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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, August 3, 2018, at 10 a.m.

Senate

WEDNESDAY, AUGUST 1, 2018

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

PRAYER

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

Let us pray.

Eternal Lord God, our refuge and strength, stay close to our Senators. As they labor for liberty, give them the grace of Your presence. Assist them in their work so that their thoughts, words, and deeds will be acceptable to You. Give them pure hearts, devoted to You and ever seeking Your glory. May they not tire in well-doing, knowing that a wonderful harvest is certain if they persevere. Lord, inspire them to press on with today's duties with hope in their hearts.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 1, 2018.

To the Senate:

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

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

APPROPRIATIONS LEGISLATION

Mr. MCCONNELL. Mr. President, for more than a week, the Senate has carefully considered a set of four appropriations bills.

Together, they will account for about one-eighth of the discretionary spending for the next fiscal year. They allocate funds for a variety of pressing needs in communities around the country, and they represent four more steps toward the goal this Senate has set to fund the government through regular appropriations and to steer clear of another omnibus.

A lot of attention has rightly been paid to huge priorities where this legislation will bring major progress: our mission to renew America's infrastructure and the ongoing fight against opioid addiction and abuse.

Both are urgent challenges. In one survey last year, 81 percent of Americans said the opioid epidemic is either a major problem or a full-blown emergency, and more than half said infrastructure investment was a ''very important'' or ''extremely important'' priority. These are two priorities we share throughout this Congress—both parties, both Houses, and with the President.

Here are just a few of the provisions in this legislation: billions of dollars of investment in rural communities for everything from electric and telephone infrastructure to water infrastructure, to broadband internet, to small business loans; a $10 billion overall increase from 2017 for infrastructure needs; and tens of millions for opioid prevention, including grants for distance learning and telemedicine so rural America is better equipped to strike back against the scourge of addiction.

Of course, infrastructure and fighting opioids are only part of what these bills encompass.

They will fully fund the Federal Government's efforts in agriculture, transportation, housing and urban development, the interior, environment, financial services, and general government. That includes essential routine services, from the Forest Service to food safety inspections. It includes many targeted programs that have an outsized impact on local communities.

My fellow Kentuckians and I are glad this legislation will help us expand rural internet access, invest in new highways and bridges, reclaim abandoned mines, and contain the invasive

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

Asian carp that threaten our waterways. The list goes on and on. I know every community and every State could write its own list. This legislation matters to every Senator. It matters to all Americans.

I am grateful to Chairman SHELBY, Senator LEAHY, and subcommittee Chairmen MURKOWSKI, COLLINS, HOEVEN, and LANKFORD for all of their hard work. We have considered these bills carefully. We have voted on a number of amendments. This morning, we will consider more amendments and then pass this bill.

Now, this appropriations package is not the only important business the Senate has been working on this week.

Yesterday, we passed an important extension of the National Flood Insurance Program and sent it to the White House for the President's signature. We confirmed the 24th circuit court nominee already in this Congress, and we voted to proceed to conference with the House on the farm bill.

I understand this year marks the earliest, since at least 1965, that both the House and the Senate have passed a farm bill. Here in the Senate, it passed with the widest margin of any recorded vote in the history of this legislation. So Chairman ROBERTS and Senator STABENOW deserve our congratulations and appreciation. I look forward to serving as a conferee myself and to finishing up the farm bill prior to its expiration.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, before we adjourn this week, the Senate will also finalize the John S. McCain National Defense Authorization Act for Fiscal Year 2019. Once we pass the conference report this week, this important legislation will head to the President's desk to become law, and we will have fulfilled one of this body's most solemn responsibilities.

The NDAA builds on the progress we made earlier this year in the bipartisan budget agreement, which provided for the largest year-on-year increase in funding for American Armed Forces in 15 years. This legislation authorizes programs that will contribute to the combat readiness of America's military to meet emerging and persistent global threats. It helps to ensure that our servicemembers and their families will receive the full support of a grateful Nation. When we pass the fiscal year 2019 National Defense Appropriations Act, which funds these programs, we will have gone yet further in meeting our commitments to an all-volunteer force.

The NDAA has global and nationwide significance, but it also has tremendous local importance. In representing the Commonwealth of Kentucky, I know just how significant an impact this legislation will have on some of our Nation's finest.

At Fort Campbell, members of the 101st Airborne Division and a number of Special Operations units will benefit from the authorization of new investments in their training facilities.

At Fort Knox, the Army's Human Resources Command and Recruiting Command will receive the support they need to modernize officer personnel management, and the post will receive much needed certainty and authority for its energy savings program.

At the Blue Grass Army Depot, critical work to support chemical weapons demilitarization will continue because this bill authorizes the resources necessary to conduct safe operations.

Servicemembers will benefit from a well-deserved raise in military pay and expanded authority for military family housing and education.

So none of my colleagues need to look far to find examples of how the needs of our servicemembers will be met by the legislation before us.

Our colleagues on the Armed Services Committee carefully developed it. It reflects more than 300 amendments, and it rightly bears the name of our colleague and friend JOHN MCCAIN. I know he is proud of all this legislation accomplishes for our men and women in uniform.

I also thank the senior Senator from Oklahoma and the ranking member from Rhode Island for steering this bill through conference. I look forward to sending it to the President's desk this week.

TAX REFORM

Mr. MCCONNELL. Mr. President, on one final matter, the U.S. economy continues to receive a lot of attention.

In June, from the New York Times: ''New milestones in jobs report signal a bustling economy.''

In July: ''Sales of small businesses are going through the roof.''

Just yesterday, in the Wall Street Journal: ''U.S. workers get biggest pay increase in nearly a decade.''

Let's explore the last headline.

According to data from the Department of Labor, employee compensation grew by 2.8 percent over the past 12 months. That is the fastest employers have increased what they spend on employee pay and benefits in any 12-month period since the one that ended in September of 2008. Given what we know about the labor market, this is hardly surprising. From Main Street businesses to manufacturers, job creators are faced with heightened demand. That means more Americans can come off the sidelines and find a quality job, and that means that businesses compete to hire and retain workers.

Every week—practically every day—yields more impressive headlines, more testimony from middle-class families and small businesses about how this economy has improved their lives.

It has been little more than 7 months since a united Republican government passed historic tax reform, and it has been about as long since the House Democratic leader predicted our policies would bring about ''Armageddon,'' and about 7 months since my friend the Democratic leader, here in the Senate, predicted that no part of tax reform would turn out to suit the needs of the American worker—none of it.

But Republicans saw past the scare tactics and did what we knew to be right for the country. We pursued a pro-growth agenda to get Washington's foot off the brakes that were restraining job creators, to take Washington's hand out of the pockets of working families, and to help create the conditions for communities across the country to succeed. Any one of these goals could have been a bipartisan priority, just like all of the other good work I have discussed this morning.

Tax reform, historically, had been bipartisan, but this time, our colleagues listened to the far left and decided to stand in complete partisan opposition to letting Americans keep more of their own money. Now the American people are reaping the benefits of a pro-growth, pro-opportunity agenda. Now they see whose policies benefit them.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

INTERIOR, ENVIRONMENT, FINANCIAL SERVICES, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 6147, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6147) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

Pending:

Shelby amendment No. 3399, in the nature of a substitute.

Murkowski amendment No. 3400 (to amendment No. 3399), of a perfecting nature.

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. MURKOWSKI. Mr. President, we are beginning to wrap up the appropriations package, which includes the

fiscal year 2019 bills for the Subcommittees on Interior, Environment, and Related Agencies; Financial Services and General Government; Agriculture, Rural Government, Food and Drug Administration, and Related Agencies; as well as Transportation, Housing and Urban Development, and Related Agencies, or T-HUD.

This is really quite an accomplishment this morning. It is perhaps not necessarily noted in the trade press out there, but the fact is, we are doing our business here. We are doing the business of lawmakers and legislators when it comes to our annual spending bills.

The fact that this is August 1 and we will be wrapping up in a matter of an hour or so, a couple of hours, 4 appropriations bills on top of the 3 that we have previously done—so 7 out of the 12 appropriations bills—is good progress. This is important progress. Some might say it is historic progress. I say it is progress that is long overdue.

I believe it is because of the leadership of Chairman SHELBY and Vice Chairman LEAHY. They came together to basically lay down a path forward for the Appropriations Committee, urging us, as chairmen of our respective subcommittees, to go back to a process that was a working and functioning process where we do the work of appropriators—not as authorizers but as appropriators—in advancing these multiple spending bills. In my view, where we are today is the result of good leadership at the committee, good leadership that says that committee work matters.

To be able to lead the Interior, Environment, and Related Agencies Subcommittee has been a very distinct privilege and an honor for me. These are areas that are clearly of interest to my home State. When we talk about our Nation's public lands, when we talk about support for our indigenous people and the agencies that support them—whether it is the BIA or the IHS—when we think about the arts and the contribution of the arts to our Nation, the issues that are within this subcommittee's jurisdiction are good, are important, and it is necessary that on an annual basis we work to advance these priorities.

We haven't been able to really advance them, not only not here on the full floor but actually through the full committee. It has been many years—actually, since fiscal year 2010 that we have had an interior bill before the full Senate for full consideration. So, again, this is truly a milestone.

As I mentioned, I want to thank Chairman SHELBY and Vice Chairman LEAHY for their leadership on this. I also want to acknowledge and thank Leader MCCONNELL for placing a priority on the appropriations process. He urged us to advance, without delay, this multitude of spending bills to return us back to regular order.

He set forth a pretty aggressive schedule for us. In fairness, there were a lot of folks out there who said: The Senate is not going to do this one. There were a lot of skeptics who said: They can't get their act together on this one.

Well, it is kind of nice to be able to demonstrate that, in fact, we can, and we have, and we continue to do this good work. We are on track to meet our goal of avoiding what we have come to just accept as the regular course of business around here—that there is going to be a large omnibus package at the end of the year. Instead, we have allowed for a process on this floor where all Members of the Senate, not just those of us who serve on the Appropriations Committee but all of us, have an opportunity to weigh in, to dig in, and to review these measures that have come through the committee, offer up amendments, and have the ability to debate and amend them. Granted, we haven't had as many amendments on the floor as I think some of us might have wanted. We haven't had the hours-long debate on some of the, perhaps, more contentious matters, but what we have done is we have really focused on outlining the spending priorities and ensuring that we can find consensus. Finding consensus around here is the hard part of the responsibility because it means I have to stand down on some of my priorities, and others have to stand down on some of their priorities, in order for any of us to be able to advance the broader priorities.

So we are here with a process that has been delayed over the years, but I feel good, I feel optimistic that we have pushed the reset button when it comes to the Appropriations Committee and how we will be able to move forward.

We know there is more than just one body in the Congress, and we are going to have to deal with our colleagues on the other side, the House of Representatives, as we move into conference, but we can't get to conference until we have taken the first step, and we will be able to take the first step with these four appropriations bills that are part of this package this morning.

I want to highlight just some of the provisions in the Interior bill that our committee worked so hard on. As I mentioned, this is a subcommittee that has oversight in so many different areas. It is not only our Nation's public lands, it is matters relating to our Native people. It includes environmental issues with the EPA. It is arts and culture. So we have a broad array of responsibilities.

Some of the highlights here—folks are always very interested in what we have done to meet our responsibility when it comes to payments to those communities, those counties, those bureaus, and municipalities through the PILT Program, the Payment in Lieu of Taxes Program. We fully fund the PILT Program at $500 million. This is going to be important to so many of our communities out there.

Another issue that has generated its level of support and some opposition in terms of wanting to see some additional reforms is the Land and Water Conservation Fund Program. We fund LWCF at the current level of $425 million to ensure that the important work that is advanced for conservation is able to proceed.

There is a lot of focus on what is happening with the devastating forest fires that we are seeing right now in the West, particularly in California. We provide robust levels for firefighting funding to ensure that both the Department of the Interior and the Forest Service have the resources they need at the time they need them. When you have a fire underway, they don't want us to be arguing about whether we have the resources. The resources are there, and we will be there to help.

I mentioned the matters that relate to our first people, American Indians, Alaska Natives. We do right by Indian Country within this bill.

For the two main agencies that deliver services for the Indian community, both the BIA—the Bureau of Indian Affairs—and the Indian Health Service, we have restored the cuts that were proposed of over $1 billion in critical program funding. The bill increases funding for the IHS facilities program, for construction, maintenance, and sanitation facilities improvements. We hear, time after time, in Indian Affairs as well as in the Appropriations Committee about the dire situation with so many of our facilities within not only our Indian hospitals around the country but also within the schools, truly leaving these children behind. So we do provide substantial funding for the BIA to help with construction of Indian schools. Also, we include irrigation systems and public safety facilities, so truly the full picture there.

For both accounts, we provide the fully estimated level of contract support costs for healthcare. This is very significant in ensuring that we are being honest by these accounts. We are not forcing IHS to effectively dip into other pots of funding to fund another, so it is important that we fully fund contract support.

In IHS, we also provided $10 million in critical new funding to provide grants to Tribes for combating the opioid crisis. So, again, we all know, all throughout the country, the issues we are facing with opioids. It is almost even more accentuated on our reservations and in many places where our Native peoples are facing this terrible scourge.

When it comes to public lands, how we did right by public lands—whether it is our Forest Service, the BLM, the National Park Service—is we worked to address contaminated land matters. We worked to provide support for construction and deferred maintenance not only within our National Park System but within our other public lands. We focused on areas of hazards. Most people didn't give a lot of thought to what was going on with volcanoes until

the situation we are seeing on the Big Island of Hawaii, and now there is a lot of attention. So we are making sure we are doing right in understanding some of our natural hazards, whether they are volcanoes or earthquakes. On mapping, which is so critical for us—USDS does such a great job on that—we need to be doing more.

We have also made responsible investments in the EPA that will lead to cleaner air and water. So within our bill, we provide additional funding to States that have delegated responsibility for environmental programs.

We provide an increase above last year's level for the Clean Water and Drinking Water State Revolving Funds. This builds on critical water infrastructure in communities across the country. I think we all recognize, when it comes to that role, the mission of EPA—clean air, clean water. What are we doing to make sure they are able to fulfill that mission? These accounts truly do make a difference.

We also continue to provide the highest funding level ever for the WIFIA Program. This leverages Federal funds for water infrastructure projects, and these programs have a direct impact on improving water quality in communities around the country.

Then, another small category that is not small for the arts and the cultural communities—but, again, we do right by our Smithsonians here in our Nation's Capital, helping to ensure that the National Endowments for the Arts and Humanities receive the level of support that I believe is important.

Again, those are some of the greatest hits coming out of the Interior appropriations bill this morning. We have heard similar comments from my colleagues in the other three Departments, whether it is Financial Services, Agriculture, or Transportation and Housing.

Again, I look forward to working with colleagues as we advance these measures through the full process not only here in the Senate but in the conference with the House later.

I would like to close by again expressing my appreciation to my friend and the ranking member of the committee, Senator UDALL, who is here this morning. He and his staff have been excellent to work with, and I appreciate his efforts and those of his staff as we have worked to shape this bill so it reflects the priorities of Members on both sides of the aisle. I think we have worked very hard to do that. I know I am pleased with where we are right now with this measure.

I look forward to the passage of this bill, again, in working with him and my other colleagues, as we move through the conference process.

With that, I yield the floor and await the comments of my friend and ranking member, Senator UDALL.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. UDALL. Mr. President, thank you very much for the recognition.

I say to Chairman MURKOWSKI, thank you for those very kind words. It is, once again, always a pleasure to say we have worked with each other. I know there are issues sometimes we disagree on, but we listen to each other, we work through the issues, and we always come back to try to reach a financial result, and I think that is what the American people and what Alaskans and New Mexicans want us to do.

As the ranking member of the Interior Department's Appropriations subcommittee, I thank my colleagues for being part of a remarkable process on the floor this last week, and I want to again thank my chairman, Senator LISA MURKOWSKI, and commend her for managing the bill in the way she has managed it and the leadership she has shown in this.

I am particularly proud that we have moved this bill without the addition of contentious authorizing matters or poison pills, which is quite an accomplishment. What we really want is the appropriations process to work the way it has worked and let the authorizing process work. Senator MURKOWSKI has been involved in both of those things—authorizing and appropriations—as I have been.

Unfortunately, there are still some poison pill riders in the House bill. By voting to send the Senate Interior bill to the conference without adding controversial items, we are, as a body, telling the House we will reject these poison pills once again. That message is important because the funding in this bill is critical to meet wildland firefighting needs, it is important for supporting National Parks and Public Lands, and to continue the Land and Water Conservation Fund.

We need to pass a final bill to fund the Environmental Protection Agency, support arts and cultural institutions, and meet our Nation's trust and treaty responsibilities with our Nation's Tribes. As Senator MURKOWSKI well knows, she has a very large number of Tribes in Alaska, and I have a significant number of Tribes in New Mexico. We try to work very closely on those Tribal issues to see that Tribes are included, and we take care of those consultation, government-to-government, sovereignty issues.

There are other important issues to work through, including a proposal by the Department of the Interior to begin a major reorganization of the agency. Last week, the Department notified the subcommittee it plans to move forward during this fiscal year with efforts to change its regional boundaries, with more changes expected in fiscal year 2019.

While this request is only the first step, I want to note that I have been asking Secretary Zinke for months for information about the Department's plans, and I have yet to get answers to my questions. We have submitted very specific questions to him; we haven't gotten answers. I hope Chairman MURKOWSKI will work with me to ensure that no changes are made without bipartisan agreement from Congress, Tribes, States, and stakeholders.

This is one of the many issues this subcommittee has on our very full plate as we move to reconcile the House and Senate Interior bills. I hope to be back on the floor of the Senate very soon with a conference report we can pass with broad support.

As I conclude, I would like to thank Chairman SHELBY and Vice Chairman LEAHY for providing outstanding leadership through this process. We wouldn't be here without the excellent work of the Appropriations full committee staff, including Shannon Hines, Chuck Kieffer, and Chanda Betourney, as well as my own subcommittee staff, Rachael Taylor, Ryan Hunt, and Melissa Zimmerman, and the excellent majority staff as well, led by Leif Fonnesbeck.

I would also like to thank Senator MERKLEY, who serves on the Appropriations Committee with me, and I believe on my subcommittee, for his courtesies today to allow us to appear, talking to each other and having a colloquy.

Let me also say that Senator MERKLEY is a very important member of the Appropriations Committee. He stands up for all of these issues I talked about, and I thank him so much for that.

Mr. President, again I want to thank my colleagues for being part of a remarkable collaborative process on the Interior appropriations bill, as well as the other appropriations bills we have had on the floor this past week. I believe that with the amendments we have voted on and included, we have improved this bill and made it a stronger, bipartisan product.

I want to, again, thank my Chairman, Senator MURKOWSKI, and commend her and her very fine staff for managing this bill on the floor, and for working with me throughout the appropriations process.

I want to remind everyone that this bill came out of Committee on an affirmative vote of 31 to zero. I hope that it receives the same unanimous support when we pass it here in a short while.

While I believe this goes for all four bills, the Interior bill is filled with bipartisan priorities that all sides can and should support. I can't emphasize enough just how important the funding in this bill is for my home State of New Mexico and for so many States across the West.

Given how important this bill is, I am particularly proud that we have done all this without the addition of contentious authorizing matters or poison pill riders.

Unfortunately, our colleagues in the House have not followed suit. There are nearly three dozen riders in the House-passed bill, the majority of which are outright poison pills. For the most part, we have seen iterations of them over the last 8 years.

By voting to send the Senate appropriations bill to conference without

adding controversial items, we are, as a body, telling the House that we will reject these poison pill riders once again.

So I look forward to having the opportunity to conference this bill and to work to pass a clean appropriations bill on a bipartisan basis.

After all, we have so many important issues that we need to address, and we especially want to address them by the beginning of the fiscal year.

We must ensure that firefighting needs are met.

We must work to pass a bill that supports the core work that the Environmental Protection Agency does to protect human health and the environment.

We must work to meet our Nation's trust and treaty responsibilities by increasing funding for Tribal priorities, including healthcare, education, public safety, and social services.

We must fund our national parks and other public lands, protect our treasured landscapes through the Land and Water Conservation Fund and ensure that our Nation's arts and cultural institutions are supported with strong funding levels.

Finally, we must work through other important issues—including a proposal by the Department of the Interior to begin a major reorganization of the agency.

Last week, the Department notified the subcommittee that it plans to move forward with efforts to change the regional boundaries of its bureaus as part of a multiyear effort to reorganize the agency this fiscal year, starting in late August.

Our subcommittee is now reviewing the Department's request through its reprogramming process, which allows us 30 days to review and approve reprogramming proposals. I am cognizant that this request sets the stage for the Department to make other changes to agency operations as proposed in its fiscal year 2019 budget.

I have been asking Secretary Zinke for months for more information—basic information—about the Department's plans and how the reorganization will affect work on the ground with States, Tribes, and other partners. I want to know what happens to the Federal jobs that are currently located in New Mexico and other Western States.

So far, I have yet to get answers to my questions, and I have real concerns that the Department is intent to move forward with this first step before the agency has completed Tribal consultations, or fully answered the questions of states, Tribes, and Stakeholders about the big picture.

My questions are the same I would ask any administration: What is the cost-benefit analysis? Who will be moved and where? What are expected impacts to services? And what will the new structure and organizational chart be?

I hope my Chairman, Senator MURKOWSKI, will work with me as we try to get answers during the conference process and will work with me to ensure that no organizational changes are made without a clear plan and without bipartisan agreement from Congress.

This is one of the many issues that this subcommittee has on our very full plate as we go about reconciling the House and Senate Interior bills, but I hope to be back here on the floor of the Senate very soon with a conference report we can pass with broad support.

As I conclude, I would like to thank Chairman SHELBY and Vice Chairman LEAHY for providing outstanding leadership that has culminated in this bill being ready for the Senate today. Passage of this bill is quite an achievement.

We wouldn't be here without the hard work of the full committee staff members, led by staff director Shannon Hines for the majority, and the lead staffers for the minority, staff director Chuck Kieffer and deputy staff director Chanda Betourney. I want to again highlight the excellent work of the staff members of the Interior Appropriations Subcommittee, whom I have already thanked in the record.

Mr. President, I yield to Senator MERKLEY.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I am glad to be here following my colleague who is the ranking member of the subcommittee and who has done such excellent work, as well as with the Senator from Alaska, in undertaking and really bringing together a vision for their subcommittee that we have needed on this floor for a long time—well done.

I stand here as the ranking member of the Agriculture Appropriations Subcommittee. I am very pleased to be able to pass this bill today—or we will hopefully soon do so—with strong bipartisan support. Appreciation to the chairman of the subcommittee, Senator HOEVEN, and his excellent Appropriations Committee team, including Carlisle Clarke, Elizabeth Dent, Patrick Carroll, and Carlos Elias. They worked hand in hand with my team of Dianne Nellor, Jessica Schulken, Bob Ross, and Teri Curtin. I came to the floor the other day to speak to the excellent work Jessica Schulken has done over her career, serving for nearly two decades on the committee and just being a powerful, intelligent, persuasive, and insightful force in agricultural policy. I think, together, we have produced a very good bill. It provides funding for programs that are important to every American in every community, from the smallest rural town to the biggest city. And we rejected draconian cuts proposed in the President's budget.

Some of the essential items that we find in the Ag appropriations bill include rural development, which is very important to my State and my colleagues on both sides of the aisle—we have so much going on in our rural towns. It is important to fund our rural business, rural utility service, and rural broadband. Rural business and rural broadband, by the way, were zeroed out by the President and faced draconian cuts. I am so pleased we were able to reach a bipartisan decision to support these rural development programs.

We also support nutrition for Americans. In our country, there is no reason Americans should be going hungry.

We also maintain international assistance, which largely means buying American food and shipping it overseas to places in the world that are desperate. I had the chance to visit some of those areas in Africa and see firsthand how important our contribution to the World Food Program is.

Our environmental programs assist farmers in the stewardship of the land. It is something they have in their hearts, and it is helpful to have the EQIP program and the NRCS to support them.

The Agricultural Research Service is essential and so important to the great diversity of crops we have in my State and the unending list of potential pests, problems, and diseases that occur. We have to continue that research. I recently visited, for example, a wheat research station, and it was fascinating to see. From a distance, you would say: Well, that is just another field of wheat; what could be the issues? Well, it turns out there are all kinds of important issues that require agricultural research. Then there is risk management for our farmers and having that structure to support them so they aren't wiped out in rough times.

It has been a pleasure to work on this subcommittee and to see the broader Appropriations Committee returning to regular order, bringing bills to the floor, having a chance for all Senators to have a say in the process. So here we are in a better place, and I hope it is a course that we can continue.

RECOGNITION OF THE MINORITY LEADER

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

Mr. SCHUMER. Mr. President, I ask unanimous consent that I be given the floor and that my time be allocated to leader time.

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

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Mr. President, for several weeks, our Republican colleagues have been stonewalling our efforts to gain access to Judge Kavanaugh's full record on behalf of the Senate and, more importantly, on behalf of the American people. In doing so, they have discarded a tradition of bipartisan cooperation when it comes to requesting a nominee's record.

Whether or not you have been for a nominee, we used to all agree that the Senate should be able to review their

full record for the sake of transparency and openness, for a vote, to advise and consent on one of the most important jobs in the country and in the world, a lifetime job of tremendous power, not abstract power. The decisions the Supreme Court makes affect the daily lives of Americans. So this is just incredible.

For Justice Kagan, Democrats joined with the Republican minority to request all of her records. For Justice Sotomayor, Democrats did the same. We could have come up with some fake reasons why you couldn't get the records. We didn't. We believe in transparency and openness. But Republicans are doing a 180-degree reverse now that they are in charge, which leaves a very bad taste in our mouths and in the mouths of the American people. They are saying that what is good for the goose is not good for the gander; that transparency is fine when Democrats are in charge and nominating nominees but no transparency when Republicans are in charge.

Republicans are breaking from the bipartisan precedent, and they are requesting only a subset of Judge Kavanaugh's records from his time in the White House. Chairman GRASSLEY has asked for documents pertaining to Judge Kavanaugh's time in the White House Counsel's Office but none from his 3 years as Staff Secretary—arguably a more important and more revealing job.

Now, adding insult to injury—and this is utterly amazing—we have just learned that even when it comes to the documents concerning Kavanaugh's time in the White House Counsel's Office, the Senate is not likely to get the full picture even on that limited group of documents.

Chairman GRASSLEY has written to the National Archives and the Bush Library to request documents from when Kavanaugh was White House Counsel, and both are working to produce them. But, unlike at the National Archives, the Bush Library—and we know President Bush. I have a great deal of respect for him. I think he is a good man even though I disagreed with him on a whole lot. But he is a close friend of Kavanaugh's, who worked for him, and he is a loyal guy.

So what have they done? The Bush Library has hired a legal team—led by a Republican lawyer with close ties to President Bush and President Trump—to prescreen the documents from Kavanaugh's time in the White House Counsel's Office. They are doing the screening—this lawyer who worked for Bannon and who worked for Priebus and so many other Republicans. Pejoratively, you might say he is sort of a hack lawyer. He may be a fine lawyer. But he always works for Republicans. He is a very partisan man, and he is screening the documents that the public can see.

The legal team can cite Executive privilege—that is President Bush's prerogative—to deny the Senate some or all of the documents, and we believe they may be claiming the discretion to determine whether a document is properly considered a Presidential record at all. That is something only the National Archives can do. They are nonpartisan. They don't have any political pull.

The bottom line is this: The Republican lawyers overseeing the production of documents from the Bush Library may seek to deny the Senate access to documents the National Archives would otherwise bring. Is that incredible? So there is another layer. It is not even all the counsel's documents, because there is a lawyer—a tried-and-true doctrinaire Republican lawyer, tight with so many of the people in this administration—who is determining which documents we get to see and which documents we don't.

Knowing that, I recently wrote a letter to President Bush asking him a simple question: Will he, President Bush, make public Judge Kavanaugh's full record or not? I wanted to be sure there would be little or no daylight between what the Senate received from the Bush Library and what we received from the National Archives. Unfortunately, I did not get a simple answer; I got a reply from the lawyer hired by the Bush Library, draped in legalese and obfuscations, confirming that a team of private-sector lawyers are screening the documents—the limited number of documents—from when Kavanaugh was White House Counsel. He also made clear that ''copies of records that the team of lawyers has reviewed and . . . approved for disclosure'' would be made ''available directly to the Committee.'' That is in this letter right here sent by the lawyers.

