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## House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, July 10, 2018, at 12 p.m.

## Senate

MONDAY, JULY 9, 2018

The Senate met at 3 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

### PRAYER

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

Let us pray.

Sacred God, You fill our hearts with songs. We are grateful for the hope, joy, and justice You bring to our world. Thank You that You will judge the world with righteousness and Your people with truth.

Guide our lawmakers. Lead them even through life's dark places, as they place their total trust in You. Lord, remind them that darkness is as light to You. Protect them from life's storms, for You are their help in ages past and their hope for years to come. Inspire them with Your joy, as You place Your peace in their hearts.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, July 9, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Mark Jeremy Bennett, of Hawaii, to be United States Circuit Judge for the Ninth Circuit.

### RECOGNITION OF THE MINORITY LEADER

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

### FILLING THE UPCOMING SUPREME COURT VACANCY

Mr. SCHUMER. Mr. President, as everyone knows, later tonight President Trump will announce his nomination for the upcoming vacancy on the Supreme Court. Whoever fills Justice Kennedy's seat will join an otherwise evenly divided Court and immediately obtain the ability to affect the laws of the United States and the rights of its citizens for generations to come.

Enormously important issues hang in the balance: the right of workers to organize, the pernicious influence of dark money in our politics, the right of Americans to marry whom they love, and the right to vote.

Two issues of similar and profound consequence are the fate of affordable healthcare and a woman's freedom to make the most sensitive medical decisions about her body. These two rights—affordable healthcare and a woman's freedom to make sensitive healthcare decisions—hang in the balance with this nominee. The views of President Trump's next Court nominee could very well determine whether the Senate approves or rejects this nomination.

President Trump has already made up his mind. President Trump has repeatedly said that he believes Roe was wrongly decided. He has promised, in his own words, to nominate only "pro-life judges" whose selection will result in the "automatic" overturning of Roe

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



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v. Wade. Those are his words: “pro-life judges” and “automatic.”

He also said that Chief Justice Roberts has been “an absolute disaster”—his words—for voting to uphold the healthcare law and said his judicial appointments “will do the right thing, unlike Bush’s appointee John Roberts, on ObamaCare.”

It is near impossible to imagine that President Trump would select a nominee who isn’t hostile to our healthcare law and to healthcare for millions and millions of Americans and who isn’t hostile to a woman’s freedom to make her own healthcare decisions.

We can be sure of this because President Trump, during the campaign, asked Leonard Leo, the founder of the Federalist Society, to assemble a list of possible Supreme Court Justices for him to pick from. Mr. Leo was not only aware of Candidate Trump’s preference for a Supreme Court that would reverse *Roe v. Wade*; he himself spent his career in pursuit of it.

That is not just my view. According to Edward Whelan, one of the most prominent legal conservative activists and bloggers, “no one has been more dedicated to the enterprise of building a Supreme Court that will overturn *Roe v. Wade* than the Federalist Society’s Leonard Leo.” No one has been more dedicated to overturning *Roe v. Wade* than the very man who chose the list of 25.

That is what we are up against here. That is why America is on tenterhooks, so worried about any choice from this list.

Let me repeat again that Mr. Leonard Leo is the man who assembled Trump’s list of potential Supreme Court nominees, and no one—no one—has been more dedicated to overturning *Roe v. Wade* than Leonard Leo.

Normally, in the Senate we have a process of advise and consent on the Supreme Court. In the old days, the President would consult with Republicans and Democrats in the Senate on a qualified judge and, then, after careful deliberations, nominate a jurist who could get bipartisan support. What we have here is the exact opposite.

The President has gone to two “far out of the mainstream” hard-right groups—the Heritage Foundation and the Federalist Society—and asked them, not the Senate, to advise and consent on a Supreme Court nomination.

Whoever the President selects tonight, if that nominee is from the preapproved list selected by Leo and the Heritage Foundation, everyone ought to understand what it means for the freedom of women to make their own healthcare decisions and for the protections for Americans with pre-existing conditions: Those rights will be gravely threatened.

We are going to hear a lot this summer about precedents. The traditional question in these matters has been: Will the nominee defer to precedent? Nominees will be asked if they respect

settled law. This is known as the principle of *stare decisis*. The nominee always answers that, yes, he or she will respect and defer to precedent, and Senators nod their heads, having received this rickety, vague assurance that the nominee will not rock the judicial boat and turn the clock back decades. But for two reasons, this standard of settled law—*stare decisis*—is no longer an adequate standard by which to judge nominees. Why?

First, we have ample evidence from the past several years of judges who have sworn in their confirmation hearings to respect precedent and then have reversed their stand once on the Court. For example, in his confirmation hearings, then-Judge Gorsuch said:

Precedent is like our shared family history of judges. It deserves our respect.

Last week—just last week—now-Justice Gorsuch voted to overturn 41 years of precedent in the *Janus* decision, relying on flimsy and fabricated legal theory. It was so flimsy, in fact, that Justice Kagan wrote in dissent that the majority overruled precedent, “for not exceptional or special reason, but because it never liked the decision . . . subverting all known principles of *stare decisis*.”

Justice Roberts—another person who swore he would obey precedent—said he would call balls and strikes as he saw them, that he would interpret law rather than make it. Of course, it was Justice Roberts who was then responsible for overturning 40 years of precedent in the *Citizens United* decision, which so set back our politics and so deepened the swamp that so many Americans despise, by allowing huge amounts of dark money, unreported, to cascade into our political system.

On two of the most important rulings in the history of the Roberts’ Court, a cumulative 81 years of precedent were thrown out the window, despite the earnest promises of Justices Roberts and Gorsuch at their hearings.

When they say they will obey settled law, you can’t believe it. You can’t believe it because it just hasn’t happened in this new conservative Court that is so eager to make law, not interpret it.

There is a second reason, which is maybe even more important, why the principle of “I will follow settled law” no longer works, and that is President Trump. We already know that President Trump’s nominee will be prepared to overturn the precedents of *Roe v. Wade* and *NFIB v. Sebelius*. We know that because President Trump has said so. When the President has a litmus test for his nominees and only chooses from a preapproved list of nominees designed to satisfy that litmus test, it is certainly not enough for a judge to prove his or her moderation by invoking *stare decisis*. *Stare decisis* and respect for precedent have become an almost meaningless bar to set for a Supreme Court nominee. At this critical juncture, with so many rights and liberties at stake, U.S. Senators and the American people should expect an af-

firmative statement of support for the personal liberties of all Americans from the next Supreme Court nominee.

The American people deserve to know what kind of a Justice President Trump’s nominee would be. President Trump is the one who made a litmus test for his nominee, not us. The onus is on his nominee to show where he or she might stand.

Considering the ample evidence that President Trump will only select a nominee who will undermine protection for Americans with preexisting conditions, give greater weight to corporate interests than the interests of our citizens no matter what precedent says, and vote to overturn *Roe v. Wade*, the next nominee has an obligation—a serious and solemn obligation—to share their personal views on these legal issues no matter whom President Trump selects tonight.

#### NORTH KOREA

Mr. President, briefly, on another matter—the ongoing negotiations with North Korea over their nuclear program. Despite all the reality show pomp and circumstance, the negotiations have, thus far, been a flop. After the summit, President Trump declared, without any evidence—that is so typical—that “North Korea is no longer a nuclear threat” to the United States. The reality, of course, is far different.

Recent reports have shown that North Korea is making upgrades to a nuclear facility and expanding ballistic missile manufacturing. Just a few days ago, North Korean media called the negotiations with Secretary of State Pompeo “deeply regrettable,” accusing the Trump administration of pushing “a unilateral and gangster-like demand for denuclearization.” Talks are going great, and then our side is accused of being gangster-like?

For the President to say North Korea is no longer a nuclear threat and then have North Korea’s Foreign Ministry come back and say what they said, shows the disconnect between President Trump’s rhetoric, the reality, and the sheer incompetence of this administration. For those who say—and I hear it all the time from many of my Republican friends in my State and throughout the country—they say: Look, we don’t like the President’s style. We wish he didn’t tweet so much, but we support him because he is “getting stuff done.” Take a look at the yawning gap between what the President claims and what he has actually achieved. On North Korea and on so many other issues—taxes and healthcare are two other examples—the President makes grand promises but fails to deliver for the American people.

#### HEALTHCARE

Finally, Mr. President, one word on healthcare. Another issue the President has failed to deliver on is healthcare. After promising far better and cheaper healthcare for all Americans, President Trump has relentlessly

sabotaged our healthcare system, undermined key protections for Americans with preexisting conditions, done all he can to see the premiums rise. Probably the No. 1 issue bothering America today is rising healthcare costs.

Last week, the Trump administration found another way to sabotage our existing healthcare system, suspending a critical program that stabilizes the healthcare insurance markets. This comes at a time when 2019 premiums are being filed, and insurers from coast to coast are saying the Republican sabotage is causing premiums to increase, to be much higher than they need to be. Many of these insurers are also saying that if the Trump administration enacts further sabotage, such as actions like this one and the expansion of junk plans that hurt people with preexisting conditions, then insurers may need to amend their rates and raise premiums even more. This relentless healthcare sabotage is politically motivated, spiteful, and accomplishes nothing except to raise costs on middle-class families and taxpayers. The Trump administration needs to fix this newest sabotage as quickly as possible. I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

FILLING THE UPCOMING SUPREME COURT VACANCY

Mr. CORNYN. Mr. President, this evening, the President of the United States will perform his duty and nominate a person to serve as the next Supreme Court Justice to fill the vacancy left by Associate Justice Anthony Kennedy, who announced his retirement at the end of July. I look forward to joining the President this evening, along with a number of my colleagues, for that historic announcement. It is an important day because the person selected will help decide many cases that will have a deep and lasting impact on American history. Certainly, Justice Kennedy played that role many times in many close cases.

There are a great many talented men and women who are qualified for Justice Kennedy's seat, I believe, and that is why the President's choice is so difficult. All of these candidates who have been identified as a potential pool of candidates have the intellectual capacity that has developed over many years, along with a rigorous understanding of the law. They have demonstrated their analytical skills in a variety of ways—by studying at top-tier law schools, clerking for well-respected judges on the courts of appeals and the Supreme Court, in their public speeches, in the courses they have taught, in the articles they have published, working at the highest levels inside government and prominent law firms, and, of course, in the case of the final four, serving on an appellate bench, which is the midlevel, intermediate Federal court which, for all practical purposes in most cases, is the court of last resort since the Supreme

Court only hears roughly 80 or so cases a year.

I know the President has considered a handful of these jurists. He revealed a list of potential appointees to the Court when he ran for President, and I think that probably was one reason why he was elected because when people saw the quality, the experience, and the qualifications of the individuals he said he would consider for the Supreme Court, I think it gave them greater confidence he would choose wisely, given the opportunity as President, to appoint somebody to the Court.

These individuals who are in the pool of prospective nominees have come from different academic and professional backgrounds, but I have no doubt the selection will be a good one primarily because of the one appointment the President has already made to the Supreme Court, which is Justice Neil Gorsuch.

Justice Gorsuch did not disappoint those of us who supported his nomination during his first year on the Court. He has demonstrated not only the power of his pen but the clarity of his thought and the force of his legal reasoning. I am sure his predecessor, Justice Scalia, would be proud of the fact Justice Gorsuch succeeded him on the Court and has left a record of accomplishments in such a short time.

President Trump and Justice Gorsuch taught us all a valuable lesson last year. At the end of the day, the decisions of the Supreme Court should not be much affected by the personalities or the life stories of the Justices themselves. That is because the interpretation of the law should always be separate and apart from the people who apply it, and the Justices and their work must be insulated from the day-to-day politics that happen inside this Capitol Building and the statehouses around the country.

The Court is not a partisan or political institution. After all, that is the way our Founders—the people who created this great country—and our Founding documents wanted it to be. Wisely, they figured there needed to be someone who would make a final decision in the event of a controversy or a lawsuit, but the Court itself should not put a finger on the scale or be a player in the partisan battles that occur here in Washington, DC. Indeed, the Court should be and is a separate and equal branch of government and must stand on its own, apart from the political biases and persuasions that pervade the District of Columbia. So I, along with many other people, am excited to hear the President's choice.

