Senator from Oklahoma.

UNANIMOUS CONSENT REQUESTS— H.R. 5515

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate resume legislative session and resume consideration of the motion to proceed to H.R. 5515; further, that the motion be agreed to and Senator INHOFE—myself—or his designee be recognized to offer the substitute amendment, No. 2282, which is the text of the Senate-reported bill. I further ask that it be in order for Senator BOOZMAN or his designee to call up amendment No. 2276 and for Senator REED or his designee to call up amendment No. 2284 and that the amendments be debated concurrently, with the time equally divided until 2 p.m.; finally, that at 2 p.m., the Senate vote in relation to the Boozman and Reed amendments, in the order listed, with no second-degree amendments in order to the amendments prior to the votes.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, reserving the right to object, two bedrock principles of American jurisprudence are the presumption of innocence and the right to have a trial by jury. I have one amendment that I would ask unanimous consent be included in this bill. This amendment would ensure that no American would ever be held indefinitely in prison without having a trial by jury. I can't imagine why we can't have this. One Republican Senator has been blocking this for 6 years.

I object to this unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

Mr. PAUL. Mr. President, I ask unanimous consent that we allow my amendment to be heard and voted on in the upcoming bill.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. INHOFE. Mr. President, reserving the right to object, first of all, I agree with Senator PAUL's amendment and have agreed with his amendment, and I have made it very clear for a long period of time. Procedurally, I want to get to it, and it is my intention to have a vote on it. That will have to come after we are on the bill. We need to get on the bill first.

So I do object.

The PRESIDING OFFICER. Objection is heard.

LEGISLATIVE SESSION

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

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate resume legislative session and resume consideration of the motion to proceed to H.R. 5515. I further ask that notwithstanding rule XXII, the Senate vote on the motion to invoke cloture on the motion to proceed to H.R. 5515 at 1:45 p.m. today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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. INHOFE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise to continue my tribute to Nebraska's heroes and the current generation of men and women who have given their lives while defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a powerful story of answering the call to serve.

SERGEANT FIRST CLASS TRICIA JAMESON

Today I honor the life of Nebraska Army National Guard SFC Tricia Jameson.