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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, the source of our joy, thank You for hearing our prayers, for Your mercy is unending. Strengthen our lawmakers that they may grow in grace and increase in their knowledge of You. Give them courage to cry out against injustice, to lift burdens, and to break fetters. May they strive to transform dark yesterdays into bright tomorrows. Lord, remind them that Your favor has a lifetime guarantee. Use our Senators as instruments of Your glory. May Your peace go with them as they see to do Your will on Earth, even as it is done in Heaven.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

NOMINATION OF BRETT KAVANAUGH

Mr. McCONNELL. Madam President, the President of the United States made a superb choice. He chose to fill a place on the Nation's highest Court with one of the Nation's brightest legal minds. Brett Kavanaugh brings unimpeachable academic credentials as a

student at Yale and a lecturer at Harvard. He carries over a decade of experience ruling from the Nation's most consequential circuit court. Along the way, he has earned the admiration and praise of his peers—legal professionals with all manner of judicial and political philosophies—for his professional abilities and his experience, as well as qualities that simply go beyond his resume.

Nevertheless, the instant Judge Kavanaugh was announced, far-left groups and some of our own Democratic colleagues in the Senate started pushing the same old scare tactics. More than a week before the nomination, one Democratic Senator explained on cable news that President Trump's nominee, whoever it was, would threaten "the destruction of the Constitution, as far as I can tell." The President hadn't even named his selection, and already our entire system of government was on its last legs? Give me a break. This Senator, by the way, serves on the Judiciary Committee.

One leftwing group had an angry press release all ready to go for whoever the nominee would be, but after Judge Kavanaugh's nomination was announced, they forgot to fill in his name. They had the press release ready with a big blank there, and they forgot to fill in the name. They wound up decrying all the terrible things that would happen if we confirmed the President's "nomination of blank to the Supreme Court," and they sent it out. That kind of says it all—fill-in-the-blank opposition.

Our Democratic friends have learned Judge Kavanaugh's name by now, but the hysterical attacks haven't gotten any less desperate or any more sensible. No sooner are these silly attacks launched than they are beaten back by the facts.

One of the flavors of the week was the outlandish claim that in law review articles he wrote 10 or 20 years ago, Judge Kavanaugh supposedly said that

sitting Presidents cannot be held accountable under the law. Some far-left special interests claimed he said that. So did some congressional Democrats. It was the perfect conspiracy theory, catnip for their far-left base. The only problem was, it wasn't true. People who have actually looked at these articles note that Judge Kavanaugh "does not reach legal conclusions on issues" of Presidential accountability. If anything, he seems to arrive at the opposite conclusion of what has been alleged.

Professor Noah Feldman of Harvard Law School observed that "from a legal and constitutional perspective," Judge Kavanaugh "wasn't saying that the courts should find that the President shouldn't be investigated" or held accountable; "to the contrary." To the contrary. Professor Feldman observes that Judge Kavanaugh's logic would seem to imply that any President is open to being investigated and held accountable under the law. Here is how Professor Feldman finished his debunking of this unfair attack. This is what he said: "Trying to oppose him on logically backward grounds doesn't serve anyone's interests."

The Washington Post Fact Checker jumped on the Democrats' mischaracterization. It explained that Judge Kavanaugh's scholarly articles actually contained "a mainstream view" on this constitutional question. They blasted the Democratic rhetoric as "an extreme distortion of what he has written."

Let me sum that up. According to the Washington Post, it is Judge Kavanaugh's analysis that is mainstream. It is the distortions of his record by congressional Democrats and far-left special interest groups that are extreme.

We have a word for blatantly misrepresenting the record and character of a judicial nominee in order to achieve a political objective. We call it an attempt to Bork the nominee. It refers to how Judge Robert Bork was

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



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slandered in the 1980s, when people both inside and outside the Congress blatantly and shamelessly distorted his record to claim he would do terrible things if confirmed to the Supreme Court.

It is actually in the dictionary now, literally. Judge Bork's last name is in the Merriam-Webster Dictionary as a verb. This is what "Bork" means: "to attack or defeat (a nominee or candidate for public office) unfairly through an organized campaign of harsh public criticism or vilification." To be Borked is now in the dictionary. It is completely unfair vilification.

Looking back, most people agree now that this episode was grossly unfair, insulted the intelligence of the American people, and stained the history of the U.S. Senate.

Jeffrey Rosen was a Democrat who worked in Senator Biden's office on the Democrats' side during that episode. Here is what he wrote a few years ago:

I remember feeling that the nominee was being treated unfairly. Senator Edward Kennedy set the tone with a demagogic attack. . . . Bork's record was distorted beyond recognition. . . . It [was] bad for the country.

This was a man named Jeffrey Rosen—a Democrat—who worked in Senator Biden's office during this episode.

Here is what a lawyer who helped lead the anti-Bork effort wrote just last year:

I regret my part in what I now regard as a terrible political mistake.

He was seized with guilt after all these years of having participated in this Borking. Because of that episode, he goes on, "we have undermined public confidence in the judiciary."

There is widespread and bipartisan agreement that trying to Bork judicial nominees is harmful to our Democratic process and to our judiciary.

Judge Kavanaugh's impressive record, impeccable credentials, and his enormous, bipartisan fan club of judicial peers and legal scholars all attest to the outstanding service he would render on the Supreme Court. I am glad that outside fact checkers are already swatting down Democrats' desperate attacks on his nomination.

In a breaking-news bombshell report just last night, we learned that Judge Kavanaugh enjoys America's pastime. Investigative reporters scoured his financial disclosures and learned that he and his friends buy tickets to baseball games and that he pays his bills. As you can see, there is still plenty of silliness to go around.

I urge every one of my colleagues to treat Judge Kavanaugh's record truthfully and treat the confirmation process with the respect that it and this institution in which we serve deserve. We need to act like a responsible United States Senate going through a confirmation process to the United States Supreme Court.

WORK OF THE SENATE

Mr. McCONNELL. Madam President, on another matter, while Judge

Kavanaugh's nomination has filled the headlines this week, the Senate has continued to attend to important business. Yesterday, the Senate voted to proceed to conference with the House on the first three of this year's appropriations bills. I understand the conferees are planning to meet as soon as today. The day before, we voted to go to conference on this year's Defense authorization bill. Soon, we will do the same with respect to the farm bill.

I am proud that we are continuing to deliver on our commitment to bring regular order back to the appropriations process, along with attending to the needs of our Armed Forces and confirming more of the President's nominees. Let's keep this momentum going. I hope the collaborative, bipartisan approach that Chairman SHELBY, Senator LEAHY, and our subcommittee chairmen have brought to the appropriations process will continue to characterize our progress on the floor as well. With continued hard work and steady cooperation, we can achieve our shared goal of funding our government through the regular appropriations process.

JOB GROWTH

Mr. McCONNELL. Madam President, on one final matter, the evidence keeps mounting that with Republicans at the helm in the White House, the House, and the Senate, the American people are enjoying what amounts to the most pro-worker, pro-opportunity economic moment in recent history.

Already in 2018, the number of Americans who say it is a good time to find a quality job has risen to its highest level in at least 17 years of data on record. The jobs report released last week showed, in June, that the rate of hire throughout the United States hit an 11-year high.

Interestingly, American workers voluntarily left their jobs at the highest rate in 17 years. What that means—and I would like to drill down on that point for a moment—is that during the Obama administration, we heard a great deal of talk from our Democratic friends about a phenomenon they called job lock.

The idea was that many workers were trapped in jobs that did not pay enough or did not take full advantage of their skills because there weren't enough open opportunities to justify taking the leap and looking for a better position.

Republicans agreed with our Democratic colleagues that we could build a better economy for middle-class workers. We just didn't think tax increases and massive new regulations were the way to do it. Now, following a year and a half of Republican policies, including historic tax reform, the voluntary quit rate has hit a 17-year high. Workers now feel free to climb up the ladder and move on to bigger and better things.

I have just one more data point: This economy is thriving, and the Repub-

licans' bold agenda is helping to make it happen.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Paul C. Ney, Jr., of Tennessee, to be General Counsel of the Department of Defense.

The PRESIDING OFFICER. The Senator from Maryland.

ANNAPOLIS MASS SHOOTING

Mr. CARDIN. Madam President, I rise today to discuss a topic far too many of my colleagues have also had to face—yet another fatal mass shooting in their State. This time it was in Annapolis, MD, in our State capital.

Exactly 2 weeks ago, on June 28, at about 2:30 p.m., a 38-year-old man who had a longstanding spurious grudge against the Capital Gazette newspaper made good on his sworn threats. He entered the newspaper offices, headed to the newsroom, and by the time he was done, he had shot and killed five employees of this community newspaper.

The Capital Gazette is the local paper of record in Annapolis. It is one of the oldest, continuously published newspapers in the United States. It traces its roots back to the Maryland Gazette, which began publishing in 1727, and to the Capital, which was founded in 1884.

This loss of life is personal to so many in Annapolis and around our State. You need to understand that the Capital Gazette is as much a part of the fabric of Annapolis as the State government it covers. It is perhaps embodied in Thomas Jefferson's famous quote: "Were it left to me to decide whether we should have a government without newspapers or newspapers without government, I should not hesitate a moment to prefer the latter."

Just 2 weeks ago, a man with a shotgun—a man who had made known his threats against this paper—purposefully entered the building which houses the Capital Gazette and killed people.

Let me take a moment to mourn those lost and to thank the first responders who first appeared on the scene literally 60 seconds after the first 911 call. Location means everything in

so many areas. On this day, 2 weeks ago, the fact that there were Anne Arundel County police officers down the street from the Capital Gazette offices at the time the shooting started most definitely saved lives. According to the Annapolis police chief, Timothy Altomare, within 2 minutes, the Anne Arundel County Police Department, the Annapolis Police Department, and the Anne Arundel County Sheriff's Office had rushed into the offices and into the newsroom to apprehend the gunman.

State and Federal law enforcement—including the FBI, the ATF, and many others—arrived soon thereafter to support local officials in their efforts to clear the building and meticulously investigate the scene. I want to thank each and every one of those law enforcement officers, from the individuals who rushed into the newsroom not knowing what danger they might encounter to those helping get others to safety, to those gathering the evidence to ensure nothing was lost in the bustle and chaos of the moment, and to those diverting traffic so that people could be safely evacuated and the investigators could do their jobs safely. I thank each and every professional who did their job and contributed to this emergency response.

We often say about our first responders that when we run from trouble, they run to it in order to save our lives. We owe our first responders our thanks and our admiration for the manner in which they handled this assignment under extreme circumstances.

Unfortunately, when faced with an individual intent on killing, lives were lost despite the swift response by law enforcement. Among them was Gerald Fischman, 61, who was an editor with more than 25 years of service with the Capital Gazette and was known at the newspaper and throughout the community for his brilliant mind and writing. Most often, it was his voice and his insightfulness that came through on the editorial pages of the Capital Gazette.

Fischman was described by Rick Hutzell, the Capital Gazette's editor, as "someone whose life was committed to protecting our community by telling hard truths."

Rob Hiaasen, 59, was a columnist, editor, teacher, and storyteller who brought compassion and humor to his community-focused reporting. Rob was described as a coach and mentor to many. According to former Baltimore Sun columnist Susan Reimer, he was "so happy working with young journalists. . . . He wanted to create a newsroom where everyone was growing."

John McNamara, 56, was a skilled writer and avid sports fan, who combined these passions in his 24-year career as a sports reporter at the Capital Gazette.

Former Capital Gazette sports editor Gerry Jackson said of McNamara—our "Mac," as he went by:

He could write. He could edit. He could design pages. He was just a jack of all trades and a fantastic person.

Rebecca Smith, 34, was a newly hired sales assistant known for her kindness, compassion, and love for her family. "Becca," as she was known, was described by a friend of her fiancé as "the absolute most beautiful person" with "the biggest heart" and called her death "a great loss to this world."

Wendi Winters, 65, was a talented writer. She built her career as a public relations professional and journalist. She was well-known for her profound reporting on the lives and achievements of people within the community. She was a "proud Navy Mom" and Navy daughter.

As we learn more about the details of the shooting from the survivors, it is clear that Wendi herself saved lives during the attack. According to the Capital Gazette editorial that ran this past Tuesday, Wendi confronted and distracted the gunman with whatever she could find around her. The paper noted:

Wendi died protecting her friends, but also in defense of her newsroom from a murderous assault. Wendi died protecting freedom of the press.

My heartfelt condolences and prayers continue to go out to the families of those who were killed in this attack. They did not send their loved ones off to work that day knowing it would be the last day they would see them alive. It isn't right, and it never should have happened.

The surviving staff members also deserve our praise for their resilience and dedication to their mission as journalists and their respect for their fallen colleagues. During and after the attack, staff continued to report by tweets, sharing information to those outside, taking photos and documenting information as they would at other crime scenes. Despite their grief, shock, anger, and mourning, surviving staff—with the help from their sister publication, the Baltimore Sun, Capital Gazette alumni, and other reporters who wanted to lend a hand to fellow journalists—put out a paper the following day, Friday, and they have done so every day since. This is known as grace under pressure.

Fittingly, the editorial page the day after the shooting was purposely left blank with just a few words. The few words were:

Today, we are speechless. This page is intentionally left blank to commemorate victims of Thursday's shootings at our office.

The staff promised that on Saturday the page would "return to its steady purpose of offering our readers informed opinion about the world around them, that they might be better citizens."

It has been incredible to witness the unity, compassion, and resilience of the Capital Gazette staff, the city of Annapolis, and Anne Arundel County.

I want to repeat one quote from the Capital Gazette editorial page that bears repeating:

Wendi Winters died protecting her friends, but also in defense of her newsroom from a murderous assault. Wendi died protecting freedom of the press.

Wendi Winters and her colleagues died protecting freedom of the press.

As Americans, we have certain rights and responsibilities granted to us through the Constitution, which establishes the rule of law in this country. Freedom of the press is central to the very first amendment of the Constitution, and it has often been under attack, figuratively speaking, since our Nation's founding.

Today, those attacks have become more frequent and more literal, spurred on by dangerous rhetoric that has nearly created an "open season" on denigrating the media and harassing reporters and editors from doing their job: answering questions that need to be asked, investigating the stories that need to be uncovered, and bringing needed transparency to the halls of power, whether they are in Annapolis, Washington, DC, or elsewhere around the world. This rhetoric has gone beyond the pale and it must stop.

Journalists, like all Americans, should be free from the fear of being violently attacked while doing their job.

On this day, 2 weeks ago, just as the public was learning about the shooting at the Capital Gazette, I stopped in for a meeting one of my staffers was having with a group of students to talk about gun violence and school safety. Since what happened in Parkland—and we recently had an episode in our own State—I have been meeting with students on a frequent basis just to hear their concerns. In all circumstances, the students have expressed to me their fear and frustration with regard to how safe they feel in their schools. Some are angry, and all of them want to know when the adults will finally start acting like adults and do something to keep them and their country safe. Without fail, students have told me that "thoughts and prayers" simply are not enough. Thoughts and prayers will not protect them from bullets, and they want Congress to act.

Some of my colleagues have bought into the false rhetoric that there is nothing we can do about these acts of violence. But students in Maryland and around the country know that is not true, and so do the American people. A recent CNN poll found that 70 percent of Americans now back tougher gun safety laws. These responses get higher with each deadly incident.

Congress must act now to address the epidemic of gun violence in this country. Let's reinstate the assault weapon ban now. We can ban bump stocks now. Let us assure that all gun purchases have completed background checks.

I understand that the weapon used in the Annapolis shootings was a shotgun. It would not have been covered under these new laws. But the fact remains that if we pass sensible gun safety laws, we will save lives.

I do want to say clearly that “doing something” does not mean arming educators or bringing more guns into our schools. Teachers are hired to teach, not to be security guards. Instead of putting guns in the hands of educators, we need to get them out of the hands of attackers in the first place.

Let me conclude with these words of one of the survivors of the Capital Gazette shooting. Reporter Selene San Felice shared her thoughts in a July 1 opinion piece for the paper. She recounted the moments of the shooting and shared pretty succinctly what she thinks needs to happen next in this country. Selene wrote:

I watched John McNamara die. I had to step over Wendi Winters to escape . . .

If your help ends at thoughts and prayers, I don't want them. What I want is action.

I'm not just talking to the president, or our governor, or our elected officials. I'm talking to every single person in this nation.

We must do better. We must vote better. We must push for legislation so that this doesn't feel normal.

Rob Hiaasen, Gerald Fischman, Wendi Winters, John McNamara, Rebecca Smith and thousands of people are dead because of shootings like the one I lived through.

The man who killed the people I love bought this gun legally. His record of stalking and harassment had been expunged. But even if it hadn't been, he still could have bought the gun he used to shoot Rebecca, Wendi, Rob, Gerald and John.

This is not political. I'm not asking for change as a liberal media puppet. I'm asking for something to be done for the sake of our humanity.

I think, quite frankly, Selene is speaking for many, many people in our community. We need to act. Now. For Rebecca, Wendi, Rob, Gerald, John, and the thousands of other innocent people who have been lost to needless gun violence, Congress must act. We must show that we can protect the American people, which is perhaps the most important task we have as lawmakers.

We cannot stand by and pretend we are helpless and powerless to prevent another tragedy. We can do something powerful today.

With that, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. VAN HOLLEN. Mr. President, I rise to honor the victims and the survivors of the terrible shooting at the Capital Gazette newspaper which occurred on June 28. I thank my friend and colleague Senator CARDIN for his remarks earlier today on this floor and thank the Senate for taking up a resolution in memory of the victims.

Our State of Maryland and the country were horrified by the tragic attacks on one of our great Maryland institutions—the Capital Gazette newspaper, the local newspaper of our State cap-

ital in Annapolis, which has been operating since 1727. It was, and is, your quintessential smalltown newspaper, which serves Annapolis and Anne Arundel County but is also a newspaper read throughout the State of Maryland.

In that awful shooting, we lost five members of the Capital Gazette: Gerald Fischman, Rob Hiaasen, John McNamara, Rebecca Smith, and Wendi Winters.

Gerald Fischman was an editorial page editor whose thoughtful columns and sly wit shed light on critical community issues. He was well known for his insatiable curiosity and his love of family, and his talent for writing extended to poems he composed for his wife Erica.

Rob Hiaasen was a big man with a big presence who applied his considerable skills as a journalist to mentor others, both fellow reporters and students at the University of Maryland College of Journalism. He gave of his time, and he gave of his talent.

John McNamara was a sports writer and sports fan—a big fan of the University of Maryland Terps. He covered everything from the Orioles to the local Little League. He was always generous with his time and known to many who follow sports around the country.

Sales Assistant Rebecca Smith was strong and smart and a fixture at her fiancé Dwayne's softball tournaments. She was also known to be unfailingly kind and always took the time to make people feel at home at the Gazette.

Wendi Winters had a great sense of humor and an incredible ability to pull stories out of just about anyone. Her colleagues say she charged at the shooter, displaying the bravery and determination she had so many times before in her life and saving the lives of others at the newspaper in the process.

Community newspapers like the Capital Gazette are more than just sources of news; they represent the lifeblood of our communities around the country and our Nation. They report on everything, big issues and small issues, because no issue is too small if it affects people in a particular community. I think all of us know these are the reporters who stay out late at local council meetings, they are the folks at the PTA meetings, they are the folks busy collecting news important to people in a local community. This newspaper has been at this for hundreds of years.

Even after that awful shooting, the next day the Capital Gazette put out a newspaper, as they have every day since then, with the help of fellow journalists at the Baltimore Sun and elsewhere. They put out a newspaper that talked about the terrible shooting they experienced at the Capital Gazette and remembered the victims and thanked the first responders.

I also salute the first responders, an incredible and brave response from local, State, and Federal agencies. At the local level, they were on the scene within 60 to 90 seconds. Had that not

happened, we would have had even more than the terrible loss we saw that awful day.

It also should cause all of us to think again about measures we can take in our communities, in our States, and at the Federal level to stop the violence. One of the victims, Gerald Fischman, who had been an editorial writer there, had written earlier in the aftermath of the terrible shooting at the Pulse nightclub in Orlando, and here is what Gerald Fischman wrote at that time:

Of all the words this week, hopelessness may be the most dangerous. We must believe there is a solution, a way to prevent another mass shooting. We must believe that we can find it if only we try a little harder.

I ask every Member of the Senate, every Member of this Congress, every elected official, and every citizen, let's work harder to find a way to end the violence. There are things we can do to reduce the chances and the awful losses we are seeing around our country, both in mass shootings and daily violence.

As we remember these victims, I ask that we dedicate ourselves to the mission of ending the violence.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. CORNYN. Mr. President, yesterday, I had the chance to meet with the President's nominee to fill the vacancy left by the retirement of Justice Anthony Kennedy on the Supreme Court, and I am pleased with the nominee the President has chosen. After talking to him yesterday morning, I look forward to supporting his nomination and doing whatever I can to ensure his bipartisan confirmation.

My conversation with Judge Kavanaugh refreshed my memory that we actually had met back in 2000 when I was attorney general of Texas and I was preparing to deliver an oral argument before the U.S. Supreme Court—something I had never done before. Thanks to Judge Kavanaugh, who wasn't a judge at the time, Paul Clement and Ted Olson—both of whom had been Solicitor General of the United States—helped me get prepared and do the best job I was capable of doing before the Court, providing me a moot court opportunity. So it was good to catch up with Judge Kavanaugh.

I have followed Judge Kavanaugh's career closely. In the interim, obviously he has served as a circuit court judge on the DC Circuit Court. Some might call it the second most important court in the Nation, and that is primarily because it is located here in the District of Columbia, and most of the major cases involving administrative authority, Federal power, end up finding their way one way or the other

through the DC Circuit Court of Appeals. So he has had a great judicial career over the last 12 years and has written on a variety of topics. I would say he is a pretty well-known quantity.

While you are going to hear a lot of demands for additional information—and I am all for as much transparency as can be provided, and Senators certainly have a right to get their hands on as much information as possible about the nominee and his qualifications, his background, and how he might perform as a Supreme Court Justice—I hope this doesn't turn into a delay-of-game tactic.

He has had a long career in the government. He worked at the White House as Staff Secretary, which, for those who aren't familiar with that, means he was the last person who saw a piece of paper before it was presented to the President for signature. That doesn't mean he was the publisher or the author of that paper, and many times it was really to make sure that it was correct, that it was accurate, that it had been verified and authenticated, but he was the one who decided to turn it over to the President for the President to sign, and it could have been major matters or minor matters. But I hope we don't get to a point where people say that every document or email that he happens to have been copied on or have seen somehow becomes essential for a Senator before they can decide whether to support his confirmation.

I would add that some Senators have come out and announced their opposition to the nominee before he was even announced. I think our friend from Pennsylvania did that—in other words, announced his opposition to anybody this President might nominate to fill the vacancy left by Anthony Kennedy. So I hope we don't hear from people like that, that now they need more information so they can make a decision. They have already made their decision, and it really is just a waste of everybody's time and really an insult to the rest of the Senators who are doing their due diligence and trying to perform their constitutional responsibilities when it comes to providing advice and consent on a nominee to the highest Court in the country.

Many people are familiar with the arc of Judge Kavanaugh's career, but let me mention a few things, lest they be lost in all of the noise here in Washington.