TRIBUTE TO JUSTICE ANTHONY KENNEDY

Before we begin this confirmation process, let me acknowledge the work and the legacy of departing Justice Kennedy. I thank Justice Kennedy for his 40-plus years serving this country on the Federal bench. He has presided over and authored the majority opinion in many high-stakes cases of national importance. He may be somewhat hard

to pigeonhole at times, but I think it is safe to say he has remained committed to upholding the integrity of the judiciary throughout the course of his career. As a former State supreme court justice myself, I can attest that the work of a judge is painstaking, time-consuming, but obviously extraordinarily important. So we are grateful to Justice Kennedy for his willingness, his ability, and his determination to carry out his important work as a Federal judge.

After being appointed by President Reagan and having served on the Supreme Court for the last three decades, he has furthered the pursuit of American justice one case at a time through calm times and turbulent times. He was an important member of the Court who recognized one's individual right to keep and bear arms under the Second Amendment, and he recently upheld the President's ability to protect national security and limit immigration from countries that have no ability to vet and to identify potential sources of terrorism in their own countries.

As Justice Kennedy concludes his tenure on the Court at the end of the month, we wish him and his wife, Mary, and his children many more happy years together.

FILLING THE UPCOMING COURT VACANCY

Mr. President, meanwhile, after the President's announcement this evening, the Senate will fulfill its constitutional role by providing advice and consent on whomever President Trump nominates. We plan to consider the nominee and his or her record thoroughly. That is our responsibility.

As the senior Democratic Senator from Connecticut said recently, "the Senate should do nothing to artificially delay" the consideration of the next Justice. I agree. It is also consistent with the standards set by former President Obama and Vice President Biden. In 2010, which was a midterm election, just like this year, Senate Democrats confirmed President Obama's nominee, Elena Kagan, to the Supreme Court.

After President Trump makes his selection, Senators will have the opportunity to meet with the nominee, examine his or her qualifications, debate them, and then vote. We will vote this fall to confirm Justice Kennedy's successor. I know Chairman GRASSLEY will manage a fair confirmation process in the Judiciary Committee. He always has.

It is crucial that as this process begins to unfold, the President's nominee not be subjected to personal attacks from an increasingly agitated and vitriolic Democratic Party. My frustration is that we used to debate an individual nominee's qualifications, but, as with the Gorsuch nomination, we have seen that anybody whom President Trump would nominate would be uniformly opposed by our friends across the aisle.

Based on what we have seen so far, we know that the confirmation process

will certainly be contentious. We hope that people will remind themselves of the benefits of civility and decorum. We have seen some of our friends across the aisle talk about the battle lines that are being drawn, and we have heard other hyperbolic language. They have indicated their unwavering opposition to President Trump's nominee no matter who he or she is and before they even know who he or she is. That is extremely disappointing.

Our colleagues' pledge to stop the nominee at all costs is not encouraging, to say the least. Yet I assure you we will not back down from the fight, and we will see President Trump's nominee confirmed on a timely basis, consistent with the confirmations of previous nominees. The stakes are too important, and the character of the eventual nominee, we expect, will be too high to allow these sorts of things to happen without our pushing back. The American people deserve better.

During the first 18 months of this administration, President Trump has nominated and we have confirmed 42 members of the Federal judiciary, including Justice Gorsuch. We look forward to another outstanding selection, and we will move efficiently and thoroughly throughout the confirmation process. Like I said, we will vote to confirm the President's nominee this fall.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

#### FILLING THE UPCOMING SUPREME COURT VACANCY

Mr. MCCONNELL. Mr. President, "sexist," "a disaster for women," "totally unacceptable"—these are just a few of the ad hominem attacks the far-left special interest groups hurled at a Federal circuit court judge whom a Republican President nominated to the Supreme Court. The name of the Federal judge—Anthony Kennedy.

After President Reagan nominated then-Judge Kennedy to the Court in 1987, these far-left special interest groups impinged his character. They cooked up apocalyptic warnings about all of the terrible things that would happen to Americans if he were to be confirmed to the Court. Of course, the American people didn't buy it, and a majority of Senators saw through the hyperbole and hysteria and confirmed that qualified nominee. Believe it or not, the sky didn't fall, but decades later, our Democratic colleagues still haven't tired of crying wolf whenever a Republican President nominates any-

one to the Supreme Court. We have seen this same movie time after time.

Less than 3 years after Justice Kennedy's confirmation, President Bush nominated David Souter to the Supreme Court. Guess what leftwing pressure groups said about David Souter right after President Bush selected him. That is right, the very same things we are hearing today. The same things you have heard from these same corners about every Supreme Court nominee named by a Republican President.

One organization proclaimed that Justice Souter might "undo the advances made by women, minorities, dissenters and other disadvantaged groups."

That was about Justice Souter.

Back in 1975, they assailed the nomination of John Paul Stevens. They said he lacked impartiality and opposed women's rights. That is what was said about John Paul Stevens. So these far-left groups have been at these same scare tactics for over 40 years. The consistency is really quite amazing. Decade after decade, nominee after nominee, the far-left script hardly changes at all.

Anyone and everyone the Republican President nominates to the Supreme Court is some kind of threat to the public, according to the hysterical press releases that inevitably follow. No matter their qualifications, no matter their record, no matter their reputation, it is the same hyperbole, the same accusations, the same old story.

Tonight, President Trump will announce his nominee to fill the current Supreme Court vacancy. We don't know whom he will name, but we already know exactly what unfair tactics the nominee will face. They will not be new, and they will not be warranted. We can expect to hear how they will destroy equal rights or demolish American healthcare or ruin our country in some other fictional way.

Justice Kennedy's resignation letter had barely arrived in the President's hands before several of our Democratic colleagues began declaring their blanket opposition to anyone and all—anyone the President might name. One Democratic Senator stated she would resist any attempt to confirm any nominee this year: "It doesn't matter who he is putting forward." It doesn't matter who.

Earlier today, just today, another Democratic Senator issued a press release declaring preemptively that he plans to oppose whomever the President nominates tonight, no matter who they are.

Another of our Democratic colleagues offered this assessment: "We are looking at the destruction of the Constitution of the United States as far as I can tell."

It is hard to keep a straight face when you hear stuff like that. There is not even a nominee yet. Justice Kennedy just announced his retirement, and they are talking about the destruc-

tion of the Constitution? Please, give the American people some credit. This far-left rhetoric comes out every single time, but the apocalypse never comes.

Americans see beyond this far-left fearmongering they have tried over and over again for 40 years, and Senators should do the same. We should evaluate this President's nominee fairly based on his or her qualifications, and we should treat the process with the respect and dignity it deserves.

The Judiciary Committee under the able leadership of Senator GRASSLEY will hold hearings, and the nomination will come to the full Senate for our consideration. One more round of 40-year-old scare tactics will not stop us from doing the right thing.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Florida.

Mr. NELSON. Madam President, I would just say to my friend the majority leader, that is exactly what I intend to do—to be fair, respectful, and talk with and have a conversation with the nominee and then exercise my judgment of what is in the best interest of the country as well as my State of Florida.

#### ALGAE BLOOMS IN FLORIDA

Madam President, I am here to talk about a condition that is in the State of Florida which is not a very good one.

What has happened is the accumulation of hot weather and extra nutrients in the water, aided and abetted by the release of fresh water as Lake Okeechobee rises. That water is having to be released because of the pressure on the dike. Excess water is released to the west in the Caloosahatchee River and to the east in the St. Lucie River, and all of that has created a condition—with the humidity and the heat of the summer—in which the water is so fully laden with nutrients that algae starts to grow, then it starts to bloom, and then it starts to get excessive. It is toxic. It is slimy. It is called blue-green algae, and the bloom is spreading over those waterways.

As a matter of fact, there are a lot of waterways in Florida that have an overgrowth of algae because of the excess nutrients in this water. This is particularly acute to the east of Lake Okeechobee and to the west of Lake Okeechobee.

This past week, this Senator went from one coast to the other. I started in Fort Myers examining the Caloosahatchee River and talking with the elected leadership and environmental leadership. I then flew on to the lake, landing at the Pahokee Airport. I went to the Belle Glade Marina along with my colleague from Florida, Congressman ALCEE HASTINGS. That is his district.

We had a townhall meeting there and were able to announce some good news. Congressman HASTINGS, Senator RUBIO, and I have requested the use of disaster relief money for the hurricanes—the last tranche was upward of \$80 billion. We asked to use a portion of that to help us speed up the construction of

the dike so it can be reinforced to hold more lake water without the communities around the lake being threatened that the dike might give way due to the pressure of the higher water levels of the lake.

At that meeting, we passed on the announcement from the U.S. Army Corps of Engineers and the White House, having utilized part of that money, their recommendation to utilize that \$80 billion as a source of money to speed up the dike construction.

That was a very welcome announcement, but it is only part of what has to be done. The algae is still there. The one thing I heard over and over from the people is, they are worried about the potential health risks associated with the algae bloom. They feel they are not getting timely, accurate information on what to look for and what they should do if a bloom takes place in the waterways in their particular area.

I want to give some idea of the situation by showing these pictures, which are from 2 years ago, but they are fairly accurate as to what we are seeing today. You can see the blue-green algae located where some boats are tied up. You can see the effects of this same kind of algae out in more of a brackish water estuary. We are talking about some serious growth of algae. That is not pretty.

Let me state that when this stuff starts rotting, the smell is awful. The question is, What are the health effects of this? The people are demanding answers. They want to know, and they should know.

One young woman in Fort Myers told me something that was really rather surprising. She is a diver, and she had been 20 miles out in the Gulf of Mexico. There she encountered the slimy green algae that is usually in more of the freshwater and perhaps brackish waterways. She said she couldn't believe it.

She told me she was worried that she may have been exposed to not just the toxic algae but also the red tide as well. That is another phenomenon that occurs in waters in the Gulf of Mexico. The red tide periodically appears. It is a toxin, and it is very noxious to human beings when it is breathed in. Of course, what the young woman who is a diver way out 20 miles in the Gulf of Mexico is saying is, when that blue-green algae meets the red tide, is that going to stimulate the red tide to release more toxins? We don't know.

We have the same questions from residents in Stuart, FL. After I left Lake Okeechobee, I flew to Stuart, which is on the Atlantic coast. I started on the gulf coast and went to the Atlantic coast by late afternoon, where they were worried as well about the potential consequences to their health from the algae.

Officials in Stuart were putting up signs in the emergency rooms warning people about the possible health risks. They were urging them to report any

algae sightings or exposure as soon as possible. Even with those precautions, we still don't know the full picture of what the algae could mean for people's long-term health.

That is why I have written to the Centers for Disease Control and Prevention, the CDC, to ask that they provide the people of Florida with the information they need, including the warning signs they need to look out for, the immediate health risk associated with swimming in or near the algae, or even breathing it in. That is just the short-term effect.

I have also asked the CDC to look into the possible long-term effects of the algae exposure so we can begin to take whatever protective steps now in order to protect the people living in and around these blooms.

Madam President, I ask unanimous consent that my letter to the Centers for Disease Control be printed in the RECORD.

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

U.S. SENATE,  
Washington, DC, July 9, 2018.

HON. ROBERT REDFIELD,  
*Director, Centers for Disease Control and Prevention, Atlanta, GA.*

DEAR DIRECTOR REDFIELD: As toxic, neon-green algae blooms once again coat Lake Okeechobee and spread to Florida's coasts, I'm writing to ask for emergency federal assistance to properly communicate the potential health risks associated with algae exposure, and a study of the long-term health effects, especially for vulnerable populations like children, the elderly, and fishermen who spend their days on the water. As I travel across Florida, I continue to hear from residents and officials that there is confusion about the potential health impacts of living near or coming into contact with algae, including cyanobacteria and *Karenia brevis*.

Last week, I visited with residents and community leaders in Fort Myers and Stuart, Florida, to discuss the algae plaguing the local waterways there and I repeatedly heard the same message: we need trustworthy, timely information about the potential health consequences of exposure to toxic algae for prolonged periods.

During the "lost summer" of 2016, the blue-green algae that overtook much of Florida's east coast was severe enough to garner national attention. Yet even then, local officials and residents say they did not receive enough information from state agencies about the quality of the water or the risks of exposure to toxic algae.

Floridians and tourists need to know with certainty whether or not the water is safe. If the Centers for Disease Control and Prevention needs a specific request from the state of Florida to provide assistance, and has not yet received one, please let me know. I appreciate your attention to this time-sensitive issue.

Sincerely,

BILL NELSON.

Mr. NELSON. Just last week, the Army Corps of Engineers announced that additional money, the \$514 million in disaster supplemental funding for the Herbert Hoover Dike, and that will complete that project earlier than 2025, accelerating completion to 2022, as Senator RUBIO and I had requested. This funding is on top of what we have

already spent over a decade and a half—\$1 billion shoring up the dike. This didn't happen just yesterday. This happened 15, 20 years ago, and we have already spent \$1 billion.