Ironically, this offer was presented as a courtesy. Of course, it is plain as day—it means that Chairman GRASSLEY could access the prescreened documents from the Bush legal team and decline to wait for documents being processed by the National Archives, meaning the Senate and the public will only see what the partisan lawyers want us to see. Some courtesy.

This is not a fishing expedition. This is not an attempt to run out the clock. We are talking about a lifetime appointment to the highest Court in the land. The person who fills this vacancy on the Court will have the power to affect the lives of every single American, now and for decades. Democrats simply want his records to be made available to the Senate and to the public to judge for themselves whether President Trump's nominee is the right choice for our country. The American people deserve that right. But not only are Republicans blocking access to Kavanaugh's record when he was a senior member of the Bush administration, the documents they are requesting are being prescreened by lawyers on their side. It leads you to wonder over and over again, what are the Republicans trying to hide in Kavanaugh's record? To go to such lengths to tie themselves in knots and pretzels to deny simple documents that people can read makes people ask: What are they hiding? What are they afraid of? Why can't we have open documents, as we had for Kagan and Sotomayor, President Obama's nominees? To go to such lengths to deny the Senate impartial access to this material is telling.

HEALTHCARE

Mr. President, on healthcare, today the Trump administration has finalized a plan for a type of health insurance that will essentially repeal protections on preexisting conditions and allow insurance companies to cover fewer benefits, not more. These so-called short-term plans are the very definition of a bait-and-switch. Under the guise of lower premiums, these plans lure Americans in, but they hardly cover anything.

The insurance company will tell you that this plan will cover you for this and that, and then when you read the fine print, it doesn't, even though you are paying a nice-size premium. So there will be no protections in these plans if you develop a preexisting condition. God forbid you find out your son or daughter has cancer. You need help. You are desperate for help. You want a healthy child above anything else. The insurance company can just kick you off. That is not what America should be.

These plans the administration is supporting—allowing, pushing—don't have any protections for preexisting conditions. Many don't cover basic services like maternity care and prescription drugs. How do you like that? You sign up for a plan—no prescription drugs. When you get sick, you discover you are on the hook for much more than you expected, maybe much more than you can afford.

There are stories of people having medical bills close to $1 million after an insurer used a loophole in their junk plan to deny them coverage. We already know that many of the leading issuers of these junk plans spend less than half of the premiums they receive on healthcare. They pocket the money for profit and for salary, and the poor person who is covered hardly gets anything. There ought to be protections for that.

We don't live in the 1890s; we live in a modern-day America where we believe in the private capitalist system. But we have protections. We have learned through the centuries that people need them. But this administration, aided by some of our colleagues on the other side of the aisle—not all—just wants to roll back that clock for the benefit of the big, powerful industries, hurting average, middle-class Americans.

The Trump administration plans to increase premiums for middle-class families and for older Americans. So many who have preexisting conditions will have no choice but to remain in

comprehensive insurance, and their premiums will go way up. If you are over 50 before you get Medicare, you had better be wary of these too. Even if you don't want to buy the plan, it is going to cost you a lot more—your existing one. Insurers across the country have already cited the prospect of this rule as a major reason for the premium increases that are coming up in 2019, and who knows how much higher the premiums will go now that the rule is final.

Let me be clear. These new short-term plans are nothing short of junk insurance. They are junk insurance, and the President is pushing them, and our colleagues on the other side of the aisle—many of them, not all—are giving these junk plans a Good Housekeeping seal of approval at the obeisance of big, powerful industry interests. These plans will cost Americans more, both those who sign up for these plans and the many who do not. We Democrats will do everything in our power to stop these junk plans.

Instead of pushing new rules that weaken vital protections for people with preexisting conditions and raising the cost of healthcare for families, President Trump and Republicans in Congress should work together in a bipartisan fashion—as some have tried to do, including the Senator from Maine, who is standing behind me—to lower costs and help the most vulnerable Americans.

I yield the floor and relinquish my leader time.

Mr. REED. Mr. President, I want to take a minute to thank Senator COLLINS and our staff for their hard work on the THUD bill. Their professionalism and dedication to a thoughtful, bipartisan process has been key to moving this bill smoothly through committee markup and the floor.

Specifically, I want to thank Dabney Hegg, Clare Doherty, Christina Monroe, Nathan Robinson, Jordan Stone, Gus Maples, Rajat Mathur, Jacob Press, and Jason Woolwine.

I would also like to thank the full committee staff: Chuck Kieffer, Shannon Hines, Chanda Betourney, Jessica Berry, David Adkins, and Jonathan Graffeo.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

AMENDMENTS NOS. 3464, 3522, 3524, AND 3402 TO AMENDMENT NO. 3399

Ms. COLLINS. Mr. President, I call up the following amendments and ask unanimous consent that they be reported by number: No. 3464, No. 3522, No. 3524, and No. 3402.

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

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 3464, 3522, 3524, and 3402.

The amendments are as follows:

AMENDMENT NO. 3464

(Purpose: To provide for election security grants)

At the appropriate place in division B, insert the following:

SEC. ___. In addition to amounts made available for the Election Assistance Commission, $250,000,000 shall be made available for election security grants: *Provided*, That, of the unobligated balances available under the heading ''Treasury Forfeiture Fund'', $380,000,000 are hereby permanently rescinded not later than September 30, 2019.

AMENDMENT NO. 3522

(Purpose: To prohibit the use of funds to enforce standards of identity with respect to certain food)

At the appropriate place, insert the following:

SEC. ___. None of the funds appropriated by this Act to the Food and Drug Administration shall be used to enforce standards of identity with respect to a food that would be considered adulterated or misbranded for the sole reason that the labeling of such food contains a common or usual name of another food, provided that the name of such other food on the label is preceded by a prominently displayed qualifying prefix, word, or phrase that identifies—

(1) an alternative plant or animal source that replaces some or all of the main characterizing ingredient or component of such other food; or

(2) the absence of a primary characterizing plant or animal source, or of a nutrient, allergen, or other well-known component, that is ordinarily present in such other food.

AMENDMENT NO. 3524

(Purpose: To appropriate funds to carry out programs relating to the innovation, process improvement, and marketing of dairy products)

On page 324, line 13, strike the colon and insert ''; and of which $7,000,000 shall be available for marketing activities authorized under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)) to provide to State departments of agriculture, State cooperative extension services, institutions of higher education, and nonprofit organizations grants to carry out programs and provide technical assistance to promote innovation, process improvement, and marketing relating to dairy products:''.

AMENDMENT NO. 3402

(Purpose: To prohibit the use of funds to carry out the District of Columbia's health insurance individual mandate)

At the appropriate place, insert the following:

SEC. _____. None of the funds made available by Division B of this Act may be used by the government of the District of Columbia to carry out subtitle A of title V of the Fiscal Year 2019 Budget Support Act of 2018 (D.C. Bill 22–753) (requiring residents of the District of Columbia to have health insurance).

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to proceed with a closing statement for up to 3 minutes.

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

Ms. COLLINS. Mr. President, as we near completion of the fiscal year 2019 appropriations bill for Transportation, Housing and Urban Development, and Related Agencies, which has been included in the appropriations package before this Chamber, I wish to thank all of my colleagues for working collaboratively with us.

The managers' amendment incorporates 14 T-HUD amendments, which adds to the deliberations that produced the bill that we brought to the floor. In drafting this bill, the ranking member, Senator JACK REED, to whom I am very grateful for his bipartisan collaboration, reviewed more than 800 requests and input from 70 Senators from both sides of the aisle. This truly is a bipartisan product. I also want to thank the staff for their diligence and commitment throughout this process.

Our Transportation-HUD bill makes important investments in our infrastructure and housing programs that will benefit communities and vulnerable families, seniors, young people, homeless veterans, and so many others across the Nation. Improving our infrastructure is also essential for economic growth, personal mobility, and the creation of jobs.

I am pleased that we were able to bring this spending bill to the floor so that Members have a full opportunity to analyze and debate this legislation rather than the past practice of moving all the appropriations bills in one enormous, 1,000-page omnibus. That is a great credit to the Senate, to the Appropriations Committee, and particularly its leaders, Senator SHELBY and Senator LEAHY, and to the majority and minority leaders as well. All of them worked together and made it a goal for us to report all 12 appropriations bills from the Appropriations Committee and bring them to the floor for full and open debate. That is how the process is meant to work. I want to thank my Members on both sides of the aisle and urge my colleagues to support the bill.

Mr. President, I wish to also speak about clarifying FDA regulations on ''added sugar'' labeling requirements. It is very important to our pure maple syrup and honey producers in the State of Maine.

I rise to thank my colleagues, including Chairman SHELBY, for including in the managers' package an amendment that I offered with Senators KING, SANDERS, HOEVEN, SHAHEEN, and LEAHY to help protect our pure maple syrup and honey producers from labeling requirements that could create widespread consumer confusion and negatively affect these industries.

Although FDA's ''added sugars'' labeling requirement is intended to help educate consumers about a product's contents, complications arise when it is applied to single-ingredient sweeteners like maple sugar or honey. The rule would require the label to state that all sugar in these products as ''added sugar.''

The Maine Maple Producers Association, along with the individual producers it represents, believes that the term ''added sugar,'' when used with a

single ingredient sweetener, will confuse consumers and misrepresent the product's standard of identity.

Consumers may assume that high fructose corn syrup or cane sugar has been added to the maple syrup, which directly conflicts with the pure and natural image of the product.

Our amendment would ensure that no funds are used to enforce the ''added sugars'' requirement on any single ingredient sugar, honey, agave, or syrup that is packaged for sale as a single ingredient.

I am grateful that FDA has acknowledged the serious concerns expressed in the public comments and by Members of Congress, by declaring its intent to ''swiftly formulate a revised approach.'' While we are committed to ultimately achieving an exemption for single-ingredient sweeteners, passage of this amendment is another signal of strong bipartisan, bicameral opposition to the requirement.

This is a commonsense solution to avoid harmful unintended consequences of a well-meaning rule, and I thank my colleagues for their support.

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

AMENDMENT NO. 3464

There will now be 2 minutes of debate, equally divided, prior to a vote in relation to the Leahy amendment No. 3464.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, today, I rise in opposition to the amendment offered by my friend and colleague from Vermont, Senator LEAHY. My colleagues have heard me stand at this same desk multiple times and speak on the issues underlying the Secure Elections Act, a piece of authorizing language that it is exceptionally important that we actually get passed. This is a bill that Senator KLOBUCHAR and I, along with Senators HARRIS, GRAHAM, COLLINS, HEINRICH, BURR, and WARNER, have worked on very hard to get done. It is something that is being discussed in the Intelligence Committee hearing that is going on right now. Some of the witnesses spontaneously raised its reforms as some of key steps that we need to take to secure our elections.

But what we are talking about today is not the authorizing language that is needed; it is appropriations dollars. Just 4 months ago, this body appropriated $380 million to give to the States to help them in their elections. Ninety percent of those dollars have been transmitted, but most of that money is not out the door.

We have $380 million that is in process, but it will be the end of next year before we know how the States have actually spent it. I believe it is far too early to add another one-quarter of a billion dollars, which is what this amendment would provide, to the States when we don't know how the first $380 million has even been spent.

The Intelligence Committee did extensive research on how much was needed, and the $380 million amount was what was needed for the moment. I ask us to keep the funding at $380 million and not add another one-quarter of a billion to that amount.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Vermont.

Mr. LEAHY. Mr. President, our intelligence community unanimously agrees that Russia interfered in the 2016 elections and that there is an imminent threat to the 2018 elections. Our country, our democracy, is under attack, and we should respond. Let's heed the warnings of our intelligence agencies. The lights are blinking red. Let's listen to our State attorneys general and Secretaries of State.

My amendment does provide $250 million for State election security grants to protect our upcoming election. It helps States improve election cyber security, replace outdated election equipment. We did provide, as the distinguished Senator said, $380 million in fiscal year 2018. That was the first new funding for election security in years, but more is needed.

The President is not going to act. The duty has fallen to us. Let's not, after an election, find out that this country was defenseless against attacks from Russia, and then say: Oh, gosh, we should have done something.

This is not a partisan issue. Republicans and Democrats have to be concerned. I urge an ''aye'' vote on my amendment to secure our elections.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I ask unanimous consent that all votes after the first in this series be 10 minutes.

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

The question is on agreeing to the amendment.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), 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 yeas and nays were announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 176 Leg.]

YEAS—50

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

NAYS—47

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

NOT VOTING—3

Burr	Flake	McCain

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 3522

There will now be 2 minutes of debate equally divided prior to a vote in relation to the Lee amendment No. 3522.

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent to speak for up to 3 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEE. Mr. President, a few years ago, a company in California called Hampton Creek, now known as JUST, Inc., started selling vegan—that is to say, eggless—mayonnaise. Just Mayo was one of hundreds of increasingly popular alternative foods developed in recent decades, marketed to vegetarians, vegans, and people with food allergies or other health concerns.

Understandably, as soon as Just Mayo started to win confidence, it started to attract the attention of top executives in the egg industry. Unfortunately, their intent was not to improve quality or reduce prices. It was, instead, to enlist the government in a pattern that would chill competition.

Under a 1938 Federal law, the Food and Drug Administration has the power to set so-called ''standards of identity.'' Those are rules defining what does and does not qualify as a particular food product. Under these regulations, anything calling its ''mayonnaise'' has to have eggs in it. Just Mayo was being accused of being illegally labeled. It is not just mayonnaise.

Just the other week, the FDA announced a proposed rule that would ban the use of the term ''milk'' for nondairy products. The FDA says milk is ''lacteal secretion . . . obtained by the complete milking of one or more healthy cows,'' and nothing else. The proposed rule change would wipe out almond milk, soy milk, and coconut milk off of our grocery store shelves.

Whatever their original value, these labeling requirements are outdated and

they are unnecessary. Consumers are not deceived by these labels. No one buys almond milk under the false illusion that it came from a cow. They buy almond milk because it didn't come from a cow.

The amendment I am offering would protect consumers from these ''standards of identity'' requirements, and they would protect them from this kind of abuse. Specifically, the amendment would prohibit funds from being used to enforce these rules against products simply because of their use of a common compound name—such as where a word or phrase identifies an alternative plant or animal source.

In other words, it would protect products like ''almond milk,'' ''goat cheese,'' and ''gluten-free bread'' from accusations of being illegally labeled. It belongs to consumers, not big agricultural companies. The role of government in the market is to protect competition, not any one competitor. The Federal Government has more important things to worry about than the fake scourge of almond milk.

I urge my colleagues to vote in favor of this amendment.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I ask unanimous consent to speak for up to 2½ minutes on this amendment.

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

Ms. BALDWIN. Mr. President, I rise to urge my colleagues to oppose my colleague Senator LEE's amendment, which would interfere with the Food and Drug Administration's ability to enforce their regulations related to the names of dairy products. This amendment, if passed, would upend the FDA's review of nutrition innovation as part of its nutrition innovation strategy. It would short-circuit the agency's efforts to review standards of identity and other tools to provide meaningful, accurate information about food products to consumers, and it would block the agency from addressing the mislabeling of imitation products that use dairy names without meeting the legal requirements to use those terms.

The FDA currently has an open docket and the public is able to comment on these issues. We should all let that process play out.

But this isn't just an attack on the FDA's process. It is an attack on dairy farmers across the country and in my home State of Wisconsin. This attack couldn't happen at a worse time. Dairy farmers are facing extremely difficult times. In Wisconsin, last year we lost over 500 dairy farms, mostly small and medium family-size farms—almost 6 percent of the dairy farms operating in our State.

Dairy farmers in Wisconsin work hard to meet the various requirements for the milk they produce. This ensures that when a consumer buys a dairy product, it will perform in recipes as expected, and it will contain high-quality nutrients for those consumers.

I want to finish with one key point. There are already existing regulations on the books that define what constitutes dairy. However, the FDA has failed to enforce their own rules as imitation products have used dairy's good name for their own benefit.

I introduced the Dairy Pride Act to force the FDA to stop sitting on the sidelines and to enforce its own rules. Instead of blocking the FDA from doing its job as the Lee amendment would do, we should ensure that the FDA moves forward and enforces its own rules. Dairy farmers in Wisconsin shouldn't be asked to wait any longer.

I urge my colleagues to oppose the Lee amendment.

The PRESIDING OFFICER. The question occurs on agreeing to amendment No. 3522, offered by the Senator from Utah, Mr. LEE.

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

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

The result was announced—yeas 14, nays 84, as follows:

[Rollcall Vote No. 177 Leg.]

YEAS—14

Booker	Heinrich	Schatz
Capito	Lee	Sullivan
Cassidy	Menendez	Toomey
Corker	Paul	Young
Cruz	Rubio	

NAYS—84

Alexander	Gillibrand	Murphy
Baldwin	Graham	Murray
Barrasso	Grassley	Nelson
Bennet	Harris	Perdue
Blumenthal	Hassan	Peters
Blunt	Hatch	Portman
Boozman	Heitkamp	Reed
Brown	Heller	Risch
Burr	Hirono	Roberts
Cantwell	Hoeven	Rounds
Cardin	Hyde-Smith	Sanders
Carper	Inhofe	Sasse
Casey	Isakson	Schumer
Collins	Johnson	Scott
Coons	Jones	Shaheen
Cornyn	Kaine	Shelby
Cortez Masto	Kennedy	Smith
Cotton	King	Stabenow
Crapo	Klobuchar	Tester
Daines	Lankford	Thune
Donnelly	Leahy	Tillis
Duckworth	Manchin	Udall
Durbin	Markey	Van Hollen
Enzi	McCaskill	Warner
Ernst	McConnell	Warren
Feinstein	Merkley	Whitehouse
Fischer	Moran	Wicker
Gardner	Murkowski	Wyden

NOT VOTING—2

Flake	McCain

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 3524

There will now be 2 minutes of debate, equally divided, prior to a vote in relation to Baldwin amendment No. 3524.

The Senator from Wisconsin.

Ms. BALDWIN. Madam President, I rise to urge my colleagues to support my bipartisan amendment with my colleague Senator SUSAN COLLINS. It would spur innovation in the dairy business.

This amendment would do three simple things. It would foster the development of innovative dairy products that respond to consumer demand, support new and existing dairy entrepreneurs to develop their businesses and expand their markets, and provide technical assistance to dairy processors to update their manufacturing processes and meet consumer demand.

Dairy farmers are facing extremely difficult times. These farmers are facing retaliatory tariffs, uncertainty about trade deals and export markets, and low milk prices. This amendment would provide technical assistance and solutions for dairy entrepreneurs so that farmers, dairy co-ops, and other businesses can find new ways to compete, increase their efficiency, and find more homes for the surplus of milk that we have.

I urge my colleagues to support this amendment.

I yield back.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the amendment.

Mr. COTTON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The 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 83, nays 15, as follows:

[Rollcall Vote No. 178 Leg.]

YEAS—83

Alexander	Feinstein	Markey
Baldwin	Fischer	McCaskill
Barrasso	Gardner	McConnell
Bennet	Gillibrand	Menendez
Blumenthal	Graham	Merkley
Blunt	Grassley	Moran
Booker	Harris	Murkowski
Boozman	Hassan	Murphy
Brown	Hatch	Murray
Burr	Heinrich	Nelson
Cantwell	Heitkamp	Perdue
Cardin	Heller	Peters
Carper	Hirono	Portman
Casey	Hoeven	Reed
Collins	Hyde-Smith	Risch
Coons	Inhofe	Roberts
Cornyn	Isakson	Rounds
Cortez Masto	Johnson	Sanders
Crapo	Jones	Schatz
Donnelly	Kaine	Schumer
Duckworth	King	Shaheen
Durbin	Klobuchar	Shelby
Enzi	Leahy	Smith
Ernst	Manchin	Stabenow

Sullivan	Van Hollen	Wicker
Tester	Warner	Wyden
Thune	Warren	Young
Udall	Whitehouse	

NAYS—15

Capito	Daines	Rubio
Cassidy	Kennedy	Sasse
Corker	Lankford	Scott
Cotton	Lee	Tillis
Cruz	Paul	Toomey

NOT VOTING—2

Flake	McCain

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

AMENDMENT NO. 3402

There will now be 2 minutes of debate equally divided prior to a vote in relation to the Cruz amendment No. 3402.

The Senator from Texas.

Mr. CRUZ. Madam President, one of the most significant victories for the American people that was in the tax cut legislation we passed last year was that this body and the Congress came together and repealed the ObamaCare individual mandate.

The individual mandate is one of the cruelest and most unfair aspects of ObamaCare. Every year, the IRS fined about 6.5 million Americans because they couldn't afford health insurance. Sadly, the reaction of Democratic politicians in the District of Columbia is to reimpose those fines on the poorest residents in DC. My assumption is that many, if not all, of our Democratic colleagues will vote to do exactly that right now, but let me point out that in DC in 2015, 7,150 people were fined by the IRS and that of those, 75 percent made less than $50,000 a year in income and 33 percent made less than $25,000 a year in income. So if you vote to table this amendment, you are voting to raise taxes on low-income DC residents who are struggling to make ends meet.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Vermont.

Mr. LEAHY. Madam President, Senator SHELBY and I both worked hard through this process to keep out poison pill riders. This amendment is a partisan poison pill.

We talk about repealing the Federal mandate, but of course, by doing that, we saw a direct premium increase as a result of that repeal. The District of Columbia and States like Vermont passed their own mandates to keep premiums down. Just like Vermont, DC should have the authority to make its own laws. Instead of telling all of those people who claim we must have States' rights, here we are telling the District of Columbia: We will tell you what to do. That is not democracy.

So I move to table the amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, I will be brief. I appreciate the Senator's amendment. On policy grounds, I would agree with Senator CRUZ 100 percent. My position on this, though, is clear, and I have consistently voted to repeal ObamaCare and the individual mandate. So it is with reluctance that I support the motion to table this amendment. I do so, I believe, for the good of the appropriations process. We have been able to cut a path back to regular order here by working together in a bipartisan manner. This amendment, I believe, would poison this, would eliminate the bipartisan support we have forged for this package. If we go down this road, I believe we will soon find ourselves back on the path to disorder in the appropriations process. I don't believe any of us want that.

So, again, I support the motion to table this amendment not because I oppose it on policy grounds but because I want to maintain the progress we are making in the appropriations process to go to regular order.

I thank the Chair.

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

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative 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 54, nays 44, as follows:

[Rollcall Vote No. 179 Leg.]

YEAS—54

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

NAYS—44

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

NOT VOTING—2

Flake	McCain

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 5515

Mr. MCCONNELL. Madam President, I ask unanimous consent that notwithstanding rule XXII, following disposition of H.R. 6147, the Senate proceed to the consideration of the conference report to accompany H.R. 5515; that the cloture motion on the conference report be withdrawn; that there be up to 1 hour of debate on the conference report, with 30 minutes under the control of Senator RUBIO and 30 minutes under the control of the managers; and that following the use or yielding back of that time, the Senate vote on the adoption of the conference report without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

SENATOR SHELBY'S 10,000TH VOTE

Mr. MCCONNELL. Madam President, very briefly, on another point, I want to take a moment, as we wrap up this appropriations package, to recognize the distinguished tenure and leadership of our chairman, RICHARD SHELBY.

Earlier this year, Senator SHELBY cast vote No. 10,000 right here on the Senate floor. Like so many of his accomplishments, that landmark seemed to slip by without a whole lot of fuss, but what a remarkable milepost in a very distinguished career.

I imagine this year's appropriations process holds special significance for our chairman. As he took the reins of the committee, he made clear that in working with Senator LEAHY, regular order would be the name of the game. He set his sights on restoring the kind of collaborative process that has historically made our institutions so unique. As we all know, that is a little bit easier said than actually done. Yet, the committee completed a markup process that reported out all 12 spending bills faster than it had in any year since 1988. That was three decades ago. When we close out this package, the Senate will have passed a majority of its annual appropriations measures by the beginning of August for the first time since 2000—18 years ago.

I am sure my fellow members of the Appropriations Committee would agree with me that this productivity is due, in large part, to the leadership of our chairman, RICHARD SHELBY.

So on behalf of the whole Senate, I want to thank him for the work he has done so far and for the accomplishments on behalf of the American people that are yet to come. I want to thank Senator LEAHY, as well, and all of our other colleagues on the committee for their contributions.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Madam President, I would like to join my friend the majority leader in congratulating DICK SHELBY on his 10,000th vote. I knew him before he cast his first vote in the

Senate, when we were fellow Democrats in the House of Representatives. That was a long time ago.

But one thing has been consonant throughout his career: his decency, his honor, and, most of all, his desire to get things done for his home State of Alabama and for our country. That has led him to be an outstanding leader of the Appropriations Committee.

As the majority leader mentioned, we are working in a remarkably smooth, bipartisan way. We hope that is a precedent of things to come. We hope we will continue to work together and not let any outside forces mess that up—not to mention any names.

He is just a wonderful guy. He really is. We see each other in the gym in the morning. Let me tell you, SHELBY is as fit as ever, huffing and puffing away on the bike. That gives all of us solace because it means he has even more strength to guide us through the appropriations process for many years to come.

I wish to acknowledge his partner in this—they couldn't have done it without working together—Senator LEAHY. It is a great team, and we look forward to continued bipartisanship, compromise, and success.

The Senator from Vermont.

Mr. LEAHY. I yield to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, I thank Senator MCCONNELL and Senator SCHUMER for their kind remarks. I hope my wife was listening to that. What the heck.

We have been working together, and we have to continue that to make the process work, to reach out to each other. Gosh, it is hard work. Senator LEAHY and I differ on a lot of things, but we are together on bringing regular order to the Appropriations Committee because I thought all along we owe it to the American people. We are accountable—both parties, both groups. That is what we have been about.

Thank you again to the leader and Senator SCHUMER for your kind remarks.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Vermont.

Mr. LEAHY. Madam President, I thank the senior Senator from Alabama for his kind words. I also thank our two leaders for their kind words. Senator SHELBY and I met with Senator MCCONNELL and Senator SCHUMER earlier this year, and we said that we want to get the Senate back to what it should be and what it has been. What better way than to do it on the appropriations bills. I have served here longer than anybody in this body. I have seen it when it has worked and when it hasn't worked. Senator SHELBY and I felt we could do it.

I urge an ''aye'' vote on this final passage, second minibus package. Each of these were reported by the Appropriations Committee unanimously, Republicans and Democrats voting together. Some of us said we couldn't agree on the Sun rising in the East, but we agreed.

Incidentally, my dear friend, the Senator from Alabama—I wish to note that the tie I am wearing is one that he and Dr. Shelby gave me for my birthday this year. I thought that might be a good touch.

I thank what both Senators MCCONNELL and SCHUMER said. They worked very hard with us.

The Agriculture bill continues strong support for our country's farmers. It abandons the Trump budget's proposal to leave rural communities behind and instead invests in rural development and housing programs.

The Financial Services bill supports regulatory agencies that the American people rely on to protect them from unfair, unsafe or fraudulent business practices.

The Interior bill rejects the anti-science know-nothing agenda proposed by the Trump administration by protecting the Environmental Protection Agency from the President's proposed reckless and slashing cuts. It preserves investments that ensure our children and grandchildren will enjoy clean air and water. It supports our National Parks, which are treasures that must be protected for future generations.

Finally, thanks to the bipartisan budget agreement, the Transportation bill contains $10 billion in new funding compared to fiscal year 2017 to invest in our Nation's housing and infrastructure. Every Member in this body knows of the urgent need to address the crumbling infrastructure that plagues each of our States. This is a good first step.

We are here today because Chairman SHELBY and I, along with the subcommittee chairs and ranking members, worked hard to produce bipartisan bills with input from both Republicans and Democrats. Over the past 2 weeks, the Senate voted on 11 amendments, and agreed to a manager's package that contained 46 amendments important to our Members.

This is the way the Senate is supposed to work: regular order.

Our bipartisan success is due to the SHELBY, LEAHY, MCCONNELL, SCHUMER commitment to move through this process with bipartisan support, at spending levels agreed to in the bipartisan budget deal, and reject poison pill riders and controversial authorizing language.

The House, unfortunately, is pursuing a different path. They are taking up partisan bills filled with poison pill riders that cannot and will not pass the Senate. If our progress is to continue, the bills that come out of conference must be bills that can pass the Senate, which means they must be free of poison pills.

