

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### 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 and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Britt Cagle Grant, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The Senator from Oregon.

##### PRESIDENTIAL TAX TRANSPARENCY LEGISLATION

Mr. WYDEN. Mr. President, the Senate is approaching the end of the debate on a significant piece of spending legislation that includes funding for the Internal Revenue Service. That is why I have come to the floor this morning to discuss one of my amendments to this legislation, which is based on a bill that I have authored, entitled the Presidential Tax Transparency Act.

It is long past time for the President's tax returns to be released to the American people. This President has, in effect, thrown in the trash can a bipartisan, 40-year, pro-transparency tradition in his having refused to release his tax returns in the course of the 2016 election. This had been a tradition accepted by all liberals and conservatives across the political spectrum that had dated back to the post-Watergate era. The President has ended it for reasons as flimsy as you can get—a made-up story about the President's claim that you can't release your returns in the course of an audit.

Yet now it is not just a matter of the President's destroying a four-decades', good-government campaign tradition. Week after week, month after month, there are more questions that swirl about with respect to financial ties that might skew the President's decision-making about new foreign deals. The Trump Organization continues to strike that violate the promises the President made to the American people—about foreign cash coming into his properties here in the United States; about the astronomical amount of cash taxpayers spend to fund the President's many visits to Trump-branded properties, essentially forcing the American people to finance Trump resort ad campaigns.

The episode that left more jaws on the floor than perhaps any other came

a few weeks ago. That is when the President traveled through Europe for what should have been routine meetings with our longstanding allies. Instead, the President attacked our closest allies and put on a performance, while standing next to Vladimir Putin, that few will soon forget. With a hostile dictator at his side, the President said that the United States was "foolish," and he threw our intelligence officials under the bus and refused once again to accept the conclusion that Russia interfered with our 2016 election. The cleanup he tried to do a few days later, in my view, was laughable at best.

Following that meeting in Helsinki, people across the Nation were left to wonder: Does Vladimir Putin have something on the President? Does the President simply prefer dictators and strongmen to democratically elected leaders, or does Putin have information or financial influence that he is exploiting?

There was also the mystery of why this administration, which seems to stumble from decision to decision, sprang into action to save ZTE—a company that is a Chinese serial sanctions violator and a tech company that the experts will tell you is a threat to our national security. In an open hearing of the Intelligence Committee and in response to my question, Mr. Evanina—the new point person for the whole question of counterintelligence and counterterrorism—said that he still regarded ZTE as an espionage threat.

For all of the President's tough talk about enforcing sanctions on countries that pose a threat to Americans, letting ZTE off the hook after it violated sanctions against Iran and North Korea is just baffling. It certainly shows signs of weakness. The timing also raised eyebrows, as the ZTE deal came right after the Trump family secured valuable trademarks, and a Trump project in Indonesia got a \$500 million loan from a Chinese state-owned company.

These looming questions are yet another reason the American people should not be asked to wait any longer for a chance to see what every other President has offered in the last four decades—his tax returns. The American people deserve to see those returns and see if some of the "almost impossible to explain" Presidential judgments over the last few weeks have been due to what may be in those returns.

So let's be clear. The financial ties between the President, The Trump Organization, and Russia could be well hidden deep within the Trump web of business entities. Releasing the tax returns, at least, is a start with respect to accountability and transparency in the long-held tradition Presidents have followed.

Unfortunately, for the interests of the American people, debate on the legislation before us has now been cut off. That means that my amendment, which would call for the disclosure of

these tax returns and transparency and accountability, just as we have seen decade after decade, will not get a vote, but I intend to keep calling up this legislation for a full debate. I simply believe this issue is too important to ignore.

There is a reason we have had this tradition for four decades. This is the lowest ethical bar for a President. It is not a high one. It is the lowest ethical bar, and it is not being followed. Members on both sides ought to be interested in protecting good-government, pro-transparency traditions that stretch back decades.