We are going to get it accelerated all the way to 2022. That is coming in time. While getting that additional funding to speed up work on the dike is certainly good news, it is important to remember that fixing the dike is important for public safety, to protect the communities that are living around Lake Okeechobee. It is not the solution to ending the discharges, and it is not solving the algae crisis. It is one step on the road to try to stop all of this algae bloom that occurs every year.

Once that dike is fully repaired, the Army Corps then expects to be able to store about 6 more inches of water. In a big lake like that, that is a lot of water. That is good news because that flexibility helps, especially during the algae bloom breakouts, because you can hold more water back in the lake and you don't have to dump it into the St. Lucie or the Caloosahatchee. The only way to end those damaging discharges is to move ahead with Everglades restoration projects north of the lake, as well as the projects designed to take water from the lake, clean it, and send it south, as Mother Nature initially intended it to go.

That is why we need to get critical projects like the Central Everglades Planning Project and the new reservoir in the Everglades Agricultural Area south of the lake moving as fast as we can. To do that, we need more than the small amount the President has requested for next year. In fact, we need upward of \$200 million a year to really start making progress in restoring the Everglades.

Voters in Florida overwhelmingly passed a constitutional amendment to dedicate a portion of the documentary stamp tax to land acquisition for environmental projects. Florida is sensitive to the environment, and that is why the voters voted an increase in the documentary stamp tax for themselves. What happened is that the government of the State of Florida hasn't been using that money for what the people intended when they voted in a referendum. Instead of using that money as it was intended, the State of Florida is trying to divert it to other purposes, such as filling in budget shortages or employees' salaries or other items unrelated to environmental expenses, and now we have suits that have tied all that up in litigation. It is further distracting from the overall goal of restoring the Everglades.

The Federal Government should take the lead and do what is right. We should move forward and fully fund the ongoing Everglades restoration projects. We also need to get the House of Representatives to pass the harmful algal bloom reauthorization bill, which was introduced by this Senator, and the Senate passed it unanimously a year ago. This bill would reauthorize

funding for the Federal task force that is studying the harmful algae blooms like the one I have been describing here.

I hope every Member of the Florida delegation—especially those who are in areas where water is allowing algae to bloom—will join this Senator in calling on the Speaker of the House to take up and pass this important bill in the House. We need to do it fast while all of this algae is blooming, and that would be before the House goes out in recess for their August break. Time is critical.

Again, I want to show you what this algae looks like. You can see these thick chunks on the surface of the water where it almost looks like a blue-green carpet. When that algae dies, you can't believe the smell that comes from it. We must act, and the time to act is now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FILLING THE UPCOMING SUPREME COURT  
VACANCY

Mr. GRASSLEY. Madam President, tonight the President will announce his nominee for Associate Justice of the Supreme Court of the United States. That announcement is because of a vacancy created by Justice Kennedy's recent retirement.

Justice Kennedy left an important legacy of more than three decades on the Supreme Court. I voted for his confirmation 30 years ago. Justice Kennedy demonstrated his deep commitment to our constitutional liberties. It is no surprise that some of his greatest opinions defended free speech and religious liberty. I hope Justice Kennedy's successor carries forward this legacy.

I am optimistic that the person the President nominates tonight will be highly qualified and committed to the rule of law. I am optimistic because President Trump already appointed one such Supreme Court Justice: Neil Gorsuch.

The President's selection process is the most transparent in history. He issued a list of potential Supreme Court nominees directly to the American people during his 2016 campaign. To my knowledge, no other Presidential candidate has ever done that. The list demonstrated the types of Justices he would appoint to the Bench. The American people voted for President Trump in part because of that list of names and what it reflected and his promise to nominate these types of jurists.

Any of the 25 people on the President's list would be an excellent choice and worthy of the Senate's serious consideration, but already we are seeing

from liberal outside groups and some of the Democratic leadership a desperate attempt to block the nominee—any nominee—by whatever means necessary. Democratic leaders have pledged to block anyone from the President's list without even knowing who that nominee is and regardless of his or her qualifications. Think about that a while. The President has a list of 25 names, but some Democratic leaders have already said that not one of them is acceptable, zero out of 25 highly respected, highly qualified individuals—not even worthy of this body's consideration. That is an incredible statement by some of the leaders on the other side of the aisle.

This preemptive attack on a yet-to-be-named nominee is a preview of the obstacles and calls for needless delays we are sure to see from some of my colleagues. I have already heard several weak arguments made in an attempt to delay the confirmation hearing, but the Democratic leaders have shown their hand. The motive is to block any nominee from the President's list. Whatever reasons for delay, it is clear that their single motivating factor is blocking the nominee selected tonight, whoever he or she is.

The first delay tactic I heard was that the Senate shouldn't confirm a nominee during a midterm election, but the Senate has never operated like that. Justice Kagan and Justice Breyer were confirmed in midterm election years, in addition to many Justices who served before them. Democratic leadership and outside groups are so desperate to block this nominee that they are willing to rewrite history to do it.

We have a long history of confirming Justices nominated during a midterm election year. We don't have a long history of confirming Justices nominated during a Presidential election year. It has been nearly 80 years since we have done that. Former chairman Joe Biden announced in 1992 that the Senate shouldn't confirm any Justices during a Presidential election year. Senator SCHUMER said something similar in 2007—the year before a Presidential election. The Biden-Schumer rule pertains only to Presidential elections, not midterm election years.

It is important to let the American people decide who should choose a nominee for a Supreme Court vacancy. That is why I waited until after the 2016 Presidential election to hold hearings for a Supreme Court nominee. But the individual who selects nominees—the President of the United States—is not on the ballot in midterm elections. The rule simply doesn't apply during a midterm election, and that is this year.

Another losing talking point is that we shouldn't confirm any nominee while Robert Mueller's investigation is ongoing. And who knows when that is going to end. This argument is again inconsistent with the historical precedent. Look at what President Clinton was involved in—an investigation of

that President over Whitewater. At the same time, Justice Breyer was appointed to the Supreme Court—at a time when the independent counsel was doing that investigation. At the time, his documents were under a grand jury subpoena. What other constitutional powers do the proponents of this argument believe that the President should surrender simply because of an investigation?

This is obstruction masquerading as silliness. What drives this preemptive obstruction, you might ask. It is liberal outside groups' stated fear that the President's nominee will vote to invalidate the Affordable Care Act or overturn *Roe v. Wade*. Well, the same five-Justice majority who preserved the Affordable Care Act is still on the Court. Justice Kennedy voted to strike it down. Replacing him with a like-minded Justice would not change the outcome. We hear the same thing about *Roe v. Wade* every time there is a Supreme Court vacancy. It was a big deal when Sandra Day O'Connor was appointed to the Court 37 years ago. Yet *Roe v. Wade* is still the law of the land.

It is pretty clear that Justices have a way of surprising us. Who could have predicted that Justice Scalia would strike down a ban on flag-burning? It is a fool's errand to try to predict how a Justice will rule on some hypothetical future case.

This regular uproar about *Roe v. Wade* shows the difference between how many Democrats and Republicans view the courts.

Liberal outside groups and many Democrats have a litmus test. They seem to be very results-oriented and focus on policy outcomes of judicial decisions. They expect—they even demand—their judges to rule in favor of their preferred policies. Liberal outside groups and their allies simply want judges to be politicians hiding under robes. That is why Senate Democrats were so blatant in changing Senate rules so that they could stack the DC Circuit Court of Appeals. Former Democratic leader Harry Reid made no bones about making sure there were enough DC Circuit judges to protect the Obama administration's policies on regulations.

Republicans, on the other hand, want judges who will rule according to the law and leave policymaking to elected representatives, where the Constitution prefers and demands that it be.

I don't want judges who decide cases based upon whether the results are liberal or conservative. Judges should rule according to the law, no matter what their views are on policy outcomes. Judge Gorsuch recently said that judges wear "robes, not capes." I agree with that assessment.

Liberal outside groups and their allies want judges who will decide cases with liberal policy results. Republicans expect judges to leave their policy aside when deciding a case. That is the

fundamental difference that will become crystal clear to the American people during this confirmation debate.

The Senate Judiciary Committee will hold a hearing for the nominee in the coming weeks. Exactly when, I don't know, and I shouldn't know at this point. I want to emphasize a few things, though. One, it is inappropriate for Senators to ask the nominee how he or she would rule on certain cases sometime in the near future or 10 years from now. Two, it is inappropriate to ask the nominee about his or her personal views on the merits of Supreme Court precedent.

The bottom line is that Senators should not try to extract assurances from nominees on how they will decide particular cases in exchange for a confirmation vote because how do you know down the road—1 year or 2 years or 15 years—what the case might be at that particular time?

Justice Ginsburg made it pretty simple for everybody. During her confirmation hearing in the early 1990s, she set the standard, promising, in her words, "no hints, no forecasts, no previews." She said this in a further long quote:

It would be wrong for me to say or to preview in this legislative chamber how I would cast my vote on questions the Supreme Court may be called upon to decide. Were I to rehearse here what I would say and how I would reason on such questions, I would act injudiciously.

This standard was reaffirmed by every Supreme Court nominee since then. For the last 25 or 26 years, the Ginsburg rule has been what is followed by other nominees for the Supreme Court. Justice Kagan said this about *Roe v. Wade*, following the Ginsburg rule:

I do not believe it would be appropriate for me to comment on the merits of *Roe v. Wade* other than to say that it is settled law entitled to precedential weight. The application of *Roe* to future cases, and even its continued validity, are issues likely to come before the Court in the future.

I expect this nominee announced tonight to likewise follow the Ginsburg standard. I will ask the nominee how he or she views the law and a Justice's role on the Bench. I will not presume to know how a nominee will rule on any case that might come before the Court today, tomorrow, or 10 years from now. I certainly will not be basing my vote on whether I think I will agree with the majority of his or her decisions.

The press has reported that the President has focused on six or seven potential nominees for this vacancy. Each one is well qualified and would make an outstanding Supreme Court Justice.

The nominee will get a full and fair hearing. Under my watch, the Senate Judiciary Committee will never be a rubberstamp. Several recent nominees to lower courts learned that the hard way.

The process will be fair and will be transparent, as much as I can make it.

That has been my approach during my nearly 38 years in the Senate—and all of those 38 years on the Senate Judiciary Committee—and I will not change that. The American people must be confident that this Senate has fulfilled its constitutional duty of very independently vetting this nominee before we confirm a Justice to a lifetime appointment on the highest Court in the land.

I eagerly await the President's announcement this evening. I look forward to hearing from the nominee when he or she appears before the Senate Judiciary Committee.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MORAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. HIRONO. Mr. President, I have been consistently voting against cloture motions to proceed to debate on judicial nominations because the process by which we are considering these nominations has been deeply broken.

I will again, today, be voting no on cloture even though the nominee we are voting on to fill a vacancy on the U.S. Court of Appeals for the Ninth Circuit is Mark Bennett from Hawaii. I support Mark Bennett's nomination, and I spoke on his behalf during the Senate Judiciary Committee hearing. When debate time ends, I will vote for his confirmation.

Mark is recognized as being one of the best qualified lawyers in the State of Hawaii. He has served as a Federal prosecutor, our State's attorney general, and in private practice. He has experience in trial and appellate work, on civil and criminal matters, at the State and Federal levels. He understands legislating and has served in the executive branch. He has received high ratings from the American Bar Association and from the Hawaii State Bar Association. He is well respected and has been honored multiple times by his colleagues.

I have every confidence that Mark will put his skills and experience to good use on the bench as a fair and impartial judge who is beholden to nothing but the law and the Constitution. However, as has been my practice since the beginning of this Congress and session, I will vote no on cloture on Mark's nomination. I will vote this way to call attention to my disagreement and deep concern over how the Senate Judiciary Committee is conducting its judicial nomination hearings.

The Senate has a constitutional obligation to provide advice and consent on judicial nominees, and I take this obligation very seriously. The American people depend on the Senate to fully consider and vet each judicial

nominee. Throughout the course of their lifetime appointments, these judges will issue rulings and opinions that will touch each of our lives. The process of nominating, considering, and confirming judges should be a deliberate one. Its purpose should not be to confirm as many judges as quickly as possible. Senators should be able to provide input on who should sit on the Federal bench. Senators should have adequate opportunity to hear from third-party experts about the records and qualifications of each nominee, and Senators should have enough time to question and examine a nominee during the confirmation hearing. Yet, over the past year and a half, we have seen a breakdown in the way this process should work.