I am disappointed my election security grant amendment was rejected by the Senate. The integrity of our elections, which are the foundation of our democracy, should not be a partisan issue. It is unfortunate that the Senate voted down funding our States need to help upgrade their election infrastructure and secure our elections from interference by Russia and other foreign adversaries ahead of the 2018 midterms. We need to heed the warnings of our intelligence agencies, of the lights blinking red, of the appeals from the attorneys general, the secretaries of State, and the State and local election officials who are sounding the alarm. This duty has fallen to us, and we must not later be found to have been asleep at the switch, with so much at stake.

But this minibus is the result of hard work and compromise on the part of the chair and ranking member of each subcommittee. While it is not perfect, it will touch the lives of the American people in every State from improving roads to protecting our forests, and I urge that Senators vote ''aye'' on final passage.

If we pass this bill today, we will have passed seven appropriations bills out of the Senate and have a firm commitment to take up two more in the coming weeks. It wouldn't have worked if the chairman had not committed himself to what the rest of us did but also the chairs and the ranking members of the subcommittees we have here—Senators HOEVEN, MERKLEY, MURKOWSKI, UDALL, COLLINS, REED, LANKFORD, and COONS.

I also want to thank the majority staff: Shannon Hines, David Adkins, and Jonathan Graffeo, as well as their subcommittee staff.

I often say that Senators are merely constitutional impediments to their staff. I know my staff has worked long hours. I might get home on a Saturday or Sunday, and they are still working, people like Charles Kieffer, Chanda Betourney, Jessica Berry, Rachael Taylor, Dianne Nellor, Dabney Hegg, Ellen Murray, and all of the subcommittee staff.

Finally, I wish to thank Jessica Shulkin, who is going to be leaving the Appropriations Committee in August after nearly 18 years for the Agriculture Subcommittee. Her expertise, her hard work, and her working in a bipartisan and professional way has advanced our Nation's agricultural policy, helped our rural communities, and has kept USDA and the FDA answerable to Congress. I wish Jessica all the best. She has been a pleasure to work with.

In conclusion, I have a list of all the staff, and I ask unanimous consent that it be printed in the RECORD.

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

VICE CHAIRMAN LEAHY LIST OF MINIBUS #2 STAFF FOR THE RECORD

Charles Kieffer, Chanda Betourney, Jessica Berry, Jay Tilton, Rachael Taylor, Ellen Murray, Dianne Nellor, Dabney Hegg, Ryan Hunt, Melissa Zimmerman, Teri Curtin, Diana Hamilton, Reeves Hart, Jessica Schulken, Bob Ross, Christina Monroe, Nathan Robinson, Jordan Stone, Jean Kwon, Shannon Hines, Jonathan Graffeo, David

Adkins, Leif Fonnesbeck, Andrew Newton, Carlisle Clarke, Clare Doherty, Emy Lesofski, Nona McCoy, Chris Tomassi, Lauren Comeau, Brian Daner, Patrick Carroll, Elizabeth Dent, Gus Maples, Rajat Mathur, Jacob Press, Jason Woolwine.

Mr. LEAHY. In conclusion, I thank Senator SHELBY, Senator MCCONNELL, and Senator SCHUMER. We worked together. It is kind of nice when something works out.

I yield the floor.

AMENDMENT NO. 3400 WITHDRAWN

The PRESIDING OFFICER. Under the previous order, the Murkowski amendment No. 3400 is withdrawn.

AMENDMENT NO. 3399, AS AMENDED

Under the previous order, the Shelby amendment No. 3399, as amended, is agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to a vote on passage of H.R. 6147, as amended.

The Senator from Alabama.

Mr. SHELBY. Madam President, I want to say again that what we have been doing here, working together in a bipartisan way, is something that Senator SCHUMER and Senator MCCONNELL were talking about hadn't been done basically in 30 years. We are on the right track. We want to stay there. I have said many times to both parties: It is in our interests. The American people expect it. Let's keep working together.

Madam President, before we vote, I want to thank my colleagues for their cooperation in moving this package. In particular, I want to thank leaders MCCONNELL and SCHUMER for bringing these bills to the floor and Vice Chairman LEAHY for his continued partnership throughout the appropriations process.

I also want to congratulate the bill managers and their staffs: Senators MURKOWSKI, COLLINS, LANKFORD, and HOEVEN on the Republican side; Senators UDALL, REED, COONS and MERKLEY on the Democratic side. These valuable members of the Appropriations Committee produced strong and balanced bills, and they have guided an open and disciplined process here on the Senate floor.

I thank them for their excellent work.

We are now making real headway in the appropriations process.

The Committee reported all 12 fiscal year 2019 bills to the full Senate before the July 4 recess all with strong bipartisan support.

The first three bill package passed the full Senate last month by a vote of 86 to 5.

The package now before the Senate contains four additional appropriations bills.

Hopefully—we'll see here shortly—this package will achieve the same level of bipartisan support as the last.

If that holds true we will have passed seven—yes, seven—appropriations bills before August. With only five more to go, I think we can honestly say this train has considerable momentum behind it now.

Next up is the Defense-Labor-HHS package—a package I know senators on both sides of the aisle are very eager to debate.

I hope my colleagues are encouraged by what is happening here, by what we are accomplishing together.

Moving these bills in this way is the right thing to do—not only for this institution, but for our country; for the American people.

When we take up the next package I hope we will continue to work using this framework as our guide.

It is, after all, this framework that has allowed us to return to regular order.

This process is working, let's keep it going.

Again, I thank my colleagues for their cooperation. I urge a ''yes'' vote on this bill and with that I yield the floor.

Mr. LEAHY. Madam President, I yield back the remainder of my time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

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

The result was announced—yeas 92, nays 6, as follows:

[Rollcall Vote No. 180 Leg.]

YEAS—92

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

NAYS—6

Cruz	Lee	Sasse
Johnson	Paul	Toomey

NOT VOTING—2

Flake	McCain

The bill (H.R. 6147), as amended, was passed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the conference report to accompany H.R. 5515, which the clerk will report.

The bill clerk read as follows:

Conference report to accompany H.R. 5515, an act to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the cloture motion is withdrawn.

Under the previous order, there will now be 1 hour of debate, with 30 minutes controlled by the managers and 30 minutes under the control of the Senator from Florida, Mr. RUBIO.

The Senator from North Dakota.

Mr. HOEVEN. Madam President, I ask unanimous consent to be recognized for 3 minutes for comments relating to the appropriations bill prior to the NDAA bill debate.

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

APPROPRIATIONS LEGISLATION

Mr. HOEVEN. Madam President, I want to thank my colleagues for advancing these appropriations bills, specifically the ag appropriations bill.

I also want to thank Senator MERKLEY, my ranking member on the committee. Throughout the process, we have had open communications and have worked to advance the bill and to address amendments brought forward by our colleagues.

I also want to thank specifically Senator MERKLEY's staff—Jessica Schulken, Dianne Nellor, and Bob Ross—for their work, as well as my crew—Carlisle Clarke, Patrick Carroll, Elizabeth Dent, Dan Auger, and Brita Endrud.

This has been a process that has involved other subcommittees as well. I want to thank all of those who have worked on these appropriations bills, including Senator COLLINS and Senator REED and their staffs on the Transportation, Housing, and Urban Development Subcommittee; Senators MURKOWSKI and UDALL and their staffs on the Interior bill; Senators LANKFORD and COONS on the Financial Services Subcommittee.

This has certainly been a deliberative process—again, the way regular order is supposed to work. More than a dozen amendments that affected, for example, our agriculture bill have been accepted over the course of the bill. We

voted on others. So I am glad that we have had the open debate and been able to advance these bills, and, of course, particularly the Agriculture appropriations bill.

I will just conclude with what I always like to remind people of whenever we talk about agriculture, and that is good farm policy. It benefits every single American every single day because what our farmers and ranchers do is they produce the highest quality, lowest cost food supply in the world, which benefits every American every day.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I am now halfway through my eighth year in the U.S. Senate, and in my time here, I have never once spoken against, voted against, or opposed in any way any of the National Defense Authorization Acts that have come before the Senate. The reason being, despite whatever flaws one might find on most occasions in any piece of legislation, the defense of our country is a fundamental obligation of our Federal Government. It comes before everything else.

State governments run schools and build roads and do all sorts of activities at the State level. Communities do all sorts of things at the local level, but nothing is more important than the defense of our country in terms of a Federal obligation. So I never have opposed a National Defense Authorization Act, and I supported every single one of them, despite the fact that it didn't have everything I wanted and everything I liked, until today.

There is a lot of good in this legislation, and it makes it difficult to be an opponent of it. For Florida, it authorizes over $200 million for military construction in the State—the littoral combat ship facilities at Naval Station Mayport, air traffic control towers at Whiting Field, F–35 facilities that are important at Eglin Air Force Base, KC–135 flight simulators at MacDill Air Force Base.

It authorizes the Secretary of the Air Force to build a cyber space facility at Eglin. It authorizes the conveyance of land for the Air Force Enlisted Village, which is a nonprofit corporation consisting of approximately 80 acres next to Eglin for independent living and apartments.

It authorizes the continued development of the B–21 Bomber—work that is being done in Melbourne, FL. It fully supports the Joint Gulf Range Complex, a true treasure for our country, and it is the largest military range in the continental United States.

As for the country, it also has all sorts of other very important things: an over 2.6-percent military pay raise. It increases the Active-Duty workforce by 15,600 personnel, bringing the total to over 1.3 million. It tries to address the pilot shortage. It authorizes $10.7 billion to buy 77 more F–35 Joint Strike Fighters, $193 million in research and development funding for new software and improvements to be incorporated in future years in that program.

It authorizes new missile defense, including $175 million intended to integrate the THAAD and Patriot Systems batteries in South Korea. It authorizes $23.7 billion for Navy shipbuilding, an increase of close to $2 billion over what the President requested. To go on and on, it does many important things in rebuilding our military strength in this country, but it failed on one important front, and that is what I believe to be a very significant and serious threat to the national security and the future of this country—one that we are only beginning to wake up to. For the first time since the end of the Cold War, the United States is engaged in a geopolitical competition with a near-peer adversary.

Since 1991, there has been no other nation on Earth that can project power anywhere close to what the United States could do—until now.

Unlike our country, China is a nation with an ancient history, one that leaves them with a longstanding sense of victimhood but also one that leads them to believe they have a preordained destiny to, once again, be the most powerful nation on Earth. This is what they mean when they constantly use the phrase ''historical determinants.'' In summary, what they are saying is, they are predestined to be the world's most powerful country, and, therefore, they believe they are predestined to surpass the United States geopolitically, economically, and militarily.

This is not a new ambition, by the way. For two decades, they have followed a strategy called hiding their power and biding their time, but all of that changed last year.

In October, at their party congress, their President for life Xi laid out a vision for China and did it in clear, nationalistic terms. He said:

> Backed by the invincible force of 1.3 billion people, we have an infinitely vast stage of our era, a historical heritage of unmatched depth, and incomparable resolve . . . we have arrived at a new era, where China is now in a leading position in terms of economic and technological strength, defense capabilities, and composite national strength . . . and with a military which can fight and win.

I will state that you see evidence of this belief in their impressive and massive military buildup and quantum leaps in technological advances. You see how they are working to destroy the current world order that was built by America and our allies and now seek to replace it with one they build and one that will be led by them.

That is how they offer loans—not just to get their companies more business but to give them leverage and footholds in countries, and they do so with no questions asked about democracy or human rights. That is what the Asian Infrastructure Bank is all about. That is the Belt and Road Initiative.

You also see what they are doing to overtake us economically. Their state-led economy runs large trade deficits with everyone while at the same time prohibiting market access to China. You see it in the widespread force technology transfers and the cyber theft, and it is working—5G, for example, will dominate most of the industries of the future, and they are on course to be the world standard on 5G.

By 2020, China Mobile will be the only company in the world that can build a standalone 5G network. Huawei was the first company to gain approval to sell 5G stations in the European Union. They are moving hard to dominate pharma research and genome editing and all sorts of other leading industries for tomorrow. What is outrageous is how much of these advances are built, not just on ingenuity and hard work but on the theft of intellectual property from American companies, oftentimes through research funded by American taxpayers. They do it through cyber espionage. They do it through the forced transfer of technology, where they tell companies who do business in China, not only do you have to partner with a Chinese company, you have to give them the secrets to their trade. See how they are now buying up companies, buying off researchers in American universities and their research.

Now, this is what they are moving toward—to become the most powerful country in the world. Why is that an issue, despite the fact that we seek to not be in second place to anyone? Because you can see what kind of country they will be and what kind of world we will have if they become the world's most dominant power.

You see it, for example, in the conquest of the South China Sea through the military harassment of Southeast Asian nations. You see how they cut tourism to South Korea as leverage over our missile defense deployments; how they restricted exports of rare-earth minerals to Japan as leverage over the East China Sea disputes. We saw Filipino agricultural products rot on the docks during the South China Sea fights because they wouldn't let it come in.

You see the threats to our businesses to deny them access to Chinese markets even further if they dare speak in support of President Trump's 301 investigations of Chinese unfair practices.

You see it in a U.S. citizen living in the United States of America—not in China, not anywhere outside our borders—a U.S. citizen living in the United States of America was fired by Marriott Hotel because of a social media post that China complained about. That happened.

You see it most recently by American and United Airlines being forced to change how they describe Taiwan on their website or they would not be allowed to continue to fly to China.

The tactics they use over and over again are not sweeping changes; it is

typically slow but incremental yet more assertive demands, but over time these demands end up establishing a new normal. It is very much like the example of the frog in a boiling pot of water. If you throw the frog in the boiling pot of water, it jumps out right away, but if you put it in cold water and slowly boil it, it will boil to death and not even know it is boiling. That is what China is doing to the United States and to the world.

There are only two things that China responds to when you confront them. The first is a committed and sustained escalation across the entire relationship between us and them, and the other is invoking the help of our foreign partners. That is why I strongly believe the U.S. should have worked with the European Union, Canada, Mexico, and Japan to confront China, not to start a trade war with them as well. I am happy to see that progress is being made on negotiations with Mexico, and there has been a pause in the challenges of Europe. Perhaps now is an opportunity to be able to do that second part of invoking the help of our foreign partners and confronting these cheating and stealing and unfair practices.

What about a committed and sustained escalation across the entire relationship? I would say to you that, by and large, that has been what this administration has done, and it is having an impact. Just this morning, the New York Times reports about rare rebukes to President Xi's leadership inside of China because these disputes are beginning to have an impact on their economy.

There is one glaring exception, and that is an ill-conceived deal to grant amnesty to a telephone and telecommunications Chinese company called ZTE. To have a committed and sustained escalation across the entire relationship means we can't make threats and back down, and we can't carve out one part of the relationship for a special accommodation. Sadly, that is what happened here.

ZTE is a telecommunications company that was caught—not once but twice—in helping North Korea and Iran to evade U.S. sanctions. As a result, the Commerce Department imposed a penalty on them that basically was an equivalent of a business death penalty. It said that you can no longer buy American microchips. Without that, you can't function and the company was brought to its knees. I would argue that sanctions should have been imposed on them even if they didn't help evade sanctions because of the threat they pose to this country.

If we allow these companies to embed themselves in the telecommunications infrastructure of the United States, it is a severe and significant national security threat to this country and one that grows every single year moving forward. Yet, inexplicably, at some point, for some reason, a deal was struck that allowed ZTE to survive. So the argument was, well, we are going to put a really big fine on ZTE, and we are going to put people on their board to make sure they are no longer violating sanctions. I will state that if this were only about sanctions relief, that penalty would be sufficient for me and should be sufficient for all. If it were Samsung, Nokia or Ericsson or some other company that had done this, I would say maybe it went too far.

The problem is, those two measures will do nothing to contain the threat that ZTE poses to the United States and our national security. A fine—when they are backed by the Chinese Government, a multibillion-dollar fine is nothing. You can put all the businesspeople you want on their board. It is not the businesspeople we should be concerned about, it is the technical people in these companies, the ones who can get ZTE routers embedded in American telecommunications, create backdoor access to our universities so they can steal our research, get into our communications systems so they can intercept our communications in military affairs and economic affairs. They can conduct cyber espionage, commercial espionage, and, potentially, denial of our command and control of our military one day if left unaddressed.

Think about embedding these Trojan horses inside of our telecommunications systems and networks in America. Any company that poses that threat should not be allowed to operate, much less remain in business, and ZTE is one such company.

Even if ZTE tells the Chinese Government we don't want to do this, they will have no choice or they will cease to exist or their leaders will be in jail, and somebody new will replace them who will do it. This is why this is so critical and why in the bill, as passed by the Senate, we reimposed these penalties, and it was taken out in conference.

The threat posed by China and by telecommunications companies are so severe and so significant that it regrettably brings me to the point where I cannot support a bill I have always supported in my time here.

We need to wake up to the threat that China poses to this country because we are running out of time to do so.

Madam President, may I inquire how much time is remaining?

The PRESIDING OFFICER. The Senator has 16 minutes remaining.

Mr. RUBIO. I yield time to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, I thank the Senator from Florida, and I thank him not only for his leadership on the specific issue that was in the Defense authorization bill regarding ZTE but also for his leadership on the broader issue of protecting the United States against the grand theft of our technology by China and the risks that China poses to our national security in many areas.

I want to review what happened with respect to ZTE, which is a Chinese telecommunications company.

No. 1, for many years, they have been about the business of stealing technology from American companies. If you look at lawsuits and patent lawsuits filed over the last decade, you will see it has been grand larceny. We have a Chinese telecommunications company that has been ripping off U.S. companies in order to gain a market advantage, and they have been doing that in coordination and cooperation with the Government of China.

They are stealing our technology. What are they using it for? Well, they are a big telecommunications company. We heard testimony from the Director of the FBI, and we heard testimony from the heads of U.S. intelligence agencies that they pose an espionage threat to the United States. All of them have said that it would be a great danger to our national security and the privacy of millions of Americans to let them anywhere near our telecommunications networks.

First, they steal our technology. Second, they plan to use a lot of what they stole from us to spy on us. Then they went about violating U.S. sanctions on North Korea and on Iran, not just once, twice—and then they were caught again. Each time, they were warned, but they continued to flagrantly violate our sanctions.

That is why the Secretary of Commerce, Wilbur Ross, finally got fed up with everything they were doing, and he imposed sanctions on ZTE, including what is called the denial order saying that U.S. companies should not be transferring technology to ZTE, which was then using that technology to get market advantages and to potentially spy on the United States. That was the right thing to do. Secretary Ross made a decision based on the law and based on our national security interests.

A few days later, this is the tweet that went out from the President. On May 13, President Trump tweeted:

> President Xi of China, and I, are working together to give massive Chinese phone company, ZTE, a way to get back into business, fast. Too many jobs in China lost. Commerce Department has been instructed to get it done!

That was the tweet. With that tweet, which caught the Secretary of Commerce and so many others by surprise, the President reversed the key sanctions provision that the United States had imposed on ZTE for violating our sanctions and for other bad behavior. This Senate, on a bipartisan basis, said: Wait a minute. Secretary Ross was right. ZTE violated our sanctions. They pose an espionage threat, and, by the way, they have stolen a whole lot of U.S. technology over the years. He was right.

That is why, on a bipartisan basis, we passed a provision that was included in the NDAA to reimpose those sanctions

that Secretary Ross and the Commerce Department had put on in the first place to protect our national security. Yet, as the weeks went by in the conference committee, despite the best efforts of our ranking member and many others, this got dropped.

This got dropped because the White House wanted it dropped based on that earlier tweet. It got dropped because ZTE had spent $1.3 million in lobbying fees over the last couple of months. That is a lot of money. It was the highest amount of dollars spent in that period of time for any lobbying issue before this Congress, but it is a pittance for ZTE to pay to get its way and work with the administration to get the provision that had passed the Senate on a bipartisan basis dropped.

I cannot tell you how difficult this is at this point in time. We have a bill before us that in all other respects is a really good bill—and a really good bill for our national security.

I want to commend the chairman and ranking member and others who have been involved in that. But in the middle of a bill that is supposed to help protect our national security, we now have a big hole because, by taking out the amendment we had to penalize ZTE, the final result creates unnecessary exposure.

It is sad to be here today. I am glad to join with my friend and colleague, the Senator from Florida, who has been a leader on this, and I think we both very much regret the fact that the Senate is in this position now and that the country is in the position now.

I thank the Senator for his leadership and yield back to him the remainder of the time.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, may I inquire how much time I have remaining?

The PRESIDING OFFICER. There are 10 minutes.

Mr. RUBIO. Madam President, I will be brief in closing. I note that the manager of this needs to get through some things to get to our vote.

There are three quick points I want to make. The first thing is that the Chinese have learned how to work our system and how to play us. They know, for example, that they can just go to American companies, go to Washington, go to the White House, go to Congress, and tell them how bad this is for you, and you will get them to change their minds or they just hire lobbyists, as the Senator from Maryland outlined.

One company involved here was Qualcomm. They are the largest seller of chips to ZTE. They were involved in saying: Don't do this. Obviously, they were a customer, they didn't want to lose this customer. Qualcomm had a deal pending in China to purchase a Dutch company. I believe the understanding was if you allow ZTE to survive, not only do you get to keep this company as a customer, but you will probably help yourself get that deal in China with the Dutch company purchase.

Guess what. On the day after it was announced that the conference committee had dropped this provision, Qualcomm announced it was dropping its pursuit of that deal in China because they couldn't make headway. The Chinese Government doesn't play. They got ZTE to stay alive, and they still blocked the deal.

The second point is this issue: They are a cell phone maker, but the handheld devices they make are the least problematic part of this. They make servers and cameras, and these are embedded in our telecommunications network. That is the way we communicate with each other on commercial secrets or, potentially, military secrets. If it is unclassified or sensitive information, all of it is potentially vulnerable to a company. They don't even need spies anymore. We brought them into our network and continue to do so, not to mention the role they play in networks around the world, which brings me to the last point.

ZTE is a big danger. They are small compared to Huawei, which is a company even bigger than ZTE that poses an even greater systemic risk. If we can't even take on ZTE because they lobby and because of American companies coming here, how are we ever going to take on Huawei or any other dangers they pose to us?

It is time we open our eyes. We are engaged in a geopolitical competition, not with some poor agrarian country trying to catch up but with a global superpower that is quickly nipping at our heels and doing so unfairly, with the intent of replacing us in the world as its most powerful country militarily, economically, geopolitically, and technologically.

The history of America is short in comparison to the great empires of history and the great countries of history. Some 240-odd years in the scope of history is but a blink of an eye. History is full of examples of nations that became complacent and lost their standing and their way of life.

I am not claiming that ZTE alone will be that, but it is a part of a broader problem; that is, we have yet to realize what a significant threat China poses to this country in every realm and every sphere. Until we do, we are going to continue to be in danger of surrendering and forfeiting our way of life and our place in the world. If we do that, the world will be worse off for it. We will have no one to blame but ourselves for failing to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I concur entirely with the comments of my colleagues about the dangers and challenges presented by China in many different dimensions.

I am not going to try to defend President Trump's decision to overrule his administration's penalties on ZTE for violating our sanctions, but the President's actions created facts on the ground. One of the principal facts was that part of that arrangement was a billion-dollar payment by the Chinese Government to the United States Treasury, creating for the conferees the issue of trying to find a billion-dollar offset if we reimpose this penalty. That billion-dollar offset could come only from military programs of our jurisdiction, end strength of the military, platforms we might acquire; we found it difficult to work our way through that issue.

More important, I think, is the notion that we did not simply drop this issue. In fact, we imposed, by legislation, a government-wide prohibition on the acquisition of ZTE and Huawei products going forward. It is now the law that we prohibit the Federal Government and government contractors from buying or using or providing grants and loans to entities buying or using telecommunications equipment and services provided by the Chinese companies, ZTE and Huawei. Huawei is not ignored here. It is legislatively a prohibition in the bill for future purchases.

We understand, also, that there are some Chinese companies in the video surveillance equipment business that also are threats. They also have been banned going forward with respect to government acquisition or government contractor acquisitions. So we have recognized this issue, and we have done, I think, what we could do to ensure that our national security is not compromised in the future by ZTE or Huawei equipment.

With that, I suggest that we move forward and pass this legislation, which does a remarkable job of helping the men and women of our Armed Forces.

I will save my further remarks for later.

Mr. CRAPO. Madam President, I rise to speak about title XVII of the NDAA, which reforms the Committee on Foreign Investment in the United States, or CFIUS, and export controls.

The last time CFIUS underwent reform was in 2007.

Recognizing that the foreign investment and national security landscape has changed significantly over the past decade, Senators CORNYN and FEINSTEIN led the charge by introducing the Foreign Investment Risk Review Modernization Act, FIRRMA, last November.

They and others deserve a tremendous amount of credit for their critical leadership on this issue.

As the Banking Committee examined this issue, it became clear that the appropriate outlet for addressing the national security concerns highlighted by Senator CORNYN and others would involve not only CFIUS reform, but export control modernization as well.

With the help of Senator BROWN and all of my colleagues on the Banking

Committee, we were able to craft a bipartisan product which passed out of committee in May with a unanimous 25–0 vote.

I thank Senator BROWN and all of my colleagues on the committee for their efforts and contributions to the bill.

Additionally, the bill would not have been possible without the technical expertise and leadership of the team at the Department of Treasury, as well as the Commerce and Defense Departments, and the other interagency stakeholders who provided input. I thank them as well.

Throughout the entire process, we received strong support from the Armed Services Committee, who allowed us to include FIRRMA in this year's NDAA and maintained the integrity of the bill in that process. For that, I thank Chairman MCCAIN, Senators REED and INHOFE, and other members of the Armed Services Committee.

Our counterparts on House Financial Services, Foreign Affairs, Energy and Commerce, and Armed Services Committees were equally instrumental in developing the final bill and seeing it across the finish line in the House.

I thank Chairman HENSARLING and Ranking Member WATERS for their leadership on the concurrent House efforts and their work to improve the bill in conference.

I also thank Chairman ROYCE and Ranking Member ENGEL of the House Foreign Affairs Committee for their work in repealing and replacing parts of the Export Administration Act, which was needed since the statute lapsed more than two decades ago.

The final bill that appears in NDAA is the result of months of bipartisan, bicameral, and cross-government efforts to appropriately tailor and modernize CFIUS and export control authorities to ensure the continued protection of U.S. national security, while promoting foreign investments in the U.S.

Notably, CFIUS's jurisdiction is expanded to cover four new areas of investments, namely certain minority, noncontrolling investments pertaining to critical technology, critical infrastructure, and exposure of sensitive personal data; changes in a foreigner's rights regarding a US business; the purchase, lease, or concession by or to a foreign person of certain real estate in close proximity to sensitive facilities; and any other vehicle designed to evade CFIUS.

Additionally, the bill creates a concept of declarations, or ''light filings,'' which may be submitted voluntarily or are required for certain transactions where a foreign government has a substantial interest and may be required for transactions where critical technology is involved.

The bill also makes critical improvements to the administrative workings of CFIUS including timing of reviews, structure, funding, and examination of resource needs.

In addition to modifying parts of the Export Administration Act, the bill requires the President to establish an interagency process to identify emerging and foundational technologies that are not currently subject to export controls and authorizes the Secretary of Commerce to establish appropriate controls on such technology.

To complement those new authorities, the bill strengthens export control enforcement authorities.

The legislation that we are voting on today represents a very serious, bipartisan effort to ensure that our critical technologies are safeguarded, while preserving important free market principles and an open foreign investment environment.

I am proud to support the final product and again thank my colleagues in the Senate, House, and various agencies for their hard work and efforts to advance this critical legislation.

Mr. MENENDEZ. Madam President, tomorrow marks 1 year since President Trump signed into law the Countering America's Adversaries Through Sanctions Act of 2017, CAATSA, which passed with overwhelming bipartisan majorities in both the House and the Senate. He did so with strenuous objections to what he called an encroachment on the Executive's ability to negotiate, and claimed that, ''As President, I can make far better deals with foreign countries than Congress.''

Unfortunately, despite his claims, the President has made no such deal. Russia continues its attacks on our country, with reports this week of another concerted effort on Facebook to influence the 2018 midterm elections. Despite this, the President has repeatedly cast aside the facts of the Russian Government's interference in our democracy and inspires little confidence in this body that he will take seriously the duty to prevent it going forward.