Of course, he graduated with honors from Yale College and attended Yale Law School—two of the elite universities and law schools in the country. He clerked for two Federal appellate judges before Justice Anthony Kennedy on the Supreme Court. As the Presiding Officer knows, those are the types of jobs that are highly competitive, and only the best of the best get asked to serve as law clerks to Federal appellate judges and certainly to the Supreme Court. Then he went on to work in private practice, in the White

House Counsel's office thereafter, and finally as Staff Secretary, which I mentioned a few minutes ago, before being confirmed to the Federal bench in Washington.

I want to step back for a moment because in the weeks ahead, we are going to have plenty of time to talk about his credentials, his experience, and his decisions, and we will have plenty of time to parse all of the dissents, the concurrences, the majority opinions he has written on the DC Circuit Court of Appeals, but I think it is also important to know the man, to know the person, because unfortunately, Washington, DC, has a way of chewing up people, and their personality and their humanity become separated from the political basis or ideological basis upon which people may oppose them. So I think it is important to know the qualities of this man because it informs us about his character, which I hope we would all agree is an important element in the qualifications of a Federal judge.

Judge Kavanaugh is one who is active in his community, as we heard on the night the announcement his nomination was made. He is known as Coach K on his daughter's basketball team and acts as a lector at his church. He serves meals to needy families on a regular basis and tutors children at local elementary schools. Frankly, I don't know where he finds the time to do all those things while serving as a member of the DC Circuit Court of Appeals. One friend called him a regular old "carpool dad." I think we all know what that is; it is a dad who drives the kids to school. That comment was reported in the Washington Post. This friend wrote that those who know Judge Kavanaugh's character would render a "unanimous verdict in his favor."

Judge Kavanaugh is the former captain of his high school basketball team. He has run the Boston Marathon—something I aspire to do. I just made it through a half-marathon years ago but never a full marathon, much less the Boston Marathon. He has won his court's annual 5K race five times. As a matter of fact, I have seen him year after year over in Anacostia when we have a race for charity that many of our Senate offices participate in, along with the press and the Federal agencies, including the courts. I believe I have seen him run in those 5K races with his team.

Professionally, Judge Kavanaugh is known as a distinguished legal professional, but it is important to know that even amidst the hustle and bustle of a high-powered legal career, he found time to do a lot of very important things. While in private practice, for example, he was head of a practice group devoted to protecting religious liberties. You don't earn a big fee as a lawyer by advocating in cases involving religious liberties. Typically, these are cases where you volunteer your time because you believe in the right of

the citizen to have their case heard by the courts. Particularly when it comes to religious liberties, Judge Kavanaugh's record is crystal clear. He has advocated on behalf of those—regardless of their ability to pay—whose religious liberties were at risk. He also wrote two briefs for the Supreme Court of the United States supporting the cause of religious liberty, including the case I mentioned earlier that I argued in the Supreme Court involving the Santa Fe Independent School District, which was sued by the American Civil Liberties Union to prevent them from allowing a student to volunteer their time to offer an inspirational saying or a prayer before a football game in Texas. He authored an amicus brief in support of that case.

When he is not volunteering for causes he believes in, he is the father of two daughters—something near to my heart, and I know the Presiding Officer has two daughters as well. He has been a mentor to many law students whom he has taught over the years.

His colleague, Jack Goldsmith, a distinguished lawyer in his own right at Harvard, described him as having "many, many considerable strengths as a judge and potential Justice, and [also] as a person."

His former professor, Akhil Amar, who supported Hillary Clinton in the last election, wrote in the New York Times a couple of days ago that Judge Kavanaugh is a "superb nominee" who has "already shown flashes of greatness." I believe the headline of that op-ed piece by Professor Amar talked about the liberal case for Brett Kavanaugh, and I appreciate his willingness to talk about the man and his professional credentials and not get bogged down in the polarized politics of judicial confirmations here in Washington. He called the nomination of Judge Kavanaugh President Trump's "finest hour, his classiest move." That is pretty impressive.

These are just a few of the reasons why here in the Senate we need to now move forward confidently and deliberately with the confirmation process. We will proceed thoroughly but with expedition. It is, after all, our constitutional role—now the President has discharged his constitutional role—to offer advice and consent on the President's nominee. I believe the President has chosen wisely, just as he did when he chose Neil Gorsuch for the vacancy created by the unfortunate death of Justice Scalia. The President has chosen well again, and I believe this nominee is deserving of this high honor to serve on our Nation's highest Court.

There are some who said that we need to wait or that there is not enough time before the midterm election to confirm Judge Kavanaugh. Well, that is a pretty transparent stalling tactic. Justice Kennedy said he is vacating the Bench at the end of this month, so when the Supreme Court reconvenes on October 1—I believe it is the first Monday in October—it would

be good to have that vacancy left by the retirement of Judge Kennedy filled with this nominee. So the idea that we can somehow put this off until after the midterm elections I think makes no sense, or if it makes sense, it makes sense only from the standpoint of stalling the confirmation process.

I agree with the senior Senator from Connecticut, who said recently that the Senate should do nothing to artificially delay consideration of the next Justice. I agree with him. Since Justice Gorsuch and Justice Sotomayor were confirmed just 66 days from the time they were nominated, a similar amount of time should not be unreasonable for Judge Kavanaugh. I am not suggesting it be exactly 66 days; it might be a few days earlier or a few days later. But just to sort of orient everybody as to the timeframe we are talking about, if it were 66 days, like Justice Gorsuch and Justice Sotomayor, that would mean we would vote to confirm Justice Kavanaugh on September 13, if my math is correct.

Well, we know that these judicial nominations—particularly for the Supreme Court of the United States—are hotly contested, and that is because on the left, they see the Court as an end run around the democratic process. In other words, what you can't win in an election and what you can't win in a debate and vote of Congress, well, if you can get the Court to do it—unelected, lifetime-appointed judges—then you have basically won in advancing your policy position at the Federal level. I would say that the opposite philosophy is one that was embraced by Alexander Hamilton and James Madison, who viewed the courts as what they called the least dangerous branch because they viewed the courts as not being political and judges as being impartial arbiters of the law and letting the chips fall where they may. But on the left, if they can't achieve their desired policy outcomes through the normal legislative process, well, doing it by lawsuit and by court decision becomes the means to their end. That is why they are so upset, I think, about this President's nominee. He is what I would call a traditional judge in the James Madison, Alexander Hamilton mold—someone who believes that judges have a very important job in our government, but it is a limited job and role.

In other words, the main responsibility for making public policy should fall on the shoulders of Members of Congress and the President because we stand for election. If people don't like what we are doing, they can knock on our door and say: Senator, we don't like what you are doing. We want you to change your vote or your point of view.

That is entirely appropriate. If we don't, they reserve the time-honored right to throw the rascals out. You can't do that for a Federal judge. That is why their role under the Constitution is circumscribed as interpreting

the law and applying the facts to settled law.

I understand why our friends across the aisle are disappointed. They were hoping that President Hillary Clinton would be filling this vacancy, and they were hoping that Majority Leader CHUCK SCHUMER would be the one guiding that nomination through the Senate. Instead, they were disappointed—I understand it; it is a normal human reaction—that President Trump won, so he is the one making the nomination, and a Republican Senate, led by Majority Leader MCCONNELL, is the one guiding this nomination through.

I can understand their disappointment. It is no reason to drag your feet or obstruct an orderly and thoughtful deliberative process when it comes to filling this vacancy. We are going to have a chance to talk about this topic a lot in the coming weeks.

KEEP FAMILIES TOGETHER AND ENFORCE THE
LAW ACT

Mr. President, on a separate note, I want to address the situation unfolding on the U.S.-Mexico border. As of 7 o'clock this morning, we heard that the Trump administration has now complied with a court order and completed the reunification of those children under the age of 5 who immigrated here with their parents unlawfully. Those children have been reunited with their parents, which I think we all should be grateful for.

Secretary Azar of Health and Human Services; Kirstjen Nielsen, Secretary of Homeland Security; Attorney General Sessions; and all those officials at the Departments of Health and Human Services, Homeland Security, and Justice have been working tirelessly to complete these initial reunifications. Their goal has always been the well-being of these children and returning them to a safe environment.

As we can see from this morning's report, the administration clearly needs time to vet all the people. In fact, in some instances, they actually have to take DNA tests to confirm the claim that the adult who brought the child across is, in fact, their biological parent. We know that the cartels, the human traffickers, are very sophisticated, and if they can simply pair up an unaccompanied child with an adult and send them across the border while claiming to be a family unit, they can basically navigate the gaps in our legal enforcement system against illegal immigration.

Over the next few weeks, we know Federal officials will be working to reunite all other separated families, as they should. This is one thing we all—Republicans and Democrats alike—agree on; these families should be kept together. This is consistent with President Trump's Executive order, as well as a bill that I have introduced, along with other colleagues, called the Keep Families Together and Enforce the Law Act.

As that bill suggests, there are two parts to it. One is treating families

with compassion by allowing them to remain together and, also, enforcing the immigration laws on our books. They don't have to be mutually exclusive, and our bill will ensure that they aren't. It will allow parents to stay with their children in a safe facility while awaiting their court proceedings.

In other words, a number of these children and these adults are claiming asylum in the United States. That can be finally decided only by an immigration judge. What we would like to do is move them to the head of the line and get them a hearing in front of an immigration judge on a timely basis. Our bill would also set mandatory standards of care for family residential centers and keep children safe by requiring that they be removed from the care of an individual who endangers their safety.

In conclusion, I will say that this is not a new problem. We know that several of the countries in Central America are basically in a meltdown mode. In other words, gangs and violent organizations threaten the safety and welfare of families in these Central American countries.

What we saw in 2014 is what President Obama called a humanitarian crisis—when tens of thousands of these children, unaccompanied by a parent, were turned over to these criminal organizations and transported from Central America all the way through Mexico into the United States, where they were then processed and placed with a sponsor in the United States, consistent with the law currently in effect. This is not a new scenario.

The cartels, the criminal organizations, have found a new way to circumvent American law unless we change it, unless we fix it. What they are hoping for, ultimately, is a restoration of the catch-and-release policies of the past.

What happens when people are not detained and when they are not presented before an immigration judge on a timely basis is that they are given a notice to appear in the future and told to come back for their hearing in months and maybe years later. It should surprise no one that the vast majority of those people don't show up for their hearing.

What has happened is, the criminal organizations who profit from this business model and the people who illegally immigrate to the United States have basically gamed the system. Unless we are willing to stand up and fix it, then shame on us.

This is really about two issues. One is compassionate treatment of the children, treating the adults with dignity and providing them a safe place. But it is also about making sure that our laws are enforced.

Some of our colleagues across the aisle have said: Well, let's just abolish law enforcement at the border. Let's abolish Immigration and Customs Enforcement, abolish ICE, as it is called. That would be a disaster of the first

order. How would we be maintaining fidelity with our oath to support the Constitution and laws of the United States if we would not see to it that our law enforcement agencies, like ICE, which perform important and necessary duties along the border and throughout the country, were not there with our support to do the job we have asked them to do?

I know there has been a lot of discussion about this legislation, but at some point, patience ceases to be a virtue, and I expect that at some point there may well be an opportunity for one or more Senators to come to the floor and offer this legislation by unanimous consent. We will see who wants to be a constructive player in this process and who wants to object and obstruct our ability to fix this crisis at the border.

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

FBI

Mr. GRASSLEY. Madam President, as we all know, the Federal Bureau of Investigation is a component of the Department of Justice. It is frequently described as the premier law enforcement agency in the country. The FBI's investigative authority has only grown—and grown tremendously—since its creation almost 100 years ago.

The Bureau now covers everything from kidnapping to counterintelligence, public corruption to bank robbery, and maybe a lot of things in between. Its power is very substantial, and its jurisdiction is far-reaching. It is a very important agency. Because of that, the FBI is subject to a lot of scrutiny.

Lately, we have had a lot of folks around here who seem to be mistaking the word “scrutiny” of the Bureau with the word “attacks” on the Bureau. Oversight of the FBI is not new, and it is a constitutional responsibility of the Congress at least to do oversight of every agency, and the FBI can't be an exception.

Far from being out of bounds, it is essential for the people's elected representatives in the Congress to put the FBI under a microscope. That is doubly true when the FBI gets involved in election controversies. The more power and the more secrecy the FBI claims in order to carry out its responsibilities, the more closely it ought to be watched.

Under our government, where the public's business ought to be public, that statement I just made ought to be common sense to everybody.

In its criminal work, the FBI is held accountable primarily by the court system. When the FBI secretly gathers information for intelligence purposes, the risk of impropriety skyrockets. If the information is never going to be presented in the courts, as in a criminal matter, who is going to be watching to make sure that the power to gather and use it is not being abused?

That is why we need vigorous congressional oversight and strong inspector general scrutiny. Lots of people say

that the FBI should be independent. I disagree. The FBI needs to be objective and nonpartisan. It should be insulated from undue political pressure.

If you want to call that independence, then I will use that word. It cannot be independent of accountability to the people's elected leaders. Civilian control of the military has always been a key safeguard to liberty for the same reason.

Freedom is at risk if the FBI can become a domestic intelligence service with free rein to weaponize information in secret. We have seen the risks of that in the text messages of Peter Strzok and Lisa Page. Their contempt for both the people of this country and, particularly, their elected leaders should disturb everyone.

Abuses of power at the FBI are why we have a term limit for the Director of the FBI. That term limit is not there to protect the FBI's independence; it is there to protect the people from the abuses that J. Edgar Hoover committed because he became too independent. He was accountable to no one. J. Edgar Hoover was feared by Presidents, Senators, and Congressmen. While the Director originally was selected by the Attorney General, in 1968, Congress made the position subject to Presidential appointment and Senate confirmation. In 1976, the Congress established a nonrenewable 10-year term limit for the Director. The Senate Judiciary Committee published a committee report on that bill that limited the 10-year term in 1974. It took a couple of years for the bill to pass the House.

In quoting from that report:

The purpose of the bill is to achieve two complementary objectives. The first is to insulate the Director of the Federal Bureau of Investigation from undue pressure being exerted upon him from superiors in the Executive Branch. The second is to protect against an FBI Director becoming too independent and unresponsive.

At the time, Congress was grappling with the fallout of Watergate and the decades of corruption and civil liberties abuses by that first Director of the FBI, J. Edgar Hoover—hence, the legislation. Congress knew the FBI had to be able to operate free of partisan interference but still be accountable to the duly elected leadership of the country, including all Members of Congress in their constitutional roles of oversight.

Certainly, the FBI Director can't be a politician's stooge, but history tells us that the bigger risk is in the other direction. Hoover abused his power to intimidate politicians and other political leaders. In a democracy, all of our leaders are ultimately accountable to the people. Access to information about what agencies like the FBI are doing is essential to holding them accountable. Transparency brings accountability. Abuses multiply in secret. That is why congressional oversight—Congress's responsibility under the Constitution—is key. The recent

report by the Department of Justice's inspector general is a very good example. It describes behavior having taken place in secret at the FBI that simply cannot be defended when having been brought to light.

First, the inspector general's report identified unacceptable messages that were sent on FBI mobile devices and computer systems by 5 of the 15 FBI employees on the Clinton email investigation. Those messages reeked with political bias. The report found that through such messages, these employees “brought discredit to themselves, sowed doubt about the FBI's handling of the Midyear investigation, and impacted the reputation of the FBI.” One message explicitly suggested a willingness to take official investigative steps for partisan reasons where there should be no partisanship. That message vowed to stop the election of Donald Trump.

Can you imagine an FBI employee in an official capacity, on official devices, taking that approach and then claiming not to be biased?

Because of that message, the IG was unable to conclude that the FBI's inaction on the Clinton email matter, for nearly a month prior to the election, was free from partisan bias.

The IG referred to the Bureau all five employees who had expressed partisan bias in order for the FBI to consider potential disciplinary action. Those messages showed a bureau plagued by arrogance, disrespect for policy and norms, and disgust of democratic accountability.

The report found that Director Comey's actions usurped the Department's authority. It called his decision of publicly announcing that Secretary Clinton would not be prosecuted as “extraordinary” and “insubordinate.” Director Comey acted as if he were accountable to no one except himself.

His subordinates also appeared content to ignore Bureau and Department policy and guidance—some, apparently, for their own personal interests.

The inspector general also recently concluded that the FBI's former Deputy, Andrew McCabe, authorized the disclosure of information to a reporter. That information confirmed the existence of an ongoing investigation. The IG report faulted McCabe for violating longstanding Department and Bureau policy. There is a public interest exception to that policy, but the inspector general found that McCabe authorized the disclosure of the information to make himself, McCabe, look good. Now McCabe claims Comey knew about it, but the FBI will not release information that supposedly supports that claim.

The FBI did little to nothing to address what now appears to be a culture of unauthorized contact with the media. Yet, somehow, every day, you read in the newspapers of the FBI's stiff-arming congressional oversight at every turn. Going to the newspapers is OK. When Congress wants the same information, no.

On the one hand, for example, the FBI stonewalls legitimate requests from the people's elected representatives, whom they "hate," in the words of Agent Strzok. On the other hand, FBI employees are accepting meals, sports tickets, and golf outings from reporters.

Now the Department and the FBI are refusing to comply with congressional subpoenas while lecturing Congress about the need to control access to sensitive information. While FBI agents are breaking the rules by talking to reporters left and right, the Bureau goes after legitimate whistleblowers who expose waste, fraud, and abuse, according to law.

The level of hypocrisy is staggering. The Bureau was investigating Secretary Clinton for her use of private communications to transact public business, but the employees in the Bureau who were handling that very investigation, including the Director, did exactly the same thing. Of course, these employees were not exclusively using a private server that was highly vulnerable to outside attacks. There truly is a difference in the order of magnitude, but the FBI's employees' behavior could help explain their apparent lack of enthusiasm for investigating Clinton's clear alienation of the Federal records. After all, how could they accuse her of violating the Federal Records Act when it appears they may also have been violating the very same law?

These are only some of the examples in the inspector general's latest report that we had a hearing on before my Judiciary Committee a couple of weeks ago.

Former Director Comey said his people "didn't give a rip about politics." We can see clearly now that that is just not true, at least not for five top individuals involved in this very high-profile, very important investigation. They now need to be held accountable for their actions. There is no place in the FBI for the kind of arrogance displayed in those text messages.

There is no place in the FBI for the kind of political timing and calculations made by the former Director. His subordinates openly discussed the enormous pressure they were under to close the Clinton email investigation before the political conventions. That was completely improper. Decisions at the FBI need to be made on merit, not on a political calendar.

The FBI needs to stay out of politics. It needs to submit to oversight. It needs to focus on doing its job to regain its reputation for objectivity. No one in this country is above the law. No one should be independent of accountability, especially not the FBI.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. MARKEY. Madam President, the retirement of Supreme Court Justice Anthony Kennedy has created one of the most consequential vacancies on the High Court that this country has ever seen. There is a reason pundits have often referred to the Supreme Court as the "Kennedy Court." His influence on so many politically salient cases cannot be overstated. During his 30 years on the Supreme Court, Justice Kennedy was often the swing vote in decisions decided 5 to 4 on a divided bench of the Supreme Court. These include some of the most historic cases in our Nation's history: on a woman's right to choose, environmental protections, and same-sex marriage.

In 1992 Justice Kennedy wrote the controlling opinion in *Planned Parenthood v. Casey*, which reaffirmed *Roe v. Wade*'s core holding that the Constitution protects a woman's right to make a fundamental decision about her own healthcare, including a woman's right to choose.

In 2007 Justice Kennedy joined a 5-to-4 opinion in *Massachusetts v. EPA*, which held that greenhouse gas emissions are pollutants under the Clean Air Act and that the EPA must regulate those emissions under that statute, unless it can provide a scientific basis for its refusal to do so.

In 2013 Justice Kennedy wrote the majority opinion in *United States v. Windsor*, striking down as unconstitutional the Defense of Marriage Act because it violated basic due process and equal protection principles by extending certain Federal benefits to opposite-sex married couples but denying those same benefits to same-sex married couples.

In 2015 Justice Kennedy wrote the landmark opinion on same-sex marriage in *Obergefell v. Hodges*, which held that the Constitution guarantees same-sex couples the right to marriage.

In 2016 Justice Kennedy wrote the majority opinion in *Whole Woman's Health v. Hellerstedt*, which struck down a restrictive anti-choice law in Texas because it put an undue burden on women's access to reproductive healthcare services.

All of these decisions were decided by the single vote of a single Supreme Court Justice. That Justice was Anthony Kennedy. The Justice who succeeds Anthony Kennedy on the Supreme Court will have the opportunity to leave a deep and lasting mark on issues of the highest constitutional magnitude—issues that impact the health and freedom of women, the environment, LGBTQ rights, consumer protection, labor protections, affirmative action, criminal justice, gun safety, and more.

There are, without a doubt, important issues that will be decided. These will be the most important decisions of our generation, and this Supreme Court will be in a position to make that history.

Justice Kennedy's retirement handed President Trump the opportunity to fulfill his campaign promise to shift the balance of power on the Supreme Court to the far right on these issues. So the President dusted off a preapproved list of candidates for the High Court—a wish list prepared and presented to him by the ultraconservative Federalist Society. This is the same list of candidates that the Federalist Society assured President Trump would satisfy his litmus test of overturning *Roe v. Wade* and striking down critical healthcare protections. This is the same set of candidates from which the President selected Neil Gorsuch to fill the late Justice Antonin Scalia's seat—the seat that Senate Republicans stole when they violated all norms of Senate procedure by refusing even to hold a hearing on President Obama's nominee, Merrick Garland. In the short time that Justice Gorsuch has been on the Supreme Court, he has proven himself to be every bit of the far-right conservative Justice that the Federalist Society promised he would be.

DC Circuit Court Judge Brett Kavanaugh's name was on that Federalist Society's wish list as well. With the President's nomination of him to the Nation's highest Court, the President has found another Federalist Society-approved jurist whom he believes will pass his litmus test, and that should concern every single American.

Brett Kavanaugh is a judicial conservative's dream come true—a young jurist who will push the Supreme Court to the right for decades to come. His record on issues such as access to healthcare, consumer and environmental protections, and a free and open internet portend a rubberstamp for a conservative, right-wing agenda that would move us backward as a nation.

At the same time, it is very concerning that Judge Kavanaugh, who once served as Ken Starr's top deputy in the White Water and Monica Lewinsky investigations of President Clinton, has said that a sitting President should not be investigated for allegations of wrongdoing, should not be indicted or tried while he is in office, and should not have to participate in civil legal proceedings until he leaves office. This is from a veteran of Ken Starr's staff, leading the investigation against President Clinton throughout the Monica Lewinsky investigation. It is no coincidence that a President who now fears all of these legal actions would nominate a judge who could shield him from those legal actions.

Perhaps the gravest concern that the Kavanaugh nomination raises is the fate of *Roe v. Wade*. For 45 years, *Roe* has not just protected access to safe and legal procedures for women in our country, but it has affirmed the constitutional right to privacy. *Roe* recognizes that all Americans must be able to make their own personal health decisions based on their own beliefs, needs, and circumstances.

Judge Kavanaugh's record on the DC Circuit inspires no confidence that he will protect this fundamental right. He has supported restricting access to contraception, and he recently would have forced an undocumented minor in Texas to delay receiving a safe and legal termination of her pregnancy despite her taking all of the necessary steps to access that procedure under Texas State law. If confirmed, Judge Kavanaugh will almost certainly have more opportunities to inject the government into women's decisions about their own bodies.