The President has, essentially, outsourced the judicial selection process to two organizations that have strong, ideologically driven agendas—the Federalist Society and the Heritage Foundation. These nominees have been chosen without the consent of their home State Senators, as has been the practice through what is known as the blue-slip process. By ignoring the traditional blue-slip process, the President and his allies in Congress have been rendering the Senate's constitutional obligation to provide advice and consent increasingly meaningless.

The White House and the chairman of the Judiciary Committee have also undermined the independent processes through which the American Bar Association's Standing Committee on the Federal Judiciary evaluates whether a nominee is qualified for the job. Ignoring this traditional process has resulted in the nominations and confirmations of a number of deeply unqualified judges. Some of these nominees have been unable to answer basic questions about judicial procedure or the law during their confirmation hearings. Others lack the kind of experiences one would want in those who will have lifetime appointments to the Federal courts.

Under this administration, we have also seen the rushed considerations of many nominees for the Federal circuit courts. Judges who serve on our circuit courts are only one step away from the Supreme Court and deserve to be scrutinized closely in the Judiciary Committee. Over the last year and a half, however, the Judiciary Committee has overridden the objections of the minority to hold an unprecedented six nomination hearings with more than one circuit judge nominee being considered simultaneously on one panel. This means that members of the Judiciary Committee have only 5 minutes in total to ask questions of not just one but two circuit court nominees, including the time it takes for them to answer our questions. This is scarcely enough time to vet these nominees, many of whom are highly controversial and deserve maximum scrutiny. The American people deserve much more as we consider lifetime appointments to the Federal bench.

Until we return to a normal process through which we consider lifetime appointments to the Federal bench, I will continue to oppose cloture on each judicial nomination by this President and encourage my colleagues to join me in this effort.

I yield the floor.

#### CLOTURE MOTION

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

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Mark Jeremy Bennett, of Hawaii, to be United States Circuit Judge for the Ninth Circuit.

Mitch McConnell, John Cornyn, Deb Fischer, Mike Rounds, John Barrasso, John Hoeven, Roger F. Wicker, Shelley Moore Capito, Steve Daines, John Boozman, Orrin G. Hatch, Thom Tillis, David Perdue, Mike Crapo, Richard Burr, Pat Roberts, Johnny Isakson.

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

The question is, Is it the sense of the Senate that debate on the nomination of Mark Jeremy Bennett, of Hawaii, to be United States Circuit Judge for the Ninth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Nebraska (Mrs. FISCHER), the Senator from Arizona (Mr. MCCAIN), and the Senator from Alaska (Mr. SULLIVAN).

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

The yeas and nays resulted—yeas 72, nays 25, as follows:

[Rollcall Vote No. 144 Ex.]

#### YEAS—72

Alexander	Hassan	Perdue
Baldwin	Hatch	Peters
Bennet	Heinrich	Portman
Blumenthal	Heitkamp	Reed
Brown	Hyde-Smith	Roberts
Cantwell	Isakson	Rubio
Capito	Johnson	Sanders
Cardin	Jones	Schatz
Carper	Kaine	Schumer
Casey	Kennedy	Shaheen
Cassidy	King	Shelby
Collins	Klobuchar	Smith
Coons	Leahy	Stabenow
Corker	Lee	Tester
Cornyn	Manchin	Tillis
Cortez Masto	Markey	Toomey
Donnelly	McCaskill	Udall
Duckworth	McConnell	Van Hollen
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Gillibrand	Murkowski	Whitehouse
Graham	Murphy	Wicker
Grassley	Murray	Wyden
Harris	Nelson	Young

#### NAYS—25

Barrasso	Boozman	Crapo
Blunt	Burr	Cruz
Booker	Cotton	Daines

Enzi	Hoeven	Rounds
Ernst	Inhofe	Sasse
Flake	Lankford	Scott
Gardner	Moran	Thune
Heller	Paul	
Hirono	Risch	

#### NOT VOTING—3

Fischer	McCain	Sullivan
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The PRESIDING OFFICER. On this vote, the yeas are 72, the nays are 25.

The motion is agreed to.

The Senator from Ohio.

#### STRESS TESTS FOR BANKS

Mr. BROWN. Mr. President, earlier this month, the Fed released the results of its annual stress test—exercises designed to ensure that the largest banks can withstand economic shocks and will not need another taxpayer bailout in the event of a crisis. These stress tests were not in effect a decade ago before the last crisis and likely would have prevented—or made much softer—the economic landing that we had.

What happened with these annual stress tests that just came out illustrates exactly what is wrong with Washington, what is wrong with this Congress, and what is wrong with Wall Street.

The Fed allowed the seven largest banks to redirect \$96 billion—that is 96 thousand million—that should be used to pay workers, reduce fees for consumers, or protect taxpayers from bailouts. Instead, it allowed the seven largest banks to plow that money into share buybacks and dividends to reward wealthy executives and generally wealthy investors. Two banks, Goldman Sachs and Morgan Stanley, had capital below the required amounts. That is right. Those banks failed the test, but they got passing grades anyway. The Fed called them up, let them haggle over the test results, and allowed them to proceed with buybacks and dividends that drained their required capital.

In what classroom in America would a teacher grade a paper and preliminarily give it an F and then negotiate with the student over test results and then say, OK, you passed? But the stakes in this case are a lot higher than one midterm exam. We are talking about the biggest banks in the country. We are talking about whether they send money to the wealthiest investors or, instead, have enough skin in the game to protect taxpayers.

So why are these buybacks such a problem? Share buybacks and dividends juice stock prices but do little to increase long-term growth in companies and do very little to reward the workers who make a company's success possible.

During the last crisis, we saw big banks send money out the door with buybacks and dividends just months before they imploded and cost taxpayers billions. Watchdogs in the Bush administration had the tools to intervene sooner but, instead, courted Wall Street at the expense of the rest of the country. Some of those regulators

today were in the Treasury Department, in the Bush White House, and the Fed in those days and didn't see the crisis coming. They turned their backs and said: It is OK to allow these dividends and allow these stock buybacks.

Back to this year, the seven largest banks in the country increased their 2018 stock dividends paid to investors by 24 percent compared to last year. The banks that the Fed allowed to increase their stock buybacks increased their repurchases by a stunning 63 percent. What teller, what salesperson, what branch bank manager in Lorain, OH, Mansfield, OH, or Miamisburg, OH, got a raise like that in the last year?

My colleagues don't think much about this, but the average teller in America makes \$12.50 an hour. Bank executives are making \$5 million, \$10 million, and \$20 million, and they get big raises on top of that. They get stock buybacks, juicing their compensation as their stockholdings go up and up. Yet the average teller makes \$12.50 an hour.

Wells Fargo doubled its buybacks—an increase of more than 100 percent. The money spent on stock buybacks alone is 314 times more than what it would cost the bank to boost employee wages to \$15 an hour. Remember that the average teller makes \$12.50 an hour in this country.

Wells CEO Tim Sloan got a 36-percent raise last year, even in the wake of scandal after scandal. I found the ads you see all over the place, watching a Cleveland Indians game on TV, sitting in my living room in Cleveland. I have seen these ads in Washington. I have seen them all over—how Wells Fargo is going to learn from its past mistakes. They were once the greatest company, they failed, and now they will be a great company again. But they gave their CEO—who clearly has had some serious issues at that bank—a 36-percent raise.

Again, tellers make \$12.50 an hour. Wall Street banks are rewarding themselves rather than workers and, in the process, draining the capital that should be their safeguard against taxpayer bailouts.

I hear my colleagues on both sides of the aisle say: We will never allow a bailout again.

We are doing things that will set us up to do that because we are moving away from the reforms we made. The problem is getting worse. The Fed wants to make the tests even easier next year, weakening the key constraints that caused Goldman Sachs and Morgan Stanley to fail this year, or would have caused them to fail if they hadn't talked their way out of it. It is quite a student who can talk their teacher out of it.

Federal Reserve Vice Chair Randal Quarles has also floated giving more leeway to banks to comment on the tests before they are administered. I like Vice Chairman Quarles. I did not vote to confirm him. I like him. I respect him. I sat across the table from



him for 2 or 3 hours, probably total, over his time there. I assume I will get to know him better as we talk on these issues. But he was in the Bush administration as the crisis built and built, when the economy was about to implode. He said things were rosy. We are trusting him. He is the Vice Chair for Supervision. We are entrusting him and others at the Fed to say that it is OK to give leeway to bankers to comment on the tests before they are administered. It is like helping students write the exam. We wouldn't do it anywhere else, but we do it with banks who risk our economy with their instability.

They are even considering dropping the qualitative portion of the stress test altogether. That is the part of the test that examines banks' risk management processes, data systems, and the fitness of its very well-paid board of directors. I am not sure of the precise number, but boards of directors in the seven largest banks, I believe, all make at least \$200,000 a year. I know they average significantly more than that—for part-time jobs. They are important jobs. They also have other jobs—most of them—but jobs where they so often seem to turn their heads at all of these problems.

Banks such as Deutsche Bank, Santander, HSBC, RBS—all foreign-owned banks—and Citigroup, an American bank, have all failed on qualitative grounds before. But rather than taking that as evidence that these banks need to shape up, they are considering scrapping this critical part of the exam. The Dodd-Frank rollback bill that this Congress just passed will also make things worse next year.

Right now the Fed is considering how to replace existing stress tests for banks with between \$100 billion and \$250 billion in assets to make them easier on the banks and less frequent—easier on the banks and less frequent. Rather than having annual company-run stress tests for the largest banks—those with more than \$250 billion in assets—the tests now, because of the new law that bank lobbyists and President Trump wanted, will only be required to be periodic. They used to be annual. Now we are saying periodic. Who interprets “periodic”? A bunch of Fed regulators that have already shown to be too close to bank interests.

All of this test curving comes alongside the weakening of other financial protections: dismantling the Consumer Financial Protection Bureau, undermining the Volcker rule, weakening the Community Reinvestment Act—as if there is no discrimination in this country anymore—and loosening rules around bank capital.

Imagine if the people in this town listened as much to workers as they did to Wall Street bankers. But money talks in this town. Lobbyists talk, representing money. Wall Street talks, representing money. Executives talk, representing money.

We have very profitable banks—banks that taxpayers bailed out. Con-

gress in the last year gave these banks huge tax cuts. Congress passed a deregulation bill that these banks demanded. We saw an article in the paper recently that Wall Street is retooling its whole lobbyist network in Washington because they didn't get quite enough on the banking deregulation bill. They thought it did a lot for community banks and midsized banks but not enough for the big guys. So they are retooling. I am not making this up. They are retooling their operations so they can do better. You have a Vice Chair for Supervision who clearly favors Wall Street in the rules that he has already suggested.

Boy, it is good to be a bank. It is great to be a banker in America. It is great to be a banker in 2018. It is great to be a banker in Trump's America.

I yield the floor.

Mr. ENZI. Mr. President, I rise today to express my opposition to the nomination of Mark Bennett to be a circuit judge for the Ninth Circuit Court of Appeals.

Mr. Bennett has had a long legal career and has served as the attorney general of Hawaii. My concerns lie not in his resume, but in his public history of opposing constitutionally protected freedoms essential to our way of life.

I have been and always will be a defender of the right of people to keep and bear arms. Wyoming is a State full of law-abiding gun owners who grow up learning to respect firearms and how to use them responsibly. Folks use them for a variety of purposes, everything from self-defense to hunting to work.

As Hawaii's attorney general, Mr. Bennet joined four other State attorneys general in an amicus curie brief on behalf of the District of Columbia in the Supreme Court case *District of Columbia v. Heller*. The brief argued that the Second Amendment protects no individual right to bear arms. This position worries me that he would not uphold Supreme Court precedent on the Second Amendment.

At a time when so many critical issues are being litigated in our courts, I cannot vote to confirm a nominee with a background of opposing fundamental constitutional rights. Therefore, I must oppose the nomination of Mr. Bennett.

Thank you. The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, all postcloture time on the Bennett nomination be considered expired at 2:15 p.m. tomorrow and the Senate immediately vote on the nomination; that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

## TRIBUTE TO BARBARA PROFFITT

Mr. McCONNELL. Mr. President, today I am proud to recognize a remarkable woman who has been a constant presence in Hardin County for many years. Barbara Proffitt has meant so much to this community, and as she begins her long-awaited retirement, I would like to thank her for her decades of care and support.