So I remind my colleagues today, we must take on the duty to protect our democracy from foreign interference, and we must continue to work in a bipartisan fashion to ensure appropriate legislative guard rails are in place on the U.S. policy toward Russia, to ensure that the Kremlin's aggression is punished, not excused, and to build resilience so that it will not happen again. The sanctions we enacted in CAATSA, including related to the Russian defense and intelligence sectors that were the source of past attacks against us, are part of this effort.

I strongly oppose language in the conference version of the Fiscal Year 2019 NDAA which expands the scope of a waiver on CAATSA section 231, which requires sanctions on significant transactions with Russian defense and intelligence sector entities. We targeted these sectors specifically because they attacked our 2016 election and imposed sanctions on them to dissuade anyone from doing business with them. The State Department argues that billions of dollars' worth of deals have been turned off as a result of the leverage created by section 231. I fear that these new waiver provisions severely undermine that leverage.

Moreover, CAATSA includes a very important provision, the Russia Review Act codified in section 216, which requires the President to submit a report to the Congress before taking any action to terminate or waive sanctions or issuing a license that significantly alters the U.S. Russia policy. Section 216 imposes a reasonable and necessary limitation on President Trump's ability to precipitously lift sanctions or otherwise alter U.S. policy toward Russia without input from the Congress. This NDAA says that the Russia Review Act no longer applies to defense and intelligence sector sanctions. Without the Russia Review Act, Congress loses its voice and ability to ensure that section 231 has teeth.

It is our ongoing responsibility to hold the executive branch to account in fully implementing the laws we pass, including all of the mandatory provisions in CAATSA and its provision enabling us to review the President's decisions to lift or waive sanctions. This is all the more important given President Trump's inclination to act as a supplicant toward Vladimir Putin and his regime, even as that regime has and continues to attack our country. I strongly oppose the language in the Fiscal Year 2019 NDAA that weakens CAATSA and will oppose any effort in the future toward that end. I will continue to work through other legislative vehicles to continue to go after Russia's most egregious offenders and continue to hold the administration accountable for protecting Americans and American interests.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, yesterday I had an opportunity to go through and thank all of the appropriate people.

This is arguably the most significant bill that we will have this year—as we have had every year. This is the 58th consecutive year we had a Defense authorization bill. This is dedicated and named after Senator MCCAIN. It is the John S. McCain National Defense Authorization Act. We are very proud of the input we had from his staff and from him, and we went through it in record time.

I certainly thank my counterpart, Senator REED. He and I have worked very closely together for many years.

I yield back the remainder of my time.

Mr. REED. Madam President, I also yield back the remainder of my time and urge passage of the John S. McCain National Defense Authorization Act.

Mr. INHOFE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on adoption of the conference report.

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), the Senator from Arizona (Mr. MCCAIN), and the Senator from Kentucky (Mr. PAUL).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 10, as follows:

[Rollcall Vote No. 181 Leg.]

YEAS—87

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

NAYS—10

Durbin	Markey	Warren
Gillibrand	Merkley	Wyden
Harris	Rubio	
Lee	Sanders	

NOT VOTING—3

Flake	McCain	Paul

The conference report was agreed to.

The ACTING PRESIDENT pro tempore. The majority whip.

MORNING BUSINESS

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

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

NOMINATION OF BRETT KAVANAUGH

Mr. CORNYN. Mr. President, earlier this summer I was privileged to be at the White House when President Trump announced his nominee to succeed Justice Anthony Kennedy, whose retirement from the U.S. Supreme Court became effective just a couple of days ago. Judge Kavanaugh's nomination continues the streak that we Republicans in the Senate have been on for the last 18 months under the Trump administration. We have set new records.

Specifically, we set a record last year for the most circuit court judges confirmed in a President's first year, and we set a new record this year with the recent confirmation of President Trump's 23rd circuit judge, Texan Andy Oldham, who will serve on the Fifth Circuit Court of Appeals, and that was 2 weeks ago.

Keep in mind that we have already set the record with the most judges confirmed in the President's first 2 years, and we still have 5 months to go. That is unprecedented. That is huge. It speaks volumes about the seriousness with which this administration takes its responsibility to fill vacancies on the Federal judiciary and the efficiency with which this Chamber is carrying out its duty to provide advice and consent.

Yesterday, we voted on another outstanding nominee, Britt Grant, for the Eleventh Circuit. To date, the Senate has confirmed 45 Federal judges under President Trump, including Supreme Court Justice Neil Gorsuch, and that includes 24 circuit court or intermediate level judges.

But some people don't like to focus on that record of accomplishment so much. They like to dwell on Judge Kavanaugh, the nominee to succeed Anthony Kennedy, exclusively instead. I understand why the Supreme Court vacancy is a very big deal, but it doesn't give license to engage in hysterical attacks.

We have seen Judge Kavanaugh called almost every name in the book. We have heard that his confirmation would result in the destruction of the Constitution and that the nominee is your worst nightmare and one who wants to pave the path to tyranny.

Well, I just think those sorts of attacks—and hysterical attacks—undermine the very credibility of the speaker, because anybody who knows anything about Judge Kavanaugh knows that none of that is true. We are not going to be distracted from carrying out the confirmation process in the normal established way through the Judiciary Committee first, led by Chairman GRASSLEY, and, then, once we get to the floor, with a debate and vote to confirm the judge, hopefully, well in advance of the next term of the Supreme Court, which begins the first Monday in October.

We know, for example, that Chairman GRASSLEY has already sent a request to the Bush Library to recover many of the records that pertain to the nominee's service when he worked at the White House Counsel's Office. This was a unilateral request, unfortunately, because our Democratic colleagues refused to join us, even after two weeks of negotiations and trying to find a way both sides could agree. This is, unfortunately, another sign of obstruction, which is basically all that our colleagues on the other side of the aisle who are opposing this nomination have left.

Many of the Democrats on the other side have made clear that they really aren't interested in the nominee's qualifications. As I mentioned previously, five of them came out against the nominee before he was even named, in other words, taking the position that the person nominated by President Trump would not be able to earn their support. Fifteen more, after the nominee was named, came out in opposition. So 20 Democrats have already announced their opposition to the nominee without even taking a few moments even to meet with the judge or getting to learn a little more about his record.

Unfortunately, the role that so many of our friends across the aisle want the judiciary to play is that they are really interested in judges who basically will be results-oriented. In other words, rather than be impartial umpires and call balls and strikes regardless of who is at bat, what they want is somebody who will put the thumb on the scales of justice and reach a preordained result.

But that is not the way judges are supposed to serve under our form of government. Judges don't run for election. They have lifetime tenure. So they are not politically accountable for their decisions at the ballot box like those of us in the political branches of government are.

So some of the rhetoric, as I said earlier, is just over the top. One of our colleagues even said that you would be complicit and evil if you supported this nomination.

Well, we need to be aware of the double standard that applies. There is a stark contrast between Judge Kavanaugh and the confirmation process of Justice Kagan. This time around, our Democratic colleagues requested every single scrap of paper that made its way across the nominee's desk, even when he did not contribute to the policy or content of those documents.

At the time when Justice Kagan was nominated, about 173,000 pages of documents were produced from the time that she worked in the White House Counsel's Office and on the Domestic Policy Council. She and Judge Kavanaugh share in common the fact that they worked in the White House Counsel's Office.

But the difference between Judge Kavanaugh and Justice Kagan is that Justice Kagan didn't have any public judicial record at all. Just compare that to Judge Kavanaugh's 12 years of serving on the District of Columbia Court of Appeals. He has more than 300 written opinions for Members to review and ascertain what kind of judge he would be if confirmed to the Supreme Court.

I am surprised that our Democratic friends are asking for so many documents that are clearly immaterial, because during the nominee's 2006 confirmation hearing for the DC Circuit Court of Appeals, our colleagues did not ask for any documents, which they are now demanding, and specifically, those that came across his desk when he served in the important function of White House Staff Secretary. This is, perhaps, a little understood office, but basically it is an administrative position, where Judge Kavanaugh, at the time, as Staff Secretary at the White

House, was responsible for making sure that the documents presented to the President for review had been properly vetted and were in good form. That is the responsibility—not to provide input in terms of the policy or the content of those documents. So he really was more or less a traffic cop for the paper flow across the President's desk. As such, those documents would have no bearing whatsoever on the judge's qualifications or experience and are unnecessary to produce for this confirmation process.

Just as with Justice Kagan's confirmation, there was a bipartisan understanding in 2006, during Judge Kavanaugh's confirmation, that certain documents are unnecessary and should be off limits. In 2006, Judge Kavanaugh responded to the standard questionnaire for appellate nominees. Our Democratic colleagues didn't complain about that at the time. In fact, at Judge Kavanaugh's hearing in 2006, Senator FEINSTEIN, the ranking member on the Judiciary Committee, noted that ''without a record either as a trial lawyer or as a judge, it's very difficult for some of us to know what kind of judge you would be and whether you can move away from the partisanship and into that arena of objectivity and fairness.'' But now our friend from California has 12 years of judicial service and more than 300 opinions she and others—all of us—can review to answer the very questions she said she needed to answer.

So my question is, why are our colleagues across the aisle suddenly claiming they need every email, every memo, and every Post-it note that went across the nominee's desk? Well, we know the reason is because they cannot attack Judge Kavanaugh's judicial record of objectivity and fairness on the DC Circuit. Instead, they are trying to dig through other people's emails and documents and conduct a government-sponsored, taxpayer-funded fishing expedition through the records of the entire Bush White House. I call this the great paper chase.

You have heard us warn that the Democrats' demands for every document from Judge Kavanaugh's time in the White House is nothing more than a stall tactic. Several media reports over the last few days have now confirmed that this is, in fact, their exact strategy. Here is a statement from the San Francisco Chronicle: ''Feinstein, other Senate Dems have plan on Brett Kavanaugh nomination: Stall.''

Their broader, coordinated strategy is to delay and stall, not actually vet, the nominee. So for most of them, it really won't matter that Judge Kavanaugh will have more documents produced before his confirmation than any other nominee in American history; it won't matter that some documents have already been released—for example, from his tenure working for the independent counsel; it won't matter that the process is fully transparent and thorough because they have already made up their minds.

To be clear, overwhelmingly, our Democratic colleagues are simply not interested in vetting Judge Kavanaugh because they have already made up their minds to vote against the nomination. I hope the three or four or five Democrats who are still open-minded to confirmation of the judge will encourage their other colleagues to change their approach and to make sure they do what we are required to do under the Constitution once the President has made a nomination like this, and that is to provide advice and consent, not just obstruction and delay and resistance.

Many of the excuses they are now giving, particularly with regard to documents, are merely smokescreens for their true goal, which, as we see here in the San Francisco Chronicle, is simply to stall, stall, stall. They have telegraphed this strategy in the press, and they have made it clear that it is their only shot at blocking this mainstream nominee, because the truth is that Judge Kavanaugh is imminently qualified and well respected by all who know him.

I believe it is our responsibility to continue to vet the nominee and to continue to encourage Members to meet with him and to continue their review of his record—particularly in the last 12 years on the DC Circuit Court of Appeals—because I am convinced that if they do that, they will be willing to support the nominee, if they have an open mind and if they haven't already engaged in the political calculation to oppose the nominee no matter what the reason may be.

I look forward to confirming the judge early this fall. Chairman GRASSLEY has said he hopes to have a hearing on the nomination and then a vote on the Senate floor in advance of the October term of the Supreme Court. I look forward to helping him keep that schedule and confirming this good man and fine judge to the Supreme Court of the United States.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. REED. Mr. President, I rise to discuss the fiscal year 2019 National Defense Authorization Act.

I am very pleased that we were able to pass the conference report with a bipartisan vote of 87 to 10. I think it represents the quality of the work that was done by my colleagues Senator INHOFE; Congressman THORNBERRY, the chairman of the House committee; and also Ranking Member SMITH. I thank them for their thoughtfulness and cooperation throughout the conference.

The passage in the Senate follows the passage last week by a vote of 359 to 54 in the House of Representatives—another strong bipartisan endorsement of the legislation on behalf of the men and women in uniform and the national security of the United States.

Also, at this point, I would like to take a moment to recognize Senator JOHN MCCAIN. He has been an extraordinary leader throughout my tenure in the Senate, someone who has been committed to the welfare of the men and women of the military, someone who has spent his life in service to the Nation with courage, with valor, and with exceptional self-sacrifice for all of us. I am sure he is very proud today that this legislation, which bears his name, has passed and become law. Senator MCCAIN has also done something that some people would think impossible; that is, to have a West Point graduate admit that, in many cases, he is indispensable to the national security of the United States. I say that with great affection and great sincerity.

Let me highlight several areas that I think are important in this legislation. The bill includes important personnel funding and policy provisions, including a 2.6-percent, across-the-board pay raise for our men and women in uniform. It fully funds the military services' end-strength requests for fiscal year 2019. We are going to bring our troops—particularly, the Army—to the desired strength of our military leaders. It provides $50 million in impact aid for heavily impacted local school districts all across the country. This is critical of the quality of life for the families who serve us, as well as their servicemembers.

There are a number of provisions updating the Officer Personnel Management System to enhance recruitment, promotion, and retention of highly skilled officers.

With respect to the Army, the bill fully funds a number of critical Army programs, to include the Abrams battle tanks, as well as Apache and Blackhawk helicopters. The bill also makes targeted investments to improve the range and lethality of Army artillery systems, and it supports the fielding of active protection systems on our combat vehicles in order to better protect our soldiers.

With respect to the Navy, the conference agreement provides additional funds for vessels for the Navy, including two more littoral combat ships, three more ship-to-shore connectors, and a cable repair ship. The agreement also provides additional money to help second- and third-tier contractors ramp up production to support our *Columbia*- and *Virginia*-class submarine acquisition programs.

With regard to the Air Force, the bill provides for additional funding to support the light attack aircraft, or the

OA-X. The agreement also ensures the Air Force will maintain the current capability of the JSTARS aircraft fleet while they develop new capabilities to replace, and perhaps even improve, the current ground support capability of the JSTARS fleet.

This bill represents what has been the hallmark of Secretary Mattis's strategic vision. It reflects the strategic shift toward prioritization of the strategic competition between Russia and China. It supports the President's budget request for resources to deter and, if necessary, defend against aggression from near-peer competitors. This includes $6.3 billion for the European Deterrence Initiative as a continuing demonstration of our commitment to the security of our European allies and the deterrence of Russian expansionism. It also requires a 5-year plan from the Department for the Asia-Pacific Stability Initiative on the necessary resources and activities that counter China's destabilizing behavior in the region.

The bill also includes a provision calling on the administration to urgently complete a comprehensive strategy to counter Russian malign influence below the level of direct military conflict. Russia attacked the heart of our democracy in 2016, and our intelligence experts warn of even more sophisticated Russian attacks targeting this year's midterm elections. Yet the administration has failed to bring together our military and nonmilitary tools of national power to counter this Russian aggression, despite a requirement in last year's NDAA to submit to Congress a whole-of-government strategy to counter Russian malign influence. This bill expresses the sense of the Congress that the administration should complete a counter-Russian influence strategy without delay.

The conference report also includes a provision that authorizes the President to employ Department of Defense cyber forces to take actions to disrupt the operations of Russian actors attempting to penetrate our election systems and campaign organizations and to plant false and divisive information on social media sites.

As I mentioned, the Secretary's national defense policy, which the President endorses, focuses on the shift to the near-peer adversaries of Russia and China. Our legislation reflects that, but we cannot forget the threat from ISIS and extremist organizations. It persists. This bill continues critical programs aimed at countering these groups. Of note, it extends the Iraqi and Syrian train-and-equip programs at the requested funding levels, while requiring appropriate information with respect to the partner forces to be trained and the expected level of engagement with U.S. forces. This is a prudent approach that recognizes the continued threat from ISIS while ensuring appropriate oversight of these authorities in a dynamic environment.

I am also pleased the bill includes provisions designed to incorporate lessons learned from the campaign against ISIS that could be more effectively used to account for and respond to allegations of civilian casualties going forward.

The bill fully funds the request for U.S. Special Operations Command and includes important provisions to enhance the ability of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict to act as the ''service secretary-like'' civilian responsible for the oversight and advocacy of the Special Operations forces that do so much for us.

As we discussed before the vote, the bill also focuses on the issue of the ZTE-Huawei issue that came before this Congress. The conference agreement includes a provision that prohibits the Federal Government and government contractors—this is governmentwide—from buying or using or providing grants and loans to entities buying or using telecommunications equipment and services provided by Chinese companies ZTE and Huawei due to our serious concerns that these companies represent security risks and have violated U.S. sanctions and export control laws.

The provision also bans the use of video surveillance equipment from several Chinese companies due to concerns about security risks and infringement of intellectual property rights. The conferees recognize the burden this ban will place on some telecommunications providers, particularly in rural areas, and included direction that government agencies shall prioritize available funding to enable these providers to replace the equipment they have procured from Chinese companies.

I am also particularly pleased the conference agreement includes a Senate floor amendment that I authored to ensure that as we proceed to develop new or modified nuclear weapons, the Congress is in a position to provide rigorous oversight to any such request. Given the powerful nature of these weapons, it is essential we maintain our oversight capability on this subject matter.

The conference report also contains important oversight language to ensure our Nation can produce the plutonium pits the Department of Defense requires. Los Alamos is our Nation's center of excellence in research and manufacturing of plutonium, and we need to maintain our focus on this laboratory in order to ensure the Department of Defense meets their stockpile requirements with respect to pit production.

The conference report contains a number of important provisions related to Turkey. I want to acknowledge the valuable leadership of Senators SHAHEEN and TILLIS in this regard. Turkey is an important NATO ally, and the U.S.-Turkey defense cooperation is multifaceted and deep. However, Turkey's announcement of its intent to buy the Russian S–400 air defense system threatens the integrity of the NATO alliance and would have a significant negative impact on defense cooperation between the United States and Turkey.

In addition, the Turkish Government's unlawful detention of Pastor Brunson and other wrongfully held Americans has raised serious questions and concerns about its commitment to the shared values of the NATO alliance and the rule of law. The NDAA conference report calls for their immediate release and requires the Secretary of Defense, in consultation with the Secretary of State, to report to Congress on the status of the U.S.-Turkey relationship, including the impact of Turkey's potential purchase of the S–400 system on the bilateral relationship.

The report must also assess, should Turkey proceed with the S–400 purchase, what the impact would be of a significant change in Turkey's participation in the F–35 aircraft program, including reduction or elimination of Turkey's participation. The assessment must include the steps required to mitigate the negative impact of such a change on the United States and other international partners in the F–35 program. The provision also prohibits the Department of Defense from delivering any F–35 aircraft to Turkey until the required report is submitted to the appropriate congressional committees.

One issue in this year's NDAA conference negotiations related to Russia sanctions is the Countering America's Adversaries Through Sanctions Act, or CAATSA. CAATSA was an excellent piece of legislation, and the Presiding Officer knows very well because he was the chief author and architect of this bill.

I want to take a moment to explain exactly what the conference report does with respect to CAATSA and how the Defense Department intends to use the limited waiver for secondary sanctions provided in this year's NDAA.

As I said, I strongly support CAATSA. It was a remarkable piece of work, passing this Senate by 98 to 2. Again, it is a tribute to the leadership not only of the Presiding Officer but Senator MENENDEZ of New Jersey and all of our colleagues on the Senate Foreign Relations Committee.

Its sanctions are powerful tools for holding Russia accountable for its interference in our elections and its aggression in Ukraine and elsewhere. As I said, the Senate passed it overwhelmingly, 98 to 2. We have found that the Trump administration has been resisting fully implementing the tough sanctions against Russia that are found in CAATSA, and I urge those sanctions be vigorously enforced.

During Senate consideration of the fiscal year 2019 defense budget request, Defense Secretary Mattis raised a concern about one aspect of CAATSA, relating to the secondary sanctions in section 231 on countries or entities

that do business with the Russian intelligence or defense sectors. These mandatory sanctions restrict U.S. arms sales and certain financial dealings with countries or entities that engage in a significant transaction to purchase major Russian weapons systems.

As Secretary Mattis testified, these secondary sanctions can, however, have the unintended consequence of punishing certain strategic partners that have legacy Russian weapons systems but are looking to transition away from Russia and toward increased purchases of U.S. major defense equipment. Because these countries may buy Russian systems to maintain current capabilities, section 231 sanctions would block U.S. arms sales to them, effectively pushing these countries closer to Russia and making them more dependent on Russian weapons systems. This is the opposite effect of what CAATSA is intended to achieve and undermines our efforts to isolate Russia globally.

To address these concerns, Secretary Mattis requested a straight national security waiver to section 231 mandatory sanctions. While CAATSA, as enacted, does include a broad national security waiver, the waiver is subject to CAATSA's expedited review procedures, which provides Congress between 30 and 60 days to review the waiver request. If Congress objects, Congress can try to pass a joint resolution of disapproval under the expedited procedures. If Congress fails to enact a resolution of disapproval within the review period, then the waiver takes effect.

The administration contended that CAATSA's national security waiver, subject to the expedited review procedures, was unworkable. They claimed that because the mandatory sanctions that would kick in while Congress reviewed the waiver request for up to 60 days or more—this would cause significant harm to our defense partnerships with these countries and drive them away from purchasing major U.S. defense equipment.

In response, the House bill included authority for the President to waive section 231's mandatory sanctions on countries or entities buying major Russian defense equipment if the President makes certain certifications, primarily that the purchaser is reducing its reliance on the Russian defense sector.

The House bill was a very wide-open waiver. The only representation of certification the President would make is that the Nation was attempting to move away from Russian influence and Russian supplies.

We worked very closely with House colleagues. The Senate version of the NDAA did not have any language with CAATSA, but we had to respond to the House because it was a legitimate issue in conference. Indeed, one of the reasons we avoided any sort of discussion with respect to CAATSA in the Senate was the feeling that there might be a negative impact on the ongoing bilateral relationship with Turkey to persuade the Turkish Government to reverse its decision to buy the Russian S–400 air defense system. Turkey's purchase of the S–400 would almost trigger mandatory sanctions under section 231 and put our defense cooperation with Turkey at risk, including on the F–35 aircraft.

The final conference outcome, after discussions back and forth, in a very serious and very thoughtful way, was a very narrow waiver for section 231 sanctions only and reflects a number of important changes to the House provision that raised the bar for the President even to be able to invoke this waiver.

First, the conference outcome preserves all existing CAATSA sanctions currently in effect against Russia, including sanctions for Russia's election interference and aggression against Ukraine.

Second, the waiver is not available for any transactions with entities in the Russian defense and intelligence sectors that were directly involved in Russian cyber intrusions, including the Russian military intelligence, or GRU. This preserves the purpose of section 231 sanctions, which is to impose costs on the Russian defense and intelligence sectors for cyber intrusions.

Third, the waiver is limited in order to keep the pressure on Turkey to reverse its decision to purchase the Russian S–400 air defense system. The waiver is not available for any deals to purchase Russian weapons systems that would harm the integrity of NATO or other alliances in which the United States participates or that would adversely affect ongoing U.S. or coalition operations or that would harm U.S. defense cooperation with the country involved or that would significantly increase the risk of compromising U.S. defense systems or operational capabilities, including through the diversion of sensitive U.S. defense technology.

These restrictions are intended to let the Government of Turkey know that the waiver is not a get-of-jail-free card for section 231's mandatory sanctions if Turkey goes ahead and purchases the S–400.

Fourth, the conference outcome allows for continued defense cooperation with countries transitioning away from Russia. Secondary sanctions may be waived only if the country is reducing its dependence on Russian major weapons systems or is cooperating with the United States on security matters critical to our strategic interests.

This restriction should be narrowly understood to mean that the country involved is cooperating with the United States in the strategic competition with Russia or China, consistent with the administration's national defense strategy authored by Secretary Mattis. As set in the national defense strategy, the central challenge to U.S. security today is the ''re-emergence of long-term strategic competition'' by revisionist powers—specifically Russia and China.

Fifth, the conference outcome provides for congressional review under a 30-day notice-and-wait period as an alternative to expedited congressional review procedures provided under CAATSA. Congress would still have 30 days to review the President's certifications with regard to any sanctionable activity and to weigh in with its concerns.

Sixth, the conference outcome also enhances congressional oversight of CAATSA's secondary sanctions by adding a report. This report will provide an important baseline for measuring the extent to which countries are reducing their reliance on Russia and requires updated information for the next 5 years on which countries are reducing their transactions with the Russian defense sector.

Some of my colleagues have expressed concern that the conference report's waiver for section 231 sanctions is delinked from CAATSA's expedited review procedures. They are concerned that Congress may be giving up its ability to conduct oversight on administrative attempts to invoke waivers.

First, let me try to clear up one thing. The authority under CAATSA, as enacted, for a broad national security waiver—subject to an expedited congressional review process—remains unchanged under the conference report and continues to apply to the vast majority of sanctions against Russia under CAATSA.

More importantly, we should keep in mind how the Department of Defense intends to use the limited waiver to section 231 provided in the NDAA. As Secretary Mattis wrote to Chairman MCCAIN on July 24, the Department seeks a ''limited exception'' that would ''allow the United States to sell military equipment and enable countries pulling away from the Russian orbit.'' Secretary Mattis further noted that U.S. arms sales are subject to congressional notification in advance. In other words, Secretary Mattis is seeking to avoid the disruption to U.S. arms sales to key strategic partners that would result under section 231 sanctions and to prevent the negative impact such sanctions would have on our strategic relationships with these countries as they transition away from Russia.

Even with the limited exception provided under this bill, Congress will still have significant oversight of any U.S. arms sales to countries being exempted from section 231 sanctions. Any sale of U.S. major defense equipment to these transitioning countries—like India, for example—will continue to be subject to congressional review under the well-established requirements of the Arms Export Control Act.

That means that Congress typically will have at least 30 days, and often more, to review and approve any foreign military sale for major defense

equipment to a country that has received the waiver to secondary sanctions under section 231. Large arms sales are likely to be subject to the FMS review process, but significant direct commercial sales must also be notified to the Foreign Relations Committee 30 days in advance of the export license being issued. The result is that Congress has the ability to conduct oversight of these transactions.

Furthermore, under the Arms Export Control Act, Congress has procedures for pursuing a resolution of disapproval prohibiting or modifying the proposed arms sales. Congress's oversight of any major U.S. arms sales that might flow from a waiver of secondary sanctions under section 231 provides us an additional ability to revise and supervise the administration's implementation of this waiver authority.

There are specific cases that one could talk about in terms of countries that we are actually trying to engage, such as India, Indonesia, and other countries, but I think what we have tried to do is to structure a very discrete and, in the terms the Secretary of Defense has used, very stringent conditions to the exercise of the sanctions.

Let me conclude by again thanking Senator INHOFE, Chairman THORNBERRY, Ranking Member SMITH, and all of the conferees for their bipartisanship throughout the process. This process has been collegial, and this is an example of a strong piece of legislation that addresses concerns of Members on both sides of the aisle.

I would also like to thank the staff of the Senate Armed Services Committee and the House Armed Services Committee for all of their hard work on drafting a thoughtful and comprehensive bill. Their diligent work is a tribute to us all.

I would be remiss if I didn't single out these extraordinary individuals. I thank Senator MCCAIN's staff director, Chris Brose, who did a superb job; Senator INHOFE's staff director, Luke Holland, Tony McLain; on my staff, Jody Bennett, Jon Clark, Gary Leeling, Creighton Greene, Jonathan Epstein, Ozge Guzelsu, Jon Green, Kirk McConnell, John Quirk, Arun Seraphin, Carolyn Chuhta, Maggie McNamara, Mike Noblet, Jorie Feldman, Bill Monahan, and my staff director, Elizabeth King. I also want to thank Jen Stewart and Paul Arcangeli. They are the staff directors for Chairman THORNBERRY and Ranking Member SMITH, respectfully. They did a superb job.

With their work and with the inspiration of Senator MCCAIN, we were able to pass an extraordinary and I think very effective piece of legislation.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. REED. I will be happy to.

APPOINTMENT OF CONFEREES—H.R. 2

The PRESIDING OFFICER. Under the previous order, the Chair appoints the following as conferees on the part of the Senate on the disagreeing votes of the two Houses with respect to H.R. 2.