Over recent years, State legislators across the country and their allies have pushed the boundaries of restrictions on legal abortion. Challenges to these laws are winding their way through the judicial system now and could certainly land in the welcoming arms of a nominee whom the Federalist Society have assured the President would reverse *Roe v. Wade*.

Confirming Judge Kavanaugh to the Supreme Court is an invitation for anti-choice advocates to intensify their crusade against women having access to procedures which they choose to make, taking them closer to their dream of overturning *Roe v. Wade* and turning back the clock on women's health freedom and economic security.

Let's be clear. Overturning *Roe* wouldn't end these procedures across this country. It would just end safe abortions that women would have access to.

Those across the country who care about protecting individual liberty and autonomy in healthcare decisions, including access to safe and legal procedures, are galvanized and mobilized politically in a way we haven't seen in a generation. They are organized, and I believe they will bring that political power to bear in opposition to the Kavanaugh nomination. Our judicial system—and the Supreme Court, in particular—has a special role in our democracy as a neutral arbiter of the law. The American people must have faith that this institution and its Justices will uphold this sacred responsibility.

Stepping back and from a larger perspective, looking at the Affordable Care Act, we have to ensure that, ultimately, protections for those with pre-existing conditions in the healthcare system, which are guaranteed under ObamaCare, are continued. Every family in our country has somebody with a pre-existing condition, and we have to make sure this nomination does not lead to such fundamental changes in the Affordable Care Act, eviscerating those protections and rights.

The President had an opportunity to choose a nominee that would unify this country and assure the public of the independence of the judicial branch. Instead, he shamelessly, in a partisan way, picked someone who would only serve to propel our highest Court into a far-right orthodoxy for generations to come, becoming the "supreme right-wing court."

If Judge Kavanaugh is confirmed, women's freedom to make decisions about their bodies, reforms to our healthcare system, the quality of our air and water, and much more will be at risk. This is a critical moment for our country and much too important for any Senator to rubberstamp this nominee in the name of deference to the President.

I am going to fight this nominee every step of the way, and I ask every American to join me in this fight. We will need all Americans to organize, to march, to raise their voices, and to say: Judge Kavanaugh does not represent the values we need on the Supreme Court of the United States of America.

Thank you.

I yield back.

The PRESIDING OFFICER. The Senator from Colorado.

COLORADO FOREST FIRES

Mr. GARDNER. Madam President, I come to the floor today to talk about fires that Colorado faces right now—some of the most devastating fires in Colorado history. As of the writing of our comments this morning, there were 40 fires so far in 2018. This is one of them. I think this is the 416 fire, which I had the opportunity to visit just a couple of weeks ago.

This past week I was in Colorado, where we were able to see the Sugarloaf fire. I drove by the Weston Pass fire. This is some distance away from the Lake Christine fire, and obviously, the Spring Creek fire in Colorado. As a result of these fires, over 355,000 acres in Colorado have burned. That is simply devastating right now.

Congress has not been inattentive to the needs of our forests. Over the past several months, we passed legislation that would fix the fire borrowing crisis that had gripped the Forest Service. That was something that was forcing them to cannibalize dollars that could be used to reduce the next year's forest fires on this year's forest fires. We fixed that. We put fixes in place for that.

We also passed legislation to give our land managers more tools to help address dead trees and insect- and disease-ridden forests so we could have healthier forests. I hope the work we do on healthy forest policies, which we have already made progress on, will continue in this Congress. These fires are certainly devastating.

These communities remain open. No matter where you are in the country, if you have a summer vacation in Colorado, I hope you will still come. These communities need you now more than ever. They need your dollars. They need your resources. They want you to come and visit.

In the meantime, we have to make sure that we provide our firefighters—the great men and women on the frontlines of these fires—the tools they need to protect our communities and the tools our land managers need to make sure they can prevent these fires from happening.

In this Congress we have also considered policies addressing categorical exclusions. That is a fancy way of saying that it gives line managers tools to reduce the fire risks in certain areas. We have helped to provide tools in fire regimes I, II, and III. There are five fire regimes: fire regimes I, II, III, IV, and V. They are defined by how likely they are to burn and how frequently they are to burn in certain conditions. Much of the West, though, is what is called fire regimes IV and V. You can see the colors of fire regimes IV and V, the orange and reddish color, and the purple color. The green, the light green, the yellowish colors are I, II, III.

We have been able to provide new tools for fire regimes I, II, and III, but we haven't provided as many tools in fire regimes IV and V. That happens to be a significant portion of the West. That is where most of the beetle and other insect kill has occurred in Colorado. When a tree is killed by an insect, it creates a significant fire hazard.

We have also been able to provide the amendments that we filed in the farm bill. Unfortunately, they didn't succeed. I hope we can get them through to provide help in these high-risk areas of disease and insect-ridden forests.

Past management practices have created conditions where we may have monoculture forests, where you have a forest with the same age of trees. You have the same conditions that allow them to be susceptible to the same insects and the same diseases, and you end up with thousands of acres that are susceptible to catastrophic wildfire.

Where a lot of Colorado's beetle kill and insect kill can be found is also where the headwaters of some of our Nation's most significant water sources are. Colorado is the only State in the country where all water flows out of and no water flows into. I know the Presiding Officer is a beneficiary of Colorado water as well—probably not enough of it, she would say. But it is important to Nebraska that we protect Colorado forests because the headwaters of the Platte River are in Colorado—the North Platte and the South Platte.

There is work we have to be doing to make sure that we protect these watersheds, because what happens when a forest burns is that you end up with hydrophobic soil conditions and that runoff from a rainstorm goes directly into the water. It destroys the watershed. If you have a forest that has four or five times the undergrowth that it should, then that takes more water out of what would naturally go to the waterway and the watershed, meaning there is less water available for other uses downstream.

I want to talk more about forest management. We had another fire in Colorado called the Buffalo fire in Summit, CO. If you have ever driven up I-70 through the Eisenhower Tunnel, toward Breckenridge, you go by a town called Silverthorne. You can see in

Summit County that the Buffalo fire threatened 1,400 homes. So 1,400 homes were evacuated as a result of this fire. The fire was 91 acres. It is about 95 percent containment, but this risk it posed was significant because there was a very densely populated area of the mountains, a community of homeowners. There were 1,400 homeowners who had to evacuate.

They had a lot of high-risk fuels, but what this community had done was something we should brag about all over the West. They actually had collaborative efforts with State and local governments in this area. They developed fuel treatments to help moderate fire activity.

This was a challenging fire. We have extreme fire behavior in Colorado this year, but because of the collaborative work they had done, that helped to reduce the risk, to thin forests, to reduce the fuel, and to create the fire breaks. They were able to keep this fire from reaching those homes. The fire treatment worked. This is an example of a process we ought to be spreading and looking at to help reduce hazardous fuels around the West to make sure we don't lose our communities when we have these devastating fires. This was just west of Silverthorne. These fuel reduction projects helped to create fire breaks, and they prescribed burns which contain a fire with extreme behavior that could have been devastating. This wasn't too far away from the Dillon Reservoir, a key source of water for Colorado.

I also want to talk about some of the language we have in the farm bill. We have language in the farm bill that addresses vegetation management. This picture shows what happened after a forest fire. This is a power line, obviously. You can see the power lines going through it.

We have risks to our forests, our communities, our homes, and risks to our watersheds. We also have risks to our power supply systems. You can see that this pole has been simply disintegrated as a result of the fire. This has cost at least one utility over \$10 million in the Basalt area, as a result of the fire.

We are working on language dealing with vegetation management. Senator BENNET and I sponsored language that would allow utilities to do work on their own dime outside of the rights of way to prevent this fire from impacting our electricity and energy system. The Lake Christine fire, which is near Basalt, put a lot of different types of electric infrastructure out of commission. This utility, as I mentioned, is estimating that it will be millions of dollars for them to repair. It makes sense for us to give tools to these utilities on their own dime to prevent this kind of damage, because they would be creating fire breaks. They would be creating more resilient systems that would allow our communities a little bit more security, I guess, in knowing that their electricity systems would be protected and safe.

These kinds of bills that we have been able to produce have had and will have great impact on how we can prevent and how we respond to catastrophic wildfires. Certainly, a \$10 million cost from one fire, as well as other costs, will increase rates. It has the potential to increase rates dramatically if we can't get a handle on the right kinds of policies.

Finally, I want to turn to another disturbing aspect of what we have seen in Colorado with these forest fires. We have seen an uptick of drones flying over active forest fires and firefighting areas. If you fly a drone and do that without interfering with the firefighter—following all the rules—then I don't think anybody has a problem with it. If you are flying a drone and violating the rules and you are flying it over an active fire, stop it. I talked to far too many incident commanders who had to call off air tankers because there was a drone in the area. There is a video on YouTube where you can see footage from the drone taking a picture of the forest, while you see the shadow of a tanker on the ground because the tanker went right over it.

The pilots of that tanker were asked: Did you see the drone?

They said: No.

What would have happened if that drone had hit that plane, perhaps causing an accident, perhaps costing lives, perhaps starting a new fire because the plane could have crashed as a result?

If you call off an air tanker already in the air, that tanker can't land with the slurry that it has onboard already. So the air tanker gets called off. It then has to dump the slurry somewhere else. That could be \$10,000 worth of slurry at a time wasted because they got called off because somebody decided they would rather fly their drone and get videos that they can post on YouTube, instead of allowing firefighters to do their job.

This is what the Forest Service put out: "If you fly, we can't."

You have a 110,000-acre fire in the Spring Creek fire right now. Over 200 homes are lost. An hour a day without supertankers—without air tankers—is a big problem for those communities and the men and women putting their lives at risk trying to defend and protect our forests and our communities. I hope people will use a little bit of common sense and not fly their drones over an active firefighting.

I introduced legislation with Senator BENNET and Congressman TIPTON to make it a felony to interfere with a firefighter operation over a forest fire if you are flying a drone illegally.

We met with individuals from Oregon and from all over the West when I visited the fire at the incident command center in Southern Colorado when we visited the Spring Creek fire. We talked to fire men and women who spent their Fourth of July not watching fireworks or picnicking with their family but defending and protecting our communities in Colorado. We

thank them for their work. We thank them for their tireless efforts and sacrifice.

It is dangerous. In fact, just last week, as we were at the fire on Friday, we commemorated and recognized the anniversary of the Storm King Mountain fire and the 14 persons who were killed near Glenwood Springs about 24 years before. This is a very serious fire season. Thankfully, we have serious policies in place that are addressing it. There is more work we can do.

I thank my colleagues.

RESTORE OUR PARKS ACT

Madam President, I come to the floor today also to talk about a bill called the Restore Our Parks Act and a committee hearing that we had yesterday before the Energy and Natural Resources Committee. That legislation would provide billions of dollars to address the most pressing maintenance needs at our Nation's national park units. National parks and monuments are an important part of Colorado's history and heritage and of our Nation's shared love of our public lands system.

We know that in 2016, the year the National Park Service was celebrating its centennial, Colorado's 12 units managed by the National Park Service saw over 7.5 million visitors who spent around \$485 million visiting our national parks in Colorado. However, after years of increasing visitation popularity, national park units across the country are showing signs of stress and overuse for which programmatic funding has not kept up.

National park units in Colorado account for over \$238 million of the \$11.6 billion in maintenance needs our national parks now face.

Rocky Mountain National Park, which is one of the Nation's most visited parks in the country and boasts the highest altitude paved road in the continental United States, has \$84 million alone in deferred maintenance needs.

Mesa Verde, Colorado's oldest national park and the first established to protect the works of man, needs \$70 million to address its deferred maintenance backlog.

The list goes on for Dinosaur National Monument, the Great Sand Dunes, and even Bent's Old Fort.

I have been happy to join with a bipartisan group of colleagues—Senators ALEXANDER, PORTMAN, KING, and WARNER, among others—to craft and advance legislation that fulfills our promise to the public that the upkeep of our public lands is a priority.

I am also pleased that it is based on a funding model that has worked so successfully for the Land and Water Conservation Fund—one of the crown jewels of our Nation's conservation programs.

I would point out that just 20 days ago another group of bipartisan Senators was holding a press conference to highlight the need to reauthorize LWCF in the next 100 days before that

authorization lapses. I was a part of that group. We talked about the need to have this program reauthorized again before it expires. Now the deadline is just about 78 days away.

I must also mention that we have yet to fulfill our promise on funding for LWCF. We need to fully fund that program. It is something I hope we can do in the near future.

While I believe the structure of the Restore Our Parks bill is sufficient and that the same will not happen here, we need to ensure our full commitment to this new effort, so it doesn't suffer the same fate, by making sure we have the funding promised by Congress.

I urge my colleagues to find a bipartisan path forward to permanently authorize and to fully fund the Land and Water Conservation Fund because access to the land we are trying to maintain is as important as the parks themselves.

I again thank my colleagues for coming together on the Restore Our Parks Act in recognition of the necessary, overdue fix to address our park unit's deferred maintenance backlog that has persisted for far too many years.

Thank you.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CRAPO). Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to yield back the remainder of the time.

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

All time is expired.

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

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), and the Senator from North Carolina (Mr. TILLIS).

Mr. DURBIN. I announce that the Senator from New York (Mr. SCHUMER) and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

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

The result was announced—yeas 70, nays 23, as follows:

[Rollcall Vote No. 154 Ex.]

YEAS—70

Alexander	Flake	Murray
Barrasso	Gardner	Nelson
Bennet	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hassan	Reed
Burr	Hatch	Risch
Cantwell	Heinrich	Roberts
Capito	Heitkamp	Rounds
Cardin	Heller	Rubio
Carper	Hoeven	Sasse
Cassidy	Inhofe	Scott
Collins	Isakson	Shelby
Cooms	Johnson	Smith
Corker	Jones	Tester
Cornyn	Kaine	Thune
Cotton	Kennedy	Toomey
Crapo	King	Udall
Cruz	Klobuchar	Van Hollen
Daines	Lankford	Warner
Donnelly	Manchin	Whitehouse
Durbin	McCaskill	Wicker
Enzi	McConnell	Young
Ernst	Murkowski	
Fischer	Murphy	

NAYS—23

Baldwin	Gillibrand	Peters
Blumenthal	Harris	Sanders
Booker	Hirono	Schatz
Brown	Leahy	Stabenow
Casey	Lee	Sullivan
Cortez Masto	Markey	Warren
Duckworth	Menendez	Wyden
Feinstein	Merkley	

NOT VOTING—7

Hyde-Smith	Paul	Tillis
McCain	Schumer	
Moran	Shaheen	

The nomination was confirmed.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 595.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2018.

CLOTURE MOTION

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

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2018.

Mitch McConnell, Mike Crapo, Tom Cotton, Johnny Isakson, John Kennedy, John Thune, John Boozman, Roy Blunt, John Cornyn, Tim Scott, Richard Burr, Thom Tillis, Cory Gardner, Roger F. Wicker, Mike Rounds, John Barrasso, Jerry Moran.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 892.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Andrew S. Oldham, of Texas, to be United States Circuit Judge for the Fifth Circuit.

CLOTURE MOTION

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

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Andrew S. Oldham, of Texas, to be United States Circuit Judge for the Fifth Circuit.

Mitch McConnell, Roger F. Wicker, Steve Daines, Richard Burr, Mike Rounds, Bob Corker, Mike Crapo, Thom Tillis, Chuck Grassley, John Boozman, Johnny Isakson, Orrin G. Hatch, John Cornyn, David Perdue, John Barrasso, John Hoeven, Roy Blunt.

LEGISLATIVE SESSION

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 903.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Ryan Wesley Bounds, of Oregon, to be

United States Circuit Judge for the Ninth Circuit.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

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

The bill clerk read as follows:

CLOTURE MOTION

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

Mitch McConnell, Roger F. Wicker, Steve Daines, Richard Burr, Mike Rounds, Bob Corker, Mike Crapo, Thom Tillis, Chuck Grassley, John Boozman, Johnny Isakson, Orrin G. Hatch, John Cornyn, David Perdue, John Barrasso, John Hoeven, Roy Blunt.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

The Senator from Arizona.

NATO SUMMIT

Mr. FLAKE. Mr. President, I rise today to discuss a matter of great import, given the events of the past few days in Europe as they relate to friends, foes, and peace. Global peace is not a zero-sum game, and global alliances ought not be subject to whim, impulse, opaque machinations, or material threats of cancellation over internal disagreements. The world relies on the United States for stable and reliable leadership, and we have in turn benefited greatly from the peace and stability for which we have been the chief guarantors. This is not a subject that is even debatable.

Lately, the President of the United States has been characterizing our most vital relationships around the world in purely transactional terms, asserting that America has been taken advantage of, and he has gone so far as to suggest that when it comes to our relationship with our NATO partners, we get nothing for our troubles.

Nothing for a stable and peaceful Europe? This is the danger in viewing these relationships as mere transactions, absent our shared values. Absent values, the world is nothing but a cruel and cold place of warring camps and territorial ambitions and no durable alliances whatsoever. To view the world this way requires a frightening unawareness of the postwar security order that we ourselves created.

This posture of antagonism and suspicion toward our partners and peace can be held only when you blot out 70 of the most consequential years of the world. Apart from our shared sacrifice and our shared security, what we have been through together over those 70

years cannot adequately be reflected on any ledger or list of petty grievances, and a seeming ignorance of the scale of that history is blundering and strange.

The mindset that comprehends a trade deficit as a grievous offense or an unfair act of aggression is the same mindset that can upend vital security relationships that have been similarly misperceived. Sometimes, if I didn't know better, I might say that we are purposefully trying to destabilize the Western alliance and to turn the world upside down. I might come to this conclusion because, by a process of elimination, no other answer would make any sense.

If this is some kind of stratagem, what good could possibly be achieved by heedlessly making friends into enemies, and who, exactly, would benefit? What would this President replace the Western alliance with? There simply is no better order that could be achieved by this destabilization.

Today, I rise to pose a few questions, and I believe there is much riding on the answers to these questions.

A couple of days ago, the President of the United States said that his upcoming meeting with Russian President Vladimir Putin would likely be easier than his meeting with America's most important allies at the NATO summit. Why would a President—any President—say such a thing? The Russian President, at the very least, personally directed a propaganda campaign and an extraordinarily ambitious series of cyber attacks aimed at the integrity of our elections in 2016, and we have been told that these attacks are continuing. He has shown no signs whatsoever of changing his behavior.

The Russian President is a man schooled in treachery and espionage. He jails and murders his opponents, presides over a mafia state, and he is an enemy of democracy. Why would a meeting with Putin be easier than a meeting with the allies we rely on most to be a bulwark against him?

Vladimir Putin is not "fine," as the President recently asserted. And singing his praises for no good reason sends a terrifying message to our allies, especially those countries that share a border with Russia. Flattering such a man, who has demonstrated his hostility toward us and contempt for our values and has recently annexed parts of neighboring sovereign countries, is simply bizarre. That the admiration comes from an American President—well, that is unconscionable.

The President, of course, continues to entertain Mr. Putin's denial of election interference and otherwise hardly mentions the Russian attacks on us, other than to talk about the Russia hoax or to refer to Mueller's investigation into the attacks as a "witch hunt"—this, in spite of conclusive and overwhelming proof of Russian involvement generated from investigations conducted by his own government. Why?

Then, before the recent G7 meeting, the President called for Russia to be readmitted to the G7, in spite of the fact that Moscow continues to occupy Crimea and has shown no remorse whatsoever for its behavior toward the United States. Why?

Then, yesterday in Brussels, the President offered a twisted interpretation of how NATO works and how it is financed in order to frame a grievance against our NATO allies, supposedly on behalf of the American taxpayer. Why?

Why would an American President create such conflict? Why does the President's complaint about our closest friends on the global stage unnervingly echo the Russian position? Mr. Putin's singular foreign policy goal is to weaken democracies and destroy the Western alliance. Could we possibly be helping him any more in his quest than by baselessly attacking our own allies?

The antipathy and hostility toward our friends and allies are simply inexplicable, but it is not good enough for us just to say that. It is our job and obligation in this body to try to end it—to reassure our allies that they are still our allies.

Over the Independence Day holiday, I had the privilege to lead a bipartisan and bicameral delegation to the Nordic and Baltic states to talk to our friends whose view of the Russian threat is much more intimate than ours and to hear of the concerns of the leaders there—NATO allies and partners. We wanted to assess the threat for ourselves.

In Latvia, where 40 percent of the population is ethnic Russian, the propaganda from Moscow is strong and unrelenting: The NATO alliance is weak. It will not last. The United States is an unreliable ally.

These themes have lately become very familiar on this side of the Atlantic as well.

The people of Latvia, ethnic Russians, and otherwise, pay close attention when an American President is reported to have said things like Crimea is rightfully part of Russia because the people in Crimea speak Russian. Well, there is a lot of Russian spoken in Latvia too. Does that mean that the United States would concede to Russian aggression against Latvia on this basis?

Vladimir Putin presides dictatorially over the remains of a collapsed empire. All he has now are nationalism and territorial ambitions and nostalgic appeals to former glory. He is not a strong leader for his people, as our President has said, any more than Kim Jong Un's people love their dictator, as he has also said. If we fail to see these things clearly, then we fail the world, and we fail ourselves, and we dishonor those from our own country and from our allied countries who kept the Soviet menace at bay for half a century as the world hung in the balance.

We are now told that the President will be meeting one-on-one with Mr.

Putin. He will have no staff present, no press, no one to make a record of the event. Why? If the White House is as confused about the nature of the threat we face from Mr. Putin as it seems to be, a meeting between our President and his Russian counterpart for which there is no record could not be more concerning. It is vital that even the most private meetings between leaders not be lost to history, especially when once again the world seems to be hanging in the balance.

NATO is one of the greatest and most visionary investments our Nation has ever made, and anybody who says differently is simply wrong. Any counter-narrative about NATO is willfully destructive and does real and lasting damage to us in the world.

I join my senior Senator, JOHN MCCAIN, in the sentiments he expressed just weeks ago. To our allies: Bipartisan majorities of both parties support our alliances based on 70 years of shared values. Americans stand with you.

Now, I would be remiss if I did not, here today, remind my colleagues that the only time article 5 of the NATO Charter has been invoked has been by the United States after the attacks of 9/11/2001. Our allies accompanied us into battle to defend our country and our way of life, and they paid an eternal price for their commitment to our shared security. Of the more than 3,500 casualties sustained thus far in Afghanistan, roughly a third are the sons, the daughters, the husbands, and the wives of our NATO allies. In the spirit of NATO, those casualties are our casualties. We cherish them and their sacrifices as if they were our own because they are our own. Let us honor them not just in memory but in deed—in the way we conduct ourselves here in this place, in our commitment to the values for which they died, in the clarity of our purpose, and ultimately in our basic ability to tell right from wrong no matter the cost.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I ask unanimous consent that with respect to the Ney nomination, 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.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CASIDY). Without objection, it is so ordered.

NOMINATION OF BRETT KAVANAUGH

Mr. PORTMAN. Mr. President, I rise today to talk about a couple of topics.

I first want to talk about Brett Kavanaugh.

Brett Kavanaugh is the President's nominee to be a new Justice on the U.S. Supreme Court. Yesterday, I had the chance to sit down with Judge Kavanaugh in my office and talk about his judicial philosophy, his view of the role of the courts, and how he would approach some of the tough issues the Court is likely to face. Frankly, I cannot think of anybody who is more qualified to serve as the next Associate Justice of the Supreme Court. This guy's background is incredibly impressive, as is his record, which I will get to in a minute.