What a lot of people have wondered is, why is legislation necessary here? I had held off for months in 2016 even talking about requiring this by legislation. I had just hoped that then-Candidate Trump would have done voluntarily what everybody else had done for four decades. When it was clear he wouldn't, I had said I didn't know of any other path to get the transparency and accountability the American people deserve other than through legislation like this.

Nobody in Congress ought to be in favor of keeping the American people in the dark about what is motivating the President's decision, and certainly all of us ought to be concerned about protecting against corruption. Helping Russia undermine NATO and letting sanctions violators—repeat sanctions violators—off the hook puts American interests in danger.

The public has a right to know the truth of what is behind those decisions. Certainly, a part of being able to make those judgments is having the chance—the opportunity—as we have seen for four decades, to see the President's tax returns.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

##### NEW HOPE ACT

Mr. CORNYN. Mr. President, last week the House passed an important piece of legislation, the reauthorization of the Perkins Act. It was sent to the President's desk for his signature and, once that happens today, it will become the law of the land.

I want to take just a moment to talk about part of it because it has huge implications for my State and the United States. It is called the New HOPE Act, and it builds on other steps we have taken recently to strengthen our Nation's economy. Specifically, it deals with this phenomenon of occupational licensing.

State licensing mandates require men and women to pay fees, complete training programs, and pass exams before they can enter certain jobs and

professions, but many of these licensing requirements are simply protectionism. They do nothing to protect consumers or ensure the public safety. They simply protect the incumbents' interests and erect large barriers to entry. They make it more difficult for new folks to learn and practice new trades and preserve exclusive access to those who have the means and the time necessary to jump through all the procedural and financial hoops.

Existing licensing rules perpetuate the status quo and stifle new talent. Oftentimes, they are totally unnecessary, as you may have gathered from my comments, and certainly burdensome. When that happens, they need to be eliminated.

Last year in Austin, I had a chance to meet with people in the cosmetology, heating and ventilation, and other industries, and we talked about how licensing requirements impact their industries, as well as job creation, upward mobility, and public safety.

Around that same time, the Institute for Justice ranked Texas licensure requirements as the 17th most burdensome in the country. That is not a statistic I am proud of. So, naturally, we spoke about ways we can reduce the burden on job seekers.

That is where the bill I sponsored comes in, the New HOPE Act, which is part of this Perkins reauthorization bill. It provides additional authority to State Governors receiving funds for career and technical education. It gives them discretion to consolidate or eliminate licenses or certifications that provide limited consumer protection or pose an unnecessary and sometimes insurmountable barrier to entry for aspiring men and women seeking to enter certain professions. If you want to be a hairdresser or an eyebrow threader or a roofer or a mortician, we should support you 100 percent. We shouldn't condone the erection of barriers to your entering this profession once you have satisfied the necessary and important qualifications and training. There are certain training steps that are a good idea, and I am not suggesting otherwise, but you shouldn't have to wait for years and waste thousands of dollars in order to get there. That is what this bill is all about.

I am grateful to my Democratic cosponsor, the junior Senator from Michigan, as well as the bill's champions over in the House, Representative WALBERG and Representative CUELLAR. We couldn't have gotten this done without them. I look forward to the President's signature. I know that once it becomes law, it will work to further enhance the positive economic climate that we have seen under this administration, with the jaw-dropping announcement of last Friday that the economy is burning so hot that the gross domestic product has gone up by 4.1 percent in the last quarter alone.

There are many steps to turning this economy around. One of the biggest, of

course, was the Tax Cuts and Jobs Act, which we passed last year and which has had transformative effects. So I am optimistic that legislation like the Tax Cuts and Jobs Act will continue to allow getting out of the way of the people who are creating opportunity and growing the economy and wages and take-home pay.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

#### NOMINATION OF BRETT KAVANAUGH

Mr. THUNE. Mr. President, the confirmation process for Judge Kavanaugh continues and, predictably, so does the Democrat hysteria. It is the same old playbook: Any Supreme Court nominee from a Republican President is guaranteed to destroy the Constitution, abolish our rights, and endanger the lives of the American people. I am not exaggerating for effect. Those are actual accusations from Democrats and liberal interest groups.