For 30 years, Barbara represented Hardin Memorial Hospital as its community/guest relations coordinator. In her own description, she helps “get the word out about the hospital,” but for someone like Barbara, that meant a lot more than sitting behind a desk sending emails. Throughout Elizabethtown and the surrounding area, Barbara seemed to be everywhere, attending community meetings, special functions, and even driving the health group's car during parades.

Beyond her work at the hospital, Barbara supported her community and her neighbors in so many ways. Although she hasn't had a child attending North Hardin High School since the late 1970s, Barbara proudly continues to be the “team mom” of the boys' basketball team. Usually carrying bags of candy to share, she rarely misses a game and always seems to have a hug ready for every player, manager, and coach.

The close proximity between Barbara's home in Vine Grove to the U.S. Army installation at Fort Knox inspired another form of community work. Crediting her father's service in World War I and the service of her brother and husband in Korea, Barbara has made it her personal mission to support our Nation's men and women in uniform stationed at Fort Knox. She packs boxes of food for soldiers deployed overseas who are serving in Fort Knox's 1st Theater Sustainment Command. Barbara also bakes pecan pies for those at the installation, earning her the nickname she treasures: “Pie Lady.” Having tasted one of her pies myself, I can confirm just how delicious they are. Because of her longstanding generosity to those at the installation, Fort Knox awarded Barbara and her family with its Gold Neighbor Award. In her retirement, she has chosen to join a new mission called “No Vet Dies Alone,” providing comfort to our Nation's heroes in their final hours.

Barbara has also passed on her love of community service to her children,

Rhonda and Blake. As the current mayor of Vine Grove, Blake credits his mom's passion for others as what helped inspire his decision to enter public service.

After her last day at Hardin Memorial Hospital, Barbara began a well-deserved vacation. When she returns, however, no one expects her to slow down too much. As a local columnist wrote when he heard about her retirement, "For Barbara the word retire is a word, that's it. I am certain we still will see her around, everywhere we seem to go." I certainly hope we will. Today I am proud to join with the people of Hardin County in thanking Barbara Proffitt for taking care of so many in her community throughout the years. I ask my Senate colleagues to help me wish her a wonderful retirement.

Mr. President, the News-Enterprise in Elizabethtown recently published an article on Barbara's legacy of service to her community. I ask unanimous consent that a copy of the article be printed in the RECORD.

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

[From the News-Enterprise, May 6, 2018]

BARBARA PROFFITT: ONE OF HARDIN COUNTY'S TRUE GEMS

(By Jeff D'Alessio)

The first time I saw Barbara Proffitt I was standing in a hallway outside of the boys' basketball coaches office at North Hardin High School after a game in 1988.

I stood there, probably with a notebook and pen in hand. She stood there with candy bags in her hands—Tootsie Roll Pops and gum.

She saw me and scooted closer and said, "Are you the new guy?" I told her I was and best I can recall, now 30 years later, she told me to be nice to her boys and to Ronnie—the now legendary coach Ron Bevars.

And then she asked me if I wanted a Tootsie Pop and some gum.

Then I would see her at road games and tournaments, candy bags in tow, without fail, as was a hug for each player—star player or bench warmer—plus the managers and coaches.

I wondered what the deal was with this woman showing up at all these games with candy. The deal was this: That's who she is—kind to the core.

She would cheer, and boo occasionally, at games and she also was there to encourage and comfort. That's one of my Barbara Proffitt stories.

Here's another one or two. Those who know her, have many.

If she likes a column I write, she calls me. If she disagrees, she calls, I think she has once.

When our third granddaughter was born on New Year's Day 2017, she sat in the waiting room with my wife and me for a few minutes wanting to know how everything was going.

She parted with a hug, as she so often does.

The next day, she was there with gifts when McKenna was the first baby born for the year. Again, more hugs.

You see Barbara everywhere—dinners and parades, meetings and announcements.

She has plenty of energy for someone of any age, and for someone who gives and is on the go so much.

She has lived life at a quick pace and now it's time for her to slow down as she "re-

tires" from Hardin Memorial Hospital after 30 years. For Barbara the word retire is a word, that's it. I am certain we still will see her around, everywhere we seem to go.

It is who she is. She's a doer, not someone who stands on the sideline waiting for others to pitch in. I don't think she could stand to be sitting there watching others do what she is capable of doing.

When you talk about community gems in the people that make Hardin County what it is, Barbara is near the top of the list.

I remember Bevars telling me once she was as much apart of his highly successful program as anyone he could think of. She was there for her genuine love and concern for kids and coaches.

When I heard Barbara was retiring, I have to admit, I chuckled. I'm not sure how that word really applies to the most involved person I know.

Whatever it will mean to her, I hope it starts with years of good health and life fulfillment.

Aside from the Tootsie Pops, gum and hugs, there is much more to learn from Barbara: Being nice and genuinely kind-hearted are character traits that are hard to beat.

And you won't find many people, no matter where you go, nicer than Barbara.

#### TRIBUTE TO ALAN WATTS

Mr. McCONNELL. Mr. President, I would like to take a moment to congratulate Alan Watts, an indispensable broadcaster in western Kentucky, who will soon celebrate his 25th year with WKDZ/WHVO Radio in Cadiz. When the listeners of Caldwell, Christian, Lyon, Todd, and Trigg Counties tune in for the news, a trusted voice provides them with the information important to their lives.

Even before he graduated from high school, radio broadcasting had piqued Alan's interest. He worked part-time at WHOP in Hopkinsville through college, and he proudly remembers that his news career began when he attended a rally featuring Presidents Ronald Reagan and George H.W. Bush.

Alan's time at WKDZ began in 1993 not with a formal contract, but rather with a handwritten agreement with the owner, D.J. Everett. He started by answering phones, writing stories on an electric typewriter, and delivering the weekend news. As the station has grown and expanded during the last 25 years, Alan has taken on more responsibility and has become a well-known local figure.

On weekdays at 5 a.m., Alan goes on air for his "Morning Ag Report." The program debuted in 2008 with the mission to tell the southern Pennyrile region's agriculture story. In his own words, "Each morning I start my day at 3 with a much-needed cup of coffee and a fresh outlook on life." Bringing the latest news to farm families, Alan and his team have earned the strong support of the community, but he doesn't sign off after a single program. Alan also hosts the "WKDZ Country Club" program for 3 hours, sharing news and local events and hosting a number of guests. It is his way to help listeners throughout the region begin their day.

As if 4 hours of daily broadcast weren't enough, Alan doesn't stop there. This January, he became the host of the Kentucky Farm Bureau's "Across Kentucky" program that airs on more than 140 radio stations across the Commonwealth. He is also a frequent guest on RDF-TV, the first 24-hour TV network with programming focused on agribusiness and rural lifestyles. Winning such praise as the 2007 Kentucky Farm Bureau Communications Award and the 2018 Christian County Friend of Agriculture, Alan has clearly earned the respect of his listeners and his peers.

I have enjoyed my many opportunities to join Alan's program over the phone, in studio, and here in my office in the U.S. Capitol. Covering everything from farm bills to tax reform and the Supreme Court, we have discussed the issues that are important to western Kentucky. When I join his show, I know that my constituents in the region are listening.

I would like to thank Alan for his years of dedication to his agricultural community and, once again, to congratulate him on this milestone accomplishment. As he continues his impressive career, I send my best wishes to him, his wife, Susan, and their daughter Jennie. I urge my Senate colleagues to join me.

Mr. President, the Kentucky New Era recently published a profile on Alan's career. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Kentucky New Era, June 20, 2018]

ALAN WATTS: INTERVIEWS BEHIND THE CAMERA SET STAGE FOR CAREER IN BROADCASTING

(By Tonya S. Grace)

As a youngster, Alan Watts used to go to LaFayette and drop into Jimmy Landers' general store.

He recalls the seeds, which, much like the familiar penny candy sought by eager kids in past decades, were scooped up by the pound by families who bought them for planting on the farm.

"Jimmy Landers had a store (where you) dipped seeds out of a bucket," remembers Watts, a Herndon farm kid who grew up to become the news and farm director at WKDZ/WHVO Radio in Cadiz. "He had a dipper, and you would dip out however much you wanted, a pound or whatever."

Landers operated his store until 2003.

Five years later, Watts' Morning Ag Report debuted on the air, and it has gained a following of folks as nearby as Christian and Trigg counties, as far away as Stewart and Montgomery counties in Tennessee.

Now a resident of PeeDee in south Christian County, Watts has made a living apart from his life on the family farm; in almost three decades in broadcast journalism, he's seen four presidents in person, met Fox news journalist Geraldo Rivera (a tiny little guy, Watts says) and followed his fellow broadcaster and late mentor Dink Embry into the Washington, D.C.-based National Association of Farm Broadcasting.

Only 150 or so people are members of the organization whose programs and services promote agriculture throughout the country,

and Watts says he is honored to be counted among their ranks.

He considers the countless people whose stories he has shared with his broadcast audiences through the years and says it is those stories about people that he enjoys the most about what he does.

"I really care about the people I talk about and the people I do stories on," notes Watts, who celebrates his 25th year with WKDZ come August. "I really love to tell the story of people. It's nothing about me, but about the people you meet, the average common people who are wonderful people."

Some of the stories hurt, the one about the murders of three children in 2008 in Roaring Springs, for example, or more recently, about the murders four years ago of Trigg Countian Lindsey Champion, his wife and daughter.

Champion had been a listener as well as a guest of Watts' Morning Ag Report and was just "a genuinely nice man," Watts recalls. He has fond memories of Champion, who had been retired from the Farm Credit Services office in Hopkinsville and was active in his family's Champion Farms in Cadiz.

Through the years, Watts has gained an affinity, a closeness, with the people he speaks with in his capacity as a broadcaster, the folks who are the subjects of the stories that are his livelihood. There are those who know him even though he may actually have never met them before, Watts muses.

Worth it every day.

"They feel like they're a part of my life and I'm a part of their life," observes Watts, who is the second-longest tenured employee at WKDZ. "And that's what makes it worth it every day."

Seated recently inside the studios at the Cadiz station, Watts recalls how Embry, a longtime radio man at WHOP in Hopkinsville, and colleague Bob McGaughey at rival WKOA, first piqued his interest in the medium. The older men frequently interviewed Watts, then a teenager showing his family's cattle and sheep at the Western Kentucky State Fair, for their farm programs.

Watts found the process an intriguing one "Where I really got my interest was watching Dink Embry," Watts explains. "What Dink Embry did on the radio fascinated me."

He eventually began hanging out with Embry, helped him set up equipment and "enjoyed seeing what was going on and learning from him."

He began working part-time at WHOP in 1985 or 1986, conducting farm interviews for the station. Graduating from high school in 1986, he went on to Hopkinsville Community College before transferring to Western Kentucky University in Bowling Green, where he received a degree in mass communications with a minor in animal science. Were it not for radio, Watts says, a career in animal genetics would have captured his attention.

He continued to work at WHOP throughout college and, after graduating in 1990, began his career with the station, working as a disc jockey and announcer. For a brief time, he left radio for the insurance business.

But he discovered sales was not for him and so, in 1993, Embry made a phone call on Watts' behalf and spoke with owner D.J. Everett at WKDZ.

Watts came on board in August of that same year, just four months after Cindy Allen Lax, who is now the station's senior marketing specialist.

Watts says he likely is one of the few people who do not have a contract.

"D.J. never had me sign a contract," he recalls of the agreement handwritten on a piece of paper that signified his hiring at the radio station.

Everett, he notes, had great expectations of his new employee and was tough, but he

also became a great friend and mentor to Watts. From Everett, Watts learned a "tremendous amount of knowledge" that taught him how to look for news, how to gather it and how to report the news to listeners.

In his early days with the station, Watts wrote his news on a typewriter in the newsroom, and, at a time when the station had only four employees, he also helped answer the telephones and did things in the business office.

"In those days, you did everything," Watts recalls.

Agriculture is big.

At the time, he said he didn't address agriculture much but did incorporate it into his regular newscasts, something he made a point of doing because "agriculture is such a big industry here," he explains.

In 2007, Watts received the Kentucky Farm Bureau Communications Award, recognizing his efforts to highlight the work that farmers do while also helping others understand the importance of agriculture.

His Morning Ag Report with Alan Watts began the following year, its beginnings taking shape with the germ of an idea after he attended a meeting.

The Ag Edge website was developed not long after the morning show.