As important to me is Brett Kavanaugh the person. Let me speak briefly about Brett, because I have known him for over 15 years. I have gotten to know him and his wife. I worked with him in the George W. Bush White House. I also had the opportunity to work with his wife because she was the personal assistant to President George W. Bush. They are both wonderful people. They are a great family. Brett Kavanaugh is a person I have gotten to know, not so much as a legal scholar or a judge but as a friend, and I have watched him as a father and as a husband. He is a guy with great compassion, great humility, and a big heart.

In his remarks on Monday at the White House, he talked a little bit about his life outside of being a judge.

He talked about coaching his daughter's basketball team. Many of us who have been coaches for our high school kids and grade school kids probably were able to relate to that. I am glad my kids got old enough where they could get better coaching so they wouldn't have all the bad habits I probably taught them. The fact is, that is who he is. He loves his daughters. He coaches the team. He makes that a priority.

He talked about tutoring kids, underprivileged kids. That is something he does quietly on his own time and feels strongly about.

Finally, he talked a little about the fact that he prepares and serves meals to homeless people who are connected through his church. He talked about the priest whom he works with on that. I talked to the priest afterward, and the priest said: You know, in fact, we do this regularly. In fact, we are going to be serving a meal together on Wednesday. You never heard Brett Kavanaugh talk about that. In fact, in my meeting yesterday, Brett Kavanaugh did not mention that he was going straight from my meeting with him to serve meals to the homeless. I found out after the fact when someone brought to my attention that on Twitter, there was somebody who was there and had taken a photograph of him kind of in the background with a ball cap on. It is not something he brags about. It is not something he told me about. It is not something he does because it is the right thing to do

for political purposes; he does it because it is the right thing to do as a Christian and as someone who cares about his community. That is the Brett Kavanaugh I know.

I hope that others will see these sides of Brett Kavanaugh as he goes through the confirmation process because I think that as people get to know him through that, they are going to be very impressed.

People are going to differ some on judicial philosophy. With regard to what kind of person you would want to see on the Supreme Court of the United States, to look at what will be difficult issues that will come before that Court, you want somebody who has a big heart, who has compassion, and who is humble and has the humility to be able to listen. Brett Kavanaugh is a good listener.

He has a very distinguished legal record. There are some great judges out there, but I don't think anybody has qualifications better than Brett Kavanaugh's. He is clearly qualified to sit on the U.S. Supreme Court.

Oftentimes, people call the DC Circuit the second highest court in the land. That is the court on which he already sits. There, serving on the court, he has earned the respect of justices across the spectrum—judges on the right, judges on the left. He has had a number of law clerks go through his process who end up clerking maybe for the Supreme Court or going into private practice or pro bono work or working with the government. Every one of them I have had the opportunity to know or talk to has glowing things to say about him—one who is my counsel in my own office. He has earned the respect of people whose lives he has touched, who have worked with him.

Brett Kavanaugh has a great legal education. He graduated from Yale Law School and clerked for Justice Anthony Kennedy. That is the Justice whom he would replace should he be confirmed. Anthony Kennedy is viewed as a consensus builder. Brett Kavanaugh is a consensus builder.

In his more than 300 published opinions, Judge Kavanaugh has proved time and again that he is a judge who deserves that respect because he applies the law fairly and impartially. He is independent, impartial, and smart. He interprets the law and the Constitution rather than try to legislate from the bench, which is very important. I think sometimes we forget about the separation of powers. This is where people are accountable to the voters and where we legislate. The members of the Supreme Court and the lower courts, as well, are meant to interpret those laws and take our great Constitution and faithfully interpret that as well. I think that is a very important judicial philosophy and one that I think most people want. That is what they are looking for in a judge—one who fairly and impartially applies the law and protects the rights guaranteed by our Constitution, not one who advances personal public policy goals by legislating from the bench.

Judge Kavanaugh has embodied this philosophy for his entire career as a judge.

Professor Kavanaugh, as he is known at Harvard Law School, where he has taught for 10 years, is so committed to the Constitution that his students say he carries a copy of it in his pocket. They also commented that it is a very well-worn copy, because he pulls it out. They say it is almost falling apart from the use he makes of it.

It is the Constitution he is loyal to, not partisan politics. According to one student from Harvard Law School:

If you didn't know his background that [partisanship] wouldn't come across. You wouldn't think, "Oh this guy's a Republican or this guy's a conservative." He wasn't in class to lecture us on Judge Kavanaugh's policy preferences. He was there to talk about the law. I don't see him as someone motivated by outcomes but as someone motivated in finding out what the law is and what the law says.

I think that is a big part of the reason why he is such a widely respected judge and why he is so widely cited by other courts, including the Supreme Court. They have endorsed his opinions more than a dozen times in the Supreme Court of the United States, including some of his dissents that have then become the law of the land. So they pick up his dissent at the DC Circuit and use that in the Supreme Court as the reasoning for a decision from the U.S. Supreme Court. That is highly unusual. I think that speaks to his credibility, his legal competence, and also his hard work. He is a hard worker who focuses on ensuring that he is fully prepared.

He is also a dedicated public servant. He has chosen to spend 25 of his last 28 years serving the American people in various jobs.

For all these reasons, I think he is a great pick. I think he has the experience and qualifications. I think he is someone who understands the appropriate role of the judiciary and puts that understanding into practice on the bench. He has a record to look at. Just as important to me, though, is that he is a good person.

I am proud to support Brett Kavanaugh's nomination to the U.S. Supreme Court. I hope my colleagues on both sides of the aisle will keep an open mind and get to know Brett Kavanaugh, as I have gotten to know him and as I hope the American people will get to know him, before they make a judgment. My hope is that Brett Kavanaugh will become a Supreme Court Justice who will make us all proud.

RESTORE OUR PARKS ACT

Mr. President, I also want to talk today about an important topic, which is our national parks. Our parks are an absolute treasure for our country. They are beautiful places, beautiful public lands. As important, they are part of our American culture and part of the history we have as a country, and it is important to preserve that legacy.

As an example, in Ohio, we have the Wright brothers' home and shop in Dayton, OH. It stands as an inspiration to anybody who dreams big dreams because that is what these two brothers did. You can see where these two Ohio brothers changed the world. Otherwise, frankly, they lived a pretty ordinary life. Preserving their home and that shop is very important to see that anybody can dream big and make a big difference. We have a responsibility to preserve that site and so many others that are important to our history for generations to come.

The National Park System includes more than 84 million acres of parks and historical sites that now attract more than 330 million visitors annually. It is an amazing system.

By the way, I was told yesterday that only one department or agency of the Federal Government has more assets than the national parks, and that is the Department of Defense, with all the military bases and all the physical assets they have. Otherwise, it is the parks. The parks have an enormous number of buildings and roads and bridges and water systems and visitors' centers and so on.

In my home State of Ohio alone, we have eight of those national parks, including Cuyahoga Valley National Park, which is the 13th most visited park in the United States of America. We are very proud of Cuyahoga Valley, whether it is for biking or hiking or fishing or kayaking. I am one of those 2.7 million visitors in Ohio's national parks every year. In fact, the weekend after this weekend, I will be at Cuyahoga Valley National Park with my wife, enjoying that beautiful park.

These parks are treasures, and they have so many wonderful facilities. The problem is that over time we have allowed a maintenance backlog to build up, meaning that so many of these buildings and so much of the infrastructure—the roads, bridges, and water systems I talked about—is deteriorating to the point that some of it is actually not being used. If you go to a national park, you may see that a trail is closed or a visitors' center can't be visited. You may see that some of the facilities that provide overnight lodging aren't available anymore. Why? It is because our parks, frankly, are kind of crumbling from within. They may look great on the outside, and they are beautiful, but there is now a \$12 billion backlog of deferred maintenance at our parks. This has become a real problem.

By the way, that is equal to nearly four times the annual budget of the parks. They just don't have the resources to keep up with these deferred maintenance costs, which tend to be longer term costs, which tend to be more expensive and longer term. Frankly, they are not as interesting to fund. It is not as interesting for Congress to fund the fixing of the roof on a maintenance building at Yellowstone National Park as it is to set up a new nature program for visitors. So this has become a problem.

Think about your own home. If you allow deferred maintenance to build up—if you don't take care of the roof, for instance—what happens? You get a leak in your roof. Then you find out the drywall is ruined or the paint is ruined or the floor is ruined, and the costs mount. That is what is happening in our parks right now. When maintenance projects aren't completed on time, it is called getting delayed or getting deferred, and that is what we are focused on.

By the way, nearly two-thirds of that deferred maintenance is attributable to our national parks' aging infrastructure. This would be roads and bridges and buildings and so on.

The national parks just celebrated their 100th birthday in 2016, and a lot of us were very excited about that—100 years of these beautiful national treasures. Many of the facilities across the country, therefore, are very old. A lot are more than 80 years old, and some are almost 100 years old and are very badly in need of repair.

The visitation to our parks has increased in recent years, and this has added to this burden. So it is not only that there are deferred maintenance costs, where things are being put off, but with more and more visitors, there is more and more pressure on the parks. From 2006 until 2017—in those 10 years, in that period alone—annual visitation to our national parks increased by more than 58 million people. That is a good thing. To me, it is a good thing. More people are getting outdoors, particularly families who are taking their kids outdoors. More people are enjoying the parks and are learning more about nature and about our history, but it has put more and more pressure on the parks.

The challenges of keeping up with this aging infrastructure and the increased visitation have stretched the Park Service thin and have required it to focus on just the very immediate maintenance needs it has and to postpone, to delay, these projects that can't be completed on schedule.

We can't keep our parks in peak condition with bandaids. Some of this is going to require years of work and planning to go into that, which will require certainty and consistency about funding. When you do the annual appropriations process here, as you know, it is year to year. You do not know how much money you are going to get, and sometimes we cut back. They need to know there is going to be some funding there, some certainty, to be able to make some of these much needed repairs to our parks.

Unless we take action, of course, it is just going to get worse. We talked about that. When you don't deal with deferred maintenance, it tends to build up and become worse. We are told that the \$12 billion backlog is increasing at a rate of about 3 percent per year. That is because, as the experts have told us, it is a compounding issue, meaning that maintenance projects that go

unaddressed often create these other problems. They create more repair costs. The spike in visitation to national parks over recent years has put more pressure on, and the longer we wait, the more expensive it gets.

For the taxpayers, it is better to move now to address these maintenance needs than to wait as they become more and more expensive. When roads, bridges, parking lots, and pathways decay, people are not able to visit those sites often. Some are even shut down.

I mentioned that there are 330 million people a year who visit our parks. There are also 330 million people, therefore, who are spending money around our parks. It is a huge economic driver. For those who are listening who come from States like mine, where we have big national parks like Cuyahoga Valley National Park, those communities really want to be sure that we continue to have vibrant parks and that people will continue to want to visit and can visit in order to get the broader economic benefit. This is important all over the country.

In my State of Ohio alone, where we don't have the big parks like Yellowstone or Yosemite but where we have some great parks, there is more than \$100 million in overdue maintenance. For Cuyahoga Valley National Park, for example, there is more than \$45 million of backlog, and completing these long-overdue projects will make a huge difference for a visitor's experience. The needed maintenance includes—at Cuyahoga Valley, as an example—\$875,000 for badly needed renovations to the Boston Store Visitor Center. I have been there. I have seen it. It needs the help. That includes \$274,000 in renovations for a shelter and \$6 million in renovations for roads and parking lots to ensure people have parking. It includes water infrastructure improvements. Water infrastructure may not be the sexiest project to support, but it is a very important one. It is very important that we ensure that we have this infrastructure in place. It is the conservative thing to do.

Helping our Park Service has long been a priority of mine, as well as dealing with this backlog. About 12 years ago, when I served as the Director of the Office of Management and Budget in the George W. Bush administration, I launched in our budget something that President Bush and Mrs. Bush were strongly supportive of, which was the Centennial Initiative. Again, in thinking the centennial was coming up in 2016—10 years later—we wanted to put in place the idea of using public-private partnerships to fund the parks. We were successful in getting some of that started.

Frankly, Congress did not pass the legislation to do it, but I continued that effort when I came here as a U.S. Senator and as cochair of the Congressional Friends of the National Park Service for its centennial. I authored a

bill that we set up in 2006 that finally created this endowment fund to be able to take public-private partnerships. Part of it is in the park. Part of it is with the National Park Foundation. That bill, called the National Park Service Centennial Act, was signed into law in the year of the National Park Service's centennial anniversary. The two funds together that were codified in that law have now provided more than \$200 million to address the maintenance backlog.

By the way, more than \$125 million of that has been from private dollars, non-Federal dollars. The idea was to provide the Federal match to encourage more people who love the parks to contribute. We did better than the legislation required, which was a one-to-one match—\$200 million total, \$125 million of which came from non-Federal sources. That funding helps, and I am proud of that. Yet, frankly, as I mentioned earlier, a \$12 billion maintenance backlog requires even more. As soon as we are able to do that, we need to do it because the costs are going up.

I recently authored legislation with three of my colleagues, Senators MARK WARNER, LAMAR ALEXANDER, and ANGUS KING—two Republicans, one Democrat, and one Independent. It is called Restore Our Parks Act. The bill now has eight additional cosponsors who are Democrats and Republicans, and I am hopeful that many more of my colleagues will join us. The legislation is the product of a bipartisan agreement on consensus legislation that combines two similar bills that were already introduced. One was with Senator WARNER and me, and one was with Senator ALEXANDER and Senator KING.

The Restore Our Parks Act is a commonsense solution to this \$12 billion in long-overdue projects, and it ensures that we can do the maintenance to keep the parks up to speed. It creates a legacy restoration fund that will get half of all of the annual energy revenues over the next 5 years, which are not otherwise allocated, to be used for priority deferred maintenance projects. This is funding—these are royalties on offshore leases, let's say, and onshore energy projects. Some of this funding currently goes to land and water conservation funding, and it will continue to go there. These are funds that are otherwise unobligated. The bill caps deposits into the fund at \$1.3 billion a year, which would provide a total of \$6.5 billion for deferred maintenance projects in our parks over the next 5 years.

It is not the whole amount now, but it is historic. We have never had this much funding being put into the parks at this time. It will provide that certainty, to know it is going to be there year after year and for this purpose only. About two-thirds of those funds will go toward buildings, utilities, visitors' facilities, and about one-third will go toward transportation projects, like roads and pathways.

Through simply using funds that the government is already taking in from these on- and offshore energy development projects and not depositing them in the General Treasury, we can cut our national parks' long-overdue maintenance backlog in half. This is exciting because about half of these projects—about \$6 billion of the \$12 billion—are what the Park Service calls urgent projects, urgent priorities. So we will at least have the certainty of knowing that the funding will be there for these larger projects that need to get done. It is a certainty we will never find through the annual appropriations process. We will be able to get some of these bigger long-term maintenance projects done and restore the beauty of our parks where needed.

This legislation is broadly supported. Secretary of the Interior Ryan Zinke and the Trump administration support it. I thank Secretary Zinke personally because he has really committed himself to this issue. When he went through his nomination process, we talked about the maintenance issues at the parks. Like every good fiscal conservative, he said: This needs to be addressed and addressed now; otherwise, it is going to get worse and worse and worse. Instead of adding more to the parks, instead of giving the parks more responsibilities, let's be better stewards of what we have. And I agree with that philosophy. I commend him for that, and I commend him for his support and his help in ensuring that the administration supports it.

Mick Mulvaney, the OMB Director, has also been very helpful in ensuring that we can use this funding source and that they are supportive of it. We also have support from so many outside groups. I can't name them all, but I want to mention the National Parks Conservation Association. It has been terrific, as have the Pew Charitable Trusts and so many other groups. The Outdoor Industry Association and many more have endorsed it.

Just yesterday, we had a hearing on this legislation in the Senate's Energy and Natural Resources Subcommittee on National Parks. It was chaired by STEVE DAINES from Montana, who is, by the way, one of the cosponsors of this legislation. STEVE DAINES is a guy with a personal passion for the parks in his having grown up in the shadow of Yellowstone National Park. We had experts and conservation groups at our hearing who all voiced their support for this legislation.

The director of the Pew Charitable Trusts said it well:

Supporting the bipartisan Restore Our Parks Act is a wise investment for a National Park System that has overwhelming support from the American public, that generates hundreds of thousands of jobs and billions of dollars for the economy each year, that provides access to world class recreation opportunities, and that preserve our nation's history.

Well said.

Deb Yandala, who is the CEO of the Conservancy for Cuyahoga Valley National Park and who is also the president of the national association of all of the friends' groups for the parks, said:

Supporters of our national parks across the country are thrilled with this bill. Addressing deferred maintenance will greatly improve the visitor experience and go a long way toward protecting important historic and natural resources in our parks.

This bill makes sense, and it will help make our national parks even better for the hundreds of millions of visitors every year who take in their beauty and their history. I urge the Senate Committee on Energy and Natural Resources to approve this bill quickly. I know that Senator MURKOWSKI, as chair of that committee, is a strong supporter of our parks, and I know she will be supportive in our moving forward. It is the same with MARIA CANTWELL, the ranking member. Then I hope the full Senate will vote on this legislation soon—vote on it now—so that we can move forward quickly.

We want to make the second 100 years of our national parks as magnificent and successful as the first 100 years have been. This bill is necessary in our being able to do that. I urge my colleagues to join me in supporting this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Thank you, Mr. President.

I wish to commend my colleague from Ohio. The national parks mean so much to us in Alaska, and I am looking forward to getting on that bill as a cosponsor. It is a very important piece of legislation. Once again, Senator PORTMAN is leading the way in the Senate on so many issues.

NATO SUMMIT

Mr. President, this afternoon, I want to say a few words about the President's visit to NATO and the NATO meeting we just had and talk about the importance of alliances and our allies. If you read the press accounts, I think you will see that this trip and the meeting of the President with all of the NATO leaders in Brussels was, overall, a good trip.

There has been this commitment by NATO members since at least 2014—but it really goes way earlier than 2014—for each country to spend 2 percent or more of their GDP on defense spending so that we share the burden of defense.

The United States has essentially always met this target—easily met this target—but a lot of other countries haven't. They have heard time and again from Presidents about this, and yet they have kind of ignored it.

The success of this trip is that it looks like for the first time in years, NATO countries are moving away from cuts in defense spending. Even in the United States, from 2010 to 2016, we were cutting our defense spending. Although it was way above 2 percent, we

cut it by almost 25 percent. We saw a huge drop in readiness. We are changing that. Almost all of the NATO countries are starting to add billions of dollars to defense spending. I think the President deserves a lot of the credit for really pressing this issue. Other U.S. Presidents have pressed it, and the Europeans have kind of ignored it, and it seemed to go away. President Trump stayed focused on it, and we are starting to see a shift, and I think he deserves credit.

The President also highlighted a big national security issue that is in Europe that doesn't get a lot of attention, but that should get a lot of attention, and that is the issue of energy, particularly natural gas and how Russia feeds a lot of Europe—particularly, in this case, Germany. That undermines energy security and national security in Europe and in NATO. It is a controversial topic. A lot of countries in Europe don't like the fact that Germany is spending so much to import Russian gas when NATO is actually focused on defending Europe against Russia. I think the President also did a good job highlighting this issue and how we need to focus on this.

We are seeing some Europeans protesting the visit of our President, but I will state this—and you don't read about this a lot: There has been no Western leader who has done more to undermine Western interests and Western national security and European energy security than the former Chancellor of Germany, Gerhard Schroeder. He was the Chancellor of the Federal Republic of Germany, and when he left office, what did he do? He immediately went to work for Gazprom and Vladimir Putin to sell natural gas to European countries, including his own government and his own country, Germany.

To me, that represents a remarkable betrayal of Western values, NATO security, and European energy security. It doesn't get highlighted, but, for our German friends—and they are our good, close allies—it is one thing to protest our President, but take a look at your former Chancellor. He is doing more damage to the national security of Europe and the energy security of Germany and our allies than probably anybody else in Europe.

The bottom line is this 2 percent GDP goal and this concern that we have with Russian energy going into European capitals. These have been bipartisan concerns of Democratic and Republican administrations of the United States for decades, and I think at this NATO summit we are starting to see some good progress.

The President ended the NATO meeting by saying: The United States' commitment to NATO is very strong, remains very strong, and the spirit of countries willing to spend additional amounts of money is amazing to see. To see that level of spirit in the room of all the leaders is incredible.

That is what the President said today, and I think that was a good

message with which to end this NATO leaders' summit in Brussels.

I want to emphasize another point about our alliances and about NATO. It is also important to know that NATO is not just the sum of the amount of money that countries spend. That is important. There is no doubt about it. But this alliance, which many have viewed as the most successful military alliance in history, is a lot more than just money. At its heart, it is about common values. At its heart, it is about countries coming together to defend democracy. At its heart, it is about countries that have the same core national security interests.

This is very important. At its heart, it is about shared sacrifice. There is shared sacrifice in the checkbook, yes, but it goes way beyond this. It is very important to remember article 5 of the NATO treaty, which is the treaty by which countries invoke the common defense. When you invoke article 5, that means that all of the other allies are coming to help you. All of the other allies are coming to defend you. Article 5 has been invoked in the NATO treaty, which was passed by this body in 1949, one time. It was invoked one time—one time. When was it invoked? After the terrorist attacks of September 11, 2001.

Our NATO allies said: We are going to help defend America—that is really important—and they did. They did.

Again, we talk too much about dollars, and I commend the President for what he has done, but let's talk about other shared sacrifice. The alliances we have around the world aren't just about money. Since 9/11, over 1,000 non-U.S. NATO troops have been killed in action in Afghanistan, coming to our defense after 9/11 and going after the terrorists who killed over 3,000 Americans on 9/11. Over 1,000 NATO soldiers—non-American NATO soldiers—have paid the ultimate sacrifice because of the alliance they have with the United States.

You can't put a pricetag on that. You can't put a pricetag on that. Some sacrifices are more than just dollars. Some sacrifices can't be measured in dollars, and I think it is important for all of us here in the Senate, for the Trump administration, and for all Americans to remember that.

I wish to thank the families of those over 1,000 NATO alliance soldiers who have been killed in action and the thousands and thousands more who have been wounded in Afghanistan, hunting down terrorists who killed our citizens. It is very important to remember that.

The bottom line is this when it comes to one of the most important and enduring strategic advantages we have anywhere in the world: We are an ally-rich nation, and our adversaries—

such as Russia, North Korea, and Iran—and our potential adversaries—such as China—are ally-poor. We are ally-rich. Countries trust us. Countries want to join alliances with the United States, and our adversaries and potential adversaries are ally-poor.

That system of alliances has been built for over 70 years through the hard work of Democratic and Republican Presidents, Secretaries of State and Defense, and U.S. Senators. It has been a joint collective effort.

Here is something else that is important to know. Our adversaries and potential adversaries know that this is the most important strategic advantage we have over any other country, and that is why for years—for decades—countries such as Russia, China, Iran, and North Korea have tried to split up our alliances. We shouldn't let that happen. It is important to remember this as we continue to deal with these countries. I think this NATO summit sent a strong message that we are going to stand together for decades more to come.

When it comes to alliances, this body, pursuant to the U.S. Constitution, plays a very important role. The alliances I have talked about—including, especially this week, NATO—came to the Senate for ratification. Again, it is important as we talk about national security, we talk about 2 percent, and we talk about burden sharing. Yes, we need that from our allies, but we also need to remember that our alliances go well beyond the checkbook—common values and shared sacrifice. Sometimes that is the most important issue to remember as we continue to deepen our alliances and expand them throughout the world, which is the best way to keep peace and prosperity, not just for us but for the entire world.