The Presiding Officer appointed Mr. ROBERTS, Mr. MCCONNELL, Mr. BOOZMAN, Mr. HOEVEN, Mrs. ERNST, Ms. STABENOW, Mr. LEAHY, Mr. BROWN, and Ms. HEITKAMP conferees on the part of the Senate.

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

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

FARM BILL

Mr. KENNEDY. Mr. President, I would like to talk for a few minutes about our farm bill. As you know, our farm bill is the primary agricultural and food policy tool of the United States. We pass it every 5 years. We just passed it this year. The bill is going to conference. As you know, the Senate passed its own farm bill and the House passed its farm bill, so we will go to conference and try to work it out. The bill was a 5-year bill, but it spends $860 billion in taxpayer money. Let me say that figure again—$860 billion in taxpayer money.

We throw a billion around these days in Washington as if it were a nickel. A billion is a lot. If I started counting to a billion right now and counted one numeral a second, I would finish in 2050. I probably wouldn't finish; I would probably die first. That is how much a billion is. This bill is about $860 billion. Seventy-five percent of it deals with our food stamp program.

In the House version of the farm bill, there is a work requirement for food stamps, and this is what it says: The American taxpayer will happily give you his or her hard-earned money to help you get back on your feet. We don't want you to be hungry. But if you are between the ages of 18 and 59, the House bill says, and you are not disabled and you don't have a child under 6, then in return for those food stamps, we are going to require you to get a job. You don't have to work a full week; you just have to work 20 hours a week. And if you don't want to work, you can go to job training for 20 hours a week.

That is what the House bill says. The Senate bill is silent on that—crickets. It doesn't even address it.

I am speaking today to try to encourage our friends in the House to stand firm and insist that their work requirement for food stamps remain in the bill. I would like to spend a few minutes to explain why.

I get a little tired of politicians and others saying: Oh, the American people—they are stingy. They don't help their neighbor.

That is not true. The American people are the most generous people in the world. They are the most generous people in the history of the world. Think about it. First, we spend about $1 trillion a year—$1 trillion a year—in State and local programs that are funded by people's money. The money to fund those programs didn't fall from Heaven. We thank Heaven for it, but it came out of people's pockets, and we spend $1 trillion a year—State and local tax money—helping our neighbors who are less fortunate than we are.

In our country—and I am very proud of this—if you are homeless, we will house you; if you are too poor to be sick, we will pay for your doctor; and if you are hungry, we will feed you. That separates this country from just about every other country in the world, and it is one of the reasons that so many people across the world want to come to America—because our people are so generous. I mean, when is the last time you heard of somebody trying to sneak into Russia? When is the last time you heard of somebody trying to sneak into North Korea? When is the last time you heard of somebody trying to sneak into China? I mean, we should be complimented, and it is because of our giving spirit. But it doesn't do any good, in my judgment, to be generous with people who need our help without also helping them get out of the circumstances for which we need to be generous.

Let me put it another way. By suggesting we need a work requirement for food stamps, I am not trying to take away food stamps from people in need. I do not want to take away food stamps from people in need, but I do want fewer people to need food stamps. The best way we can do that for those who are able to work is to help them get a job.

The Brookings Institution, as the Presiding Officer knows, is hardly a bastion of liberalism. They recently did a study. The Brookings Institute said: If you do these four things, you have only a 2-percent chance of living in poverty in America. This is Brookings, now.

The Brookings Institution says that if you do these four things you have only a 2-percent chance of living in poverty: No. 1, get a job—any job—even if it is minimum wage; No. 2, don't get married until you are 21; No. 3, don't have a child before you get married.

I said four, but I will say that, even if you do these three things—get any job, don't get married before you are 21, and don't have a child before you get married—you only have a 2-percent chance in this country of living in poverty. Obviously, a job is a critical part of that.

This is what the House bill does. I hope we in the Senate will join with

our colleagues in the House and keep this provision in the bill. If you are between the ages of 18 and 59, you are not disabled, and you don't have a child under 6, then we will gladly give you food stamps, but in return we are going to ask you to work 20 hours a week, and we will help you get a job.

If you look at the numbers, right now we have about 21 million people on food stamps who are able-bodied. Let me tell you how I define that universe. There are 21 million people, 18 to 64 years old. So the numbers are slightly different from the House. They are not disabled. Those 21 million able-bodied Americans receive about $34 billion a year in food stamps.

Of those 21 million able-bodied Americans who do not work and who are not disabled, 40 percent of them don't have children, 63 percent of them are White, and 50 percent of them are under 35.

The House bill is even more generous, if you will. It is just 18 to 59, no child under 6, and you can't be disabled. In return for the food stamps, we would ask you to get a job.

I want to repeat what I started with. The purpose of this bill is not just my idea. The House provision is not meant to punish anybody. I don't want to take food stamps away from people who are in need, but I want fewer people who need food stamps. If people don't need food stamps, that will free it up for other people who need food stamps, and it might free up a nickel or two for other things like kids, roads, and cops.

The Senate, in its wisdom, decided not to put in a work requirement. Some of my colleagues say: We already have a work requirement for food stamps. No, we don't. No, we don't. It is optional for the Governors.

Guess what my Governor did. He implemented a food stamp work requirement without work. I mean, it looks beautiful on paper. Except, when you actually read the thing, it is a work requirement without work.

The House bill is different. It is getting serious about this problem.

I hope our conferees will open their minds and open their hearts and open their ears and listen to our House colleagues, and I hope our House colleagues will stand firm.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. What is the parliamentary situation? Are we in morning business?

The PRESIDING OFFICER. We are in morning business.

NOMINATION OF BRETT KAVANAUGH

Mr. LEAHY. Mr. President, I do have a few comments I will make.

Mr. President, I have had the privilege of serving in the U.S. Senate for 44 years. For 20 of those 44 years, I was either the chairman or the ranking member of the Judiciary Committee. During those 44 years, I have seen 19 nominations to the Supreme Court. I voted for most of the nominees—for both Republican and Democratic Presidents. The first one was John Paul Stevens, who was nominated by President Ford.

I voted on every current member of our Nation's highest Court.

When I was in Vermont over the weekend I was thinking of these nominations, and I believe that I have never seen so much at stake with a single seat as with the current nomination of Judge Kavanaugh.

There is one thing we can all agree upon, Republicans and Democrats alike, that like many Supreme Court nominees before him, Judge Kavanaugh has impressive academic credentials and judicial experience. But unlike most of his predecessors, Judge Kavanaugh also had a lengthy, partisan career.

Prior to his time on the bench, Judge Kavanaugh was a political operative engaged in some of the most divisive fights in our Nation's recent history—including Kenneth Starr's investigation of President Clinton, Bush v. Gore, and five contentious years as a senior official in President George W. Bush's administration.

It is no surprise, then, that Judge Kavanaugh has quite a paper trail—over one million pages. His lengthy, controversial record was something that the White House was well aware of when the President selected him. But the President selected him, nonetheless. Under the advice and consent clause of the Constitution, the burden falls now to the Judiciary Committee to review his record. It should be self-evident that records relating to an especially significant period of a Supreme Court nominee's career should be among those most closely examined by the Senate.

Indeed, the methodical review of a federal court nominee's full record is not optional. It is the most fundamental part of the Senate's constitutional obligation to provide advice and consent. In fact, we saw just a few weeks ago that such vetting led to the withdrawal of a circuit court nominee with a record of very offensive college writings.

This process must be even more exhaustive for a nomination to our Nation's highest Court.

One only need look to the Senate's consideration of Justice Elena Kagan. Like Judge Kavanaugh, she served in the White House prior to her nomination. I was chairman of the Judiciary Committee at the time. I worked with the ranking member at the time, Senator Jeff Sessions. We requested the full universe of her documents from the Clinton Presidential Library. We worked together. We wanted to ensure the request was expedited. We wanted the collection to be complete.

Crucially, President Obama made no claims of executive privilege. In fact, less than one percent of the documents were withheld on personal privacy grounds. To this day, those emails are posted online for anyone to see.

Then, I also supported then-Senator Sessions' request for documents related to military recruitment at Harvard. Military recruitment at Harvard is not the sort of thing one thinks of for a Supreme Court nominee, but Justice Kagan, a brilliant lawyer, had been dean of the law school.

Well, that request was beyond the scope of our committee's usual practice, but I agreed with the Republicans that the records could potentially be of public interest, and therefore they ought to be subject to public scrutiny.

Transparency weighed in favor of disclosure, but, then, transparency almost always does.

For Justice Sotomayor, when I was chair, I joined then-Ranking Member Jeff Sessions to request decades-old records from Justice Sotomayor's time working with a civil rights organization in the 1980s. Remember, she was a sitting judge on an appellate court, and we had her record, which is what some of the Republicans are saying is all we should look at with Judge Kavanaugh. They wanted the documents during the time she had worked with a civil rights organization decades before. We did have 3,000 opinions that she had written over the 17 years she served as an appellate and district court Federal judge. Every Republican wanted those records, and those of us who were in the majority, the Democrats, said: Fine, the public should know what they are. We agreed.

What a change, what a change—they wanted to have the records from Justice Kagan and Justice Sotomayor, and they had to come up with those records, but he doesn't have to. This is what the American people deserve to see from Judge Kavanaugh. Every document of public interest should be made public with no artificial restrictions and no abuse of executive privilege.

The American people deserve the unvarnished truth of this man, just as Senate Republicans rightly demanded of the two highly qualified women that President Obama nominated. We wanted the records from them, and we want the records from him, but, unfortunately, the Judiciary Committee is not on track to uphold its bipartisan standard of transparency. Two weeks ago, my Republican friends expressed a willingness to request White House documents that Judge Kavanaugh authored or contributed to as Staff Secretary of President Bush. We thought it was very similar to requests made of Justice Sotomayor and Justice Kagan.

But then they had a private meeting with White House Counsel last week. Now, suddenly, we can't do that. Suddenly, the White House, a different branch of government, is telling the independent Senate Judiciary Committee what they have to do, and suddenly all of Judge Kavanaugh's Staff Secretary records were off-limits.

Then last Friday, in a stark departure from committee precedent, Chairman GRASSLEY, who is a friend of mine, shocked me when he sent a partisan request that omitted any and all records from Judge Kavanaugh's three contentious years as Staff Secretary. This was a particularly extraordinary admission, given that Judge Kavanaugh himself singled out his three years as Staff Secretary as ''among the most instructive'' for him as a judge, when he provided advice ''on any issue that may cross the [president's] desk.'' During this time, Judge Kavanaugh said he helped to ''put together legislation,'' and he ''worked on drafting and revising executive orders.''

Karl Rove described Judge Kavanaugh as playing a major role in reviewing and improving practically every policy document that made it to the President. Judge Kavanaugh said this experience gave him a ''keen perspective on our system of separated power.''

Yet, Senate Republicans don't want to see any of it. Not even those memos and other documents that Judge Kavanaugh himself authored and edited.

Just as I worked to provide these same documents when the Republicans requested them in a Democratic administration, I do not believe the Senate can fulfill its constitutional duty to provide advice and informed consent to a nominee for our Nation's highest Court without vetting three years' of such critical records.

That is why, yesterday, I joined Ranking Member FEINSTEIN and the other Judiciary Democrats to send our own records request to the Bush Presidential Library. The request mirrors—not surprisingly—almost word for word the request I sent with then-Senator Jeff Sessions for Justice Kagan.

We simply cannot have a lower standard of transparency for Trump nominees than for past nominees of both Republican and Democratic Presidents. The fact that the Judiciary Committee is willing to move forward without Judge Kavanaugh's full record is especially alarming because the last time Judge Kavanaugh testified before the Senate under oath, he appeared to provide a misleading account of his work at the Bush White House.

In his 2006 confirmation hearing, I and other senators asked about his knowledge of several Bush-era scandals, including warrantless wiretapping, torture, and detainee treatment. Judge Kavanaugh testified he had no knowledge of such issues until he read about it in the paper. He testified in response to a question from Senator DURBIN that he ''was not involved in the questions about the rules governing detention of combatants.'' Again, this was under oath.

After his confirmation, press reports indicated that he had participated in a heated discussion in the White House over the legality of detainee policies. Judge Kavanaugh discussed whether the Supreme Court would uphold the Bush administration's decision to deny lawyers to certain enemy combatants. Judge Kavanaugh advised that his former boss, Justice Kennedy, would likely reject the argument that the White House was putting forth.

I try to look at this conversation every way I can. I was a trial lawyer. I took depositions. I argued cases. I am trying to reconcile it with Judge Kavanaugh's sworn testimony under oath, but it is impossible. It makes it all the more critical that we review his complete White House record to find out what he really did.

The only records I have seen from Judge Kavanaugh's time as Staff Secretary are a handful of emails previously released through an unrelated FOIA request. One happens to show very clearly that Judge Kavanaugh was looped in, notwithstanding his statement, on the Bush White House's efforts to message the infamous torture memos. From the 1 million records that exist on Judge Kavanaugh, we have but one drop in the bucket, but in that one drop, they are discussing torture. It is something he said that he had read about only in the papers. Yet this email shows he worked on these issues while in the White House.

I am afraid that my Republican friends clearly do not want records from Judge Kavanaugh's three years as staff secretary to be public, but the fact that records may be controversial doesn't mean they should be hidden from the public view. Indeed, just the opposite principle applies. Just as we gave all of the records on President Obama's nominations, we should do this.

The American people must not be in the dark about controversial aspects of a nominee's record. Certain principles are more important than party. Transparency is one of them.

We have learned this lesson before. Wearing blinders when considering a former administration official for a lifetime judgeship presents grave risks.

When President Bush nominated Justice Department lawyer Jay Bybee to the Ninth Circuit in 2003, I and other Senators asked about his involvement in the legal issues surrounding the war on terror. He didn't answer our questions. But a year after he was sworn in for a lifetime position on the Federal court, the American people learned that Judge Bybee gave the legal green light for the official use of torture, something that most people now agree is one of the darkest chapters in our nation's history. Had we known that at the time, Judge Bybee would still be known as Mr. Bybee. He never would have been confirmed. A majority of Republicans and Democrats would have voted against him.

Judge Kavanaugh was directly involved in some of the most politically charged moments of our recent history. The Senate owes the American people an unsparing examination of his nomination—a nomination that could shape their lives for a generation.

It is my hope that Senate Republicans and Chairman GRASSLEY will reconsider their partial records request for Judge Kavanaugh and join the Democrats' request for all of his records. I agreed when they demanded that for Justices Kagan and Sotomayor.

Well, if that is the standard we followed for both of those tremendous jurists—Justice Sonia Sotomayor and Justice Elena Kagan—shouldn't we demand the same of Judge Brett Kavanaugh? He is no different than they are on the issue of what he has had to say. We ought to find out what it is. Then make up your mind; vote for him or vote against him. I am pretty sure that had we gotten the right answers on then-Mr. Bybee, he never would have become Judge Bybee.

I don't believe that many Senators of either party will stand up here and say that it is great that we broke the law on torture for dubious reasons.

I see the Senator from Missouri.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. I thank my friend, the Senator from Vermont.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. BLUNT. Mr. President, today the Senate overwhelmingly supported the conference report for the 2019 John S. McCain National Defense Authorization Act. That bill is now on the way to the President's desk.

Many Americans have bravely fought to uphold the values that our country holds dear. There are many people in the Senate who have been stalwart supporters of the military during their time here, but the legislation we passed today is named for one of those Senators, our colleague from Arizona, the chairman of the Armed Services Committee, JOHN MCCAIN.

Senator MCCAIN not only has given much of his life in military service, but he has given tirelessly in service to the country in so many ways, including service here. He has been an incredibly effective advocate for the men and women who serve in uniform and defend us.

There is no Member of the Senate for whom my admiration and appreciation has increased more during the time I have had the opportunity to serve with him. As a House Member, I knew Senator MCCAIN, but I knew him only in the kind of passing that occurs when the House and Senate are trying to work out an issue or deal with a specific problem. I didn't really get to know JOHN MCCAIN until I came to the Senate. That daily contact with him made a real difference in the way I felt about him.

His courage, his sometimes seemingly short fuse, but always his desire to do the right thing as he saw the right thing have continued to make him an important advocate here. Even

in recent days, when he couldn't attend the Senate, he was the first to let his views be known.

Certainly, Senator MCCAIN and I didn't agree on everything. We still don't agree on everything. We don't make any particular pretense that we agree on everything. There has been more than one occasion when he expressed to me his absolute dismay that I voted the way I voted on a certain issue, but that is when I began to think that maybe we really had a relationship I could treasure—and I do treasure it.

I am pleased that we named this bill after our friend Senator MCCAIN. One of the principal responsibilities we have is to defend the country. It is the one job the Federal Government does that almost no American will argue that somebody else could do better, either personally or at a different level of government. It is the No. 1 priority, I think, of the Federal Government. This bill addresses that priority.

In our State, we have Whiteman Air Force Base, Fort Leonard Wood, Rosecrans Air National Guard Base, where people from all over the world come to train on how to use the C–130s. We have the AVCRAD facility, a National Guard facility in Springfield, MI, that repairs helicopters for the armed services and saves a lot of money doing that. We are the home of the National Geospatial-Intelligence Agency's western headquarters, and we are proud to be.

Missourians serve in uniform and are proud to serve. Missourians serve in many ways, including all of those organizations I just mentioned, and they are proud to do that.

The people who serve in the military and the people who serve in the intelligence branch of our government are increasingly challenged. I think the missions we have around the world, the challenges we have around the world, the national security threats we have around the world—as the Presiding Officer knows from his job as Foreign Affairs chairman—are as complex and complicated and multifaceted as they have ever been. Some have said that there are more threats from more directions in more ways than at any other time.

I think this bill begins to recognize that—tries to recognize that—and understands that to remain successful, America has to have a military that creates a military advantage. It has to be able to counter the potential that our adversaries have. We have to be able to defend international order and protect ourselves and those who rely on us in their defense of freedom.

To that end, Secretary Mattis and the senior leaders throughout the Department of Justice put together the plan and the thought that really is the backbone for how this legislation has been crafted. This National Defense Authorization Act authorizes the necessary investments and establishes the policies to carry out our national defense strategy.

First and foremost, President Trump and his administration have prioritized rebuilding the military. This bill, with a total of $716 billion in authorization, provides the resources, the equipment, and the training necessary to do so.

For 2 years in a row, we authorized a substantial increase in defense spending. We will have a chance, when we get back in a week or so, to bring the defense appropriating bill to the floor, which hopefully will be the second year in a row that our defense spending has matched the plan that has been authorized.

The National Defense Authorization Act provides our servicemembers with a pay raise of 2.6 percent, the biggest pay raise in 10 years. Our troops and their families make a tremendous sacrifice to serve. They move often on a minute's notice, but in the last year's legislation, we gave more flexibility to families on that topic. Still, when you are in the military, you know you are not likely to be wherever you are for very long. That increase in pay is something we should be pleased about as a country.

This bill authorizes critical multiyear procurement authority. Why does that matter? That doesn't sound very exciting—multiyear procurement authority—but it allows people in the military to plan not only what they are getting this year but how that gives them the ability to build on that next year.

We have been using the Super Hornets, for instance, which are made in St. Louis, MO, at a high volume with desert warfare. The desert is harder on our equipment than other places might be. There is a serious shortfall of fighter aircraft in the Navy. All of those things are taken into consideration as this bill moves forward. It is a bill that recognizes the importance of readiness issues.

We had more people die in training accidents last year—by a substantial number—than were killed in combat. That means we hadn't been providing the kind of training or the kind of equipment needed because we had budgets that didn't allow for that. These budgets that we voted on in the last few months, hopefully, will get us back to where we are going to close that readiness gap. We are going to be able to say to those who serve and to their families that we are providing the best equipment, the best training, and an adequate amount of time to fly a helicopter or fly an airplane to try to see what you would do in adverse conditions, which, frankly, we just have not been able to do.

This takes into account actions to really address specific threats from countries that have actively worked to undermine our economic interests and our national security interests.

According to the national defense strategy, China is using what it refers to as an ''all-of-nation long-term strategy''—all of the resources of the nation of China, according to that blueprint, in a long-term strategy of leveraging military modernization, influencing operations, and predatory economic efforts in order to coerce neighboring countries to reorder the structure of the Indo-Pacific region to its advantage. It is not to our advantage or to the world's advantage for China to restructure that part of the world to its advantage. It also classifies China as a strategic competitor that seeks to shape the world toward its authoritarian model through destabilizing activities that threaten the security of the United States and its allies.

To counter China and reassure our allies and partners, this bill takes action to prohibit telecom companies with links to the Chinese Communist Party's intelligence apparatus from doing business with the U.S. Government. Many of us on the Intelligence Committee think we could have gone a step further than that, but at least we are now prohibiting those organizations from being government contractors. We need to continue to be vigilant so as to be sure that their presence in our other systems doesn't also jeopardize us.

This bill, the National Defense Authorization Act, contains modernization language for the Committee on Foreign Investment in the United States in its effort to look at what national security issue may be at risk when a foreign company is able to buy a company or the technology of an American company.

The national defense strategy, in addition to China, also says that Russia seeks to ''shatter the North Atlantic Treaty Organization and change European and Middle East security and economic structures to its favor,'' which is also not to our advantage or to the advantage of those in the world who would be affected by it.

Russia has violated key arms control treaties. It has expanded and modernized its nuclear arsenal—sometimes outside agreements that have been made. It has tested counterspace weapons. It has used emerging technologies to undermine our election process. It has infiltrated the way that we communicate with each other on social media. It has confronted the elections of our NATO allies and others.

I think this bill shows not only a firm commitment to NATO but a firm commitment to article 5, which means that any NATO country, when attacked, will have the other NATO countries come to its help and aid.

Additionally, this bill authorizes important resources and policies to counter North Korea, Iran, ISIS, al-Qaida, Syria, and others that we should be concerned about as they oppress the people of their countries and try to expand their oppressive governments to other places.

This bill recognizes the critical importance of our allies and our partners around the globe so that we can be willing to stand together and to advance shared values and goals.

The men and women who serve us in uniform, the men and women who serve us in the intelligence agencies, and the civilian employees who come every day to be part of a defense and intelligence structure work hard for America. This bill shows that we appreciate that work. In the Senate today, the overwhelming vote on this bill verifies that, and the President's signature soon to follow will set a blueprint that will allow us to do the No. 1 job of the Federal Government—to defend the United States of America.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Minnesota.

Ms. SMITH. I thank my colleague from Missouri.

NOMINATION OF BRETT KAVANAUGH

Ms. SMITH. Mr. President, I rise to talk about my strong opposition to Judge Brett Kavanaugh's nomination to the Supreme Court. I want to specifically focus on what his confirmation could mean for the future of voting rights in this country.

The right to vote is our most sacred responsibility as citizens of this great Nation. Martin Luther King, Jr., called voting ''the foundation stone for political action.'' That is because when the right to vote is restricted, it undermines the very foundation of our democracy. If certain groups are barred or discouraged from voting, then our elected representatives cannot be held accountable for protecting the rights and interests of all of us.

When you cast your vote, you decide who should be entrusted to protect all of your rights—your right to make private decisions about how and when to start a family, your right to organize and advocate for fair pay and safe working conditions, your right to affordable healthcare, and your right to breathe clean air and drink clean water. Yet, if Judge Kavanaugh is confirmed to the Supreme Court, there is no doubt he will help his friends in far-right special interest groups continue their coordinated campaign to make it harder for millions of Americans to vote. These are the very same groups who recommended his nomination to the President.

These special interest groups have helped to pass State laws that have been designed to create obstacles at every step of the voting process, like making it more difficult to register to vote, to cast your vote, and to have your vote counted equally. These groups also know that they can count on Judge Kavanaugh to uphold these discriminatory laws.

As a judge on the DC Circuit Court of Appeals, Judge Kavanaugh has a record of supporting laws that perpetuate voting discrimination, particularly against communities of color. In 2012, he wrote an opinion for a three-judge panel that upheld South Carolina's stringent voter ID law even though the Department of Justice had determined that the law would violate the Voting Rights Act of 1965.

Unfortunately, discriminatory voting laws, like the one Judge Kavanaugh upheld, have a long and shameful history in this country. When this country was founded, generally only property-owning White men had the right to vote. It took 80 years to expand the franchise to all male citizens regardless of their race or color. It took another 50 years to grant women the right to vote and another 4 years after that to grant that right to all Native Americans. Yet the expansion of the legal right to vote did not always translate into access at the polls. It took us over a century to pass the Voting Rights Act of 1965, which outlawed discriminatory poll taxes, literacy tests, and other voter intimidation tactics. This landmark civil rights legislation finally put real teeth in the promise of the 15th Amendment—that no one should be denied the right to vote on account of one's race or the color of one's skin.

Unfortunately, in 2013, the Supreme Court gutted one of the most important protections of the Voting Rights Act in Shelby County v. Holder. Since then, far-right special interests at the State level have doubled down on their efforts to make it harder for people to vote by eliminating same-day and online voter registration, by limiting early voting, by enacting voter ID laws, and by purging infrequent voters from the registration rolls. These latest efforts make it harder rather than easier for people to vote. They show us there is still so much work to be done to fulfill the promise of the 14th and 15th Amendments—that every citizen can vote.

We deserve a Justice who is committed to making our democracy more representative so that we remain a government for the people and not just for some of the people. We need a Supreme Court Justice who appreciates the history of this hard-won fundamental right and who will not reverse course on centuries of progress. Judge Kavanaugh's opinions show that he will uphold State laws that make it harder for communities of color and people of low-income to make their voices heard.

Our voting laws reflect our beliefs about who should have a voice in this country. I am proud to represent Minnesota, the State with the highest voter turnout in the Nation, and I believe that our next Supreme Court Justice should vigorously defend the right of all eligible citizens to exercise their most fundamental constitutional right—the right to vote. Unfortunately, Judge Kavanaugh's record demonstrates he will not be that Justice.

I urge my colleagues to join me in opposing his nomination, and I urge the American people to make their voices heard.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise to discuss the nomination of Judge Brett Kavanaugh, as some of my colleagues have been doing today.

President Trump has chosen a superbly qualified nominee to the Supreme Court—and believe me, I know what is good and what isn't good. Judge Kavanaugh is one of the most widely respected judges in the country. He has authored 300 opinions during his 12 years on the bench in the DC Circuit Court of Appeals—the second highest court in the country. The Supreme Court has adopted the positions in his opinions a dozen times. He has written multiple dissents that have carried the day in the Supreme Court. He has authored articles in the Harvard Law Review, the Yale Law Journal, and the Georgetown Law Journal. He has also taught courses at Harvard, Yale, and Georgetown. None other than Elena Kagan, in fact, hired him to teach at Harvard.

I would like to take some time today to focus on a subject on which Judge Kavanaugh has really made his mark as a jurist. I want to talk about substance. I want to talk about what Judge Kavanaugh has written in his opinions and how he has been a true intellectual leader on the court. I hope my colleagues on both sides listen to this because we haven't had a nominee like him in a long time.

So much of the discussion about Judge Kavanaugh, so far, has been substance-free. Democrats have hurled accusation after accusation that has been divorced from reality. They say those who support Judge Kavanaugh are complicit and evil. They say his nomination threatens the destruction of the Constitution. They say people will die if he is confirmed. Lost in all of this is any actual discussion of Judge Kavanaugh's written opinions, of the way he approaches cases.

When Judge Kavanaugh met with me last month, he said he hoped my colleagues would read his opinions. That is how they can learn what kind of a judge he is. That is how they can learn how he thinks. That is how they can learn why he is so respected by Democrats and Republicans alike who are on the circuit courts of appeals and who hold other judgeships.

Regrettably, my Democratic colleagues have been too busy one-upping each other's apocalyptic rhetoric to take a look at what Judge Kavanaugh has actually written, so I would like to take some time to do that today. I would like to focus in particular on the subject on which Judge Kavanaugh has arguably had his greatest influence as a judge—the separation of powers.

The separation of powers is a core component of our Constitution. It is, in fact, the first and the most important way the Constitution protects our liberty.

Justice Scalia was fond of saying that ''the genius of the American constitutional system is the dispersal of

power.'' By separating authority among competing branches of government and then further dividing it between the Federal Government and the States, the Constitution makes it extremely difficult—indeed, nearly impossible—for any one individual or faction to consolidate enough power to truly threaten liberty. The side effect, of course, is a degree of inefficiency because you must get so many people with so many divergent interests to agree in order to enact lasting changes.

Policymaking can be a messy, slow process, but that was the point. By creating multiple power centers, the Founders ensured that no one person or group could exercise too much power.