Watts and David Fourqurean, an ag extension agent in McLean County, were returning from a Farm Bureau meeting, and Watts decided WKDZ should do something, given agriculture's impact in the area and his knowledge of it.

The program airs from 5 to 6 a.m. Monday through Friday.

Fourqurean and other agents have been frequent guests on the popular program. Watts interviews local farmers, features agriculture-related things going on in the community and highlights other current news events.

People comment about how the program reminds them of growing up on the farm, and they talk about how much they enjoy the conversation.

Watts is mindful of listeners who live on the farm and elsewhere, and for those who are not involved in agriculture, there's a need to explain what that load of tobacco they're following down the highway means to them, he notes.

This past January Watts saw President Donald J. Trump when the president was a featured speaker at the American Farm Bureau Federation's annual convention in Nashville; Trump was interesting to see, noted Watts, who said the president connected so well with his rural audience on that day.

"He reminded me a lot of (former President Ronald) Reagan, with less finesse," Watts said of the 40th president known as "the great communicator."

Watts saw Reagan speak at Western's Diddle Arena, and he recalled the president's reaction when a balloon popped during his presentation.

Reagan, who was shot by attempted assassin John Hinckley Jr. in 1981, ducked upon hearing the noise and called out "Oh, you missed me."

In the ensuing years, Watts also saw former presidents Barack Obama and George W. Bush and interviewed former U.S. Secretary of Agriculture Tom Vilsack. These days, Watts is a frequent guest on RFD-TV, where he shares what is going on in agriculture in western Kentucky with viewers.

He has taken over as host and producer of Kentucky Farm Bureau's "Across Kentucky" broadcast and, in Cadiz, he co-hosts the Trigg County Farm Tour.

Earlier this year, Watts was named the 2018 Christian County Friend of Agriculture by the Christian County Agribusiness Association.

He notes that there are so many neat people to meet in agriculture, and Watts, who rises early every morning to prepare for his Morning Ag Report, declares that he looks forward to those early mornings every day.

"I don't think there's anything I'd rather do," he says of his love of agriculture and of the people he meets in his local community. "It's still fun and exciting every day."

Watts and his wife Susan Watts have a daughter, 10-year-old Jennie Watts, who continues to work on her family's farm in south Christian County.

## SOUTH SUDAN

Mr. MENENDEZ. Mr. President, I rise to bring attention to the ongoing conflict in South Sudan, and call on the administration to take further action to help find a sustainable diplomatic solution.

Today, July 9, is South Sudan's Independence Day. Instead of celebrating the seventh birthday of the world's newest nation, we find ourselves lamenting the human costs of South Sudan's 4-and-a-half year old civil war. The situation has created the largest refugee crisis in Africa. An estimated 4.5 million people have been forcibly displaced. An estimated 300,000 people may have been killed since 2013, but the death toll could be far, far greater.

The humanitarian situation is dire. Seven million people—60 percent of the population—require humanitarian assistance. Insecurity has disrupted farming cycles, grazing patterns, and trade routes; local markets have collapsed. Food prices have skyrocketed. Over 1 million South Sudanese children are facing acute malnutrition, and parts of South Sudan may be experiencing famine. While the United States, along with other donors, has taken measures to help those in need, our efforts have been thwarted on a variety of fronts. Relief supplies have been repeatedly looted. Government restrictions and insecurity hinder relief efforts.

The war has been characterized by horrific human rights violations. The U.N. Mission in South Sudan reports that, from the outset of the conflict, "Civilians were not only caught up in the violence, they were directly targeted, often along ethnic lines." The U.N. Commission on Human Rights in South Sudan suggests that ethnic cleansing has occurred. Forces on both sides have reportedly engaged in widespread sexual violence. An attack on a residence for aid workers in Juba in July 2016, during which Americans were assaulted and a local journalist killed, highlighted the dangers facing aid workers and other expatriates. According to the U.N., over 100 aid workers have been killed since the war began. Hundreds of attacks on humanitarian workers were reported in 2017. U.N. officials assert that targeted attacks against civilians, humanitarians, and U.N. personnel in South Sudan by government and opposition forces may constitute war crimes or crimes against humanity.

Just last month, Reuters reported that the ceasefire monitoring group set up as part of the 2015 Agreement on the Resolution of the Conflict in South Sudan known as the ARCSS has evidence that South Sudan's army has massacred civilians, burned children alive, and gang-raped women since the ceasefire agreement reached in December 2017.

In the worst incident detailed in the reports, a group of 200 government soldiers attacked the village of Nyatot in Upper Nile state on February 12. Civilian survivors interviewed said they were "shooting randomly at everything and everybody." Twenty-two civilians were killed and 72 wounded. South Sudan has denied targeting civilians and called the reports, compiled in the last 3 months, exaggerated. Despite pressure from the international community, the reports have yet to be released publicly. If these reports are true, perpetrators must be held accountable.

The U.N. Security Council ramped up its threats to impose sanctions against six key individuals in South Sudan if the fighting continued and no compromise was reached by the end of June. Under this most recent threat of sanctions, President Salva Kiir and rival leader Riek Machar held their first meeting since the 2015 deal collapsed in mid-2016. They have signed yet another agreement and imposed a ceasefire, but before the ink was dry, there were allegations that government forces violated the ceasefire and reports that Machar's group—the Sudan People's Liberation Movement-in-Opposition—was opposed to key elements contained therein, putting the agreement at risk.

The Intergovernmental Authority on Development, IGAD, also said it was developing punitive measures against violators of the ceasefire agreement, although it is uncertain whether this will materialize in a region that has been reticent to impose sanctions.

The United States played a key role in helping create the 2005 Comprehensive Peace Agreement that laid the groundwork for the 2011 referendum on self-determination, through which the people of South Sudan overwhelmingly voted for independence. We have a role to play in helping the people of South Sudan secure their future and find peace. The administration has taken some steps, including imposing targeted sanctions on individuals who threaten the peace, security, or stability of South Sudan, a bilateral arms embargo, and Commerce Department actions against South Sudanese companies in the oil sector. USAID Administrator Mark Green traveled to the country in September 2017 and pressed for a ceasefire and humanitarian access. U.N. Ambassador Nikki Haley visited Juba and Sudanese refugees in October 2017 and has pursued Security Council sanctions on those who are obstacles to peace. Undersecretary for Terrorism and Financial Intelligence,

Sigal Mandelker, was in east Africa last month, where she urged countries to stop illicit money flows from South Sudan into neighboring countries. These actions are welcome. However, such engagements have been too sporadic to generate sustained diplomatic momentum. Millions of South Sudanese continue to suffer.

Despite what seem like positive developments in recent weeks, if past is prologue, we should all be very concerned about whether the agreement will hold. We must position ourselves to support it if it does not collapse, but we must also be prepared to help find a way to a sustainable peace if it does. High-level U.S. engagement has proven decisive in achieving peace in the past; it could make all the difference now, either in helping support this latest agreement or in forging a new diplomatic solution.

I urge the administration to redouble its efforts on South Sudan by taking the following steps: Consider the appointment of a special envoy for Sudan and South Sudan. Addressing the conflict in South Sudan will take concerted time effort and attention. If the Democratic Republic of Congo, north-eastern Nigeria, the Central African Republic, and Mali weren't all in some form of crisis or another, our newly confirmed Assistant Secretary of State for African Affairs might be able to devote the necessary time and resources towards the shuttle diplomacy and intense negotiations required to end the conflict in South Sudan, but time is a luxury that we don't have. During his confirmation hearing to be Secretary of State in April, Mike Pompeo committed to reviewing the utility of assigning a special envoy to South Sudan. When he appeared before the committee to defend the administration's Fiscal Year 2019 budget request in May, Secretary Pompeo indicated that he had not yet reviewed the issue. Mr. Secretary, the people of South Sudan have suffered long enough. It is time for a decision.

Develop a strategy, in coordination with partners and allies, for incentivizing each of the member states of IGAD, the east African regional body leading negotiations, to take constructive and decisive actions aimed at ending the conflict. IGAD's efforts to date have been commendable, but it is clear that, when it comes to developing and implementing meaningful consequences for nonadherence to past agreements, competing bilateral interests of member states have overtaken effective collective action by the body. Unless member states are willing to place peace in South Sudan above narrow parochial interests, IGAD will continue to fail, and the people of South Sudan will continue to pay the price. IGAD should lead the international community in imposing an arms embargo and targeted sanctions, including a travel ban and an asset freeze if this last initiative fails. Member states should stop any and all ma-

terial support they may be providing to the government in Juba, and we must make clear that failure to do so will affect our bilateral relationship with each of the countries in IGAD.

Improve coordination with allies. The other members of the Troika were taken by surprise by our announcement in May that we are reviewing our assistance to South Sudan. Administration officials consistently say that America first does not mean America alone. If that is the case, we need to stop taking unilateral action. We should ensure that our partners—if they really are our partners—are apprised of actions in advance of our announcing them. I am not suggesting we give them veto authority over U.S. policy. I am suggesting that we work in concert with them so that our actions have more impact. If we consult, we might just find that they want to cooperate with us.

Finally, we should maintain pressure in the Security Council. I am pleased that Ambassador Haley has continued to pursue U.N. sanctions, and I support her efforts. It is evident that the one thing that those in power in Juba care about is protecting their self-interests. Let's stop the supply of arms and materiel and hit the parties to the conflict where it hurts: their pocket books.

Mr. President, I truly hope the news coming out of the region is an indicator that things are finally moving in the right direction, but there is ample room for doubt. I urge the administration to better prepare to help the people of South Sudan reach the goals at the birth of their new nation, tragically derailed by civil war and an indifference of their leaders to their suffering.

#### TRIBUTE TO JASON SEAMAN

Mr. DONNELLY. Mr. President, today, I rise to recognize and honor the extraordinary courage of Noblesville West Middle School teacher Jason Seaman. Jason's actions on May 25 to protect his classroom of students during a shooting at the school in Noblesville, IN, exemplified his selflessness, dedication to his job, and the deep commitment he has to his students, the school, and the entire community.

Jason graduated in 2007 from Mahomet-Seymour High School in Mahomet, IL, where he was a star athlete. He went on to play college football at Southern Illinois University and earned a degree in elementary education. Prior to teaching at Noblesville West, Jason was an instructional assistant at Harrison Parkway Elementary School in Fishers, IN. In 2014, he was hired at Noblesville West, where he currently teaches science to seventh graders and coaches football and track. Jason is described by his fellow teachers as a devoted colleague.

On the morning of Friday, May 25, just after 9 A.M., an armed student entered Jason's classroom and opened

fire. Jason intervened, distracting the assailant with a basketball and tackling him. In the process, Jason was injured. According to news reports, he was shot three times: in the abdomen, hip, and forearm. Jason underwent surgery and was released a day later from the hospital. In the aftermath of the shooting, instead of seeking attention, Jason focused on others; he thanked first responders for their actions, his students for their support, and turned his attention to the other victim, encouraging others to help the family of student Ella Whistler, who was critically injured, by donating to help cover her medical expenses. In addressing the shooting, Jason revealed a lot about his character in the way he talked about it. In brief public remarks, he said, in part, "I want to make it clear that my actions on that day in my mind were the only acceptable actions I could have done given the circumstances. I deeply care for our students and their well-being. That is why I did what I did that day."

Because of Jason's heroic actions, witnesses say that more students were not hurt, and he helped to save an unknown number of students' lives. Jason's courage and commitment to his students represent the very best of Hoosier values.

Jason set an example for others and has been rightfully recognized as the hero he truly is. Let us strive to emulate the example this man has set for us and honor his dedication to his students and community. On behalf of Hoosiers, we all owe an enormous debt of gratitude to this exceptional man.

#### 125TH ANNIVERSARY OF THE HOTEL WOLF

Mr. BARRASSO. Mr. President, I rise today to commemorate the 125th anniversary of the Hotel Wolf in Saratoga, WY. Known as the Grand Old Lady of the Platte Valley, the hotel, which was once a hub for tie hacks, railroad workers, and miners, has a rich legacy of service.

Hotel Wolf was established in 1883 by Frederick Wolf, a German immigrant. In 1869, following his service as a soldier in the German Army, he and his wife, Christina, came to America. He worked for the Central Michigan Railroad before moving during the westward expansion. Wolf was a foreman for the Union Pacific Railroad in Rawlins, WY. In 1887, Wolf moved to Saratoga, seeking relief from rheumatism in the community famous for its local hot springs, which were believed to own curative properties. It was here he conceived, built, and operated the Hotel Wolf.