TRIBUTE TO GOVERNOR BILL SHEFFIELD

Mr. President, it is Thursday afternoon, and the new pages here will hopefully see that this certainly is one of my favorite moments in the Senate, and I know it is the Presiding Officer who gets to see the "Alaskan of the Week" every week around this time. I guarantee the young men and women who are doing a great job as our pages are going to start to view this as their favorite time, too, because they get to hear about Alaska and great stories about Alaska. They get to hear about great and wonderful people in the great State of Alaska who are doing great things for their community, their State, and their country. We call that person our Alaskan of the week.

From the onset, we have tried to focus, generally, on people who are unsung heroes in their communities—people who have worked diligently a lot of times without a lot of recognition. With my colleagues, I get to come and tell stories about what they have done for their community or State or even for their country. At other times, we recognize someone in our State who has made the headlines, someone whose contributions are well known through

all parts of the State. We just do that because we want to reemphasize it, because it is important.

Today we are going to recognize one of those people who is well known in Alaska but whom we think is worthy certainly of the title of Alaskan of the week because of all he has done. His name is Bill Sheffield. He was our State's Governor in 1982, and he has spent his adult life making Alaska a better place for all of us.

Governor Sheffield's story in Alaska embodies what many of us love about our great State. It doesn't matter where you come from or your social status, in Alaska, if you have grit, tenacity, determination, and a servant's heart, nothing can hold you back.

Governor Sheffield was born in 1928 in Spokane, Washington. When the Depression hit, his family had to grow and sell vegetables to survive. It was during this time that he saw firsthand how President Roosevelt's New Deal, passed by this body, helped people, including his father, who was struggling. The idea that government was there to help people stayed with him and turned him into a lifelong Democrat.

He joined the Air Force and, after his release, joined Sears, Roebuck and Company. In 1952 he moved to the great State of Alaska to work for the company as it expanded throughout the State. He repaired televisions and appliances and took on sales roles, excelling both in repairs and sales. He did this all while suffering from a serious, difficult stutter, one he had carried with him throughout his childhood. He said that when he was a child, he simply couldn't or wouldn't talk. "I had to point to pictures," he told one interviewer. But his stutter lent him tremendous empathy, and it also steeled his determination to work hard to overcome obstacles and succeed.

And succeed he did. He got into the hotel business, eventually owning a chain of 19 hotels across Alaska, but he still wanted something more. He wanted to give back to his community. So, in 1982, as a long-shot politician, he ran for Governor. The long shot came in, and he won.

He always understood, and still does, that infrastructure is the key to creating a path for economic growth in Alaska. We are a resource-rich but infrastructure-poor State. The policies that he undertook as Governor and the projects that were built during his administration—likely more infrastructure projects than any other Governor—still have a huge impact on our State today.

Let me just mention a few of them.

The largest zinc and lead mine literally in the world, the Red Dog mine in Northwest Alaska, was made possible by his hard work and that of countless other Alaskans.

The Ketchikan Shipyard was built during the Sheffield administration.

An aggressive road and construction program was undertaken throughout the State, particularly in the city of Anchorage.

The Bradley Lake hydro project near Homer was built during his administration, along with several other hydro projects throughout Southeast Alaska.

He traveled extensively throughout rural Alaska. He went to almost every single village in our State. We have over 200 that are not connected by roads, so that was hard to do. Almost every one was visited by our Governor.

But his crowning achievement was the purchase of the Alaska Railroad. When he first became Governor, the Federal Government had owned the railroad and was threatening to shut it down, which would have been devastating to our State. There were no private buyers, so Governor Sheffield worked with the State legislature and the congressional delegation to buy the railroad from the Federal Government. Then they created a State-owned corporation designed to be operated like a private business, and that railroad, the Alaska Railroad, still serves as a critical transportation link for goods and people throughout Alaska. Since his time in office, Governor Sheffield has continued his ties to the railroad as CEO and chairman of the board.

He has also continued to serve in other public service capacities, such as the port director in Anchorage, and he has contributed to numerous causes and served on many charitable boards, like the Alaska Community Foundation board, and has received countless awards and recognition for his public service.

But what really makes Governor Sheffield so special to so many is that he is just a kind, warm person. He is always lending a hand to others. He is always there for many when he is needed. He does this without regard for political affiliation. His house is always full of Republicans, Democrats, and Libertarians. Last year, I was at a great event at his house, where he honored the Coast Guard Foundation. Many members, both current and past, from both sides of the political aisle—including from this body—have eaten wonderful dinners in his home, including my good friend Senator JOHN MCCAIN, who had dinner in Governor Sheffield's house with Senator Hillary Clinton. That is bipartisanship. When he opens his doors to his beautiful home, all are welcome.

Governor Sheffield recently celebrated his 90th birthday with a party in Anchorage. Unfortunately, I was not able to attend, but I heard it was one for the ages. Hundreds of people showed up. People from all walks of life and all political affiliations were there, all of them sharing deep affection for one of our State's giants, a man with a huge heart, who has made life better for countless Alaskans.

Governor Sheffield, from the Senate, happy 90th birthday. Thanks for your great service to our great State and all you have done. Congratulations on being our Alaskan of the Week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

UPCOMING MEETING BETWEEN PRESIDENT TRUMP AND PRESIDENT PUTIN

Mr. RUBIO. Mr. President, if you are like me, a Member of the Senate in the hallways this week, I think the two questions that have come up over and over again were about the NATO meeting that just transpired in the last couple of days and the upcoming meeting on Monday between Vladimir Putin and President Trump.

I had intended to come to the floor and speak about policies toward China on trade. There is a lot to cover.

There was an article this morning in the Associated Press about how the Chinese Government has turned the American business class into lobbyists. They are basically telling these guys that are doing business in China: You should go back to Washington and lobby your government to stop imposing tariffs on us or you guys are going to pay a price. But I will have time to talk about that next week. That was really my intent.

I want to focus on the meeting on Monday between President Trump and Vladimir Putin because there is a lot of hyperbole. Someone came up and asked: Are you concerned that the President will meet one-on-one with Vladimir Putin and nobody else in the room?

I said: First of all, I guarantee someone else will be in the room because Putin doesn't speak English and President Trump doesn't speak Russian. It will not be a productive meeting if one or two other people aren't there. That should be the least we should focus on.

We should take this stuff seriously. It is an important and serious meeting. I don't take a back seat to anyone in terms of being clear-eyed about Vladimir Putin, and I want to talk about that today a little bit.

I want to start out by saying: Let's all take a deep breath and be reasonable. It is not unusual for the President of the United States to meet with the President of Russia because, of the 16,000 nuclear weapons on this planet, 90 percent of them are possessed by these two countries—almost equally divided. This is the reason other Presidents have met with President Putin or whoever the leader is of the Russian Federation. And that is why those meetings are important and will continue.

That said, it is important—when we analyze these meetings, what we hope they are about, and what we hope they will produce—to understand not just who you are meeting with and what they do but to understand why they are doing it. If you do not understand what the other side wants and what moti-

vates them, then the meetings are not nearly as productive, and neither is our analysis or the suggestions we make about our policy toward that country.

First is understanding Vladimir Putin. I have never met the man. I don't think you need to meet him to believe a couple of things about him. First, is he is a very suspicious human being himself—suspicious of others. I think his KGB background has probably influenced that. He also grew up in the Cold War in Russia in the Soviet Union when Russians didn't even trust each other.

Imagine growing up in a society where people spy on each other, and you don't know, if you say something to your friend in school, if he will report you to the authorities—not to mention the authorities themselves looking at you all of the time. Then imagine actually being a product of their intelligence services.

I think when you grow up in that era, in a place like that, you are naturally going to be suspicious of other people, and you are going to ascribe to them attributes. So that is the first thing.

By the way, I think that also informs his view of the United States. It is impossible, I believe, for someone like this to grow up in that era, in that place, working where he did, and not have deep suspicions and views—negative views—about the United States and the West at-large.

The second thing that is pretty apparent just by watching him, is this guy is competitive. He views everything as a personal thing. Personal-level dominance is important to him, but, more importantly, his relationship with the United States is a competitive one. I think, by and large, he views the world as a zero-sum game, but he most certainly views the relationship between the United States and Russia as a zero-sum game—meaning that in any sort of interaction we are having with Vladimir Putin, there is no scenario in which he envisions that we both do well. He believes there is only so much success in the world, and the more we have of it, the less he has of it. I do believe it informs all the decisions he makes. There can be only one winner.

I think he is also deeply driven by his personal image. I will tell you that he probably wouldn't last 2 weeks in American politics where people are habitually mocked, and if you run for public office or you are a public figure—whether it is social media or the like—everyone gets ridiculed, mocked, and attacked. I am not sure he could ever put up with that sort of scrutiny. He is probably sensitive about it.

The one thing you can tell by watching him is that this is a person who works very hard to control his emotions. He never wants to look angry. He never wants to look as though he is afraid of something or worried about anything. He never wants to look as though he is in doubt about anything. He is very image-driven, and that drives a lot about how he controls his emotions.

But the other thing that I think is common sense is, if you grew up as a spy in the KGB, you know how valuable personal information is and how personal information about you can be weaponized. So that is why we know very little about him as a person—his personal life, his health, or any of these things. You would never know about it other than what he allows us to see—photos of him on a horse without his shirt on or whatever else he wants to show us that day—because he wants to control the personal information that is available.

He also wants to be able to control how his image is portrayed. The image he wants to portray is twofold. No. 1, he wants an image that portrays Vladimir Putin as an important world leader, an indispensable world leader; he is the guy that matters, and in every major crisis on this planet, he is a person whose opinion, views, and positions have to be taken into account. That drives a lot of the decisions he makes. It is the reason they are in Libya right now. It is the reason they are in Afghanistan right now. It is the reason he is trying to figure out how he can finagle his way into the talks with North Korea. It is because he wants to be an indispensable world leader, and there should not be any major discussion on the planet that he is not in the middle of. So oftentimes he injects himself into these things for that reason.

That is tied to his second end goal, and that is the one that drives most of what he does. He wants to restore Russia as a great world power, equal to the United States of America. He cannot do that economically. The Russian economy's GDP is \$2 trillion, which makes it roughly the size of some of our States here in the United States and also roughly the size of Italy, Spain, and other countries. So he is not an economic superpower; therefore, he can only be an asymmetrical superpower, meaning the use of things that are not traditional, such as cyber warfare, his role on the security council, and the military—the ability to project power and to threaten with nuclear weapons and also with their conventional capabilities to invade neighboring countries or to intervene in places like Syria.

Ultimately, what drives him most of all—in addition to being, personally, an indispensable leader—is that he wants Russia and the United States to be viewed as equal powers on the world stage.

I think it is pretty clear from what he has said publicly that he views the 1990s as an era of humiliation for Russia. He looks at the end of the Cold War until the time he took over just in the last few years, and he sees that Russia was weak and America was strong, and we were preying on a weak Russia.

By the way, that is probably how he views the world. He views the world as a zero-sum game, a place where the weak are preyed on by the strong. Therefore, they must be strong, and they must be seen as equal to us.

Understanding all of that and any interaction with him is critical to having a positive, productive, or, at a minimum, not damaging interaction. If we go in with any illusions that this is, somehow, someone who, if we just get along with him better or if we work on some things together, then he is going to change behavior and be less problematic, that is a fool's errand. At the end of the day, if you believe the world is a zero-sum game and if you believe that the competition between the United States and Russia is one in which every time we win, they lose, and vice versa, then it is going to be very hard to find areas of interest that we can truly work on for the mutual benefit of both countries.

That does not mean that you are unnecessarily antagonistic. The bottom line is that the United States is both economically, militarily, and diplomatically superior to the Russian Federation Government in terms of our influence and our ability to do things in the world. When you are stronger—not an image, necessarily, but in reality—it should give you a level of security to be able to figure out ways in which we can work on things that are good for our country but also not lose the wisdom of understanding that you can often fall into traps. What we do not want is to fall into traps.

By the way, on this whole point of strong versus weak, I know a number of my colleagues had the opportunity to travel to Moscow during the last recess. It is interesting how it was covered in the American media—how they portrayed the visit—and how the Russian media portrayed it. I know many of them are frustrated by this. The Russian media basically portrayed them—again, it is state-controlled media, so they are going to portray it any way they want. But they almost made it look as though weaklings from America had gone over there. They were very frustrated by this. It just tells you—it gives you insight into the way they view things in the world. That is why you will very rarely see an interaction that they couch as a meeting that is respectful. They always want to put Putin in a dominant position, and they always want to put Russia in a dominant position.

By the way, one of the tactics Putin uses to accomplish this is before meetings even happen, he announces ahead of time that a deal has been struck, almost as if to trap you into the deal. Obviously, since he is announcing the deal, it sounds as if it is something he came up with.

All of these are interesting points, but where do these conversations lead us? There are a few things I think we need to keep in mind. The first is invitations to work together. They will probably happen, and he will probably announce them before the visit. One, he will say: Why don't we work together on counterterrorism? A lot of people would say: Well, that makes a lot of sense. They don't like the terror-

ists; we don't like the terrorists. So why can't we work with Putin to go after the terrorists?

Ideally, the answer would be: Yes, we have strong disagreements about a lot of things. Whether it is an ISIS element or an al-Qaida element, if we have a chance to work together on it, then we should pursue it.

There is a problem, though, and this is what I hope everyone is clear-eyed about. They are not very good counterterrorism partners. To begin with, their capabilities are just not very good. We have seen that in Syria. They are not targeting terrorists. They are bombing schools and hospitals, and they are—not only have they committed war crimes, but they have assisted Assad in committing war crimes.

If you were going after terrorists, you would go to the places where the terrorists are. For much of that conflict, they have largely spent their time going after nonterrorist rebels—or at least non-al-Qaida, non-ISIS rebels. They are going after those rebels instead. So they are not very good at counterterrorism. They are not very capable.

The other thing is they use that as an opportunity to spy on us. When you are cooperating together militarily, you are embedded alongside each other and sharing information, so that gives you a lot of opportunity to spy on the people you are working with. We need to be wary of that.

Any effort to work together on counterterrorism has to be real. It has to be truly about terrorists, and it has to protect the United States and our information.

The second thing they love to talk about is: Well, why don't we work together on arms control? There are two problems with arms control. It sounds good on paper. The first is they cheat and they violate it. They deny it, but they violate it. The other is that they are for arms control as long as the arms that are being controlled are the ones we have more of or as long as the arms that are being controlled are the ones we are technologically superior in. They seek to use that as an advantage.

It is difficult because if you go out and you talk to people and say "Hey, the Russians want to work together on arms control," everyone says "Well, that is a great idea."

I understand. It sounds very good on paper, but the reality of arms control is something very different. It means this: We are going to look for opportunities to cheat on our end, and we are going to try to strictly enforce it on your end.

Remember, it is a zero-sum game. If they enter into a counterterrorism relationship with us, it will be one in which they win and we lose because Vladimir Putin does not foresee a cooperative agreement with anyone, especially the country he is in direct competition with.

If it is an arms reduction agreement, remember, it is a zero-sum game. He is

motivated by the desire to win at our expense, and he will use arms control as an opportunity to do that if he can structure it appropriately.

The other thing we hear him talk about is cyber. People chuckle about that. Imagine a cyber deal with the Russian Federation under Vladimir Putin. But, again, Vladimir Putin knows that the U.S. private sector and government have cyber capabilities that are superior to his. So if he could come up with some sort of cyber agreement that would create rules which take away our advantage but allow him to continue to cheat and deny they are cheating—zero-sum game—he would be able to jump on top of us. These are things we want to keep an eye on.

The other thing to keep an eye on moving forward in this relationship is the unexpected. One of the things you have seen in his behavior and the zero-sum game sort of analysis of our relationship with them is that any time he sees an opportunity to do something because we are distracted or because the world may not act, he takes advantage of it: 2007 in Georgia; 2013 and 2014 in Ukraine. We could see the Ukrainian hostilities resume. The world is focused on North Korea. We are focused on the arguments regarding NATO. We are focused on the trade situation with China, Canada, Mexico, and everyone else. Everyone is talking about something different, and Ukraine is falling off the headlines.

You could wake up one morning and all of a sudden realize that hostilities have resumed or maybe it will be a massive cyber attack. Maybe it will be ramping up their involvement in places such as Libya or Afghanistan or one morning we will wake up and realize they have deployed significant military assets to one of those two countries—or both, for that matter.

It would be very reminiscent of what we saw him do in Syria, when he saw the—and the excuses would be: The Russians were already there. We are working with the government. They have invited us to come in and bring more people to help them. You would have to foresee that.

The one thing I think we should anticipate Putin will push very strongly on is to get the United States to completely pull out of Syria. What he ideally, probably, wants is some sort of "international process" to resolve it but an international process in which Russia not only is a key player, but they get to stay in Syria; they get to keep their naval base; they get to keep their air assets; they get to keep a unified government in Syria that is friendly to them, all supervised by the international community. But the United States has to leave first.

He would love nothing more than an opportunity to set up that sort of scenario because in a zero-sum game situation, he foresees a world in the next 5 years in which Russia has significant

military and other assets in Syria permanently, potentially in Iraq, Afghanistan, and Libya, and all of a sudden, the countries in the Middle East are saying to themselves: You know, Russia's Vladimir Putin is a guy who can be an interlocutor, a mediator of the disputes in this region. This is a person we should be working with. This is a person who actually is more reliable to work with in the Middle East. He would love nothing more than that, and he would be able to do it without committing 100,000 troops or 50,000 troops or a large loss of Russian personnel. It is a zero-sum game, great power politics, the notion that he wants to be equal to the United States.

Imagine if he could create a scenario in which—if he hasn't done so already—Russia and the Middle East, under Vladimir Putin, are at least as important as, if not potentially more important than, the United States, a situation in which they have permanent military assets and a friendly regime in Syria, potentially in Iraq, Afghanistan, Libya, and other places, and the United States is pulling out of Syria, being forced to reduce its presence in Iraq and in other places. They become de facto more important in the Middle East, and he takes one step toward achieving the goal of reaching parity with the United States of America as far as being an influential global power.

By the way, these efforts to increase their influence would not be limited just to the Middle East. You could foresee them doing this in the Western Hemisphere. I read an article a few days ago. It was a big fanfare. They opened up what they call a counterdrug school in Nicaragua. I can only tell you that while it may very well be called a counterdrug school, anytime a country welcomes an unlimited number of Russian military personnel and others, they are welcoming in spies and influence agents and the ability to project power. They have long wanted permanent—or at least semipermanent—basing opportunities in the Western Hemisphere like those they had during the Cold War.

They already have intelligence facilities. They already have a presence in Cuba. They would love nothing more than to get into a place or to expand their presence in a place like Nicaragua and even potentially Venezuela, for that matter. We need to keep an eye on all of these things.

This is an important conversation, but it oftentimes gets lost in all of the rhetoric that is going on around the elections and American politics. We have to understand very clearly that we are not dealing with Belgium here. We are dealing with Vladimir Putin, who has used the world as a zero-sum game, the strong versus the weak, and who is trying to position Russia and himself as the strong versus others whom he hopes he can weaken.

There is no interaction between us and them in which he does not want to

come out ahead. He does not feel there is such a thing as a mutually good deal. The only good deals for him are deals in which they win and whomever he is dealing with loses, especially if it is the United States.

I will wrap up by saying that, with all of this in mind, I would not diminish the threat that Russia continues to pose to our electoral system, to our society, and to our politics. The No. 1 objective of Russian efforts in 2016—and it would be their No. 1 objective moving forward—is encouraging infighting in our politics. They have a clear understanding of American politics and its nuances—our societal divisions, the things we like to fight over, how we fight over them, and where we fight over them, and they have figured out and have gotten even better at being able to drive those narratives.

When people ask “What was the real goal of those efforts in 2016?” beyond anything else, it was not electing one person or another. His No. 1 objective—No. 1 objective—was to leave a country, the United States, deeply divided, at each other's throats, constantly fighting. No matter who won that election, that is the result he wanted, and that was the result we were going to get. Those efforts continue.

The second effort that I think they have as a priority, by the way, is to create pro-Russia constituencies in the United States. What I mean by that is there are people in American politics who actually take the Russian side or the Putin side of a debate. You have already seen the early phases of that in some places. It is still a minority thought process, but it is not unusual in many cases these days because it has gotten wrapped up in other things that are going on.

It is not outside the realm of the possible that you could see the growth of some pro-Putin element. It is maybe not like what you see in Europe or in Russian-speaking parts of Europe—but some pro-Russian types of constituencies in the United States. Whether that is somehow wrapped up around partisanship or the like, these remain their goals. Remember what I told you earlier. They cannot compete with us economically, but if they can divide us from within, it weakens us, at least in his mind. It is one of the things he can point to and say: Look how weak America is. All they do is fight with each other. Their democracy is a fraud, and look how strong we are because there is no dissent, there is no infighting going on in my Russia.

Obviously, what he doesn't tell you is that whoever fights against him winds up dead or in jail and that there is no press by which people can fight with him anyway. So these are the things to keep in mind as we move forward because the tools that remain at his disposal are still very significant. For example, I could foresee the time or day where—a lot of times there is a lot of focus in America about what if they go into the ballot box and change the

votes. That is probably much harder to do because of the way we conduct elections in this country—so decentralized.

Here is what a cyber actor could do. They could change party registration. They could go into the database and suddenly erase a bunch of voters. Imagine if they do so by being able to use analytics to identify here are the people in this town who we think are likely to vote for this candidate or that candidate. We are going to knock out a bunch of them so that on election day, a bunch of people who support certain candidates go vote, and they are told they are not registered. If you get enough people to do that and enough of those people complain to the press, we are going to see stories saying: Guess what. Supporters of candidate X or Y were not allowed to vote in the election. Fraud. Democracy is dead. We could foresee that at some point in the future. It is a real threat.

We could see Vladimir Putin taking the next step and doing here what he has done in parts of Europe; that is, creating an enemies list, politicians he believes are anti-Russia and targeting those individuals, targeting them with information he steals by hacking their emails, disclosing documents, even doctoring fake documents; perhaps doing something like deepfake, which is something we will be talking a lot about next week. That basically is off-the-shelf technology you can buy right now where you can produce a video that without the proper technology, you could not tell it is fake, where a person is saying something they never said or is doing something they didn't do—a doctored video that looks real. Imagine that, on the eve of an election, a video pops up online—and the media starts to report it—of a candidate saying something offensive they never said or taking a bribe because of a doctored video that looks real, and unless you are a technical expert, you can't tell. It is called a deepfake. They are not that hard to make, and they are not that hard to make for someone with off-the-shelf technology.

Imagine if a nation state decides to use it. You could foresee them targeting specifics races.

They have, as I said, a pretty good understanding of American politics. You could foresee where they would say: There is a congressional race or a Governor's race or a Senate race somewhere in the country that is going to be a really big deal. It has an outsized influence on American politics, and that is the race we are going to interfere in. We are going to do something to impact the outcome of it because we think that will further our narrative one way or the other.

We have to be clear-eyed on all of these things as we go into this.