Sometimes we forget that the purpose of the separation of powers is to protect liberty. We get frustrated with the slow pace of legislation, and so we want to give more power to the executive branch because the President can act more quickly than a large, multimember body like Congress. Yet we do not want to give the executive branch too much power because the President might not always be of our same party. So we create these weird hybrids called agencies that, like Congress, create rules for people to follow but that, like the President, are able to act quickly when necessary. Also, like the President, these agencies decide when and how to enforce the law. They decide when to bring suit or when to levy penalties for violations of agency rules. They exercise significant power over our lives, and they don't fit neatly within the constitutional design because they partake of all three branches of government.

Judge Kavanaugh sits on the U.S. Court of Appeals for the DC Circuit, often called the second highest court in the land. The DC Circuit enjoys this esteemed position because it hears many of the cases that involve these agencies that I have just described.

Federal agencies have significant power over many aspects of our lives, and the DC Circuit has authority to review the actions of nearly every Federal agency—important parties, important court.

Judge Kavanaugh's central contribution to separation of powers jurisprudence has been his commitment to upholding the structure of our constitutional design against misguided efforts to insulate agencies from political accountability.

I described earlier how agencies are these weird hybrids. Like Congress, they make laws in the form of regulations. Like the President, they enforce those laws. Like the judiciary, they adjudicate disputes that arise under those laws, the very same laws they wrote in the first place. It is a recipe for abuse if not kept under control. That is why Judge Kavanaugh has been so careful to scrutinize agency design and agency decision making to ensure that officials have the necessary accountability. Accountability is what keeps these agencies in check, given that the traditional separation of powers, which is what keeps our three branches of government in check, does not apply.

In only his second term on the DC Circuit, Judge Kavanaugh authored a masterful dissent in Free Enterprise Fund v. Public Company Accounting Oversight Board. The Public Company Accounting Oversight Board was a newfangled agency that Congress created in 2002 in the Sarbanes-Oxley Act. The Board has broad authority to regulate audits of public companies and oversees the registration and inspection of audit firms. It also sets audit standards and brings enforcement actions against violators. It is, in short, a very important agency.

The problem with the Board was that Congress had chosen to completely insulate it from political accountability. Board members are not chosen by the President. They are chosen by the Securities and Exchange Commission, which is, in turn, chosen by the President. Board members cannot be removed by the President. They can be removed only by the SEC, which, in turn, can be removed by the President.

The rub was that Congress had placed strict limits on the SEC's ability to remove Board members and strict limits on the President's ability to remove SEC Commissioners. The Securities and Exchange Commission could remove a Board member only for ''good cause shown,'' and the President could remove an SEC Commissioner only for ''inefficiency, neglect of duty, or malfeasance in office.'' So not only could the President not remove a Board member who was doing a bad job, but he also could not remove an SEC Commissioner for refusing to remove a Board member who was doing a bad job unless he could somehow show that the SEC Commissioner's failure to remove the Board member was a neglect of duty.

As Judge Kavanaugh explained:

> The President's power to remove is critical to the President's power to control the Executive Branch and perform his Article II responsibilities. Yet under this statute, the President is two levels of [removal limitations] away from Board members. . . . This structure effectively eliminates any Presidential power to control the [Board], notwithstanding that the Board performs numerous regulatory and law-enforcement functions at the core of executive power.

Judge Kavanaugh's logic was inescapable: The President cannot do his job if he cannot control his subordinates, and he cannot control his subordinates if he cannot remove them from office. The structure of the Public Company Accounting Oversight Board made it immune from Presidential control and, thus, immune from political accountability. Here, you had an agency exercising executive power with no oversight from the Chief Executive himself. This is contrary to the separation of powers, which vests executive authority in the President precisely because the President is a politically accountable actor.

As Justice Jackson memorably taught, the power to enforce the law is among the most awesome of powers granted to government. By cutting off the exercise of executive power from Presidential oversight, the Board's structure violated the Constitution.

Although Judge Kavanaugh's position was the minority view among his DC Circuit colleagues, his position ultimately prevailed at the Supreme Court. It was a significant victory for a young judge and a sign of things to come.

Over the next decade, Judge Kavanaugh continued to uphold the separation of powers in a range of cases that called on him to interpret the scope of agency authority. He brought a discerning eye to these cases, always careful to ensure that agencies did not act beyond the powers Congress had granted them.

In Loving v. Internal Revenue Service, for example, he rejected an effort by the IRS to stretch the words of a statute authorizing the IRS to regulate the practice of ''representatives of persons before the Department of the Treasury'' to include the authority to regulate tax preparers.

Similarly, in White Stallion Energy Center v. EPA, Judge Kavanaugh concluded that the EPA contravened the Clean Air Act when it refused to consider costs in setting air quality regulations. This was yet another case in which Judge Kavanaugh's position ultimately prevailed at the Supreme Court itself.

Of course, Judge Kavanaugh's searching review doesn't mean that agencies always lose. In American Trucking Association v. EPA, for instance, he upheld the EPA decision to authorize a State emissions rule over a vigorous dissent because he concluded the Agency had met the statutory requirements in rendering its decision.

The key is that Judge Kavanaugh reviews agency action carefully to ensure that it conforms to Congress's commands. This is an essential aspect of the separation of powers. Congress determines the limits of agency authority. Congress sets the rules for when agencies may and may not act and for what they may and may not do. That is the very essence of legislative power—the power to set the rules that others must follow.

When agencies transgress the bounds Congress has laid down, they exercise power that no one has granted them, power that Congress alone can give.

Judge Kavanaugh returned to the theme of agency accountability and the separation of powers in another powerful dissent earlier this year. The case is PHH Corporation v. CFPB, and it is another tour de force for Judge Kavanaugh.

At issue in the case is the structure of the Consumer Financial Protection

Bureau, or CFPB. The CFPB is an incredibly powerful agency with vast authority over American life. Its jurisdiction includes banks, credit unions, securities firms, payday lenders, mortgage servicers, and an array of other financial services companies.

When Congress created the CFPB in the 2010 Dodd-Frank Act, it placed strict limits on the President's ability to remove the agency's head. Specifically, Congress provided that the President may remove the CFPB Director only for ''inefficiency, neglect of duty, or malfeasance.''

You may recall that language from my discussion of the Free Enterprise Fund case. It is the same restriction that Congress placed on the President's ability to remove SEC Commissioners, but there is a significant difference between the SEC and the CFPB.

The SEC is a multimember body. It cannot act without the agreement of a majority of Commissioners. The CFPB, by contrast, is a unitary body. It has a single Director. The only person the CFPB Director has to agree with is himself. Coupled with the fact that the CFPB is an incredibly powerful agency whose funding isn't even directly controlled by Congress, this raises serious separation of powers concerns.

An agency head who can do virtually whatever he wants without fear of Presidential reprimand, and who can do it on his own without having to get the consent of fellow Commissioners, is accountable to no one. The President cannot check him. His colleagues cannot check him. In a very real sense, he is a law unto himself.

Judge Kavanaugh's dissent confronts this problem head-on in its very opening lines:

> This is a case about executive power and individual liberty. To prevent tyranny and protect individual liberty, the Framers of the Constitution separated the legislative, executive, and judicial powers of the new national government. To further safeguard liberty, the Framers insisted upon accountability for the exercise of executive power. The Framers lodged full responsibility for the executive power in a President of the United States who is elected by and accountable to the people.

Judge Kavanaugh then eloquently explains how the CFPB's structure and limits on Presidential oversight violates these core principles. He said:

> The Director of the CFPB wields enormous power over American businesses, American consumers, and the overall U.S. economy. . . . The Director alone may decide what rules to issue. The Director alone may decide how to enforce, when to enforce, and against whom to enforce the law. The Director alone may decide whether an individual or entity has violated the law. The Director alone may decide what sanctions and penalties to impose on violators of the law. Because the CFPB is an independent agency headed by a single Director and not by a multi-member commission, the Director of the CFPB possesses more unilateral authority—that is, authority to take action on one's own, subject to no check—than any single commissioner or board member in any other independent agency in the U.S. Government.

And then Judge Kavanaugh drops the hammer. He said:

> [O]ther than the President, the Director enjoys more unilateral authority than any other official in any of the three branches of the U.S. Government. That combination—power that is massive in scope, concentrated in a single person, and unaccountable to the President—triggers the important constitutional question at issue in this case.

Judge Kavanaugh eloquently explains how the CFPB's structure, coupled with the agency's complete lack of accountability, poses a threat to individual liberty. The CFPB wields enormous power and yet is accountable to no one—not the President, not the Congress, not the American people.

The central purpose of the separation of powers is to prevent any one individual group from wielding too much power. It does this by dispersing authority and by playing the branches off of each other. But the CFPB's structure does not disperse power. It consolidates power, and it does so in a single individual who has no superior. This is a textbook violation of the separation of powers and one that I fully expect the Supreme Court to correct if it hears this particular case.

I have spoken at length today about Judge Kavanaugh's writing and jurisprudence. I focused on actual cases that he has decided and on his important contributions to constitutional law.

In short, I have done what Judge Kavanaugh asked me to do. I have reviewed his opinions and considered his analyses. I have done what all of my colleagues should be doing. We should be reading what Judge Kavanaugh has actually written. We should be looking at his judicial philosophy and how he decides cases.

Judge Kavanaugh is an outstanding choice for the Supreme Court. His opinions are cogent, his writing eloquent, and his reasoning ironclad. He understands that the purpose of the Constitution is to preserve liberty and that the Constitution does so both through the substantive guarantees in the Bill of Rights and reconstruction amendments, and through the structural protections in articles I, II, and III of the Constitution.

Congress may from time to time experiment with new ways of delegating authority or structuring agencies, but it cannot do so in ways that violate our Constitution's separation of powers. Individuals who exercise Executive power must be accountable to the President. Agency officials cannot be fully insulated from Presidential oversight. A person who has power to regulate broad swaths of our Nation's economy must have some checks on his or her authority. This is a requirement for our system of government. It is a requirement of our Constitution, and it is essential to the preservation of liberty.

Judge Kavanaugh understands this. He understands the Constitution. He understands the proper role of a judge. He is one of the most brilliant and most distinguished legal thinkers in our country today. I am proud to support his nomination to the U.S. Supreme Court, and I urge all of my colleagues to support him as well.

We have to get away from the politics of the Supreme Court. When we have someone who has the qualities, the ability, the reputation, and the historicity of doing what is right on the bench, we should give that person an opportunity to serve.

Judge Kavanaugh deserves an opportunity to serve. He has more than adequately proved that he deserves it. We are going to be lucky to have him on the U.S. Supreme Court.

I am not sure that he is always going to rule the way I want him to rule, either, but nobody does, and from time to time, we may be disappointed. But the fact is that I know one thing: He is going to apply the best of legal knowledge to the opinions that he writes, and he will be a force on the Court who will get along with the other Justices by showing mutual respect for them and receiving mutual respect back from them.

Judge Kavanaugh is the type of guy who really will make a tremendous difference for our country. He deserves this appointment. We need to sustain him and support him, and we need to get the politics out of this nomination.

We are lucky that he is willing to serve. I believe that almost everyone in this body will henceforth, once he is confirmed, come to the conclusion that we are really lucky to have him as a Justice on the U.S. Supreme Court.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

PENSIONS AND THE CFPB

Mr. BROWN. Mr. President, I will start by thanking Senator HATCH. He and I are cochairs of the Pensions Committee. We had a commitment, and we had a good meeting in his office last week. We had a good discussion and hearing in our joint committee; we have four Republicans and four Democrats from each House solving what looks to some to be an intractable pension problem.

But if you are one of 16,000 Ohio Teamsters, mine workers, iron workers, carpenters, bakers, and others, it is your life because you put—what this town doesn't always understand on collective bargaining is you give up money today at the bargaining table so you will have a pension later in life; you will have economic security.

In part because of Wall Street shenanigans and other things, these pensions are in jeopardy. They could face up to 60 percent in pension cuts. We also know that a whole lot of businesses, at least 210 in my State alone, could face layoffs or, worse, bankruptcy. Many of them are family-owned transportation and manufacturing and construction companies. They could face very, very dire economic times if Congress doesn't fix that, let alone what is going to happen to the Pension Benefit Guaranty Corporation. I thank Senator HATCH for that.

Mr. President, I am a little curious, though, when I hear him and others talk about the Consumer Financial Protection Bureau as if it is this awful, out-of-control Federal agency. What bothers my colleagues about the CFPB is that it is the only agency in government that is willing to stand up against the Wall Street interests. We see the Office of the Comptroller of the Currency, and we know how close he is to Wall Street—the Comptroller. We see the FDIC and we see the Federal Reserve and we see these nominees who come out of a White House that looks like it is a retreat for Wall Street executives, and they are on one side protecting Wall Street and doing Wall Street's bidding.

We have one agency, just one agency, which my conservative, pro-Wall Street, pro-corporate colleagues complain about every day, every week, every month—an agency that has saved 29 million American consumers $12 million. How do you think—and they want to rein in that agency, saying the agency just has too much power over people's lives. It is actually protecting—my friend, the Senator from Massachusetts, who is also in the hall, talks about their being a cop on the beat. They are protecting consumers while Wall Street is doing whatever Wall Street does to them. I will just leave it at that.

A FREE PRESS

Mr. BROWN. Mr. President, a free, independent press is vital to our democracy. It is enshrined in our Constitution. We need tenacious, dedicated journalists, who will afflict the comfortable and comfort the afflicted, to ask tough questions, to challenge special interests, to connect Americans with their communities. That is why I joined my colleagues this week on a resolution condemning this administration's awful, vicious, demagogic attacks on reporters—including the decision last week to bar a reporter from attending a White House event just because the White House didn't like the questions she asked—with the repeated labeling of the free press as ''enemies of the people.''

Watch the video from last night. Watch the video in Florida from last night where the President egged on, egged on, and egged on his supporters to start screaming at newspaper reporters and other reporters—people who are doing their jobs.

In spite of this President using Stalinist language—I am just reading a book right now written by a Stalinist translator, and this book talks about a lot of the language Stalin used. He called people ''enemies of the people.'' That is Communist talk. That is Stalinist talk. Yet this President calls reporters who get up every day and do their jobs—most of them not paid very well, frankly—the enemy of the people. They do vital work not just in Washington but throughout the country.

I would like to take a moment to highlight one of them. I am going to come to this floor every so often in the weeks and months ahead, and I am going to talk about a local reporter—a reporter who gets up every day, who probably doesn't make more than $20,000 or $30,000 a year. In many cases it is a little more than that, but reporters are generally not particularly well-paid people. I want to talk about the important work that local Ohio journalists do. Some of them I have met; others I haven't met but I have observed, because I know how important they are to their communities. I will start doing this on a regular basis because in this town today, with this administration, with this President of the United States—I still can't believe a President of the United States engages in talk like Stalin—the Soviet Stalin—calling American citizens who get up every day and do their job and do their job to the best of their ability ''enemies of the people,'' and he tries to get the crowds he speaks to, the people he addresses, to chime in and call them ''enemies of the people'' and start calling those reporters names.

I want this floor message that I am going to do from time to time to be a constant reminder of how reporters contribute to their communities.

Last week, the Daily Jeffersonian in eastern Ohio ran a story on the upcoming Firemen's Festival in Caldwell, OH, a town in Appalachia, reported by a local reporter named Austin Erickson. It is the local fire department's biggest fundraiser of the year. They rely on the proceeds in part because of the corruption in State government where State government doesn't fund local communities like they used to for a whole bunch of reasons, but this fire department relies on the proceeds of the Fireman's Festival to fund daily maintenance, testing, and safety gear of their firefighters.

Mr. Erickson talked to the festival's chairman, who pointed to the fire department and told the reporter: ''If it's in those four walls, it's from that festival.'' In other words, if it weren't for this festival, we wouldn't have the fire equipment we need.

Through its work, the Daily Jeffersonian and local reporters like Mr. Erickson are informing their communities about ways to support local firefighters and responders who keep them safe. If people like Mr. Erickson of the Daily Jeffersonian in Cambridge, OH, were not writing these stories, were not reporting on the Fireman's Festival, not as many people would go or understand it. They spend their hard-earned money there. It helps their local communities. It helps their fire department.

Enemies of the People? If the President would listen and see what these reporters do every day, maybe he would stop the demagoguery. Maybe he would stop calling people names. Maybe he would stop calling his own Attorney General names. Maybe he would stand up to Putin who clearly—that is a whole other story. I won't get into that.

Let's go back to these local reporters and what journalists do every day and what Mr. Erickson does. It is what newspapers all over Ohio—from my hometown paper, the Mansfield News Journal, the paper where my wife used to work, the Cleveland Plain Dealer, the Columbus Dispatch, the Cincinnati Enquirer, a smaller paper, the News-Herald, the Lorain Journal—I could go on and on and on, paper after paper after paper.

Journalists wake up every day and do their jobs. They serve their communities, and they serve their country. They are not enemies of the people. I just pray to God that the President of the United States will stop that kind of talk.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. BROWN. Mr. President, today we came together to pass important bipartisan legislation to strengthen our national security and invest in American jobs.

Many of my colleagues of both parties have helped get the National Defense Authorization Act over the finish line. I particularly want to thank my colleague Senator PORTMAN from my State, who worked with our office to secure important Ohio priorities, and Senator INHOFE and my friend JACK REED, who served so well on the Banking Committee in addition to the work he has done on unemployment insurance and on military issues, and Senator CRAPO, my colleague from Idaho, as we worked on securing and fortifying our national interests when it comes to foreign investments. All of these colleagues of mine worked with the conference committee to get our agencies new tools to screen Chinese and other foreign investments for national security threats.

This bill would not have been possible without the leadership of one Senator in particular; that is, the senior Senator from Arizona. Senator MCCAIN's leadership on this legislation and throughout his career is why this Congress honored him through the naming of this bill—the John McCain National Defense Authorization Act. That is a rare honor. Congress rarely honors its own. We all know we all have feet of clay and don't put our friends here up on a pedestal, but for a few lions in the Senate, including Sam Nunn, John Warner, Ike Skelton, Carl Levin, and now JOHN MCCAIN, we have done that.

It honors his commitment to our national security through the John S. McCain Strategic Defense Fellows Program—fitting tributes to the service and sacrifice of a man like JOHN MCCAIN. We know his story—how a young Navy pilot was captured behind enemy lines, yet he never wavered in his commitment to his fellow POWs in Vietnam.

I have had my disagreements with him. We all have. But we have always respected each other. He has been a leader whom almost all of us from both parties have relied on for guidance, including national security issues and on issues when, in my first year in the Senate, I worked with Senator MCCAIN on keeping down the costs of prescription drugs.

He has been a critical fighter for sanctions to hold our adversaries accountable. Last year, we worked together, along with Senators CRAPO, SCHUMER, GRAHAM, RUBIO, CORKER, and CARDIN, to pass tough, new sanctions on Russia, Iran, and North Korea.

He has always been clear that we don't only honor the rule of law or refrain from torture when it is easy or convenient. He authored a 2015 amendment to prohibit the use of torture as an interrogation method.

He has been forceful in defending our allies against Russian aggression in Crimea and Georgia and Montenegro. After the Helsinki summit, Senator MCCAIN—one of the few Republicans in this body who is willing to call the President out when he does something, especially on foreign soil, to attack the United States of America—spoke out forcefully against the President cozying up to Putin and his attacks on journalists.

He said: ''The President [of the United States, Donald Trump,] made a conscious choice to defend a tyrant against the fair questions of a free press, and to grant Putin an uncontested platform to spew propaganda and lies to the world.''

He said: ''All that makes us who we are—a republic of free people dedicated to the cause of liberty at home and abroad.''

Those words stood out because so few Republicans were willing to utter them.

Throughout his life and career, he has lived the motto of ''country first.'' I thank my colleague from Arizona for his work on the National Defense Authorization Act this year. I look forward to continuing our work together to protect our national security and together to serve the people of this great country.

The PRESIDING OFFICER. The Senator from Massachusetts.

NOMINATION OF BRETT KAVANAUGH

Ms. WARREN. Mr. President, every day I meet all sorts of people—small business owners, working moms, students, seniors, and servicemembers—and they are concerned about all sorts of things: the growing cost of healthcare, the cost of child care, the cost of college, the cost of student loan debt, stagnant wages, fixing our broken criminal justice system, gun violence in schools—you name it.

But in the thousands of conversations I have had, I haven't met a single person who has said they are concerned that Washington doesn't work well enough for big businesses. If you ask any of them, they will tell you that, when it comes to the wealthy and the powerful, Washington works just like a dream, but for everyone else, Washington just isn't working.

That is not a coincidence. Powerful interests have been working for years to capture every single branch of government to tilt the scales in their favor and against everyone else.

Our courts are no exception in this. Powerful interests have worked for years, pouring incredible amounts of money into capturing our courts. It has been a real one-two punch.

The first punch has been working with Republicans to stop fair-minded, impartial judges from sitting on the Federal bench, slowing down or stopping those nominations, holding open a Supreme Court seat, and keeping fair people off the bench whenever possible.

Then came the second punch. Whenever they get the chance, it is stacking our courts with judges dedicated to a vision of the law where the wealthy and well-connected get to call the shots—people who are willing to leave behind women, workers, people of color, LGBTQ individuals, students, families, and everyone else who doesn't have money or power.

Donald Trump's decision to nominate Brett Kavanaugh to the Supreme Court is just the latest example of this. Minutes after Donald Trump announced Kavanaugh's nomination, the White House blasted out a document. To whom? To business lobbyists around Washington touting Judge Kavanaugh's rulings in favor of corporate interests and against the interests of everyone else. They are not even hiding it anymore.

Think about that. The first move by the White House is not a memo to the American people talking about the nominee's independence or talking about his commitment to justice for everyone but a memo to business lobbyists highlighting Judge Kavanaugh's loyalty to big business. That is a key part of Donald Trump's public case for Judge Kavanaugh—the promise that Judge Kavanaugh will tilt the playing field even further in favor of corporations and against working people.

Take a look at cases the White House included in its sales pitch to corporate lobbyists. In one recent case, Judge Kavanaugh ruled that the Consumer Financial Protection Bureau was unconstitutional, calling independent agencies like the consumer bureau ''a significant threat to individual liberty.'' Really? That is the consumer agency that a bipartisan group of 60 Senators and 237 Representatives created after the most devastating financial crisis in generations. It is the agency that is a tough watchdog for American families, the agency that in just 7 years has returned $12 billion directly to people who were cheated by big banks, credit card companies, and student loan servicers. But I guess all Judge Kavanaugh saw was a threat to the individual liberty of companies that were looking to cheat people.

Judge Kavanaugh's ruling was so out of the mainstream that the rest of his colleagues on the court promptly reversed his decision by an overwhelming vote. But if Judge Kavanaugh becomes Justice Kavanaugh, he could provide the decisive vote on the Supreme Court to strike down the CFPB and leave consumers at the mercy of predatory lenders again.

That wasn't the only time that Judge Kavanaugh ruled against consumers and in favor of the giant corporations that squashed them. Last year, he issued an opinion that would have set aside a lower court ruling and allowed a merger of two giant health insurance companies to move forward, despite evidence that the merger could hurt consumers in 14 States. Luckily, once again, Judge Kavanaugh's colleagues disagreed, and they criticized him for applying the law as he wished it were, not as it currently is. Again, Judge Kavanaugh found a way to rule in favor of corporate interests, no matter what the law said.

Judge Kavanaugh has also ruled time and again to reverse rules designed to address climate change and to protect the air we breathe. In three separate cases, the Trump administration highlighted for corporate lobbyists that Judge Kavanaugh argued that the Environmental Protection Agency had acted illegally in taking action to protect the environment and to protect public health. In each case, the EPA had spent years carefully considering the input of scientists, experts, and the industry, but in each case, Judge Kavanaugh found that wasn't enough. He put maximizing polluter profits ahead of protecting working families and the well-being of our planet.

The Trump White House and the Republican Congress have gone to bat for corporate interests time and again. They have showered them with $1.5 trillion in tax giveaways, rolling back the rules on some of the country's biggest banks, and reversing rules to protect workers and consumers from corporate abuse.

But there may not be a single body in Washington that has delivered more victories for giant companies in the last 2 years—and more losses for everyone else—than the Supreme Court of the United States. In case after case, by 5-to-4 decisions, this Court has limited the rights of working people and expanded the ability of giant corporations to do pretty much whatever they please. It is no wonder that working families are working longer and harder, only to get squeezed between flat wages and rising costs.

Judge Kavanaugh would tip the balance of the Court even further in favor of those corporations and special interests. For the next 30 or 40 years, he would be a reliable vote in favor of whatever giant companies and their armies of lobbyists decide that they

want, whatever special favors they can't secure in Congress and can get only through the courts. The world's largest companies already throw their money around this place with reckless abandon and try to buy the outcomes they want. They don't need any more help on the Supreme Court. It is time for Washington to start working for the people again, and that starts with defeating Judge Kavanaugh's nomination.

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

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

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, I have come back again for the past several weeks and for every week I have to draw attention to what I think is a great injustice; that is, about this man, Andrew Brunson. Pastor Brunson has been in prison in Turkey since October of 2016. He has actually lived in Turkey for more than 20 years. He is a Presbyterian minister who is associated with the same church as the Reverend Billy Graham, in Western North Carolina.

He has been in Turkey doing missionary work and connecting with the Turkish people. He is not forcing the Word on anybody. He is simply sharing it with those who want to hear it. He has a small church in Izmir that only seats about 100 people. That started long after he started his mission.

He was living peacefully with his wife, Noreen, until October of 2016. That was shortly after the coup attempt—an illegal coup attempt—where anybody who was actually responsible for it should be in prison. It is not the appropriate way to change a regime in the United States or Turkey or in any other Western nation. After the coup attempt, President Erdogan of Turkey decided to implement emergency powers, which gives him the power to put anyone in prison. In fact, he put tens of thousands of people in prison—people in the military, people in the press, missionaries, NASA scientists—a number of people that I believe are illegally in prison, just like Pastor Brunson.

When this was brought to my attention about a year and a half ago, we treated it like casework. We were doing everything we could to get this North Carolinian, this U.S. citizen, released. After attempting to go through the diplomatic channels and recognizing that we were not making progress, we decided that we had to take other action.

This is actually a point where I would like to thank Senator INHOFE, who is now acting on Senator MCCAIN's behalf as the chair of the Senate Armed Services Committee. With the help of a number of Senators in this body and with the concurrence of the House, we have provisions in the National Defense Authorization Act that are trying to put Turkey on notice—in as respectful a way as possible, as a NATO ally—that Pastor Brunson should be released.

Pastor Brunson was arrested 663 days ago. Up until last week, he was in prison the entire time. As a matter of fact, for about 17 months, he was in a prison cell that was designed for 8 people that had 21 people in it. Then, he was moved to a prison cell that he shared with one other person and had no access to any outdoors—none of the standards you would have for our prisons for the worst of the worse. He had been incarcerated and had very limited contact. His wife remained in Turkey because she was afraid if she left, they wouldn't let her back. His kids haven't seen him for 2 years because they were afraid if they went to Turkey, the Turkish Government wouldn't let them leave.

Through a lot of efforts of President Trump, Vice President PENCE, Ambassador Brownback, Senator SHAHEEN from New Hampshire, and a number of other Members—as a matter of fact, 72 Members of this body signed on to a letter that we sent to Turkey to express our concerns—we were at least able to get him into house arrest. Last week, he was released back in Izmir but limited to staying in the apartment he shares with his wife, Noreen.

That is a great step forward, but it is still an injustice. It is a better setting. The fact of the matter is, he is still incarcerated. He is incarcerated on some of the most absurd charges, and I firmly believe there is no first-year law student who couldn't derive a legal basis for saying that this person would not stay overnight in a U.S. jail. Yet he has been incarcerated for 663 days.

We are working very closely with the administration to try and take this positive step—his placement under house arrest—and to get him out of the country. I made a promise to Andrew Brunson. I visited him twice earlier this year, once in prison to let him know that he had people in Congress who cared about him and were going to share his story and make sure we didn't forget until he was released. Then, a little over a month later, I went back and spent 12 hours in a Turkish courtroom hearing the absurd charges levied against him. I am not going to get into the details now, but I will tell you that the indictment read like a fantasy. It is one that makes me so frustrated to think that this man could be kept in prison for 663 days.