Wolf christened the building with a masquerade ball on New Year's Eve and opened for guests January 10, 1894. The building quickly became a popular local watering hole and destination for travelers moving through the area. In addition, it was a stop along the C.M. Scribner stage line, which ran between

Encampment and Walcott. Today, Frederick Wolf's great-great-grandson Neil Gorsuch serves with distinction as a U.S. Supreme Court Justice.

Although the hotel has seen a number of changes since its opening, its ownership has changed hands only five times. Several years after Wolf's death in 1910, the hotel was sold to George "Baldy" Sisson, who changed the name to Hotel Sisson. In 1937, Earl Moore purchased the property, returning the hotel to its original name. Earl died in 1947, and his wife, Mary, continued operations for the next 30 years. Under Mary's leadership, the Hotel Wolf was listed on the National Register of Historic Places in 1974. Finally, in 1977, Mary sold the property to Doug and Kathleen Campbell and partner Michael Self. The partnership ended in 1983, and Doug and Kathy became the hotel's sole proprietors.

The Campbells have been remarkable stewards ever since. Like Mary Moore, they strive to preserve the architectural integrity of the building. Every renovation or upgrade enhances the hotel's spirit of Western heritage. Guests who stay often remark on the authentic decor and friendly staff. Their excellent hospitality was rewarded with the 2018 "Big WYO" Award from the Wyoming Lodging and Restaurant Association and the Wyoming Department of Tourism. This year, the Campbells will celebrate 41 years of hotel ownership. In 2017, Doug and Kathy celebrated 50 years of marriage. These milestones are certainly worthy of recognition and praise.

The Hotel Wolf has several exciting events planned in honor of its 125th anniversary. In addition to a commemorative menu, vintage merchandise, and a family photo gallery, nationally recognized author C. J. Box will host a signing of his latest book, "The Disappeared." The book references room No. 9 of the historic hotel. Box, who owns a cabin in Riverside, WY, is well-known throughout the Platte River Valley, having served as the director of Saratoga's Chamber of Commerce.

It is an honor to celebrate the 125th anniversary of the Hotel Wolf. I share my thanks with Doug and Kathy Campbell for their incredible stewardship of this historic gem. I am certain their children Jason and D'Ron Campbell, Judd Campbell and Nora Asbury, and Meghan and Torrey Pedersen—as well as the memory of Kirsten Campbell—are equally as proud. Doug and Kathy also have seven grandchildren: Kaitlyn, Jaden, Douglass, and Anthony Campbell, Burgan and Ava Campbell, and Simon Pedersen.

I invite my colleagues to visit the Hotel Wolf and Saratoga to experience all that the remarkable Platte River Valley has to offer.

100TH ANNIVERSARY OF THE PENNSYLVANIA AMERICAN LEGION

Mr. TOOMEY. Mr. President, I wish to recognize the Pennsylvania American Legion on its 100th anniversary.

The Pennsylvania American Legion was chartered in 1919 by veterans returning from WWI with the goal of serving local communities, the State, and the Nation. Since then, the Pennsylvania American Legion has been a prominent advocate for the rights and entitlements of veterans. As one of the largest departments in the national organization, Pennsylvania has nearly 200,000 Legion members promoting the awareness of veterans' issues throughout the Commonwealth.

Over the last 100 years, the American Legion has played a leading role in advocating on behalf of veterans in Pennsylvania and across America. The Legion was vital in the decision to expand the Veterans Bureau hospitals, a forerunner to the Department of Veterans Affairs, in 1924. During WWII, the American Legion was instrumental in crafting the GI Bill, which provides mortgage, medical, employment, disability, and educational assistance to returning veterans.

In recent years, the Pennsylvania American Legion has continued to honor its commitment to veterans and the community. It has expanded the Housing for Homeless Veterans program, which aids homeless and drug-dependent veterans across the Commonwealth. The Legion also provides numerous academic, athletic, and scouting programs designed to mentor youth.

The Pennsylvania American Legion is also dedicated to representing men and women in uniform. It continues to build upon its founding principles of a strong national defense, caring for veterans, mentoring youth, and promoting patriotism.

Today I want to recognize the significant contributions the Pennsylvania American Legion has made to the Commonwealth of Pennsylvania and its continued service to the nearly 1 million veterans across the State. I wish the members of the Pennsylvania American Legion all the best as they celebrate a century of service and the enduring commitment to support the veterans and servicemen and servicewomen of Pennsylvania with dignity and honor.

Thank you.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO CHRIS "JAKE" JAKUBIAK

● Mr. SANDERS. Mr. President, I would like to take a moment to speak about the very important role that emergency medical services play in our communities. Moreover, in rural areas like my State of Vermont, many of these ambulance drivers, paramedics,

and emergency medical technicians are volunteers, making significant personal and financial sacrifices to keep the rest of us safe. We owe them all a very deep debt of gratitude.

In particular, I would like to mention one individual from my State of Vermont: Chris “Jake” Jakubiak. This year, the American Ambulance Association honored Chris as a “Star of Life,” for his exceptional skills and commitment to his patients and community. In addition to his full-time job, for the past 14 years, Chris has served as a part-time emergency medical technician. Chris has also been a volunteer firefighter for the past 31 years. To my mind, this kind of selfless service to his community makes Chris a true hero.

Of course, Chris is not alone in this regard. Emergency medical services are a critical component of a robust primary care system in the health infrastructure in Vermont and all across the country; yet it is clear they face significant challenges in terms of recruiting and retaining volunteers, stocking enough medication, and accessing essential equipment. To my mind, if a person is willing to risk their life to protect others, then we in Congress should be able to provide them with the resources they need to do the job. That should include incentives for young people to become paramedics and emergency medical technicians and funding for these providers to purchase enough naloxone and EpiPens and maintain emergency vehicles, among other solutions.

At a time when we are relying more and more on our first responders to protect our communities from crises like the opioid epidemic and natural disasters, we must do everything we can to support these hard-working and dedicated neighbors. ●

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

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

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

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on July 6, 2018, during the adjournment of the Senate,

received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. MCHENRY) had signed the following enrolled bills and joint resolution:

H.R. 770. An act to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes.

H.R. 2061. An act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

S. J. Res 60. Joint resolution providing for the reappointment of Barbara M. Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

#### MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5515) 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:

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. NUNES, STEWART, and SCHIFF.

From the Committee on the Budget, for consideration of sections 1252 and 1523 of the House bill, and sections 4, 1002, 1032, and 1721 of the Senate amendment, and modifications committed to conference: Messrs. WOMACK and YARMUTH.

From the Committee on Education and the Workforce, for consideration of sections 228, 563, 564, 1094, and 3120C of the House bill, and sections 561-63 of the Senate amendment, and modifications committed to conference: Ms. POXX and Mr. SCOTT of Virginia.

From the Committee on Energy and Commerce, for consideration of sections 701, 712, 1083, 1096, 3111-13, 3118, 3119, 3132, and 4305 of the House bill, and sections 315, 601, 714, 3111-15, 5802, and 7509 of the Senate amendment, and modifications committed to conference: Messrs. WALDEN, HUDSON, and PALLONE.

From the Committee on Financial Services, for consideration of sections 12990-2 and 1236 of the House bill, and modifications committed to conference: Messrs. HENSARLING, BARR, and Ms. MAXINE WATERS of California.

From the Committee on Foreign Affairs, for consideration of sections 346, 1042, 1202-06, 1210, 1211, 1221-23, 1230A, 1230D, 1230F, 1231, 1234, 1236, 1237, 1239, 1240, 1254-56, 1264, 1267, 1268, 1271, 1274, 1276, 1278, 1280, 1282, 1288, 12990-1, 12990-2, 12990-3, 12990-4, 1301, 1302, 1521, 1522, and 3116 of the House bill, and section 331, 1061, 1063, 1201-04, 1207, 1211, 1213, 1221-23, 1231-33, 1241, 1244, 1245, 1261, 1262, 1264-66, 1269, 1301, 1302, 1531, 1622, 1623, 1654, 3113, 3116, 6002, 6202-04, 6701, and 6702 of the Senate amendment, and modifications committed to conference: Messrs. ROYCE of California, MAST, and ENGEL.

From the Committee on Homeland Security, for consideration of section 1634 of the House bill, and modifications committed to conference: Messrs. MCCAUL, RATCLIFFE, and THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of sections 826, 1043, 1050B, 1073, 1074, 1079, 1085, 1087, 1090, 12990-2, 4319, and 4710 of the House bill, and sections 1025, 1035, and 1715 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, SENSENBRENNER, and NADLER.

From the Committee on Natural Resources, for consideration of sections 313, 314, 316, 342, 1043, 1076, 1079, 2822, 2830, 2830A, 2831, 2832, 2845-47, 3402, 3549, 4810, 4837, division E, and section 6101 of the House bill, and sections 601, 2833, 2836, and 7518 of the Senate amendment, and modifications committed to conference: Messrs. WESTERMAN and GRIMALVA.

From the Committee on Oversight and Government Reform, for consideration of sections 506, 511, 569, 822, 831, 832, 834, 835, 860, 875, 880-84, 886, 917, 1101-11, 4711, and 4829 of the House bill, and sections 568, 595, 607, 632, 702, 813, 902, 937, 1101-05, 1122-25, 1254B, 1628, 1639, 1640, 1716, 1726, 2835, and 6702 of the Senate amendment, and modifications committed to conference: Messrs. SANFORD, ROSS, and LYNCH.

From the Committee on Science, Space, and Technology, for consideration of sections 854, 858, and 1603 of the House bill, and sections 893 and 1604 of the Senate amendment, and modifications committed to conference: Messrs. SMITH of Texas, LUCAS, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Small Business, for consideration of sections 811, 851-58, 861, 863-68, and 2803 of the House bill, and sections 893, 1626, and 6006 of the Senate amendment, and modifications committed to conference: Messrs. CHABOT, KNIGHT, and Ms. VELÁZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of sections 518, 554, 883, 1044, 1049, 1050B, 1075, 1095, 1111, 2848, 3501, 3504, 3522-25, 3528, 3529, and division D of the House bill, and sections 153, 556, 601, 1604, 3501, 3502, 7501, 7502, 7507-09, 7515, and 7517 of the Senate amendment, and modifications committed to conference: Mrs. COMSTOCK and Ms. BROWNLEY of California.

From the Committee on Veterans' Affairs, for consideration of sections 547, 552, 582, 1411, and 2844 of the House bill, and sections 721, 726, and 1431 of the Senate amendment, and modifications committed to conference: Messrs. ROE of Tennessee, POLIQUIN, and WALZ.

From the Committee on Ways and Means, for consideration of section 701 of the House bill, and section 6201 of the Senate amendment, and modifications committed to conference: Messrs. REICHERT, ROSKAM, and NEAL.

For consideration of sections 313, 314, 316, 342, 1043, 1076, 1079, 1252, 1523, 2822, 2830, 2830A, 2831, 2832, 2845-47, 3402, 3549, 4810, 4837, division E, and section 6101 of the House bill and sections 4, 601, 1002, 1032, 1721, 2833, 2836, and 7518 of the Senate amendment, and modifications committed to conference: Mr. BERGMAN.

For consideration of sections 228, 518, 554, 563, 564, 883, 1044, 1049, 1050B, 1075, 1094, 1095, 1111, 2848, 3120C, 3501, 3504, 3522-25, 3528, 3529, and division D of the House bill and sections 153, 556, 561-63, 601, 1604, 3501, 3502, 7501, 7502, 7507-09, 7515, and 7517 of the Senate amendment, and modifications committed to conference: Mr. LEWIS of Minnesota.

The message also announced that pursuant to section 50802 of the Bipartisan Budget Act of 2018 (Public Law

115-123), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on Social Impact Partnerships: Dr. James Sullivan of South Bend, Indiana.

The message further announced that pursuant to the National Foundation on the Arts and Humanities Act of 1965 (20 U.S.C. 955(b)), and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the National Council on the Arts: Mr. GLENN THOMPSON of Pennsylvania.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2511. A bill to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes (Rept. No. 115-291).