I would say, perhaps, the greatest goal Vladimir Putin would have in the short term is weakening NATO, not just limiting its expansion but weakening its resolve. NATO, at the end of the day, beyond military hardware

that is a part of it, is no better than the true commitment of a nation to a member of NATO to live up to the organizing documents and commitments we make to one another; meaning that we have a commitment, along with our partners in NATO, that if one of us is attacked, we have all been attacked. That has only been invoked one time in its history, and that was after September 11, 2001.

If he somehow could not just keep us from expanding NATO but begin to undermine it from within, it would be an enormous victory because, again, for him, it would be a sign that America is diminishing, that the threats against him are diminishing, and his influence and Russia's role in the world has increased.

So this is an important meeting. It probably will not be the last time they meet, but more important than the meeting are the issues at play between the leader in Russia who views everything as a zero-sum game, in which either he wins or America wins, but it can't be mutually beneficial.

We have to deal with him. He possesses a significant percentage of the world's nuclear weapons. Between the United States and Russia, we have 90 percent of the world's nuclear weapons in these two countries. We do have to talk to him, but we need to be very clear-eyed; that is, that it is a complicated but important relationship, and we should clearly understand what motivates him and what motivates his decision making and what their ultimate goals are in any conversation we have.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

EXECUTIVE CALENDAR

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 912.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The assistant bill clerk read the nomination of Kelly Higashi, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Thereupon, the Senate proceeded to consider the nomination.

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

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

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 913.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The assistant bill clerk read the nomination of Emory A. Rounds III, of Maine, to be Director of the Office of Government Ethics for a term of five years.

Thereupon, the Senate proceeded to consider the nomination.

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

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

The nomination was confirmed.

EXECUTIVE CALENDAR

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 924.

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

The clerk will report the nomination.

The assistant bill clerk read the nomination of Georgette Mosbacher, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland.

Thereupon, the Senate proceeded to consider the nomination.

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

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

The nomination was confirmed.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. RUBIO. 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.

HONORING THE FALLEN OF THE "YANKY 72" CRASH

Mrs. HYDE-SMITH. Mr. President, I would like to call attention to a special event occurring this Saturday in Mississippi to honor 16 brave servicemembers who lost their lives a year ago in a tragic military aircraft crash.

I look forward to joining family members, Marine Corps leaders, and the people of Leflore County, MS, to honor the 15 marines and one Navy corpsman who died on July 10, 2017, when their Marine Corps KC-130T "Yanky 72" crashed near Itta Bena, MS.

We have a responsibility to ensure we preserve the memory of those who gave that last full measure of devotion for our Nation. Those we lost last July include: Cpl Daniel Baldassare, SSgt Robert Cox, Capt. Sean Elliott, Maj. Caine Goyette, GySgt Sergeant Mark Hopkins, GySgt Brendan Johnson, Sgt Julian Kevianne, SSgt William Kundrat, Sgt Chad Jenson, Sgt Talon Leach, Sgt Owen Lennon, Sgt Joseph Murray, Cpl Collin Schaaff, Sgt Dietrich Schmieman, SSgt Joshua Snowden, and PO 2 Class Ryan Lohrey.

Immediately after the accident and since then, first responders and the citizens of Mississippi rallied in support of the fallen. The unveiling of a permanent monument will culminate a significant effort in Mississippi and across the Nation to memorialize these brave young men.

I am proud of the people of my State for their commitment to remember the fallen and to support their families. A recent Greenwood Commonwealth editorial thoughtfully expresses the significance of this work.

I ask unanimous consent that the July 11, 2018, Greenwood Commonwealth editorial titled "Open arms for families of the fallen" be printed in the RECORD.

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

[From the Greenwood Commonwealth, July 11, 2018]

OPEN ARMS FOR FAMILIES OF FALLEN

This weekend promises to be a highly emotional one for the families of the 16 servicemen who lost their lives a year ago when the transport plane on which they were flying fell out of the sky for reasons still not publicly disclosed.

It also could be a very meaningful weekend for the greater Greenwood community,

which has become associated with these 16 by a tragically sad quirk of fate.

When the KC-130T with the call name of Yanky 72 was flying over the Mississippi Delta on July 10, 2017, no one on board or on the ground below could have imagined that its final destination would be a remote soybean field on the western edge of Leflore County rather than an airstrip in California.

It was a horrific accident, claiming the lives of everyone on board—15 Marines and one Navy corpsman.

Some 200 family members of those who died, plus a large number of the fallen servicemen's comrades, are expected to start arriving Thursday in Leflore County. For the next 72 hours or so, they will be our guests while they remember, grieve and perhaps connect with some of the good people of this community who, though they didn't personally know the 16, responded as if they did.

Today, the Commonwealth publishes a special section that not only explains what's planned to memorialize the 16, but also gives some insight into who the 16 were, and tells how some of their families have coped with their loss since that fateful afternoon.

Certainly, service in the military comes with risks. Everyone who signs up for it knows it, as do all of their friends and relatives. But death is not an ordinary outcome when you're just flying from one base to another. It would be hard to get one's mind around losing a loved one in a warzone, but losing one so unexpectedly as this has to be all that much tougher.

A large group of state and local volunteers has organized the Yanky 72 Memorial Weekend in a way that it hopes will give some emotional aid to those who are grieving, while also reassuring them that their sons, brothers, husbands and boyfriends have not been forgotten, nor will they be.

The families will be given the space to grieve in private, to visit the crash scene, to share their experiences with others who had relatives on that plane, to do whatever it is that would give them some consolation. Some may want to be left alone; some may want to connect.

We know this community will respect their wishes and do whatever it takes to make their weekend one in which they feel surrounded by sympathy and love.

Saturday's public events, including the unveiling of a permanent memorial in Itta Bena, will provide a way to acknowledge appreciation for the ultimate sacrifice paid for by these 16. It would be wonderful if a large number of citizens from this community turned out.

For some of the fallen servicemen's families who come, this may be their first and only trip into the Delta. Others may make it a place of personal pilgrimage.

Whichever occurs, let's hope that we become the locus not of painful memories but of comforting ones.

ADDITIONAL STATEMENTS

TRIBUTE TO ELSIE STEWARD YOUNG

• Mr. BROWN. Mr. President, today I wish to congratulate Miss Elsie Steward Young of Highland County, OH, on her 102nd birthday and her recent induction into the Ohio Civil Rights Hall of Fame.

Miss Elsie is a legend in southwest Ohio and a lifelong fighter for justice and opportunity for all Ohio children.

In 1954, after the Supreme Court issued its landmark *Brown v. Board of*

Education decision and ordered an end to segregation in America's schools, the two all-White primary schools in Hillsboro, OH, refused to integrate. The district continued to send Black students to the one all-Black school, which was in shambles.

Miss Elsie and a group of mothers took matters into their own hands. For 2-years, the "Marching Mothers of Hillsboro" walked to the town's all-White primary schools every single day, just to be sent home, but they continued to march and to show that they would not rest until their children were given the quality education they were guaranteed under the law. They joined with the NAACP to file a lawsuit against the Hillsboro Board of Education, which made it all the way to the Supreme Court—and they won.

Because of Miss Elsie and her fellow mothers' advocacy, the Court ordered the schools to integrate, and paved the way for integration in other Northern cities. Their activism is a reminder of what ordinary citizens can achieve when they band together to fight for justice.

I am sure that my Senate colleagues join me in Honoring Miss Elsie Steward Young for her service to justice and equality.●

TRIBUTE TO COLONEL EDWARD CHAMBERLAYNE

• Mr. CARDIN. Mr. President, today I wish to recognize the service and achievements of COL Edward P. Chamberlayne upon his retirement from the U.S. Army Corps of Engineers.

Colonel Chamberlayne has been a valued member of the Army Corps for the past 25 years. He has served with distinction from Germany to Afghanistan to Iraq, where he participated in crucial route clearance operations during Operation Iraqi Freedom. Colonel Chamberlayne's accomplishments have earned him the Bronze Star Medal among numerous other decorations, but his most crucial mission, from my perspective, has been his service as the 67th commander of the Baltimore District.

The commander of the Baltimore District leads more than 1,200 employees in the protection and restoration of Maryland's military installations, waterways, infrastructure, and environment. Under Colonel Chamberlayne's leadership, the Baltimore District has maintained 290 miles of Federal channels and 148 miles of Federal flood protection levees; managed 15 reservoirs and the Washington Aqueduct, which supplies an average of 150 million gallons of drinking water daily; constructed 500 acres of oyster reefs in Maryland; restored 1,140 acres of environmentally fragile remote island habitat; completed aerostat pads for a missile defense system; coordinated tens of millions of dollars in dredging and restoration projects throughout the State of Maryland and streamlined the aquaculture permitting process.

Colonel Chamberlayne's vision and skills in navigating the budget forces within his own agency have brought many local projects to fruition. From dredging, construction, beach replenishment, habitat restoration, and permitting, Colonel Chamberlayne and his team have significantly improved the infrastructure, environment, business climate, regional partnerships, and economic development opportunities throughout the State of Maryland.

The State of Maryland has benefitted tremendously from Colonel Chamberlayne's service. Therefore, it is my honor to recognize the contributions of COL Edward P. Chamberlayne in his role as commander of the Army Corps of Engineers, Baltimore District, and to thank him for his years of dedicated service to our country and his tremendously positive impact on the State of Maryland.●

TRIBUTE TO BETSEY HEDRICK

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Betsey Hedrick of Dawson County for her contribution to the community through Betsey's Badlands Catering.

Betsey was born and raised in Bozeman. After graduating from high school, she attended culinary school in Portland, which led her to work at a local country club and eventually run a steakhouse back in Bozeman. She and her husband, Phil, moved to Glendive 14 years ago, had their son Sam, and shortly after, she opened Betsey's Badlands Catering.

Fixing food has always been Betsey's passion. Her favorite part about cooking is not what she is cooking or who she is cooking for; it is the impact that food has on people. No matter people's backgrounds or history, food brings them together. She loves being a part of something that brings joy to people's lives, and that is why she continues to do it daily.

I congratulate Betsey on her significant contributions to Glendive and the greater Dawson County. I look forward to seeing her business grow and trying some of her famous seasonal dishes soon.●

TRIBUTE TO KALLIE CAREY

• Mr. THUNE. Mr. President, today I recognize Kallie Carey, an intern in my Rapid City, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Kallie is a graduate of Wolsey-Wessington High School in Wolsey, SD. Currently, she is attending Black Hills State University in Spearfish, SD, where she is majoring in political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Kallie for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO SHANNON DUFFY

• Mr. THUNE. Mr. President, today I recognize Shannon Duffy, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Shannon is a graduate of St. Thomas More High School in Rapid City, SD. Currently, she is attending Georgetown University in Washington, DC, where she is pursuing degrees in operations and information management and finance. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Shannon for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO TREVOR GUNLICKS

• Mr. THUNE. Mr. President, today I recognize Trevor Gunlicks, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several weeks.

Trevor is a graduate of Lincoln High School in Sioux Falls, SD. Currently, he is attending South Dakota State University in Brookings, SD, where he is pursuing degrees in political science and legal studies. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Trevor for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JORDANN KROUSE

• Mr. THUNE. Mr. President, today I recognize Jordann Krouse, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Jordann is a graduate of Harrisburg High School in Harrisburg, SD. Currently, she is attending Boston University in Boston, MA, where she is pursuing degrees in international relations and environmental analysis. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Jordann for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO CAROLINE MORIARTY

• Mr. THUNE. Mr. President, today I recognize Caroline Moriarty, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Caroline is a graduate of Roosevelt High School in Sioux Falls, SD. Currently, she is attending the University of Missouri-Kansas City, where she is

majoring in political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Caroline for all of the fine work she has done and wish her continued success in the years to come.●

MESSAGE FROM THE HOUSE

At 10:55 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 200. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes.

H.R. 2075. An act to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, and for other purposes.

MEASURES REFERRED

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

H.R. 200. An act to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2075. An act to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, and for other purposes; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

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

POM-254. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to ensure that Tricare adequately covers behavioral therapies for military dependents; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 96

Whereas, Tricare is the health program of the United States Department of Defense that finances health services delivered by civilian healthcare providers to nearly nine million five hundred thousand United States military personnel, military retirees, and dependents of military families; and

Whereas, pursuant to a congressional mandate enacted in 2016, the military consolidated its three Tricare regions into two on January 1 of this year, marking the most extensive reform to Tricare since the program transitioned from a fee-for-service model to a managed care model in the mid-1990s; and

Whereas, though Tricare has largely resolved problems with computer networks, communications systems, and customer

service that emerged during its recent consolidation, military families continue to report facing significant obstacles in access to behavioral therapies for children; and

Whereas, according to behavioral therapy providers, these obstacles result from inconsistent reimbursement, undue delays in claims processing, problems with provider credentialing, misclassification of services and levels of coverage, and ongoing challenges in correcting errors by the managed care companies which now serve Tricare beneficiaries; and

Whereas, behavioral therapies can be immensely beneficial to children with autism and other behavioral or developmental conditions; and

Whereas, parents of special-needs children who have benefitted from behavioral therapies strongly contend that these specialized health services are not just beneficial, but in fact life-changing, in that they give their children a far better quality of life than would be possible without the services; Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to ensure that Tricare adequately covers behavioral therapies for military dependents; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-255. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress to enact H.R. 1411, the "Transparent Summer Flounder Quotas Act"; to the Committee on Commerce, Science, and Transportation.

ASSEMBLY RESOLUTION NO. 45

Whereas, New Jersey fisheries are ranked among the best in the nation and it is estimated that there are as many as one million recreational saltwater anglers fishing in New Jersey; and

Whereas, The fishing industry contributes 20,000 jobs and over \$1 billion to the State economy each year; and

Whereas, Of the many varieties of fish found off of New Jersey's shores, summer flounder is among the most sought after saltwater fish along the Atlantic Coast; and

Whereas, Summer flounder fisheries are managed cooperatively by the states through the Atlantic States Marine Fisheries Commission (ASMFC) and the Mid-Atlantic Fishery Management Council (MAFMC); and

Whereas, Together, these managing entities are responsible for developing summer flounder fishery regulations as part of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan; and

Whereas, The management plan is implemented through regulations adopted by the National Marine Fisheries Service (NMFS), a division of the National Oceanic and Atmospheric Administration (NOAA) within the United States Department of Commerce; and

Whereas, The management plan is designed to ensure the protection and maintenance of the summer flounder stock, primarily through the establishment of harvest limits, which are based on the most current stock assessment report published by NOAA; and

Whereas, Based on the 2016 Stock Assessment Update, the ASMFC and MAFMC have recommended a 40 percent cut in catch limits for the 2017 and 2018 summer flounder fishing seasons; and

Whereas, Highlighting NOAA's heavy reliance on random sampling to gather data for the 2016 stock assessment report, members of

the New Jersey delegation to the United States Congress have expressed concern about the accuracy of the estimates contained in the report and have questioned the need to implement such a drastic reduction in catch limits for the upcoming season; and

Whereas, The New Jersey Department of Environmental Protection has expressed similar concerns, warning that the drastic reduction in catch limits will devastate recreational and commercial fishing in New Jersey and have a detrimental effect on the economy of the New Jersey shore, particularly as the State continues to recover from Superstorm Sandy; and

Whereas, Despite significant opposition to the recommended reduction in summer flounder catch limits, and the potential for severe economic damage to the State, at the end of December 2016 the NMFS adopted a rule implementing the recommended reduction in summer flounder catch limits for the 2017 and 2018 fishing seasons; and

Whereas, In order to mitigate the economic devastation that may result from the reduced summer flounder quotas adopted by the NMFS, United States Congressman FRANK PALLONE, JR. has introduced legislation, co-sponsored by Congressman FRANK LOBIONDO, which would prohibit enforcement of the reduced summer flounder quotas until a new summer flounder stock assessment is completed and a new rule establishing summer flounder quotas is adopted based on the findings of the new stock assessment; now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. The President and Congress of the United States are respectfully urged to enact House Bill No. 1411, known as the "Transparent Summer Flounder Quotas Act."

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Under Secretary of Commerce for Oceans and Atmosphere, the Assistant Administrator for Fisheries, the Chair of the Atlantic States Marine Fisheries Commission, the Chairman of the Mid-Atlantic Fishery Management Council, the Commissioner of the New Jersey Department of Environmental Protection, and every member of Congress elected from the State of New Jersey.

POM-256. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to treat oil and gas production in the Gulf Coast states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; to rectify the revenue sharing inequities between coastal and interior energy producing states; and to ensure the dependability of such revenue sharing; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 48

Whereas, since 1920, interior states with mineral production in the United States have been privy to a revenue sharing agreement with the federal government that allowed those states to keep fifty percent of the revenues generated in their states from mineral production on federal lands within their borders, including royalties, severance taxes, and bonuses; and

Whereas, coastal states with onshore and offshore oil and gas production were not included in that revenue sharing agreement and therefore face inequities under the fed-

eral energy policies because those coastal states have not been party to this same level of revenue sharing partnership with the federal government; and

Whereas, coastal energy producing states have a limited partnership with the federal government that allows them to retain very little revenue generated from their offshore energy production and transportation, and activities associated with energy that are produced and transported for use throughout the nation; and

Whereas, in 2006 the United States Congress passed the Gulf of Mexico Energy Security Act (GOMESA) from which the state of Louisiana will begin receiving revenue sharing payments from mineral production in the Gulf of Mexico in 2017; an Act that calls for a sharing of thirty-seven and five tenths percent of coastal production revenues with four gulf states with a cap of five hundred million dollars per year; and

Whereas, according to the most recent data from the United States Energy Information Administration, Louisiana, including its state waters, is the ninth largest producer of oil in the United States while if offshore oil production from federal waters is included, it is the second largest oil producer in the country; and from wells located within the state boundaries including the state waters, Louisiana is the fourth largest producer of gas in the United States while if gas production from federal offshore waters in the Gulf of Mexico is included, it is the second largest gas producer in the United States; and

Whereas, with eighteen operating refineries in the state, Louisiana is second only to Texas in both total number of refineries and total refinery operating capacity, accounting for nearly one-fifth of the nation's total refining capacity; and

Whereas, Louisiana contributes to the United States Strategic Petroleum Reserve with two facilities located in the state consisting of twenty-nine caverns capable of holding nearly three hundred million barrels of crude oil; and

Whereas, with three onshore liquefied natural gas (LNG) facilities and others already permitted, more LNG facilities than any other state in the country, and the Louisiana Offshore Oil Port, the nation's only deep-water oil port, Louisiana plays an essential role in the movement of natural gas from the United States Gulf Coast region to markets throughout the country; and

Whereas, it is apparent that Louisiana plays an essential role in supplying the nation with energy and it is vital to the security of our nation's energy supply, roles that should be recognized and compensated at an appropriate revenue sharing level; and

Whereas, the majority of the oil and gas production from the Gulf of Mexico enters the United States through coastal Louisiana with all of the infrastructure necessary to receive and transport such production, infrastructure that has for many decades damaged the coastal areas of Louisiana, an impact that should be compensated through appropriate revenue sharing with the federal government; and

Whereas, because Louisiana is losing more coastal wetlands than any other state in the country, in 2006 the people of Louisiana overwhelmingly approved a constitutional amendment dedicating revenues received from Outer Continental Shelf oil and gas activity through GOMESA to the Coastal Protection and Restoration Fund for the purposes of coastal protection, including conservation, coastal restoration, hurricane protection, and infrastructure directly impacted by coastal wetland losses; and

Whereas, the state of Louisiana has developed, through a science-based and stakeholder-involved process, a "2017 Comprehen-

sive Master Plan for a Sustainable Coast" which identifies and prioritizes the most efficient and effective projects in order to meet the state's critical coastal protection and restoration needs and has received many accolades from the country's scientific community; and

Whereas, the Coastal Protection and Restoration Authority is making great progress implementing the projects in the "Comprehensive Master Plan for a Sustainable Coast" with all available funding, projects that are essential to the protection of the infrastructure that is critical to the energy needs of the United States; and

Whereas, in order to properly compensate the coastal states for the infrastructure demands that result from production of energy and fuels that heat and cool the nation's homes, offices, and businesses and fuel the nation's transportation needs, revenue sharing for coastal states needs to at least be at the same rate as interior states that produce oil, gas, and coal: Therefore, be it *Resolved*, That the Legislature of Louisiana does hereby memorialize the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to treat oil and gas production in the Gulf Coast states in a manner that is at least equal to onshore oil, gas, and coal production in interior states for revenue purposes; and to rectify the revenue sharing inequities between coastal and interior energy producing states in order to address the nationally significant crisis of wetland loss in the state of Louisiana; and be it further

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress and the Louisiana Congressional Delegation, along with the delegations from the other Gulf of Mexico states, to ensure that the agreement codified through the Gulf of Mexico Energy Security Act remains in place and that the Gulf Coast states receive their anticipated revenue sharing payments during Fiscal Year 2018-2019 and thereafter as provided for in the Act; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana Congressional Delegation.