I want to end my comments on a slightly more positive note. I want to thank the officials in Turkey who at least took the positive step to put him under house arrest. I spoke with him on Thursday afternoon. It was a very, very different experience. He had hope. He was able to spend time with his wife.

I was thrilled to see that because, frankly, after my time with him in the prison earlier this year, I was worried about him. He had lost 50 pounds. He was under great stress, as anybody would be if they were in a U.S. prison, let alone a Turkish prison. I want to thank the Turkish government for taking positive steps. It is one step in a journey that needs to get Pastor Brunson home.

Also, I want Turkey to realize that we know they are a NATO ally. We know that when you join NATO, we have an article 5 commitment. What article 5 means is that if any aggressor attacks you on your soil, the members of NATO are committed to sending their sons and daughters to defend your freedom. We are in agreement with Turkey right now that, if they were to be attacked by an aggressor, we absolutely would answer the call and go to Turkey to protect their homeland and protect their people.

All I am asking Turkey to do is, in the spirit of that agreement that we have had with Turkey since 1952, is to protect Andrew Brunson, to send Andrew Brunson home, and to get back and honor the tenets of the NATO alliance, the agreement we have with the family of nations in NATO. It starts first by respecting the individual liberties that each and every citizen in Turkey should have and each and every citizen in the United States enjoys.

I hope this is the last week you have to hear my speech. I hope that next week the speech is thanking Turkey for sending Pastor Brunson home. Make no mistake about it. For as long as Andrew Brunson is in prison, and as long as other people like a NASA scientist, like a DEA officer, like some of the Turkish Embassy staff who are Turkish citizens are in prison, we will continue to be a voice for people in Turkey who I think are illegally imprisoned.

Mr. President, thank you for the opportunity to speak on this today.

To the American people, I hope when you say your prayers tonight, you say one for Pastor Brunson.

The PRESIDING OFFICER (Mr. LEE). The Senator from Illinois.

Mr. DURBIN. Mr. President, first, let me join my colleague from North Carolina in his request for humanitarian care and the release of Pastor Brunson. It is something we share on a bipartisan basis. I thank him for calling that to the attention of the Senate and to those who are following our proceedings.

IMMIGRATION

Mr. DURBIN. Mr. President, we know that President Trump during the course of his campaign made immigration a major issue. Almost from the beginning, he made it clear that he would take a different approach to immigration than previous Presidents of either

political party. We can remember when he referred to those coming to the United States from Mexico as murderers and rapists. We can remember when he called for the construction of a 2,000-mile wall between the United States and Mexico, and quickly added: And Mexico will pay for it.

We can remember all of the statements that were made during the course of the campaign about immigration and terrorism. We knew we were in for a change in policy with this administration. Some of the things that have occurred have been stunning, and some of them have been horrible. One of those things was the subject of a hearing this week in the Senate Judiciary Committee, which I serve on. It was about the zero tolerance policy. Some may remember that last year President Trump decided to eliminate and abolish the DACA Program. That was a program for those young people brought to the United States as children—infants, toddlers, and children—who grew up in the United States and believed they were part of this country and future. They learned, probably about the time they became teenagers, that this wasn't true. They didn't have legal status. They weren't documented in the United States.

They have lived their whole lives here. They have gone through our schools, and some of them have been amazing students. They had planned to go on with their education and their lives, and they learned they had an obstacle in their path.

President Obama created an opportunity for them to continue to live in the United States without fear of deportation and to be able to work here. So 790,000 of them stepped up and paid a $500 filing fee, went through a criminal background check, and were given, on a temporary renewable basis, this protection under President Obama's Executive action.

President Trump eliminated that order. In doing so, he eliminated the protection they had to stay here. Their fate and their future were in doubt because of the President's unilateral action. He challenged Congress to pass a law to save them.

We tried. At the last minute, a bipartisan bill, agreed to here in the Senate by a majority of the Members, was rejected by President Trump. It also included massive construction of his wall, but he rejected it nevertheless.

Today, the only thing protecting those young people—the 790,000—are court orders, which can change any day or any week. The President's effort on immigration and children didn't end with his elimination of the DACA Program. Just a few months ago, they announced something called zero tolerance. Here is how it would work. At our border, any person who presented themselves between ports of entry and wasn't a legal resident of the United States could be arrested and charged with a misdemeanor—a criminal misdemeanor—of trying to come into this country without legal documentation.

People can come in without legal documentation between ports of entry and claim asylum and refugee status, but no distinctions were made. If a person presented themselves and didn't have legal status, they face this misdemeanor criminal charge.

What flowed from that has created a humanitarian disaster. Because of that charge, the Trump administration then ordered the agencies to forcibly remove all the children who were with their parents who came to the border. That meant that almost 3,000 children were forcibly removed from their parents at the border under the zero tolerance policy.

That was the law of the land for some period of time, or at least that was the President's order for some period of time, until public reaction from both Republicans and Democrats was so strong that on June 20, President Trump did something very rare in his administration. He almost admitted he made a mistake. He decided to eliminate the family separation policy.

The elimination of that policy did not solve the problem for 2,700 children who were in the custody of the U.S. Government. These are children under the age of 18 who were basically spread across the United States, and are being held by government agencies and government contractor facilities.

The case went before a judge in the Southern District of California, Judge Sabraw, as to what to do with these children. A number of organizations, like the ACLU, came forward and said: These children should be reunited with their parents. Our government separated them. They should be reunited.

He set a time table and schedule for that to occur. A lot was done, but not nearly enough. We had a hearing this week in the Senate Judiciary Committee, which went on for several hours with representatives from five different agencies of the Trump administration trying to explain how we created this policy and what we have done ever since to reunify these parents with their children.

All of us know it is not healthy to take kids away from their parents. The pediatric physicians in America—the American Academy of Pediatrics—came forward and called it institutional child abuse. If that sounds like an exaggeration, imagine if it were your child who was being taken away by our government, or your grandchild, for that matter. I know how I would feel as a parent and a grandparent, and I am sure most people realize it would be a traumatic experience for any parent—or for grandparent, for that matter—to go through. Then, from the side of the children, we know that kind of separation can cause real psychological problems for these kids.

I met some of these kids—they were 5 and 6 years old—in Chicago. They had been transported 2,000 miles from the border to Chicago and were being held by our government in a contractual facility—5 and 6 years old. These little kids couldn't figure out what had happened to them in their lives.

I will never forget the scene of being in a room with 10 of them and watching 2 little girls walk into the room who were hanging on to one another for dear life. I thought they were twins. They weren't. They weren't even sisters. One of them said: ''No, amigas.'' They had really latched on to one another because they were so uncertain about where they were and what their future would be. Doctors tell us that isn't healthy for children. Yet it continues for too many of these kids.

At the hearing we held, we talked about how many kids are still out there who haven't been reunited, who have been separated from their parents by our government agencies under this Trump zero tolerance policy. The numbers change almost by the day, but they estimate that over 700 children are currently separated, and in over 400 of those cases, their parents have been deported. So the parents come to the border, the kids are taken away, the parents are invited to leave the country, and the kids remain. Where are the parents? No record was kept as to where they were going. How will we reunite these kids with their parents? No one really knows. It was clear at this hearing that nobody had even thought in advance about what that meant.

When you listened to the testimony of the sworn government witnesses there, it was clear that no one from day one even envisioned what this policy was going to do. One of the people who testified before us—a man whose degree and expertise are in public health—said that he warned this administration. He told them that this was not a healthy thing to do to children, to separate them and put them in some institutional setting. Yet they went forward with this plan, and not a single one of them could point to any effort made to keep track of the kids and the parents so that someday they could be reunited.

In fact, what we found was that the head of the Department of Homeland Security, Secretary Kirstjen Nielsen, on June 17, sent out the following tweet. It said: ''We do not have a policy of separating families at the border. Period.'' The sworn testimony this week tells us that is not true, and it wasn't true from the beginning of the zero tolerance policy. There was a policy of separating children from parents. What this member of the Trump Cabinet said was just wrong, just plain wrong.

Listen to what the Department of Health and Human Services and the Department of Homeland Security said on June 23. In a fact sheet that they sent out across the country, they said: ''The United States Government knows the location of all children in its custody and is working to reunite them with their families.'' Here we are, 6 weeks later, and they have fallen 700 children short of what they claim they already knew back in June.

These were two falsehoods that were promulgated on the American people to try to get them to believe this wasn't a serious problem. Well, we know better, because this Federal judge got serious about it, and he said: I am going to set a deadline for you to put these kids back with their families. Our government failed to meet the deadline.

Now read what this Federal judge had to say about it. This judge, incidentally, was appointed by a Republican President, lest you think this is some Democrat who is trying to make political hay. Here is what Judge Sabraw said: ''The practice of separating these families was implemented without any effective system or procedure for tracking the children after they were separated from their parents, enabling communication between the parents and their children after separation, and reuniting the parents and children.'' That is what the Federal judge said about the zero tolerance policy.

I can't remember a more heartbreaking and embarrassing chapter in American Government history in recent years—to think that our government set out with a policy to separate these kids from their parents, forcibly removing them and separating them without any plans to reunite them.

They argued afterward: We can't send these kids back to parents who might be dangerous.

No one argues with that.

We can't send them back to smugglers who are pretending to be parents.

Well, we can't argue with that either. But the United States accepted responsibility when we took custody of those children. We became what they call in law in loco parentis. In other words, we accepted a parental responsibility for these children. We have not met that responsibility.

I asked at some point, who is going to accept responsibility for this humanitarian disaster in this Trump administration? Absolutely no one has. I believe Secretary Nielsen should. I believe she should step down because this policy—this disastrous policy—has given a black eye to the United States.

What we have seen happen here is not consistent with our values as a nation. It is not consistent with the kind of treatment we have given to those who have come to our border over the years. Think about the refugees who presented themselves to become part of the United States and our history.

Think about the thousands of Cubans who came to this country saying: We want to escape communism. We want to come to the United States. Think about what a valuable contribution they have made. Did we punish them when they came into the United States? We accepted them. Have Cuban Americans been an important part of our country? Ask three U.S. Senators who are Cuban Americans. The answer is in the affirmative.

Think about the Soviet Jews, those of the Jewish religion who were living in the Soviet Union and facing all sorts of prejudice and discrimination. They asked for an opportunity to come to the United States, and we opened our arms.

Think about the Vietnamese who worked with us during the war trying to protect our soldiers, trying to be a part of the solution to their problems, risking their own lives in the process. We welcomed them to the United States too.

Time and again, this country has opened its arms to refugees who needed a helping hand and a place of safety. We did not put them in internment camps. We didn't take their children away to punish them. We said: We will hear you out, and if you have a legitimate claim, a fear of where you live, we will stand by you.

We know what is happening in Central America—in Honduras, El Salvador, and Guatemala. At this point, there are higher rates of murder, domestic violence, and rape than almost anywhere in our hemisphere, and these people are bringing their kids here for their safety.

I met in Chicago with one of the immigration lawyers who represent some of these immigrants, and she said to me: ''Senator, they believe their children will die if they leave them in these countries. They are willing to put their entire life savings on the line to get them to our border in the hope that they can be treated as refugees or people seeking asylum, and they are going to keep coming because the alternative is to accept rape and murder on their children.''

Think about if that were your choice in life, what you would do. Would you do everything in your power to protect these children? Well, they have done it, and they have come to the border, and we answered them by separating them from their children and deporting many of them back to these dangerous countries. This isn't consistent with what America is all about.

We should stand together, both political parties, and not only condemn zero tolerance but make a solemn commitment to return these children to their parents. These lost children sadly reflect on our Nation, and we need these children to be with their parents as quickly as possible. That needs to be our highest priority.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. GRAHAM. Mr. President, today the Senate voted 87 to 10 to pass the National Defense Authorization Act named for JOHN S. MCCAIN, Senator MCCAIN.

I want to do two things. I want to tell you a little bit about what is in the bill and a little bit about JOHN S. MCCAIN.

This increases the size of our military by 24,000, which is desperately needed. Too few have done too much for too long. Having a larger military means people can stay with their families longer and takes a lot of pressure off those who are serving. And we need more troops, given the threats we have.

The equipment they are going to be receiving is the most modern that we have available. We are buying 77 F–35s, which will make enemies of our Nation think twice. We are improving the F–18, which has been a great airplane.

The bottom line is that we are helping the Ukraine, which is standing up to the Russians.

There is so much in this bill to relieve the pain and suffering from the defense cuts of the last 6 or 7 years. This begins to restore a hollowed-out military and improve their equipment, gives them more training, more time at home, and the largest pay increasing in 9 years—2.6 percent is the largest pay increase in about 9 years, and God knows they deserve it.

There are a lot of good things in this bill to make our military stronger. There are reforms in this bill to make the Pentagon act more efficiently.

In terms of Senator MCCAIN, when you mention JOHN MCCAIN, most people think American hero. They are right to do so. He suffered for his country in a way that few have. He was in prison for over 5½ years. He came back home with honor and dignity, like every other POW he served with. He had a chance to leave early because his father was a four-star admiral, and he said: ''I will wait my turn.''

Since then, he has been a force of nature as a Senator. He has taken on the Pentagon to make it more efficient. He has never lost sight that his primary obligation as a Senator is to defend the Nation. The men and women in uniform have never had a better friend than Senator MCCAIN. The Pentagon has never had a more worthy adversary than JOHN MCCAIN. Reform and commitment to those who serve go hand in hand.

From a personal point of view, I want to thank all of my colleagues for bestowing this honor on Senator MCCAIN. He is in a tough fight. Never count JOHN MCCAIN out.

I have had the pleasure of traveling the globe with this man, hours and hours on airplanes going to some of the most difficult places in the world to carry the message of what America is all about. I have never known anybody in my life—and very few in the history of this country could explain to others what America is all about. JOHN MCCAIN has been in love with this country since he was 17 years old and he went off to Annapolis. He has been willing to die and suffer for his country, like many others. But when it comes to explaining America, I have never known anyone as articulate and as sincere as JOHN MCCAIN.

JOHN, I hope you understand that the reason we named this bill after you is that we all love you. I hope you understand that this bill, my friend, repairs

a lot of the damage you have been talking about for the last 6 or 7 years.

This is the best way I know to honor JOHN MCCAIN—to take care of those who are fighting and dying for this country and pushing the Pentagon to be more efficient. That is the best honor one could bestow on Senator MCCAIN.

I hope and pray that he comes back to this body, but I want him to know that even though he is physically not here, his presence is alive and well in the Senate.

I yield.

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

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

TRIBUTE TO PATRICK RENZI AND SCOTT SANBORN

Mr. MCCONNELL. Mr. President, before we wrap up, I would be remiss if I let the day pass without calling our attention to two veteran Senate staff members who are concluding their distinguished service this week.

Patrick Renzi has served the U.S. Senate for 27 years, rising to chief reporter in the Office of Official Reporters of Debates.

Patrick is a native of Silver Spring, MD. His mother Eileen also worked in transcription, including here in the very same office, but, as my colleagues know well, no route to the Senate is a straight line. After completing his studies at the University of Maryland and Strayer College, Patrick moved furniture, tried freelance court reporting, and recorded a brief, forgivable stint working over in the House of Representatives. But by 1991, he had returned to where it all began.

Over the next 27 years, Patrick became a key staff member, updating the technology and team that keep the Office of Official Reporters running smoothly. His staff describe him as a stalwart chief with great respect for the Senate and those with whom he has served.

Mr. President, Scott Sanborn currently serves as the Senate Journal clerk. He arrived in this body back in 1979 as a page for Lowell Weicker, our former colleague from Connecticut.

Scott wound up serving the Secretary's legislative staff as an assistant bill clerk. I am told he impressed so many colleagues so quickly that in short order he was asked to serve as assistant editor, deputy chief reporter, and coordinator of the CONGRESSIONAL RECORD.

By 2001, Scott had become the 20th Journal clerk of the U.S. Senate. Along the way, he has helped revolutionize the way the Senate records and reviews its transcripts. He found ways to increase efficiency and cost-savings, and he served as a go-to technical liaison, connecting the official reporters with the Members' offices.

These two gentlemen have combined to contribute, literally, decades of service to this body. To see them both embark on well-earned retirements in the same week serves as a useful reminder of just how many incredibly talented men and women there are who may seldom find themselves in the spotlight but who are absolutely essential to the smooth functioning of the Senate in a thousand ways that we all get to take for granted every single day.

We don't say thank you nearly enough around here. I am honored to be able to say it today.

Thank you, Patrick.

Thank you, Scott.

We are sorry to see them go, but I know that Patrick's wife Germaine and their nine children—nine children—and Scott's wife Kim and their two kids must be happy to see what this next chapter has in store.

So we bid them farewell with gratitude for their time here and best wishes for the times ahead.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 1008.

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 senior assistant legislative clerk read the nomination of A. Marvin Quattlebaum, Jr., of South Carolina, to be United States Circuit Judge for the Fourth 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 senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of A. Marvin Quattlebaum, of South Carolina, to be United States Circuit Judge for the Fourth Circuit.

Mitch McConnell, Cindy Hyde-Smith, David Perdue, Mike Crapo, Mike Rounds, John Boozman, Ron Johnson, John Barrasso, Steve Daines, John Cornyn, Johnny Isakson, John Thune, James E. Risch, Richard Burr, Lindsey Graham, Thom Tillis, 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. 1009.

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 senior assistant legislative clerk read the nomination of Julius Ness Richardson, of South Carolina, to be United States Circuit Judge for the Fourth 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 senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Julius Ness Richardson, of South Carolina, to be United States Circuit Judge for the Fourth Circuit.

Mitch McConnell, Cindy Hyde-Smith, David Perdue, Mike Crapo, Mike Rounds, John Boozman, Ron Johnson, John Barrasso, Steve Daines, John Cornyn, Johnny Isakson, John Thune, James E. Risch, Richard Burr, Lindsey Graham, Thom Tillis, Roy Blunt.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in 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.

AUTHORIZING DOCUMENT PRODUCTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 604, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 604) to authorize document production by the Select Committee on Intelligence in United States v. Mariia Butina (D.D.C.).

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. 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. 604) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL SUICIDE HOTLINE IMPROVEMENT ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2345, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2345) to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 2345) was ordered to a third reading, was read the third time, and passed.

JOSEPH SANFORD JR. CHANNEL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 369, S. 1668.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1668) to rename a waterway in the State of New York as the ''Joseph Sanford Jr. Channel.''

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the bill be read a third time and passed and the motion 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 bill (S. 1668) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1668

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JOSEPH SANFORD JR. CHANNEL.

(a) IN GENERAL.—The waterway in the State of New York designated as the ''Negro Bar Channel'' shall be known and redesignated as the ''Joseph Sanford Jr. Channel''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the waterway referred to in subsection (a) shall be deemed to be a reference to the ''Joseph Sanford Jr. Channel''.

AMENDING TITLE 23, UNITED STATES CODE, TO EXTEND THE DEADLINE FOR PROMULGATION OF REGULATIONS UNDER THE TRIBAL TRANSPORTATION SELF-GOVERNANCE PROGRAM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6414, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 6414) to amend title 23, United States Code, to extend the deadline for promulgation of regulations under the tribal transportation self-governance program.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 6414) was ordered to a third reading, was read the third time, and passed.

USS INDIANAPOLIS CONGRESSIONAL GOLD MEDAL ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 2101 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2101) 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.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Donnelly amendment, which is at the desk, be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion 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 amendment (No. 3688) was agreed to, as follows:

(Purpose: To improve the bill)

On page 2, beginning on line 4, strike ''was commanded'' and all that follows through ''Tinian'' on line 7 and insert '', commanded by Captain Charles Butler McVay III, carried 1,195 personnel when it set sail for the island of Tinian''.

On page 2, line 19, strike ''explosion'' and insert ''explosions''.

On page 2, line 19, strike ''off''.

On page 2, line 20, strike ''1,196 crew members'' and insert ''1,195 personnel''.

On page 2, line 24, strike ''Shortly after 11 a.m.'' and insert ''At 10:25 a.m.''.

On page 3, line 21, strike ''317 men'' and insert ''316 men''.

The bill (S. 2101), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2101

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 ''USS Indianapolis Congressional Gold Medal Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Portland-class heavy cruiser USS Indianapolis received 10 battle stars between February 1942 and April 1945 while participating in major battles of World War II from the Aleutian Islands to Okinawa.

(2) The USS Indianapolis, commanded by Captain Charles Butler McVay III, carried 1,195 personnel when it set sail for the island of Tinian on July 16, 1945, to deliver components of the atomic bomb ''Little Boy''. The USS Indianapolis set a speed record during the portion of the trip from California to Pearl Harbor and successfully delivered the cargo on July 26, 1945. The USS Indianapolis then traveled to Guam and received further orders to join Task Group 95.7 in the Leyte Gulf in the Philippines for training. During the length of the trip, the USS Indianapolis went unescorted.

(3) On July 30, 1945, minutes after midnight, the USS Indianapolis was hit by 2 torpedoes fired by the I–58, a Japanese submarine. The resulting explosions severed the bow of the ship, sinking the ship in about 12 minutes. Of 1,195 personnel, about 900 made it into the water. While a few life rafts were deployed, most men were stranded in the water with only a kapok life jacket.

(4) At 10:25 a.m. on August 2, 1945, 4 days after the sinking of the USS Indianapolis, Lieutenant Wilbur Gwinn was piloting a PV–1 Ventura bomber and accidentally noticed men in the water who were later determined to be survivors of the sinking of the USS Indianapolis. Lieutenant Gwinn alerted a PBY aircraft, under the command of Lieutenant Adrian Marks, about the disaster. Lieutenant Marks made a dangerous open-sea landing to begin rescuing the men before any surface vessels arrived. The USS Cecil J. Doyle was the first surface ship to arrive on the scene and took considerable risk in using a searchlight as a beacon, which gave hope to survivors in the water and encouraged them to make it through another night. The rescue mission continued well into August 3, 1945, and was well-coordinated and responsive once launched. The individuals who participated in the rescue mission conducted a thorough search, saved lives, and undertook the difficult job of identifying the remains of, and providing a proper burial for, those individuals who had died.

(5) Only 316 men survived the ordeal and the survivors had to deal with severe burns, exposure to the elements, extreme dehydration, and shark attacks.

(6) During World War II, the USS Indianapolis frequently served as the flagship for the commander of the Fifth Fleet, Admiral Raymond Spruance, survived a bomb released during a kamikaze attack (which badly damaged the ship and killed 9 members of the crew), earned a total of 10 battle stars, and accomplished a top secret mission that was critical to ending the war. The sacrifice, perseverance, and bravery of the crew of the USS Indianapolis should never be forgotten.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the ''Secretary'') shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) INDIANA WAR MEMORIAL MUSEUM.—

(1) IN GENERAL.—Following the award of the gold medal referred to in subsection (a), the gold medal shall be given to the Indiana War Memorial Museum in Indianapolis, Indiana, where it will be displayed as appropriate and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Indiana War Memorial Museum should make the gold medal received under this Act available for display elsewhere, particularly at other locations and events associated with the USS Indianapolis.

SEC. 4. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

MAIN STREET CYBERSECURITY ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the House message to accompany S. 770.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 770) entitled ''An Act to require the Director of the National Institute of Standards and Technology to disseminate resources to help reduce small business cybersecurity risks, and for other purposes.'', do pass with amendments.

Mr. MCCONNELL. Mr. President, I move to concur in the House amendments, and I ask unanimous consent that the motion be agreed to and the motion to reconsider be considered made and laid upon the table.

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

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Oregon.

FAMILY INTERNMENT

Mr. MERKLEY. Mr. President, I come to the floor tonight with a simple and clear message, which is that we must not allow internment camps to be built in the United States of America.

I come with this message because we have heard on Capitol Hill that even as I speak, individuals are planning to bring forward legislation that would, in fact, create internment camps as a strategy of family incarceration—a strategy that President Trump has been championing. So I say tonight, absolutely not. We must not allow internment camps to be established in the United States of America.

When we look at the history of the world and the history of America, we realize that in many ways, we are still a very young nation, with less than three centuries behind us. In that comparatively short time, we have accomplished great things. We have helped save the world from tyranny and fascism, while pushing the boundaries of science. We spread democracy and human rights to nations far and wide. We have broken down barriers of race and gender and sexual orientation here at home in a vision of equality and opportunity for all.

Yet we cannot forget that along with those great accomplishments, there have also been some dark chapters in our history. We all are aware of these chapters when the United States embraced slavery from its founding up through the Civil War; that we embraced discrimination through segregation and Jim Crow laws; that we had in World War II a strategy of creating internment camps to imprison our citizens who were of Japanese ancestry.

Now, we have another dark chapter—a chapter in which our government has decided to treat those fleeing persecution from around the world as if they are criminals, to greet them not with Lady Liberty and a torch, saying, ''Give me your tired, your poor, your huddled masses yearning to breathe free'' but a different saying—a saying that if you are fleeing persecution and you wash up on the shores of the United States, we will treat you as a criminal. We will tear away your children, and we will throw you in prison.

In the span of just a few weeks, from May 4 and into June of this year, the Trump team tore around 2,600 young boys and girls from their parents' arms. They were families coming to the United States. They were fleeing persecution. They were seeking asylum. They were going through all kinds of trials and tribulations back in their home countries. They were going through all kinds of difficulties on the path of arriving in the United States. They had, in their minds, that vision that we are a nation where almost everyone has in their family history someone who fled persecution, who fled civil war, who fled drought and famine, who fled religious persecution, so surely they would be treated with dignity and understanding as they sought asylum from the persecution they faced back home.

Instead, many were stopped from coming through the entry points to claim asylum. Many resorted, therefore, to coming across other points in between the official border points, and they faced this new policy—this policy concocted by Attorney General Jeff Sessions, President of the United States Donald Trump, the Chief of Staff, and Steve Miller. This plan was deterrence—deterrence by afflicting children so as to send a message, if you flee persecution, do not think of coming to the United States.

Let us recognize that the whole idea of establishing a political tactic, a political goal of deterrence through the infliction of trauma on children is a dark and evil place for our government to have gone. One that—now that light has been shed on it, now that America has cried out from boundary to boundary, from East to West and from North to South and said that this is wrong, it is immoral, no religious tradition in the world would support this, the administration has ended those family separations, those children being ripped out of their parents' arms. They are now under a responsibility to reunify the children with their parents. They have been ordered by the court to have deadlines for those children under 5 and for those children 5 through 17. They missed the first and second deadlines, and 700 children are still not reunited with their parents.

Reports are coming in on the impact, the trauma inflicted on the children and how seriously this modified their behavior. A recent piece in the New York Times told the story of a 5-year-old boy from Brazil who was separated from his mother for 50 days.

Thiago used to love playing with toys of the Minions from the ''Despicable Me'' movies, but now his new favorite game is patting down and shackling migrants with plastic handcuffs, and now when people come to their home, he flees. He runs away. He hides behind the couch, afraid he will once again be torn from his mother's arms.

His story is not unique. In fact, we hear story after story after story of children and the reverberations of the trauma they have experienced at the hands of the Trump administration; children terrified of being separated from their parents for even just a few moments; children whose whole outlook on life—their whole disposition—has been modified; children afraid of engaging in a life outside the house.

The act of tearing families apart has supposedly stopped with the President's order. He has an Executive order

which I have in my hand, but what this Executive order plans next is also horrible and shameful. This is a plan to establish internment camps in the United States of America. The President has gone from family separation, tearing children out of their parents' arms, to family incarceration, where families would be detained indefinitely together. Internment camps, tent cities out in the middle of the desert or maybe on military bases. We have seen this type of policy before. We know how badly it ends for our Nation. We made a huge mistake in World War II locking up Japanese-American families in internment camps, and we are still dealing with the consequences.

After visiting one of those camps in 1943, Eleanor Roosevelt remarked that ''to undo a mistake is always harder than not to create one originally, but we seldom have the foresight.''

In this instance, we should have the foresight. We know the history of the horror of internment camps. We have the ability to stop our Nation from making a terrible mistake. We know how history will look on us if we fail to prevent this mistake and follow the President's plan for internment camps, which he has laid out.