In the lead-up to Justice Gorsuch's confirmation, the head of one liberal organization stated that there was "substantial evidence" that if Gorsuch's "egregious views were to become law, Americans' lives . . . would be put at risk in untold ways." A year into Justice Gorsuch's tenure on the Supreme Court, Americans seem to be doing OK.

But that didn't stop the former Democratic Governor of Virginia from tweeting that "the nomination of Judge Brett Kavanaugh will threaten the lives of millions of Americans for decades to come."

Then, of course, there is that other favorite Democrat accusation—that the Constitution will be put in jeopardy if we confirm a Republican President's Supreme Court nominee. In the lead-up to Judge Kavanaugh's nomination, the junior Senator from California said: "We're looking at a destruction of the Constitution of the United States."

I have to say that I find this accusation particularly hilarious because if there is one thing that we can count on Judge Kavanaugh to do, it is to defend the Constitution. In fact, his respect for the Constitution and the rule of law is perhaps the distinguishing feature of his jurisprudence.

In a speech last year, Judge Kavanaugh said:

As I see it, the Constitution is primarily a document of majestic specificity, and those specific words have meaning. Absent constitutional amendment, those words continue to bind us as judges, legislators, and executive officials.

Later on in the same speech, Judge Kavanaugh noted:

Because it is so hard, and because it is not easy even to pass federal legislation, pressure is often put on the courts and the Supreme Court in particular to update the Constitution to reflect the times. In the views of some, the Constitution is a living document, and the Court must ensure that the Constitution adapts to meet the changing times.

For those of us who believe that the judges are confined to interpreting and applying the

Constitution and laws as they are written and not as we might wish they were written, we too believe in a Constitution that lives and endures and in statutes that live and endure. But we believe that changes to the Constitution and laws are to be made by the people through the amendment process and, where appropriate, through the legislative process—not by the courts snatching that constitutional or legislative authority for themselves.

In short, if there is one thing the American people can count on, it is that Judge Kavanaugh will uphold the Constitution, even when he doesn't like the result. He will not attempt to legislate from the bench or to make the Constitution say what he wants it to say. Anyone who comes before Judge Kavanaugh can be certain that he will rule based on the facts of the case, the law, and the Constitution, and nothing else—not his personal feelings, not his political opinions, not his beliefs about what the law should be, but just the plain text of the law and the Constitution. That is the kind of judge that all of us, including the Democrats, should want on the Supreme Court—the kind of judge who, in the words of Judge Kavanaugh, will decide "cases based on settled principles without regard to policy preferences or political allegiances or which party is on which side in a particular case."

The truth of the matter is that Democrats are not worried that Judge Kavanaugh will not uphold the Constitution. Let's be clear about that. They know very well that he will. What they are worried about is that he will not deliver their preferred outcomes and that his judicial opinions will conflict with the Democrats' political opinions. Democrats aren't looking for a qualified Supreme Court Justice. They are looking for a political rubberstamp.

For Democrats, the only good Supreme Court Justice is a Supreme Court Justice who will use his or her power to advance the political agenda of the Democratic Party. Just look at the Democrat Senator who announced his opposition to the President's Supreme Court nomination before the President had actually nominated anyone. That is right. The Democrat Senator announced plans to oppose the nominee before a nominee even existed.

Well, that is all the evidence we need that Democrats' opposition to Judge Kavanaugh is based not on any actual problems with Judge Kavanaugh but on Democrats' ideological opposition to any nominee they are not sure will be a rubberstamp for the Democrat agenda.

The confirmation process will continue, and I am sure the hysteria from Democrats will continue as well, but the Senate will move forward with the business of confirming another outstanding judge of the Supreme Court.

#### ECONOMIC GROWTH

Before I close, Mr. President, I would like to say just a couple of words about the economic numbers released last week. On Friday, the Commerce Department announced that the economy

grew at a rate of 4.1 percent in the second quarter of 2018, and I have to say that this is tremendous news.