POM-257. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to adopt and enact legislation to be proposed that would establish the Caddo Lake National Heritage Area; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 110

Whereas, the Heritage Area Program is found in the Historic Sites Act, the National Historic Preservation Act of 1966, and related statutes, and is under the jurisdiction of the United States Department of the Interior and the National Park Service; and

Whereas, the National Historic Preservation Act establishes a national policy for federal agencies to use measures such as financial and technical assistance to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations; and

Whereas, each national heritage area has been authorized by a specific federal statute in an effort to effectively carry out the national policy with these same statutes assigning a prominent role for the National Park Service to play in nurturing the areas and supporting their success; and

Whereas, the Caddo Lake National Heritage Area program will expand on traditional

approaches to resource stewardship by supporting large-scale, community centered initiatives that connect local citizens through preservation, conservation, and planning processes facilitated by a local coordinating entity, the Caddo Lake National Heritage Area Commission, to provide assistance to residents to improve their quality of life by protecting their shared cultural and natural resources; and

Whereas, the Caddo Lake National Heritage Area Commission will promote the conservation of natural, historic, scenic, and cultural resources, while improving the area's economic vitality, all guided by a management plan developed by the commission and approved by the Secretary of the Interior; and

Whereas, legislation will be filed in the 115th Congress, Second Session, that will delineate a procedure to be followed to establish the Caddo Lake National Heritage Area, including a time line; and

Whereas, nothing in the act establishing the Caddo Lake National Heritage Area allows for abridging the rights of any property owner including the right to refrain from participating in any plan, project, program, or activity conducted within the national heritage area; requiring any property owner to permit public access to such property or to modify any provisions of law with regard to public access or use of private lands; altering any duly adopted land use regulation or any approved land use plan; authorizing or implying the reservation or appropriation of water or water rights; diminishing the authority of the state to manage fish and wildlife including the regulation of fishing and hunting within a national heritage area; or creating any liability, or having any effect on any liability under any other law, of any private property owner with respect to any person injured on such private property; and

Whereas, the residents and agencies of the Caddo Lake area were so eager to have Caddo Lake designated a National Heritage Area that they embarked on the suitability and feasibility study prior to ever contacting the National Park Service to request their assistance or funding; and

Whereas, the feasibility study examined whether Caddo Lake is nationally distinctive and evaluated alternatives for management, preservation, and interpretation of nationally important cultural and historic landscapes, sites, and structures in and around the Caddo Lake area, including its tributaries of Cypress Bayou and James Bayou in Texas and Louisiana and Black Bayou and Red Bayou along with Soda, Shiffetail, and Clear Lakes in Louisiana; and

Whereas, establishment of the Caddo Lake National Heritage Area would be of economic and cultural benefit to the Shreveport and Caddo Parish area of our great state:

Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to adopt and enact the legislation to be proposed that would establish the Caddo Lake National Heritage Area; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-258. A resolution adopted by the House of Representatives of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to adopt and enact legislation to be proposed that would establish the Caddo Lake National Heritage Area; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 219

Whereas, the Heritage Area Program is found in the Historic Sites Act, the National Historic Preservation Act of 1966, and related statutes, and is under the jurisdiction of the United States Department of the Interior and the National Park Service; and

Whereas, the National Historic Preservation Act establishes a national policy for federal agencies to use measures such as financial and technical assistance to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations; and

Whereas, each national heritage area has been authorized by a specific federal statute in an effort to effectively carry out the national policy with these same statutes assigning a prominent role for the National Park Service to play in nurturing the areas and supporting their success; and

Whereas, the Caddo Lake National Heritage Area program will expand on traditional approaches to resource stewardship by supporting large-scale, community centered initiatives that connect local citizens through preservation, conservation, and planning processes facilitated by a local coordinating entity, the Caddo Lake National Heritage Area Commission, to provide assistance to residents to improve their quality of life by protecting their shared cultural and natural resources; and

Whereas, the Caddo Lake National Heritage Area Commission will promote the conservation of natural, historic, scenic, and cultural resources, while improving the area's economic vitality, all guided by a management plan developed by the commission and approved by the Secretary of the Interior; and

Whereas, legislation will be filed in the 115th Congress, Second Session, that will delineate a procedure to be followed to establish the Caddo Lake National Heritage Area, including a time line; and

Whereas, nothing in the act establishing the Caddo Lake National Heritage Area allows for abridging the rights of any property owner including the right to refrain from participating in any plan, project, program, or activity conducted within the national heritage area; requiring any property owner to permit public access to such property or to modify any provisions of law with regard to public access or use of private lands; altering any duly adopted land use regulation or any approved land use plan; authorizing or implying the reservation or appropriation of water or water rights; diminishing the authority of the state to manage fish and wildlife including the regulation of fishing and hunting within a national heritage area; or creating any liability, or having any effect on any liability under any other law, of any private property owner with respect to any person injured on such private property; and

Whereas, the residents and agencies of the Caddo Lake area were so eager to have Caddo Lake designated a National Heritage Area that they embarked on the suitability and feasibility study prior to ever contacting the National Park Service to request their assistance or funding; and

Whereas, the feasibility study examined whether Caddo Lake is nationally distinctive and evaluated alternatives for management, preservation, and interpretation of nationally important cultural and historic landscapes, sites, and structures in and around the Caddo Lake area, including its tributaries of Cypress Bayou and James Bayou in Texas and Louisiana and Black Bayou and Red Bayou along with Soda, Shiffetail, and Clear Lakes in Louisiana; and

Whereas, establishment of the Caddo Lake National Heritage Area would be of economic and cultural benefit to the Shreveport and Caddo Parish area of our great state. Therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to adopt and enact the legislation to be proposed that would establish the Caddo Lake National Heritage Area. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-259. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to adopt and enact legislation to be proposed that would establish the Caddo Lake National Heritage Area; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 110

Whereas, the Heritage Area Program is found in the Historic Sites Act, the National Historic Preservation Act of 1966, and related statutes, and is under the jurisdiction of the United States Department of the Interior and the National Park Service; and

Whereas, the National Historic Preservation Act establishes a national policy for federal agencies to use measures such as financial and technical assistance to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations; and

Whereas, each national heritage area has been authorized by a specific federal statute in an effort to effectively carry out the national policy with these same statutes assigning a prominent role for the National Park Service to play in nurturing the areas and supporting their success; and

Whereas, the Caddo Lake National Heritage Area program will expand on traditional approaches to resource stewardship by supporting large-scale, community centered initiatives that connect local citizens through preservation, conservation, and planning processes facilitated by a local coordinating entity, the Caddo Lake National Heritage Area Commission, to provide assistance to residents to improve their quality of life by protecting their shared cultural and natural resources; and

Whereas, the Caddo Lake National Heritage Area Commission will promote the conservation of natural, historic, scenic, and cultural resources, while improving the area's economic vitality, all guided by a management plan developed by the commission and approved by the Secretary of the Interior; and

Whereas, legislation will be filed in the 115th Congress, Second Session, that will delineate a procedure to be followed to establish the Caddo Lake National Heritage Area, including a time line; and

Whereas, nothing in the act establishing the Caddo Lake National Heritage Area allows for abridging the rights of any property owner including the right to refrain from participating in any plan, project, program, or activity conducted within the national heritage area; requiring any property owner to permit public access to such property or to modify any provisions of law with regard to public access or use of private lands; altering any duly adopted land use regulation or any approved land use plan; authorizing

or implying the reservation or appropriation of water or water rights; diminishing the authority of the state to manage fish and wildlife including the regulation of fishing and hunting within a national heritage area; or creating any liability, or having any effect on any liability under any other law, of any private property owner with respect to any person injured on such private property; and

Whereas, the residents and agencies of the Caddo Lake area were so eager to have Caddo Lake designated a National Heritage Area that they embarked on the suitability and feasibility study prior to ever contacting the National Park Service to request their assistance or funding; and

Whereas, the feasibility study examined whether Caddo Lake is nationally distinctive and evaluated alternatives for management, preservation, and interpretation of nationally important cultural and historic landscapes, sites, and structures in and around the Caddo Lake area, including its tributaries of Cypress Bayou and James Bayou in Texas and Louisiana and Black Bayou and Red Bayou along with Soda, Shifftail, and Clear Lakes in Louisiana; and

Whereas, establishment of the Caddo Lake National Heritage Area would be of economic and cultural benefit to the Shreveport and Caddo Parish area of our great state: Now, Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to adopt and enact the legislation to be proposed that would establish the Caddo Lake National Heritage Area; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-260. A resolution adopted by the House of Representatives of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to adopt and enact legislation to be proposed that would establish the Caddo Lake National Heritage Area; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 219

Whereas, the Heritage Area Program is found in the Historic Sites Act, the National Historic Preservation Act of 1966, and related statutes, and is under the jurisdiction of the United States Department of the Interior and the National Park Service; and

Whereas, the National Historic Preservation Act establishes a national policy for federal agencies to use measures such as financial and technical assistance to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations; and

Whereas, each national heritage area has been authorized by a specific federal statute in an effort to effectively carry out the national policy with these same statutes assigning a prominent role for the National Park Service to play in nurturing the areas and supporting their success; and

Whereas, the Caddo Lake National Heritage Area program will expand on traditional approaches to resource stewardship by supporting large-scale, community centered initiatives that connect local citizens through preservation, conservation, and planning processes facilitated by a local coordinating entity, the Caddo Lake National Heritage Area Commission, to provide assistance to residents to improve their quality of life by

protecting their shared cultural and natural resources; and

Whereas, the Caddo Lake National Heritage Area Commission will promote the conservation of natural, historic, scenic, and cultural resources, while improving the area's economic vitality, all guided by a management plan developed by the commission and approved by the Secretary of the Interior; and

Whereas, legislation will be filed in the 115th Congress, Second Session, that will delineate a procedure to be followed to establish the Caddo Lake National Heritage Area, including a time line; and

Whereas, nothing in the act establishing the Caddo Lake National Heritage Area allows for abridging the rights of any property owner including the right to refrain from participating in any plan, project, program, or activity conducted within the national heritage area; requiring any property owner to permit public access to such property or to modify any provisions of law with regard to public access or use of private lands; altering any duly adopted land use regulation or any approved land use plan; authorizing or implying the reservation or appropriation of water or water rights; diminishing the authority of the state to manage fish and wildlife including the regulation of fishing and hunting within a national heritage area; or creating any liability, or having any effect on any liability under any other law, of any private property owner with respect to any person injured on such private property; and

Whereas, the residents and agencies of the Caddo Lake area were so eager to have Caddo Lake designated a National Heritage Area that they embarked on the suitability and feasibility study prior to ever contacting the National Park Service to request their assistance or funding; and

Whereas, the feasibility study examined whether Caddo Lake is nationally distinctive and evaluated alternatives for management, preservation, and interpretation of nationally important cultural and historic landscapes, sites, and structures in and around the Caddo Lake area, including its tributaries of Cypress Bayou and James Bayou in Texas and Louisiana and Black Bayou and Red Bayou along with Soda, Shifftail, and Clear Lakes in Louisiana; and

Whereas, establishment of the Caddo Lake National Heritage Area would be of economic and cultural benefit to the Shreveport and Caddo Parish area of our great state. Therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to adopt and enact the legislation to be proposed that would establish the Caddo Lake National Heritage Area. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-261. A resolution adopted by the House of Representatives of the State of Louisiana urging the United States Congress to pass legislation that supports efforts to build, modernize, and maintain the United States' infrastructure with consideration of certain principles; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 110

Whereas, a country's infrastructure is the bedrock of its economy; and

Whereas, the traditional system of roads, bridges, railroads, waterways, and pipelines, commonly referred to as infrastructure, af-

fects a country's ability to produce goods, deliver services and products, and connect a workforce to jobs; and

Whereas, the strength and efficiency of a nation's infrastructure have a direct impact on that nation as a global economic competitor and leader; and

Whereas, on a local level, infrastructure also affects a state's ability to participate and thrive in the nation's economy; and

Whereas, with an inadequate infrastructure, a state struggles to move its people and goods throughout the state and across state lines; and

Whereas, Louisiana currently has a more than thirteen billion dollar backlog for sorely needed road and bridge work throughout the state; and

Whereas, identifying funding and generating revenue to address the state's backlog have been looming problems for many years; and

Whereas, the Louisiana section of the American Society of Civil Engineers (ASCE) evaluated and studied eleven major components of Louisiana's infrastructure; and

Whereas, after its evaluations, the Louisiana section of the ASCE, in its 2017 Louisiana Infrastructure Report Card, determined that, "Our infrastructure is poorly maintained, inadequately funded, and not designed to meet tomorrow's demands. Consequently, the state is at a disadvantage and will continue to lose its economic competitiveness."; and

Whereas, the ASCE has given the state of Louisiana a statewide average grade of "D+" for its infrastructure; and

Whereas, the United States' infrastructure also suffers from years of deterioration and neglect; and

Whereas, for decades, the United States has failed to develop means to finance infrastructure projects to keep pace with the needs of the country; and

Whereas, choosing to defer repairs, maintenance, and upgrades to the country's infrastructure has delivered a crippling blow to the nation's economy and growth; and

Whereas, the United States also received a cumulative grade of "D+" from the ASCE, showing a drop in grades for three categories: parks, solid waste, and transit; and

Whereas, the ongoing and consistent decline of the country's infrastructure jeopardizes the United States' ability to remain competitive in the global market; and

Whereas, the United States now faces serious challenges as it seeks to address pitfalls including having to prioritize badly needed projects with insufficient funding; and

Whereas, through a combination of federal and nonfederal funding, President Donald Trump has set a one trillion dollar infrastructure investment as his target; and

Whereas, the president has outlined the following four key principles as the basis for his proposal:

(1) Make targeted federal investments.

(2) Encourage self-help.

(3) Align infrastructure investment with entities best suited to provide sustained and efficient investment.

(4) Leverage the private sector; and

Whereas, while the United States Congress will be faced with the decision to enact the president's plan or propose its own, choosing to do nothing is not a viable option; and

Whereas, since the United States Congress must act, it should do so with an eye toward responsibility, innovation, and sustainability; and

Whereas, it is vitally important that congress consider new and creative plans to design and implement an infrastructure network that reaches every state, serves every demographic, increases employment, and moves the United States of America into the

twenty-first century to rightfully regain its position as a global economic leader; and

Whereas, such plans must include a comprehensive approach to the nontraditional and ever-changing needs of the nation's people, businesses, and technology: Now, therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to pass legislation that supports efforts to build, modernize, and maintain the nation's infrastructure with consideration for the following principles:

(1) Redefining infrastructure. A twenty-first century economy demands a broader, more inclusive definition to ensure that the country is fully considering all of its infrastructure needs. A newer definition should be expanded to include the following:

- (a) Energy-efficient housing.
- (b) Broadband.
- (c) Education facilities, including access to traditional universities and community colleges, as well as Historically Black Colleges and Universities.
- (d) Forest roads, sidewalks, and bike trails.
- (e) Parks.
- (f) Waste removal and treatment.
- (g) Programs connecting seniors to the rest of the economy.

(2) Committing to fund job training and workforce development. Provisions must focus on enabling young workers and urban residents to benefit from any infrastructure plan through training, pre-apprenticeships, and related approaches, including Registered Apprenticeships within the telecommunications and technology sectors. It must promote meaningful skills development, technical training, internships, and job placement opportunities for African Americans and urban community members. This must be fully integrated into any proposal. Without this, the benefits will not be broadly and fairly shared.

(3) Empowering minority contractors. Minority contractors should have the opportunity to rebuild their communities and employ hardworking Americans along the way. Infrastructure investments should be disseminated through a transparent procurement process with aggressive contracting goals for disadvantaged business entities and effective enforcement to root out fraudulent firms. Contractors and subcontractors should have the ability to employ local hiring preferences and subcontractors should receive prompt payment when services are rendered.

(4) Promoting inclusiveness. Infrastructure development and planning should be inclusive of underserved segments of the population, such as poor, rural, and elderly communities. A twenty-first century economy should not exclude any individuals from participation on the basis of demographics, geography, or financial means. By ensuring participation from all individuals, this country can provide equal opportunity for each and every American to contribute in meaningful ways to the economy and the communities in which they live.

(5) Building for resilience. Climate change and the volatility that are associated with extreme weather events are only expected to worsen over time. More intense storms, sea level rise, storm surges, and other unusual weather conditions are placing an immense strain on the nation's infrastructure and the limited resources that it has to build and maintain it. As the country plans for the future and conceptualizes how it will build up its infrastructure, it needs to consider the long-term viability of these projects and their resilience to extreme weather.

(6) Multi-modal transportation planning. A robust transportation network must con-

sider the changing demographics of its users and the subsequent changes in demand. Conventional transportation planning relies heavily on motor vehicle traffic. However, many communities—particularly in urban areas—must now consider pedestrians, cyclists, public transit riders, ridesharing, and other users when evaluating the effectiveness of the transportation ecosystem.

(7) Future-proofing. The development and adoption of autonomous vehicles, positive train control, NextGen, Smart City planning, and other technologies and transportation models are vastly altering the way the country conceptualizes, plans, and executes transportation policy. The unique challenges that the nation faces will only grow increasingly more complex as the population grows and the nature of its infrastructure becomes more interconnected. An infrastructure package must not only address the immediate needs of the country's crumbling system, but also anticipate the needs of a generation to come; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-262. A joint resolution adopted by the Legislature of the State of Oklahoma urging the United States Congress, pursuant to Article V of the United States Constitution, to call a convention of the states for the purpose of proposing amendments to the United States Constitution related to balancing the federal budget, imposing fiscal restraints on the federal government, limiting the power and jurisdiction of the federal government, and limiting the terms of office for its officials and for members of Congress; to the Committee on the Judiciary.

ENROLLED HOUSE JOINT RESOLUTION NO. 43

Whereas, Article V of the Constitution of the United States provides that upon receipt of applications from two-thirds of the legislatures of the several states, Congress shall call a convention of the states for proposing amendments; and

Whereas, the Oklahoma Legislature adopted SJR 4 in the 2nd Session of the 55th Oklahoma Legislature that applied to the Congress of the United States "for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints"; and

Whereas, it appears that two-thirds of the states, including Oklahoma, soon will have applied for a convention to propose such an amendment adding to the United States Constitution a requirement that the federal government balance its budget; and

Whereas, it has also been proposed by several states, including Oklahoma, that a convention be called for proposing amendments to "impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress"; and

Whereas, in its call Congress will be required to specify an initial time and place for the meeting of the Article V Convention for proposing amendments; and

Whereas, it is appropriate for the state legislatures to prepare for the Article V Convention and recommend to Congress an initial time and place to hold the convention; and

Whereas, a gathering of the states called by a state legislature and consisting of members authorized by other state legislatures would be an effective way of considering and recommending solutions to common issues related to an Article V Convention, including planning for and recommending rules and procedures for an Article V Convention, and recommending to Congress the initial date and location of an Article V Convention; and

Whereas, a planning convention of the several states in September in Phoenix, Arizona, was attended by a delegation from Oklahoma as authorized by House Concurrent Resolution No. 1007 of the 1st Session of the 56th Oklahoma Legislature. Now, therefore, be it

Resolved by the House of Representatives and the Senate of the 2nd Session of the 56th Oklahoma Legislature:

That a delegation of commissioners selected as provided in this resolution shall be authorized to attend and participate in a gathering of states proposed by any state legislature for the purposes of developing rules and procedures for an Article V Convention for proposing amendments to the United States Constitution to require a balanced federal budget, or to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government and to limit the terms of office for federal officials and members of Congress and for proposing an initial date and location for the meeting of the several states in an Article V Convention.

That the delegation of commissioners shall be composed of seven members, three of whom shall be appointed by the Speaker of the Oklahoma House of Representatives, three of whom shall be appointed by the President Pro Tempore of the Oklahoma State Senate, and one of whom shall be appointed by agreement of both the Speaker of the Oklahoma House of Representatives and the President Pro Tempore of the Oklahoma State Senate.

That two of the commissioners appointed by the Speaker of the Oklahoma House of Representatives shall be current members of the Oklahoma House of Representatives at the time of appointment, and two of the commissioners appointed by the President Pro Tempore of the Oklahoma State Senate shall be current members of the Oklahoma State Senate at the time of appointment. The third commissioner appointed by the Speaker of the Oklahoma House of Representatives shall be a current or former member of the Oklahoma House of Representatives and the third commissioner appointed by the President Pro Tempore of the Oklahoma State Senate shall be a current or former member of the Oklahoma State Senate.

That the commissioners shall be bound by the rules adopted by the gathering of the states or provided for in the proposal for the Article V Convention.

That unless otherwise provided by the Oklahoma Legislature, the commissioners provided for in this resolution shall also serve as commissioners to the Article V Convention for proposing amendments to the United States Constitution when called and shall be bound by the rules adopted by the members of the Article V Convention.

That if a commissioner is unable to participate in either the state gathering or an Article V Convention to propose amendments to the United States Constitution either permanently or temporarily, the appointing authority or authorities shall select an alternate, who shall be a current or former member of the appointing authority's legislative body, to serve for the time the commissioner is unable to serve. The alternate shall be bound by the same rules and procedures as the original commissioner.

That no commissioner or alternate from this state to an Article V Convention shall have the authority to vote to allow consideration of or vote to approve an unauthorized amendment for ratification to the United States Constitution.

That any commissioner or alternate casting a vote to allow consideration or approval of an unauthorized amendment shall be immediately recalled by the appointing authority or authorities and be replaced by an alternate.

That all voting in either a gathering of states or an Article V Convention shall be by state with each state having one vote.

That commissioners and alternates shall take the following oath of office before accepting their appointment:

"I do solemnly swear or affirm that to the best of my abilities I will, as a commissioner (alternate commissioner) to a convention for proposing any amendment to the United States Constitution, uphold the Constitution and laws of the United States and the State of Oklahoma.

I will abide by my specific instructions from the Legislature of the State of Oklahoma. I will not vote to allow consideration of or to approve any amendment proposed for ratification to the United States Constitution that is unrelated to the subject of the approved call of the convention by Congress.

I will vote only for convention rules that provide that each state have one equal vote and that a state or commissioner shall not be allowed to propose an amendment that is unrelated to the approved call of the convention. I acknowledge that any violation of this oath may result in being recalled by the Legislature of the State of Oklahoma or its authorized committee."

That an Article V Convention Committee shall be composed of three members, one appointed by the Speaker of the Oklahoma House of Representatives, one appointed by the President Pro Tempore of the Oklahoma State Senate and one appointed jointly by the Speaker and President Pro Tempore. A member of the Article V Convention Committee may not be a member of the delegation. The duties of the Article V Convention Committee and their appointing authority or authorities include:

1. Monitoring the delegation to determine if it is following legislative instructions and obeying convention rules;
2. Advising the delegation on the Legislature's position on issues before the convention;
3. Disciplining any commissioner who violates the oath of office or instructions or is otherwise guilty of malfeasance or nonfeasance. Discipline may include recall from the convention, removal as a commissioner or demotion to the office of alternate commissioner;
4. Notifying the convention that a commissioner has been recalled, removed as a commissioner or demoted to the office of alternate commissioner; and
5. Replacing any recalled commissioner.

That commissioners shall vote only for Article V Convention rules consistent with the following principles:

1. The convention is convened under the authority reserved to the state legislatures of the several states by Article V of the Constitution of the United States;
2. The only participants at this convention are the several states represented by their respective delegations duly selected in the manner that their respective legislatures have determined;
3. The scope of the convention's authority is defined by applications adopted by at least two-thirds of the legislatures of the several states, which authority is limited to the subject of the approved call of the convention.

The convention has no authority to propose or discuss an amendment on any other subject outside the approved call of the convention by Congress;

4. The convention shall provide for disciplining a commissioner or delegation for exceeding the scope of the convention's authority by raising subjects for discussion or debate that lie outside the convention's authority;

5. The convention shall not infringe on the respective state legislatures' authority to instruct, discipline, recall and replace commissioners; and

6. All voting at the convention or in a committee shall be by state with each state having one vote without apportionment or division. Each state legislature shall determine the internal voting and quorum rules for casting the vote of its delegation.

That the provisions of this resolution shall expire on December 31, 2023.

That the Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof with the Secretary of State and one copy with the Attorney General and transmit copies to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives, to the members of the Oklahoma Congressional Delegation, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

POM-263. A resolution adopted by the City Council of the City of Cotati, California urging the United States Congress to enact, without delay, a revenue-neutral fee on carbon-based fossil fuels with several stipulations; to the Committee on Finance.

POM-264. A resolution adopted by the Council of the County of Maui, Hawaii urging the United States Congress to support the gun control policies promoted by March for Our Lives; to the Committee on the Judiciary.

POM-265. A petition from a citizen of the State of Texas relative to asylum; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 965. A bill to redesignate the Saint-Gaudens National Historic Site as the "Saint-Gaudens National Historical Park", and for other purposes (Rept. No. 115-299).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments and an amendment to the title:

H.R. 995. To direct the Secretary of Agriculture and the Secretary of the Interior to modernize terms in certain regulations (Rept. No. 115-300).

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2946. A bill to amend title 18, United States Code, to clarify the meaning of the terms "act of war" and "blocked asset", and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Maria Chapa Lopez, of Florida, to be United States Attorney for the Middle District of Florida for the term of four years.

Richard E. Taylor, Jr., of Texas, to be United States Marshal for the Northern District of Texas for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BURR (for himself, Mr. GRASSLEY, Mr. HELLER, Mr. ISAKSON, Mr. SCOTT, and Mr. ENZI):

S. 3199. A bill to establish an expedited process for removal of senior executives of the Internal Revenue Service based on performance or misconduct; to the Committee on Finance.

By Mr. PERDUE:

S. 3200. A bill to amend title 5, United States Code, to provide for an alternative removal for performance or misconduct for Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself and Mr. BOOZMAN):

S. 3201. A bill to amend title 10, United States Code, to extend certain morale, welfare, and recreation privileges to certain veterans and their caregivers, and for other purposes; to the Committee on Armed Services.