S. 2717. A bill to reauthorize provisions relating to the Maritime Administration (Rept. No. 115-292).

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 808. A bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 1112. A bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 3029. A bill to revise and extend the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. KLOBUCHAR:

S. 3183. A bill to require large ticket agents to adopt minimum customer service standards for the purchase of air fares and related passenger air transportation services; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET:

S. 3184. A bill to amend title 38, United States Code, to modify the requirements for applications for construction of State home facilities to increase the maximum percentage of nonveterans allowed to be treated at such facilities, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. SMITH:

S. 3185. A bill to support the preparation and retention of outstanding educators in all

fields to ensure a bright future for children and youth in under-resourced and under-served communities in the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Mr. JONES):

S. 3186. A bill to require the Internal Revenue Service to establish, incrementally over five years, a nationwide program to provide personal identification numbers to taxpayers to help prevent tax-related identity theft; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. WYDEN (for himself, Mr. MERKLEY, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. CARPER, Ms. STABENOW, Ms. CANTWELL, Ms. HIRONO, and Ms. HARRIS):

S. Res. 569. A resolution recognizing the importance of public park and recreation facilities and activities and providing for the designation of the month of July 2018 as "Park and Recreation Month"; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 108

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 108, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 236

At the request of Mr. WYDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 389

At the request of Mr. WYDEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 389, a bill to amend the Internal Revenue Code of 1986 to ensure that kombucha is exempt from any excise taxes and regulations imposed on alcoholic beverages.

S. 521

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 521, a bill to make the National Parks and Federal Recreational Lands Pass available at a discount to veterans.

S. 888

At the request of Mr. GRASSLEY, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor

of S. 888, a bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory.

S. 1212

At the request of Mrs. FEINSTEIN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 1212, a bill to provide family members of an individual who they fear is a danger to himself, herself, or others, and law enforcement, with new tools to prevent gun violence.

S. 1242

At the request of Mr. SANDERS, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1242, a bill to provide for increases in the Federal minimum wage, and for other purposes.

S. 2265

At the request of Mr. CRUZ, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 2265, a bill to promote democracy and the rule of law in Nicaragua, and for other purposes.

S. 2436

At the request of Mr. DAINES, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2436, a bill to amend the Internal Revenue Code of 1986 to limit the amount of certain qualified conservation contributions.

S. 2554

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2554, a bill to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

S. 2597

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

S. 2835

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2835, a bill to require a study of the well-being of the newsprint and publishing industry in the United States, and for other purposes.

S. 2881

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2881, a bill to direct the Secretary of Veterans Affairs to seek to enter into an agreement with the city of Vallejo, California, for the transfer of Mare Island Naval Cemetery in Vallejo, California, and for other purposes.

S. 2961

At the request of Mr. BLUNT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2961, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 3013

At the request of Mr. CORKER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 3013, a bill to amend the Trade Expansion Act of 1962 to require Congressional approval before the President adjusts imports that are determined to threaten to impair national security.

S. 3038

At the request of Mr. BOOKER, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 3038, a bill to assist in the conservation of the North Atlantic right whale by supporting and providing financial resources for North Atlantic right whale conservation programs and projects of persons with expertise required for the conservation of North Atlantic right whales.

S. 3041

At the request of Mr. JOHNSON, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3041, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for disaster recovery reforms, and for other purposes.

S. 3142

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3142, a bill to provide for proper oversight of North Korea policy, and for other purposes.

S. 3178

At the request of Ms. HARRIS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 3178, a bill to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes.

S. RES. 527

At the request of Mr. PERDUE, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 527, a resolution congratulating the people of Georgia on the 100th anniversary of its declaration of independence as a democratic republic and reaffirming the strength of the relationship between the United States and Georgia.

S. RES. 557

At the request of Mr. WICKER, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. Res. 557, a resolution expressing the sense of the Senate regarding the strategic importance of NATO to the collective security of the transatlantic region and urging its member states to work together at the upcoming summit to strengthen the alliance.

S. RES. 565

At the request of Mr. PERDUE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 565, a resolution honoring the 40th anniversary of Naval Submarine Base Kings Bay in Kings Bay, Georgia.

S. RES. 566

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 566, a resolution expressing the sense of the Senate that the President of the United States must immediately establish an interagency Office for Locating and Reuniting Children with Parents in order to protect separated children from suffering additional trauma resulting from the "Zero Tolerance" policy.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. JONES):

S. 3186. A bill to require the Internal Revenue Service to establish, incrementally over five years, a nationwide program to provide personal identification numbers to taxpayers to help prevent tax-related identity theft; to the Committee on Finance.

Ms. COLLINS. Mr. President, I am pleased to introduce with my colleague from Alabama, Senator JONES, the Taxpayer Identity Protection Act of 2018, a bill that seeks to help prevent American taxpayers and seniors from falling victim to identity theft and tax refund fraud.

As of May 17, the IRS had received more than 141.5 million individual income tax returns for the 2018 filing season. Of that number, nearly 75 percent were eligible for refunds. These refunds are not a gift from the Federal government—they are the return of funds belonging to taxpayers that were withheld from their paychecks last year. In the past few months, millions of American families have been eagerly awaiting these tax refunds, money they may need to pay off debts, medical bills, and plug gaps in the family budget. Unfortunately, for many Americans these refunds have not yet come.

Taxpayers are not the only ones eagerly awaiting these refunds. Criminals have figured out that, in many instances, it is cheaper and easier for them to steal taxpayers' identities and hijack their tax refunds than it is to traffic in drugs or rob banks.

Identity theft-refund fraud occurs when a criminal files a false tax return using a stolen Social Security Number and other sensitive personal information from sources like hospitals, schools, or assisted living facilities, often by recruiting employees to steal that information. The fraudster then uses this information to prepare fraudulent tax returns.

The thieves make sure to file early, as soon as the tax filing season opens in January, to increase the odds that they can get a refund before the real

taxpayer files his or her return. The criminals are known to hold what they call "make it rain parties," where they bring stolen laptops to a motel room with Internet access, and work together churning-out scores of fake returns.

These fraudsters work under the premise of "file early, file often." Once the thieves file the fraudulent tax return, the IRS processes it and issues a refund. With each refund worth on average \$2,778, the money can add up quickly.

This is not a victimless crime. Last year, the Federal Trade Commission received more than 371,000 complaints of identity theft, including 82,000 complaints related to employment or tax-refund fraud. Taxpayers who have their refunds hijacked by fraudsters often have to wait years to get the refunds to which they are legally entitled. Many are re-victimized year after year. A substantial number become victims of other forms of identity theft. Worst of all, victims are often the most vulnerable: elderly citizens who earn so little they are not even required to file a tax return. The IG estimates that 76,000 low-income elderly citizens were victims of tax-fraud identity theft in 2010 alone.

In 2016, the Lewiston Sun Journal published a story about a couple, Rick Zaccaro and his wife, Bonnie Washuk, who were victims of tax refund fraud. They had filed their taxes in late January 2015, and when Rick, a retired financial analyst for the Postal Service, was checking the status of their return online in early February, he learned that they were the victims of identity theft. Someone had filed and claimed a tax refund using their names, dates of birth, and Social Security Numbers. That claim was paid while their legitimate tax filing, with their appropriate W2s, was in limbo. It took months of worrying, frozen bank accounts, and a lot of calls to multiple government offices for them to try and straighten things out. When they did finally receive their refund, they also received something called an Identity Protection Personal Identification Number—better known as an IP PIN.

To provide relief to some victims of identity theft, the IRS began issuing IP PINs to eligible taxpayers in fiscal year 2011. An IP PIN is a six-digit number assigned to eligible taxpayers that allows their tax returns and refunds to be processed without delay and helps prevent the misuse of their Social Security Numbers on fraudulent income tax returns. If a return is e-filed with their Social Security Number and an incorrect or missing IP PIN, the IRS's system automatically rejects the tax return until it is submitted with the correct IP PIN or they file on paper. If the same conditions occur on a paper-filed return, the IRS will delay its processing and any refund that may be due while the IRS determines if the return actually belongs to the taxpayer.

In addition to victims of identity theft, in 2013, the IRS began a pilot



program in which it offered IP PINs to all taxpayers, not just those who were victims of identity theft, who filed their federal tax returns as residents of Florida, Georgia, or the District of Columbia. According to the IRS, these three locations have the highest per-capita percentage of tax-related identity theft in the country. Taxpayers in these three jurisdictions are not required to use an IP PIN but may opt-in to the program if they want the extra layer of identity protection.

In preparation for the 2018 Filing Season, the IRS issued nearly 3.5 million IP PINs to taxpayers, up from 770,000 in 2013. According to the IRS, as of February 28, 2018, it had rejected approximately 7,376 fraudulent e-filed tax returns, and as of March 15, 2018, it had stopped 1,442 paper-filed tax returns from posting to the Master File.

The Taxpayer Identity Protection Act of 2018 would expand and make permanent the IRS's IP PIN pilot program to help combat identity theft refund fraud across the nation. Specifically, our bill would authorize the IRS to incrementally expand its pilot program nationally, in phases, over a five-year period. Scaling out the program would give all taxpayers the opportunity to further protect themselves from falling victim to tax refund fraud and identity theft, while also saving taxpayers billions of dollars every year. The IP PIN pilot program has worked to protect against identity theft and the IRS supports its expansion over the next five years. I urge my colleagues on both sides of the aisle to support the adoption of Taxpayer Identity Protection Act of 2018.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, pursuant to Public Law 115-123, on behalf of the minority leader of the Senate and the ranking member of the Finance Committee, respectively, appoints the following individuals as members of the Commission on Social Impact Partnerships: Donald R. Cohen of California and Harlan Yu of Washington, D.C.

#### ORDERS FOR TUESDAY, JULY 10, 2018

Mr. TILLIS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, July 10; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. I further ask that following leader remarks, the Senate proceed to executive session and resume consideration of the Bennett nomination. I ask that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings. Finally, I ask that all time during adjournment, lead-

er remarks, morning business, and recess count postcloture on the Bennett nomination.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. TILLIS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:49 p.m., adjourned until Tuesday, July 10, 2018, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF STATE

R. CLARKE COOPER, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF STATE (POLITICAL-MILITARY AFFAIRS), VICE PUNEET TALWAR, RESIGNED.

KATHLEEN ANN KAVALEC, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ALBANIA.

PHILIP S. KOSNETT, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOSOVO.

FRANCISCO LUIS PALMIERI, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS.

JOHN COTTON RICHMOND, OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE TO MONITOR AND COMBAT TRAFFICKING, WITH THE RANK OF AMBASSADOR AT LARGE, VICE SUSAN COPPEDGE AMATO, RESIGNED.

DANIEL N. ROSENBLUM, OF MARYLAND, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF UZBEKISTAN.

STEPHANIE SANDERS SULLIVAN, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GHANA.

KAREN L. WILLIAMS, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SURINAME.

##### DEPARTMENT OF LABOR

BRYAN JARRETT, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE WILLIAM E. SPRIGGS, RESIGNED.

##### DEPARTMENT OF HOMELAND SECURITY

WILLIAM BRYAN, OF VIRGINIA, TO BE UNDER SECRETARY FOR SCIENCE AND TECHNOLOGY, DEPARTMENT OF HOMELAND SECURITY, VICE L. REGINALD BROTHERS, JR., RESIGNED.

##### DEPARTMENT OF JUSTICE

JOHN M. GARRISON, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE ROBERT L. HOBBS, RETIRED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. SUSAN J. PIETRYKOWSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. JON T. THOMAS

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE, AND APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION

OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 614:

##### To be lieutenant general

MAJ. GEN. FREDERICK M. PADILLA

##### IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

##### To be major

NISHA R. BAUR

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be colonel

JAY T. FLOTTMANN

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

##### To be major

CHRISTOPHER P. WHERTHEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

##### To be major

ISSA M. ALVAREZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

NATHANIEL P. LISENBEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

SEAN P. MALANOWSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major

JAMES W. BARNES

MICHAEL A. BECKWITH

KATELYN M. BUHROW

ANDREW J. GAUSEPOHL

ROBERT B. GERARD

REBECCA L. LEE

ELI H. LESSARD

JULIA ANN VETTER NUELLE

ALLISON L. OVERMON

RYAN O. PARKER

OMESH S. QASBA

KEVIN V. SHRAND

DANIEL B. SIMMONS

ERIN A. TRACY

DOMINICK A. VITALE

BENJAMIN W. WESTCOTT

BRADLEY A. WISLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

ADAM D. AASEN

DAVID A. BRAUN

GEORGE E. QUINT

##### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

##### To be major

MATTHEW W. ALLEN

CORY L. GOODALL

FRANCIS E. SANFORD, JR.

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

##### To be major

BRIAN C. MORGAN

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant commander

BRUCE S. KIMBRELL, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

##### To be lieutenant commander

SAMANTHA C. DUGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

##### To be lieutenant commander

BRIAN L. LEES