Getting our economy going again has been a huge priority for Republicans since President Trump's election. We have eliminated burdensome regulations that were acting as a drag on economic growth. In December of last year, we passed a comprehensive tax reform bill that put more money in Americans' pockets and fixed some of the problems in the Tax Code that were keeping businesses from growing and creating jobs. Now we are seeing the results: robust economic growth, low unemployment, near-record optimism among small businesses, soaring business investment, and more.

What does all of this mean? It means more jobs and better wages for hard-working Americans. It means more opportunities, and it means more economic security and a better life for American families.

I am proud of the economic progress we have made over the past year and a half, and I am going to keep working with my colleagues in Congress to advance policies that will expand economic opportunities for Americans even further so that we can continue to create those good-paying jobs and those better wages for American workers and for American families.

I yield the floor.

#### LEGISLATIVE SESSION

#### THE AMERICAN LEGION 100TH ANNIVERSARY COMMEMORATIVE COIN ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session and resume consideration of the House message to accompany S. 1182, which the clerk will report.

The bill clerk read as follows:

House message to accompany S. 1182, an act to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

Pending:

McConnell motion to concur in the amendments of the House to the bill.

McConnell motion to concur in the amendment of the House to the bill, with McConnell amendment No. 3628 (to the House amendment to the bill), to change the enactment date.

McConnell amendment No. 3629 (to amendment No. 3628), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Banking, Housing, and Urban Affairs, with instructions, McConnell amendment No. 3630, to change the enactment date.

McConnell amendment No. 3631 (to the instructions) amendment No. 3630), of a perfecting nature.

McConnell amendment No. 3632 (to amendment No. 3631), of a perfecting nature.

The PRESIDING OFFICER (Mr. PAUL). Under the previous order, the cloture motion, the motion to refer, and the motion to concur with amendment are withdrawn.

#### VOTE ON MOTION TO CONCUR

The question occurs on agreeing to the motion to concur in the House amendments to the Senate bill.

Mr. THUNE. 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 Arizona (Mr. FLAKE) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 86, nays 12, as follows:

[Rollcall Vote No. 173 Leg.]

#### YEAS—86

Alexander	Gardner	Murray
Baldwin	Gillibrand	Nelson
Bennet	Graham	Perdue
Blumenthal	Grassley	Peters
Blunt	Harris	Portman
Booker	Hassan	Reed
Boozman	Hatch	Roberts
Brown	Heinrich	Rounds
Burr	Heitkamp	Rubio
Cantwell	Heller	Sanders
Capito	Hirono	Schatz
Cardin	Hoeven	Schumer
Carper	Hyde-Smith	Scott
Casey	Isakson	Shaheen
Cassidy	Jones	Smith
Collins	Kaine	Stabenow
Coons	Kennedy	Sullivan
Corker	King	Tester
Cornyn	Klobuchar	Thune
Cortez Masto	Leahy	Tillis
Crapo	Manchin	Udall
Cruz	Markey	Van Hollen
Daines	McCaskill	Warner
Donnelly	McConnell	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	Young
Fischer	Murphy	

#### NAYS—12

Barrasso	Johnson	Risch
Cotton	Lankford	Sasse
Enzi	Lee	Shelby
Inhofe	Paul	Toomey

#### NOT VOTING—2

Flake	McCain
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The motion was agreed to.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:55 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session and consideration of the Grant nomination.

All time has expired.

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

Mr. BOOZMAN. 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 assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. FLAKE) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 174 Ex.]

#### YEAS—52

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

#### NAYS—46

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

#### NOT VOTING—2

Flake	McCain
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The nomination was confirmed.

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will now be 5 minutes of debate equally divided prior to the cloture vote on the Shelby amendment No. 3399.

The Senator from Alabama.

Mr. SHELBY. Mr. President, I rise this afternoon to urge my colleagues to invoke cloture on the substitute amendment before us.