By Mr. CRUZ:

S. 3202. A bill to limit claims under Federal law seeking judicial review of any environmental impact statement, environmental review, or authorization for the Lower Bois d'Arc Creek Reservoir Project in Fannin County, Texas, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. MURRAY (for herself and Ms. MURKOWSKI):

S. 3203. A bill to plan, develop, and make recommendations to increase access to sexual assault examinations for survivors by holding hospitals accountable and supporting the providers that serve them; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3204. A bill to amend the Immigration and Nationality Act to authorize admission of Canadian retirees as long-term visitors for pleasure described in section 101(a)(15)(B) of such Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Ms. SMITH, Mr. REED, Ms. BALDWIN, Mr. BROWN, and Mr. CARDIN):

S. 3205. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON:

S. 3206. A bill to amend the Internal Revenue Code of 1986 to provide tax relief to areas affected by toxic algal blooms; to the Committee on Finance.

By Mr. NELSON:

S. 3207. A bill to amend the Higher Education Act of 1965 to allow for the deferment of certain student loans during a period in which a borrower is receiving treatment for cancer; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON:

S. 3208. A bill to provide agencies with discretion in securing information technology and information systems; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself and Mr. BOOKER):

S. 3209. A bill to designate the facility of the United States Postal Service located at 413 Washington Avenue in Belleville, New Jersey, as the "Private Henry Svehla Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. GILLIBRAND:

S. 3210. A bill to establish an improved regulatory process to prevent the introduction and establishment in the United States of injurious wildlife; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. MURPHY, Mr. WYDEN, Ms. SMITH, Mr. DURBIN, Ms. WARREN, Ms. BALDWIN, Ms. HARRIS, Mr. VAN HOLLEN, and Mr. REED):

S. 3211. A bill to ensure greater accountability by licensed firearms dealers; to the Committee on the Judiciary.

By Mr. BROWN (for himself, Mr. WICKER, and Mr. BOOKER):

S. 3212. A bill to facilitate effective research on and treatment of neglected tropical diseases through coordinated domestic and international efforts; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. WHITEHOUSE (for himself, Mr. REED, Ms. HASSAN, Mr. VAN HOLLEN, Mr. UDALL, Ms. HIRONO, Mr. BOOKER, Mr. CARDIN, Mr. CARPER, Ms. DUCKWORTH, Mr. DURBIN, Ms. STABENOW, Mr. WYDEN, Mr. MERKLEY, Mr. SANDERS, Ms. HARRIS, Mr. SCHATZ, and Mr. MARKEY):

S. Res. 573. A resolution expressing the sense of the Senate that climate change is real and that the National Science Foundation should engage on the communication of sound climate change science to the public; to the Committee on Commerce, Science, and Transportation.

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

S. Res. 574. A resolution designating July 13, 2018, as Collector Car Appreciation Day and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

By Mr. CARDIN (for himself, Mr. VAN HOLLEN, Mr. MCCONNELL, Mr. SCHUMER, Mr. ALEXANDER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Ms. HARRIS, Ms. HASSAN,

Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. JONES, Mr. KAINE, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT, Mrs. SHAHEEN, Mr. SHELBY, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 575. A resolution honoring the memory of the 5 victims of the attack at the Capital Gazette in Annapolis, Maryland, on June 28, 2018; considered and agreed to.

ADDITIONAL COSPONSORS

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 266

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 808

At the request of Mr. THUNE, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 808, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 1564

At the request of Ms. WARREN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1564, a bill to amend the Internal Revenue Code of 1986 to permit legally married same-sex couples to amend their filing status for returns outside the 3-year limitation.

S. 1580

At the request of Mr. RUBIO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1580, a bill to enhance the

transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

S. 1742

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1742, a bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States age 55 to 64 to buy into Medicare.

S. 1970

At the request of Mr. BENNET, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1970, a bill to establish a public health plan.

S. 2101

At the request of Mr. DONNELLY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2101, a bill to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

S. 2121

At the request of Mr. HELLER, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2121, a bill to amend title XVIII of the Social Security Act to require reporting of certain data by providers and suppliers of air ambulance services for purposes of reforming reimbursements for such services under the Medicare program, and for other purposes.

S. 2340

At the request of Mr. SCHATZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2340, a bill to establish the Federal Labor-Management Partnership Council.

S. 2370

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2370, a bill to better support our early childhood educators and elementary school and secondary school teachers, and for other purposes.

S. 2639

At the request of Mr. MARKEY, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2639, a bill to require the Federal Trade Commission to establish privacy protections for customers of online edge providers, and for other purposes.

S. 2679

At the request of Ms. DUCKWORTH, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2679, a bill to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

S. 2938

At the request of Mr. SASSE, the name of the Senator from Colorado

(Mr. GARDNER) was added as a cosponsor of S. 2938, a bill to require the Secretary of Transportation to modify provisions relating to hours of service requirements with respect to transportation of livestock and insects, and for other purposes.

S. 2946

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2946, a bill to amend title 18, United States Code, to clarify the meaning of the terms "act of war" and "blocked asset", and for other purposes.

S. 3027

At the request of Mrs. McCASKILL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3027, a bill to save taxpayer money and improve the efficiency and speed of intragovernmental correspondence, and for other purposes.

S. 3040

At the request of Mr. SCOTT, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 3040, a bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes.

S. 3063

At the request of Mr. BARRASSO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 3063, a bill to delay the reimposition of the annual fee on health insurance providers until after 2020.

S. 3172

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3172, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. RES. 572

At the request of Mr. KENNEDY, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Nebraska (Mrs. FISCHER), the Senator from Kansas (Mr. ROBERTS), the Senator from Utah (Mr. HATCH), the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. WICKER), the Senator from Maine (Ms. COLLINS), the Senator from South Carolina (Mr. SCOTT), the Senator from Georgia (Mr. ISAKSON) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. Res. 572, a resolution supporting the officers and personnel who carry out the important mission of U.S. Immigration and Customs Enforcement.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Ms. SMITH, Mr. REED, Ms. BALDWIN, Mr. BROWN, and Mr. CARDIN):

S. 3205. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 3205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Know Before You Owe Private Education Loan Act of 2018".

SEC. 2. AMENDMENTS TO THE TRUTH IN LENDING ACT.

(a) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)) is amended—

(1) by striking paragraph (3) and inserting the following:

"(3) INSTITUTIONAL CERTIFICATION REQUIRED.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), before a creditor may issue any funds with respect to an extension of credit described in this subsection, the creditor shall obtain from the relevant institution of higher education where such loan is to be used for a student, such institution's certification of—

"(i) the enrollment status of the student;

"(ii) the student's cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965; and

"(iii) the difference between—

"(I) such cost of attendance; and

"(II) the student's estimated financial assistance, including such assistance received under title IV of the Higher Education Act of 1965 and other financial assistance known to the institution, as applicable.

"(B) EXCEPTION.—Notwithstanding subparagraph (A), a creditor may issue funds with respect to an extension of credit described in this subsection without obtaining from the relevant institution of higher education such institution's certification if such institution fails to provide within 15 business days of the creditor's request for such certification—

"(i) the requested certification; or

"(ii) notification that the institution has received the request for certification and will need additional time to comply with the certification request.

"(C) LOANS DISBURSED WITHOUT CERTIFICATION.—If a creditor issues funds without obtaining a certification, as described in subparagraph (B), such creditor shall report the issuance of such funds in a manner determined by the Director of the Consumer Financial Protection Bureau."

(2) by redesignating paragraphs (9), (10), and (11) as paragraphs (10), (11), and (12), respectively; and

(3) by inserting after paragraph (8) the following:

"(9) PROVISION OF INFORMATION.—

"(A) PROVISION OF INFORMATION TO STUDENTS.—

"(i) LOAN STATEMENT.—A creditor that issues any funds with respect to an extension of credit described in this subsection shall send loan statements, where such loan is to be used for a student, to borrowers of such funds not less than once every 3 months dur-

ing the time that such student is enrolled at an institution of higher education.

"(ii) CONTENTS OF LOAN STATEMENT.—Each statement described in clause (i) shall—

"(I) report the borrower's total remaining debt to the creditor, including accrued but unpaid interest and capitalized interest;

"(II) report any debt increases since the last statement; and

"(III) list the current interest rate for each loan.

"(B) NOTIFICATION OF LOANS DISBURSED WITHOUT CERTIFICATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in this subsection, the creditor shall notify the relevant institution of higher education, in writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Bureau.

"(C) ANNUAL REPORT.—A creditor that issues funds with respect to an extension of credit described in this subsection shall prepare and submit an annual report to the Bureau containing the required information about private student loans to be determined by the Bureau, in consultation with the Secretary of Education."

(b) DEFINITION OF PRIVATE EDUCATION LOAN.—Section 140(a)(8)(A) of the Truth in Lending Act (15 U.S.C. 1650(a)(8)(A)) is amended—

(1) by redesignating clause (ii) as clause (iii);

(2) in clause (i), by striking "and" after the semicolon; and

(3) by adding after clause (i) the following: "ii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and".

(c) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Consumer Financial Protection Bureau shall issue regulations in final form to implement paragraphs (3) and (9) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by subsection (a). Such regulations shall become effective not later than 6 months after their date of issuance.

SEC. 3. AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.

(a) AMENDMENT TO THE HIGHER EDUCATION ACT OF 1965.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by striking paragraph (28) and inserting the following:

"(28)(A) The institution shall—

"(i) upon the request of a private educational lender, acting in connection with an application initiated by a borrower for a private education loan in accordance with section 128(e)(3) of the Truth in Lending Act, provide certification to such private educational lender—

"(I) that the student who initiated the application for the private education loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

"(II) of such student's cost of attendance at the institution as determined under part F of this title; and

"(III) of the difference between—

"(aa) the cost of attendance at the institution; and

"(bb) the student's estimated financial assistance received under this title and other assistance known to the institution, as applicable; and

"(ii) provide the certification described in clause (i), or notify the creditor that the institution has received the request for certification and will need additional time to comply with the certification request—

“(I) within 15 business days of receipt of such certification request; and

“(II) only after the institution has completed the activities described in subparagraph (B).

“(B) The institution shall, upon receipt of a certification request described in subparagraph (A)(i), and prior to providing such certification—

“(i) determine whether the student who initiated the application for the private education loan, or on whose behalf the application was initiated, has applied for and exhausted the Federal financial assistance available to such student under this title and inform the student accordingly; and

“(ii) provide the borrower whose loan application has prompted the certification request by a private education lender, as described in subparagraph (A)(i), with the following information and disclosures:

“(I) The amount of additional Federal student assistance for which the borrower is eligible and the advantages of Federal loans under this title, including disclosure of the fixed interest rates, deferments, flexible repayment options, loan forgiveness programs, and additional protections, and the higher student loan limits for dependent students whose parents are not eligible for a Federal Direct PLUS Loan.

“(II) The borrower’s ability to select a private educational lender of the borrower’s choice.

“(III) The impact of a proposed private education loan on the borrower’s potential eligibility for other financial assistance, including Federal financial assistance under this title.

“(IV) The borrower’s right to accept or reject a private education loan within the 30-day period following a private educational lender’s approval of a borrower’s application and about a borrower’s 3-day right to cancel period.

“(C) For purposes of this paragraph, the terms ‘private educational lender’ and ‘private education loan’ have the meanings given such terms in section 140 of the Truth in Lending Act (15 U.S.C. 1650).”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the effective date of the regulations described in section 2(c).

SEC. 4. REPORT.

Not later than 24 months after the issuance of regulations under section 2(c), the Director of the Consumer Financial Protection Bureau and the Secretary of Education shall jointly submit to Congress a report on the compliance of institutions of higher education and private educational lenders with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by section 2, and section 487(a)(28) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by section 3. Such report shall include information about the degree to which specific institutions utilize certifications in effectively encouraging the exhaustion of Federal student loan eligibility and lowering student private education loan debt.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 573—EX-PRESSING THE SENSE OF THE SENATE THAT CLIMATE CHANGE IS REAL AND THAT THE NATIONAL SCIENCE FOUNDATION SHOULD ENGAGE ON THE COMMUNICATION OF SOUND CLIMATE CHANGE SCIENCE TO THE PUBLIC

Mr. WHITEHOUSE (for himself, Mr. REED, Ms. HASSAN, Mr. VAN HOLLEN, Mr. UDALL, Ms. HIRONO, Mr. BOOKER, Mr. CARDIN, Mr. CARPER, Ms. DUCKWORTH, Mr. DURBIN, Ms. STABENOW, Mr. WYDEN, Mr. MERKLEY, Mr. SANDERS, Ms. HARRIS, Mr. SCHATZ, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 573

Whereas there is scientific consensus based on peer-reviewed research and scientific evidence that—

(1) climate change is occurring due to increases in carbon dioxide and other greenhouse gases in the atmosphere; and

(2) human activity has caused a significant increase in the atmospheric concentrations of greenhouse gases;

Whereas scientific measurements show that the concentration of carbon dioxide in the atmosphere ranged from 170 to 300 parts per million for at least 800,000 years (4 times as long as the species *homo sapiens* has existed), but has now, according to measurements taken at the Mauna Loa Observatory, exceeded 400 parts per million in each of the last 5 years;

Whereas the National Science Foundation (referred to in this preamble as the “NSF”) is an independent Federal agency created by Congress “to promote the progress of science; to advance the national health, prosperity, and welfare; [and] to secure the national defense”;

Whereas the approval of any grant awards by NSF must undergo a rigorous merit review standard, including review by outside independent reviewers who do not work for the NSF or the institution that employs the researchers applying for the grant;

Whereas Congress reaffirmed the rigorous merit review standard of the NSF in Public Law 114-329;

Whereas the authorizing statute of the NSF states that the long-term goals of the NSF include promoting “the discovery, integration, dissemination, and application of new knowledge in service to society”;

Whereas the American Meteorological Society, the premier professional organization of the United States for individuals who work in the atmospheric and related sciences,—

(1) promotes broadcast meteorologists as “station scientists”; and

(2) equips broadcast meteorologists with tools and skills necessary to cover weather and climate effects on public health, transportation, agriculture, and energy use;

Whereas fossil fuel companies and allied organizations (according to peer-reviewed scientific research and investigative reporting) have long known about climate change and the role of fossil fuels in driving climate change;

Whereas fossil fuel companies are known to, both directly and through their trade associations, public relations firms, and foundations—

(1) support sophisticated campaigns to deny, counter, and obfuscate peer-reviewed research; and

(2) use misinformation campaigns to mislead the public about climate change; and

Whereas, it is in the public interest that scientists and other experts—

(1) communicate peer-reviewed science to the public; and

(2) educate the public about the causes and consequences of climate change: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) climate change is real and human activity is the main driver of modern climate change;

(2) the scientific consensus on climate change and the implications of climate change with respect to the increase in the frequency and severity of extreme weather makes it in the public interest that broadcast meteorologists knowledgeably communicate scientifically-based climate information to the public;

(3) fossil fuel companies, both directly and through their trade associations, public relations firms, and foundations, should cease their misinformation campaigns concerning the dangers of climate change; and

(4) it is within the authority and aligned with the mission of the National Science Foundation to provide grants to broadcast meteorologists to improve their understanding of climate change science and ability to communicate climate change science to the public.

SENATE RESOLUTION 574—DESIGNATING JULY 13, 2018, AS COLLECTOR CAR APPRECIATION DAY AND RECOGNIZING THAT THE COLLECTION AND RESTORATION OF HISTORIC AND CLASSIC CARS IS AN IMPORTANT PART OF PRESERVING THE TECHNOLOGICAL ACHIEVEMENTS AND CULTURAL HERITAGE OF THE UNITED STATES

Mr. BURR (for himself and Mr. TESTER) submitted the following resolution; which was considered and agreed to:

S. RES. 574

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the United States and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas the collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of the United States by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 13, 2018, as “Collector Car Appreciation Day”;

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of Collector Car Appreciation Day that create opportunities for collector car owners to educate young people about the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

SENATE RESOLUTION 575—HONORING THE MEMORY OF THE 5 VICTIMS OF THE ATTACK AT THE CAPITAL GAZETTE IN ANNAPOLIS, MARYLAND, ON JUNE 28, 2018

Mr. CARDIN (for himself, Mr. VAN HOLLEN, Mr. MCCONNELL, Mr. SCHUMER, Mr. ALEXANDER, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Ms. HARRIS, Ms. HASSAN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. JONES, Mr. KAINE, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT, Mrs. SHAHEEN, Mr. SHELBY, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 575

Whereas the Capital Gazette traces its history to 1727 and is one of the oldest newspapers published in the United States;

Whereas the Capital Gazette opposed the Stamp Act, a law that helped to precipitate the American Revolution;

Whereas the Capital Gazette is a sister publication to the Baltimore Sun and maintains a reputation as a trusted and well-respected newspaper outlet that informs and uplifts communities in Annapolis, Anne Arundel County, and Kent Island, Maryland;

Whereas journalism is a cornerstone of the democratic society of the United States;

Whereas local news outlets, including the Capital Gazette—

(1) are focused on delivering truthful and thorough reporting, local investigation, and community advocacy; and

(2) are unfettered by individuals or groups who seek to damage journalistic integrity by demonizing the media, spreading disinformation, and harassing and intimidating dedicated journalists;

Whereas Thomas Jefferson said: “Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.”;

Whereas, on the afternoon of June 28, 2018, a 38-year-old gunman entered the Capital Gazette newsroom in Annapolis, Maryland, with a shotgun and smoke grenades and killed 5 employees;

Whereas after the Circuit Court of Prince George’s County, Maryland, dismissed a spurious defamation lawsuit filed by the gunman against the Capital Gazette in 2011, the gunman held a grudge against the newspaper and harassed and threatened the staff of the newspaper and other local news outlets and local public officials;

Whereas during the attack, staff inside the building remained committed to their journalistic duty and continued to report by tweeting and sharing information while their lives were in danger;

Whereas officers of the Anne Arundel County Police Department, the Annapolis Police Department, and the Anne Arundel County Sheriff’s Office responded to the scene within 1 minute after receiving the first 911 calls and bravely apprehended the gunman and evacuated the building;

Whereas officers of the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Federal Bureau of Investigation and other Federal law enforcement officers also responded swiftly to assist local law enforcement and the Maryland State Police;

Whereas other first responders also arrived on the scene within minutes of the attack, helping save lives and restore order;

Whereas staff from the Capital Gazette and the Baltimore Sun affirmed their dedication to journalistic integrity and released a newspaper the morning following the attack that reported on the shooting and commemorated the lives of their friends and colleagues with 5 heartfelt obituaries;

Whereas the Senate honors—

(1) Gerald Fischman, 61, who was an editor with more than 25 years of service with the Capital Gazette and who was known at the newspaper and throughout the community for his brilliant mind and writing;

(2) Rob Hiaasen, 59, who was a columnist, editor, teacher, and storyteller and who brought compassion and humor to his community-focused reporting;

(3) John McNamara, 56, who was a skilled writer and avid sports fan and who combined these passions in his 24-year career as a sports reporter at the Capital Gazette;

(4) Rebecca Smith, 34, who was a newly-hired sales assistant known for her kindness, compassion, and love for her family; and

(5) Wendi Winters, 65, who was a talented writer who built her career as a public relations professional and journalist and who was well-known for her profound reporting on the lives and achievements of people within the community;

Whereas the community of Anne Arundel County, Maryland, survivors of the attack, loved ones of the victims, and mourners across Maryland came together to express an outpouring of support for the victims and their families;

Whereas the State of Maryland immediately ordered all State flags in Maryland to be flown at half-staff in honor of the victims; and

Whereas the flags of the United States were flown at half-staff across the United States in honor of the Capital Gazette victims on July 3, 2018: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the lives, careers, and service of the 5 victims of the shooting, Gerald Fischman, Rob Hiaasen, John McNamara, Rebecca Smith, and Wendi Winters;

(2) honors the survivors of the attack and the families of the victims and pledges continued support for their recovery;

(3) applauds the bravery and professionalism of the staff of the Capital Gazette who remained committed to their journalistic craft and their fallen colleagues during and after the attack;

(4) thanks the State, county, local, and Federal law enforcement officers and other emergency first responders for their heroic actions;

(5) recognizes the unity, compassion, and resilience of the communities of Annapolis, Maryland and Anne Arundel County, Maryland, after the attack;

(6) reaffirms the commitment of the Senate to defending the First Amendment to the Constitution of the United States;

(7) honors media and journalism as core institutions of the democracy of the United States; and

(8) respectfully requests that the Secretary of the Senate transmit enrolled copies of this resolution to the Editor-in-Chief of the Capital Gazette.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GRASSLEY. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 12, 2018, at 10 a.m., to conduct a hearing entitled “An overview of the credit bureaus and the fair credit reporting act.”

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, July 12, 2018, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, July 12, 2018, at 10 a.m., to conduct a hearing entitled “Implications for U.S. Foreign Policy and the International Economy.”

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, July 12, 2018, at 10 a.m., to conduct a hearing on pending legislation and the following nominations: Britt Cagle Grant, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, David James Porter, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, A. Marvin Quattlebaum,

Jr., of South Carolina, and Julius Ness Richardson, of South Carolina, both to be a United States Circuit Judge for the Fourth Circuit, Roy Kalman Altman, and Rodolfo Armando Ruiz II, both to be a United States District Judge for the Southern District of Florida, Raul M. Arias-Marxuach, to be United States District Judge for the District of Puerto Rico, and Maria Chapa Lopez, to be United States Attorney for the Middle District of Florida, and Richard E. Taylor, Jr., to be United States Marshal for the Northern District of Texas, both of the Department of Justice.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, July 12, 2018, at 2 p.m., to conduct a closed hearing.

NATIONAL WHISTLEBLOWER
APPRECIATION DAY

Mr. RUBIO. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 558.

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

The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 558) designating July 30, 2018, as "National Whistleblower Appreciation Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. RUBIO. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 558) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 28, 2018, under "Submitted Resolutions.")

COLLECTOR CAR APPRECIATION
DAY

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 574, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 574) designating July 13, 2018, as Collector Car Appreciation Day and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. RUBIO. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 574) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

HONORING THE MEMORY OF THE 5
VICTIMS OF THE ATTACK AT
THE CAPITAL GAZETTE IN AN-
NAPOLIS, MARYLAND

Mr. RUBIO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 575, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 575) honoring the memory of the 5 victims of the attack at the Capital Gazette in Annapolis, Maryland, on June 28, 2018.

There being no objection, the Senate proceeded to consider the resolution.

Mr. RUBIO. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 575) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, JULY 16,
2018

Mr. RUBIO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, July 16; 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 ask that following leader remarks, the Senate proceed to executive session to consider Executive Calendar No. 936, Scott Stump; that the time until 5:30 p.m. be equally divided between the two leaders or their designees and that the Senate then vote on confirmation of the nomination with no intervening action or debate; further, 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.

ADJOURNMENT UNTIL MONDAY,
JULY 16, 2018, AT 3 P.M.

Mr. RUBIO. 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 5:11 p.m., adjourned until Monday, July 16, 2018, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 12, 2018:

DEPARTMENT OF DEFENSE

PAUL C. NEY, JR., OF TENNESSEE, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE.

THE JUDICIARY

KELLY HIGASHI, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

OFFICE OF GOVERNMENT ETHICS

EMORY A. ROUNDS III, OF MAINE, TO BE DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS FOR A TERM OF FIVE YEARS.

DEPARTMENT OF STATE

GEORGETTE MOSBACHER, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF POLAND.