In the aftermath of the attack on Pearl Harbor, we allowed fear and bigotry to consume us. We took away the freedom of more than 110,000 Americans. Freedom, the most basic human right, was taken away by our government from 110,000 American citizens. We locked Japanese-Americans in prison camps behind barbed wire fences in some of the most inhospitable parts of the Nation for no other reason than their Japanese ancestry. Children grew up not in their communities but behind barbed wire. Adults were torn off their land, their farms, their orchards. They were torn away from their professions, which ran the full spectrum of professions across America, to be able to earn just a few cents a day, working inside those prisons. Families who once owned their homes, had a vision for the future, had a vision for the children's future were crammed together for years in wooden shacks behind barbed wire.

In a 1943 radio interview, Dillon Myer, the head of the agency in charge of the camps, spoke out against them. Mind you, this was the middle of the war. He was in charge of the camps. He knows it is wrong; he knows it is destructive. He said: ''Public opinion feeding on prejudice and fanned by hatred and fear of the unknown will do some peculiar things.''

He went on to say: Even though the war relocation authority is responsible for the operation of the relocation centers, we are convinced that they are not good things. It is not a normal way of life. It produces many kinds of abnormal conditions that are not desirable.

Indeed, as former First Lady Laura Bush pointed out in her op-ed article in the Washington Post a few months ago: ''We also know that this treatment inflicts trauma; those who have been interned have been twice as likely to suffer cardiovascular disease or die prematurely than those who were not interned.''

One Japanese-American hero, Fred Korematsu, challenged this racist policy. He challenged it all the way to the Supreme Court. In a 6-to-3 decision the Court would long regret, it upheld the constitutionality of these camps. Seven decades later, history embraces the view of the three dissenting justices. In the words of Justice Frank Murphy:

> Racial discrimination in any form and in any degree has no justifiable part whatever in our democratic way of life. It is unattractive in any setting, but it is utterly revolting among a free people who have embraced the principles set forth in the Constitution of the United States [of America].

This is why a commission, created by President Jimmy Carter in 1980, found that the internment camps were a ''grave injustice'' that stemmed from ''race prejudice, war hysteria, and a failure of political leadership.''

It is why, when awarding him the Presidential Medal of Freedom in 1998, President Clinton said:

> In the long history of our country's constant search for justice, some names of ordinary citizens stand for millions of souls: Plessy, Brown, Parks. To that distinguished list, today we add the name of Fred Korematsu.

Fred Korematsu challenged the legitimacy of internment camps under the Constitution of the United States. In fact, just earlier this year, 2018, Chief Justice John Roberts said: ''Korematsu was gravely wrong the day it was decided, has been overruled in the court of history, and—to be clear—'has no place in law under the Constitution.'''

So it was called a failure of political leadership that we established internment camps in World War II, and it would be an enormous failure of political leadership if we were to establish internment camps in 2018; yet I keep hearing this very plan is being cooked up to be put on the floor of the Senate when we return. That is why I am speaking about it tonight to say: No, absolutely not; those among us who are planning such a deed will face enormous opposition, not just from me but from everyone who cares about justice in the United States of America, everyone who cares about decency and fairness, everyone who knows that the strategy of ripping children out of their parents' arms was dark and evil and wrong. We are not going to allow family separation to be replaced by family incarceration.

But here we are, with this Executive order, and it says, in somewhat bland language, ''Affording Congress an Opportunity to Address Family Separation.'' This Executive order—this order right here—is an argument for establishing internment camps in the United States of America. This strategy, laid out by the President, must not happen.

This statement says that it is the official policy of the Trump administration to detain immigrant families together. What are they talking about? Internment camps—not handcuffs for the parents where the children are ripped out of their arms; it is handcuffs for all. It is an Executive order calling on the military to provide facilities for housing the immigrant families and, if they can't find them, to construct them, if necessary. This document instructs the Attorney General of the United States to try to find a way to overturn a legal settlement known as the Flores consent agreement, which says that children cannot be detained indefinitely.

So this document lays out two strategies to internment camps: one, by getting the courts to overturn the Flores consent agreement and the second, affording Congress an opportunity to address family separation. It calls on Congress to act, to make it legal to establish internment camps. Have we learned nothing?

Here is what I have to say about this Executive order: no internment camps in the United States of America, not now and not in the future. I will absolutely resist such a strategy. This Presidential vision is anything but Presidential—this vision of a President who is operating in a fashion outside of a vision of the Constitution. I know there will be many among us who will join in this effort to resist this strategy.

So if my colleagues—any one of them—should bring this to the floor, I want them to know this will be a fight. This will be a battle. We will call up the horror of the past and say that it will not be accompanied by a horror of the present. We will not go from family separation to family incarceration. Internment would be just as wrong today as it was seven decades ago. If we allow this to happen, it is more than a failure of political leadership. It is to allow America to dwell in a deep and dark and evil place.

Some may say that families fleeing persecution are coming to America to ask for asylum, which they are allowed to do under the Refugee Convention, of which the United States is a member.

They may say: Senator MERKLEY, you believe it is wrong to rip children out of their parents' arms, and you believe it is wrong to establish internment camps. What would you do? Well, here is what I would do: I would reestablish the Family Case Management Program. That is a program that worked well—that worked very well—but was dismantled by this administration approximately a year ago to pave the way for family separation, to inflict trauma on children.

What is the Family Case Management Program? I don't think the President of the United States knows about this program—the program he ended—or he doesn't want to know about it. He wants to paint some other vision. So let's remind the President of the United States how this works, the program that he got rid of, the program that worked so well.

A family comes seeking asylum. They present themselves with that case. They are treated with respect and dignity because we are a nation of individuals with family histories of individuals fleeing persecution. We understand what that is like. We understand what it is like, and we treat people with decency.

The families are put into a case management program while their asylum case is being prepared. The whole point of the program is to make sure they show up for their court appointments, make sure they show up for their check-ins, make sure they have someone who guides them through the system so they understand how it works. If they understand how it works, they know when to show up and where to show up, and they know how to prepare for those meetings.

This program was created by ICE and Homeland Security. They put their heads to work: How do we treat people with dignity and respect and make sure they show up at their check-ins and their court appointments? They designed a very good program, the Family Case Management Program. So families lived their life in preparation for their appearances in court, and we did not inflict trauma on the children. We did not treat them as pawns in some broader scheme of deterrence. We treated families with basic dignity.

Then, if they won their asylum case, then they came into a country that had received and treated them with dignity. If they lost their asylum case, they went back to their country. They were deported, but they had memories of a country that treated them with respect and decency until that asylum case date arrived.

This program had such a phenomenal success rate that I was stunned when I got hold of the inspector general's report. I want to make sure that folks can see this. This inspector general's report says, based on the information provided by ICE, that the overall program compliance for all five regions is an average of 99 percent for ICE check-ins and appointments and 100 percent attendance at court hearings.

That number is stunning, and I wouldn't share it if it were anything other than from the inspector general himself or herself reporting after a thorough investigation—99 percent for ICE check-ins, 100 percent attendance at court hearings. Wow. How often do you see a program that works that well?

There is another report, and that report came when the program was terminated. That report proceeds to have some additional numbers in it. This one came after the second report. It was an afterprogram report. It is called the Family Case Management Program Closeout Report, February 2018. This was in the hands of the Trump administration even as they were planning to end the program, actually did end the program.

What it says is, the program operated for 17 months. It says it was launched in the following cities: Baltimore, Chicago, Los Angeles, Miami, New York City, and Newark. It had different nonprofits that operated it: Bethany Christian Services, the Frida Kahlo Community Organization, the International Institute of Los Angeles, the Youth Co-Op, Inc. in Miami, the Catholic Charities of New York. They served over 2,000 immigrants. It treated them by educating them about how this worked as they prepared for their asylum hearing. It provided them with individualized needs assessments and service plans, orientation and information sessions on legal rights and responsibilities and obligations, tracking and monitoring of those obligations, including showing up for check-ins, which they did 99 percent of the time, and showing up for court hearings, according to the IG, 100 percent of the time.

ICE concluded it was an overall success. This evaluation came after the IG's report. It was no longer 100 percent attendance of court hearings. Instead, it was 99.3 percent—a 99-percent success rate, 99-percent compliance with ICE monitoring requirements, including telephonic and in-person check-ins.

When participants reported on how they were treated, they talked about positive relationships with their case managers, and it centered on the trust that was established between the case manager and the participant. That is pretty amazing success for a program that the administration shut down in favor of choosing to deliberately inflict trauma on children.

We have not one report, not one evaluation; we have two. This report from February this year, with all this positive information about how the program worked, is not easy to find online. It has essentially been hidden.

After I raised this issue of the Family Case Management Program, a person brought this report to my team and said: Hey, did you know there is this other closeout evaluation that lays out the vision of how well the program worked in far more detail than the IG report?

I said: No, I didn't know about that. Great, I will share it with my colleagues, which I am doing right now.

I don't know why it wasn't circulated. Maybe it is because it had such glowing reviews of the program the administration shut down that they were embarrassed by their argument; the fact of this report says their argument that people wouldn't show up for their court hearings is simply wrong. I imagine that is why it wasn't circulated.

In this Family Case Management Program, they talk about costs in this evaluation. They go through the different strategies. The Family Case Management Program costs $38 per day. That is per participant, per day, $38. That compares with family residential facilities at an average cost of $237 per day. That is $38 versus $237.

The program worked incredibly well, and it was far less expensive than detention—family residential facility detention. In addition, we now have some recent numbers that have been put forward. Health and Human Services has told news outlets that it costs American taxpayers $775 per person, per night to house people at tent city internment camps—$775 per person per night versus $38. Thirty-eight dollars, no trauma—a relation of respect and trust versus incarceration at $775 per night.

This Trump strategy of inflicting trauma on children is wrong at every single level you can imagine. It is a costly, inhumane, damaging program, with lifetime consequences for the children versus decency and respect and trust, and the program costs just a fraction, one-twentieth of this reported $700-plus per night.

If you have those two options, which one would you choose? Would you choose the program that costs a fraction, one-twentieth, of the tent city internment camp strategy? Would you choose a program that builds trust and relationships and has a 99- to 100-percent rate of success in people showing up for their check-ins, a 99- to 100-percent rate of showing up for their court hearings versus a program that does so much damage to so many.

I have come to the Senate floor to say one thing as clearly as I possibly can to every colleague. If you are part of the plan to bring an internment camp strategy to the floor of the Senate, I will fight that plan with everything I have. It is an evil and dark place for this country to go. We know that from our history.

We know history has said it was a failure of political leadership to allow it to have happened in World War II. I will do everything I can to make sure we do not have another failure of political leadership that allows the vision of internment camps imbedded in the President's Executive order to occur in the United States of America.

Lady Liberty says: ''Give me your tired, your poor, your huddled masses yearning to breathe free.''

It speaks to the fact that almost all of us come from family roots that involved immigrants, involved people fleeing persecution.

In that poet's words, Emma Lazarus, goes on to speak about ''the wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!''

Let's keep that lamp lit here in the United States of America. Let's treat those fleeing persecution with respect and decency. That is what is in our blood as an American. That is what is in our DNA—a vision of compassion and freedom and opportunity that knows, through all too personal of family experiences, what it is like to flee religious persecution or famine or war and what a beautiful thing it is to be treated with respect and decency if you

come to the shores of the United States of America.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO CHRISTINE McLEOD PATE AND NIKOLE NELSON

Mr. SULLIVAN. Mr. President, it is the end of the week on the Senate floor, and it is my favorite time of the week. I think it is the pages' favorite time of the week, too, because we get to talk about the Alaskan of the Week. This is a speech I give every week. The whole purpose is to talk about somebody in my community, somebody in my great State, who has done something important for their fellow Alaskans or maybe their fellow Americans. Sometimes it is someone very famous. Other times it is somebody who is working hard every single day and doesn't get a lot of recognition. What we like to do is come and talk about them. We like to brag about them.

I like to brag about my State. We all like to brag about our States. When it comes to size, beauty, grandeur, and majestic nature, I think Alaska takes the cake of all the other States, but others might disagree. I know the Presiding Officer loves his State very much.

What we want to encourage people to do is come on up to Alaska, see it for yourselves. Spend some time there. We are getting ready for a little recess. Some of my Senate colleagues will be coming up and seeing our great State in the next week.

I guarantee you, if you are watching, it is going to be the trip of a lifetime. You will love it, absolutely love it. More than anything, it is truly the people of Alaska who make it such a special place. We like to celebrate these people. They are individualistic, rugged, tough but very community-oriented. We call them our Alaskan of the Week.

I am going to break a little rule on the Alaskan of the Week this week because it is going to be the Alaskans of the Week, not one but two—two people who are doing great things and, in many ways, reinforcing each other's great work in Alaska.

I am going to talk a little bit, though, about one of the challenges. We like to brag about how wonderful our States are. Let's face it, all States in our great Nation have challenges and problems. One of the ones that a number of us back home in Alaska are focused on is a really big challenge and a really problematic issue in my State; that is, the very high rate of domestic violence and sexual assault we have in Alaska. We have some of the highest rates in the country. This is horrible, and it impacts families and, of course, victims and survivors. Of course, it is not just a problem in Alaska; it is a problem all across the country. In Alaska, it is an acute problem. It is a big problem.

The good news is, we have hundreds, if not thousands, of people in Alaska who have recognized this as a big problem and have banded together in using their energy, creativity, and drive to have turned to the survivors of this abuse and turn to help them and help them break out of what oftentimes is generational violence—family victims after family victims.

Today, I recognize two such Alaskans, who are literally leading the way on this very important issue of helping the survivors of these heinous crimes: Sitka, AK, resident Christine Pate, who is the legal director for the Alaska Network on Domestic Violence and Sexual Assault, and Anchorage resident Nikole Nelson, who is the executive director of Alaska Legal Services.

These two women, for decades, have been leading the effort to bring legal services and other services to survivors of domestic violence and sexual assault in our State. They work together. They are leaders. They have helped hundreds, if not thousands, of victims and their families—think about that—over the last 20 years.

Let's talk about them a little bit. Christine has done a great job with the Alaska Network on Domestic Violence and Sexual Assault, ANDVSA, which is an umbrella organization for 25 domestic violence and sexual assault programs across the State.

Christine is a cum laude graduate of the New York University School of Law. She came to Alaska in 1993, clerked for Sitka Superior Court Judge Larry Zervos, and after that, she worked for Alaska Legal Services in Fairbanks and then has been with ANDVSA for 20 years doing this very important work.

Her demeanor was once described by a reporter as ''Clark Kent-like,'' which I would agree with if that means she has superpowers that are used to fight bad guys and help the good guys. Those who know her just call her wonderful, and I certainly would agree with that.

At ANDVSA, she directs the coalition's statewide civil legal services program, which also includes both staff attorneys and approximately 60 active volunteer attorneys—again, to help survivors and victims of these heinous crimes. She also oversees legal training and technical assistance for program advocates. As a matter of fact, I was home a few months ago and went to one of her training programs. She does a phenomenal job.

Nikole Nelson is her compatriot-in-arms. She made her way to Alaska 20 years ago, fresh out of Willamette University's College of Law, and her first job in Alaska—still doing it—was to work for Alaska Legal Services Corporation. She rose up through the ranks, and now she is the director. She, too, in my view, has superpowers, and she channels those powers to serve in the righteous cause of justice for the too many victims in my State who need it and don't have access to an attorney to help them.

I cannot stress how important both the Alaska Network on Domestic Violence and Sexual Assault and the Alaska Legal Services Corporation are for victims and survivors of these heinous crimes.

I have had the opportunity and really the honor of working with both Christine and Nikole and their organizations very closely over the years. I am still a huge supporter of all they do and have watched them year after year doing the great work they do to stomp out the scourge of domestic violence in our State. Let me tell a little story of how we all worked together.

When I was attorney general of the State, we had a big campaign strategy called the Choose Respect strategy, and one of the elements of that was to get more lawyers to help victims; to get more lawyers, pro bono attorneys, to come out and help victims, survivors of domestic violence and sexual assault.

Think about this: If you are an accused rapist, you get a Sixth Amendment right to counsel. That is in our Bill of Rights. If you are the victim, what do you get? You don't get anything. And far too often, the victims don't have any legal representation. They don't know how to use the justice system as a sword and a shield.

What we were trying to do—what Nikole and Christine have been doing for decades—was to say to the survivors and victims: Wait a minute. We can get you a lawyer. We can help you. We can empower you.

We held these pro bono legal summits throughout the State of Alaska, and dozens of lawyers came out of the woodwork and said: We will help you. We will be your sword and shield in the justice system.

That is what we have done. That is what they have continued to do, and this makes a huge difference. As a matter of fact, of all the studies throughout the country on how you change this culture of abuse—in every study, one of the most important things is to get victims and survivors an attorney. So that is what they have been doing.

We actually recently took that idea here to the Senate floor in a bill that Senator HEITKAMP and I cosponsored called the POWER Act, which would create another layer of pro bono attorneys. The idea is to create an army of lawyers by the thousands in America to provide legal services for victims of domestic violence and sexual assault. That passed the Senate, passed the House, came back over here, trying to hotline it, and it looks as though we hit a little glitch today. But I can't imagine any Senator who doesn't want to do this, so we will probably get this done after we are back from recess, and that will help take this idea nationwide.

The leaders in our community in Alaska have been Nikole and Christine.

As I mentioned, there are no simple solutions on this, but when an abused victim is represented by an attorney, their ability to break out of the cycle of violence increases dramatically.

Just one study found that 83 percent of victims represented by an attorney were able to obtain a protective order versus almost 30 percent of victims without an attorney.

But here is the problem: There was a recent report by a national group that focuses on these issues. In 2014, in 1 day, there were over 10,000 victims who went without services, like legal services. So there is a desperate need. Christine and Nikole have been the ones leading the charge. I talk about an army of attorneys to do this kind of pro bono legal work in Alaska—they are the captains leading this charge.

Christine likes to quote one of the advocates she works with when she talks about her work. She says: ''It is so satisfying to see the relief wash over a person's face when they realize that there's an end in sight and they don't have to live like that in a cycle of violence anymore because they have an attorney representing them.''

Nikole has been traveling the globe with her daughter the past month thanks to a much needed sabbatical grant from Alaska's Rasmuson Foundation.

Nikole, I hope you are having a much needed rest.

Let me end with a quote written by her about the work Alaska Legal Services does, the work she leads in our great State. She said: ''In any given day, the people who come seeking our services may be moms that have been abused by their spouse, oftentimes in front of their children, and they come to us because they do not have the financial means to leave that abuse.'' They help them with that. ''We may have a grandfather who is struggling to care for his grandchildren and he fears he is going to lose his home. . . . For all of these problems, there is a civil legal solution. But unlike in criminal cases where a defendant is guaranteed a court-appointed attorney if they cannot afford one, in civil cases''—in these kinds of domestic violence and civil action cases—''there is no [right to an attorney].'' And what they do is they provide it, particularly to victims of these heinous crimes.

Christine and Nikole lead organizations that are doing great work not only in Alaska, but nationwide, Legal Services Corporation does this work, and I am a big supporter of them here in the Senate.

Christine and Nikole, thank you for all the great work you have done over the years. Thanks for your tremendous spirit of generosity and kindness. I know I can thank you on behalf of so many survivors of these crimes whom you have helped, and their families. Thanks for being our joint Alaskans of the week this week in the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

TRADE SECURITY ACT

Mr. PORTMAN. Mr. President, today I want to talk about an issue that has gotten a lot of attention recently, and that is our U.S. trade policy. It is an important topic that affects every one of us. It affects our economy, it affects jobs, and it certainly affects our foreign policy.

I have followed it pretty closely over the years. I was a trade lawyer when I first started practicing law. I was U.S. Trade Representative, or USTR, under the George W. Bush administration, and now I am a member of the Senate Finance Committee, which has jurisdiction over these trade issues.

Most importantly, of course, I am a Senator from Ohio, which is a State that has a big manufacturing sector, a big agriculture sector, and a State where a lot of jobs depend on having a good trade policy. In fact, in Ohio, about 25 percent of our State's factory workers are export workers. In other words, they make products that get exported. Today in Ohio, about one of every three acres that are planted gets exported—soybeans, corn, and wheat. These are good jobs too. Trade jobs, on average, pay about 16 percent more than other jobs and provide better benefits. So it is very important to our economy in Ohio to have these export jobs.

In America, we are about 5 percent of the world's population. Yet we have about 25 percent of the world's economy. So it is very important for us to have access to the 95 percent of consumers who live outside of our borders. We want to sell them more. We want to open up markets for our farmers, our workers, and our service providers.

While promoting exports, we also need to ensure that we protect American jobs from unfair trade, from imports that would unfairly undercut our farmers, our workers, and our service providers. Simply put, what we want is a level playing field where it is fair and where we have reciprocal treatment between countries.

If we have a level playing field, by the way, I believe American workers will be just fine. Our workers and businesses can compete and can win if we have a truly level playing field.

We want a balanced approach. We want to open up new markets for U.S. products, while being tougher on trade enforcement, so we can compete.

With my colleagues over the past couple of years, I coauthored a number of laws in this area. One is actually called the Level the Playing Field Act. It does just that. The other is called the ENFORCE Act. These are bipartisan laws that are helping to crack down on unfair trade that hurts U.S. jobs.

The Level the Playing Field Act helps on the front-end by making it easier for workers and businesses to win cases when foreign companies send us products that are unfairly traded because they are sold below their cost or dumped or because they are subsidized illegally. This makes it easier to put anti-dumping or countervailing duties, also known as tariffs, on those unfairly traded products. That is a good idea. By the way, it is sanctioned by the international trade enforcer called the World Trade Organization. This law has worked over the last couple of years to raise tariffs on those unfair imports.

The second law, which is called the ENFORCE Act, helps on the back-end by ensuring that once workers win trade enforcement cases, the new duties on foreign imports are actually enforced. It is designed to keep countries from circumventing new tariffs by selling the product to a third country, a third party that then sells it to the United States to get around our tariffs. We don't want people to evade our tariffs, and that is the purpose of the ENFORCE Act. It needs a little work, honestly, on its implementation. We need to strengthen it.

Together, the Level the Playing Field Act and the ENFORCE Act are working.

Since I came to the Senate in 2011, I have been involved in nearly 40 trade cases where American workers and producers were seeking relief from unfair foreign competition. I am proud to have received the American Iron and Steel Institute's Congressional Steel Champion Award in 2015 for my ongoing work to allow steelworkers to compete on a level playing field.

In 2016, the Level the Playing Field Act was used to secure three big wins against China and several more against other countries in the sector of steel, particularly rolled steel—hot-rolled steel, cold-rolled steel, and corrosion-resistant steel. This is the kind of steel that is used to make cars and trucks and other things. Those products from China—rolled steel—now face tariffs of up to 265 percent thanks to our legislation and thanks to bringing these cases and winning them.

This is how trade enforcement should work. It shouldn't just be about saying that we are going to raise tariffs just because we can because then other countries will do the same thing to us—raising tariffs, which are like taxes, and risking a trade war with escalating tariffs that would make everyone worse off. Enforcement actions should be focused on those countries that are engaging in unfair trade practices and violating our trade laws or the commitments that are required under the World Trade Organization.

We want a level playing field and reciprocity so we can open up more markets for our workers, and we want other countries to send us products that are fairly traded. It is pretty simple.

We need to be careful about taking action that increases barriers to trade. If we impose higher tariffs without justification, we invite retaliation and higher tariffs on our exports. My concern is that we are beginning to do just that, and it threatens the impressive economic gains we have seen this year.

Since the tax cuts and tax reform were enacted and since important new

regulatory relief has been implemented by the Trump administration, we have seen the economy grow. After a couple of decades of stagnant growth and flat wages, our economy is actually increasing, wages are starting to increase, and American workers and businesses are benefiting.

Just last week, the Commerce Department released the economic numbers for the past 3 months, and our economy grew by 4.1 percent in the second quarter of this year. Pro-growth Federal policies have resulted in this kind of a strong and growing economy that is creating more jobs and higher wages. We want to continue building on that momentum that we already started this year with these good fiscal policies.

I am concerned that some of our decisions on trade policy provide a real headwind to that growing economy. That is why, when I see the Commerce Department putting tariffs on automobiles and auto parts, I become concerned. According to one estimate, a 25-percent tariff on autos and auto parts could cost 624,000 American jobs.

Right now, the administration is doing a lot on the trade front. They have a lot of balls in the air. As far as our trade policy is concerned, I think it is causing a lot of uncertainty out there in the economy.

First, the administration is still renegotiating the North American Free Trade Agreement, or NAFTA, with Mexico and Canada, which are, by the way, our biggest trading partners in Ohio—Canada is No. 1, and Mexico is No. 2.

I support updating NAFTA. I think that is a good idea. I support what USTR Robert Lighthizer is trying to do. But after 15 months of talks and uncertainty, I am concerned. We need to see some light at the end of the tunnel. I hope we will soon, particularly as it relates to Mexico.

Second, the United States is raising tariffs on Chinese imports using section 301 of our trade law after conducting a thorough investigation demonstrating the number of anti-competitive ways—from administrative approval processes, to joint venture requirements, to outright cyber theft—that China uses to effectively steal American intellectual property.

Third, the administration is using a national security waiver to our trade rules—called section 232—to raise tariffs as a matter of national security on steel and aluminum imports from all but four countries. That means those tariffs are being imposed on a number of our strong allies. Because of that and the retaliation it has invited, this section 232 has been the focus of a lot of attention recently.

I agree with President Trump that we need to crack down on countries that cheat on trade—like China—and we need to make sure we do it in a smart and targeted way. China does steal our intellectual property, and they have been doing that for years. China tilts the playing field against American firms, innovators, and workers and gets the technology they need to leapfrog the competition. I support action against this kind of unfair Chinese trade and investment practice, and I was glad to hear that serious talks with China might start soon.

As we go into these talks, we need to be clear about our objectives and clear about what we are looking for as Americans. Is it just trying to address the trade deficit and have them try to buy more of our exports, like soybeans or LNG—liquefied natural gas—or is it asking China to make some changes structurally so that we can have a more fair trading relationship as two mature trading partners? We also need to be sure, as we make clear our objectives, that we don't continue to raise tariffs without having these negotiations and direct talks.

My biggest concern is the administration's broad use of a powerful national security tool known as section 232. Section 232 comes from a trade act that was passed back in 1962 that was intended to be used purely for national security purposes. Thus, it has been invoked only rarely, only a few times, the last being in 1986, 32 years ago. Section 232 is really an exception to our trade laws because you neither have to show injury to a domestic industry nor any surge or unfair trade with regard to the targeted imports, as you would under these other trade laws. In other words, under the other laws, you have to show that there is material injury to a domestic company or that there is a surge coming in of imports or often that there actually is unfair trade, like the dumping we talked about earlier—selling below cost or subsidizing illegally. You don't have to show that under section 232.

One reason it has hardly ever been used is precisely because it doesn't require any negative impact or unfair influence or unfair trade. This means that when we use this tool, if it is not used for national security reasons, other countries are likely to respond in kind, simply putting tariffs on our exports for no reason. That is exactly what is happening.

Using section 232, we put a 25-percent tariff on steel and 10 percent on aluminum imports from nearly every country in the world across the board, most of which are our allies. The only exemptions are Argentina, Brazil, Australia, and South Korea. We negotiated quotas with them. For all the other countries in the world, we have these tariffs in place, including our close ally Canada, for example. They are a stalwart ally. They have had troops in Iraq with us. They had troops in Afghanistan with us. They are a good neighbor. They are Ohio's biggest trading partner and No. 1 export destination for the workers and farmers I represent. As a country, we actually send more steel to them than they send to us. Remember, this is about steel and aluminum national security tariffs. We actually export more steel to them than they send to us, but they are targeted by this section 232 as a national security threat for steel.

They have responded, as you would expect, with tariffs of their own on our exports—all kinds of exports across the board. According to one publication, Business Insider, Ohio is their No. 1 targeted State. That is the State I represent. They slapped tariffs on Ohio workers and farmers of more than $1.7 billion.

Now let's back up for a second and talk about steel and aluminum. Is there an issue with unfair imports? Yes, there is, I think, particularly with regard to steel. We have a global glut of steel, and China is the reason.

About 15 years ago, China had about 15 percent of the global production of steel. Today, they have about 50 percent of the global production of steel, and they don't need it, so they are subsidizing it, and they are sending it out below its cost, which, again, is called dumping. That is why we have been using our other trade laws to go after these unfair exports, and we need to do more of that to stop the transshipments, where they send the product to another country and then process it and then send it to us.

For certain countries and certain products, I believe there is a national security issue with steel. An example of that is electrical steel—something that is critical to our electric grid. Electrical steel is something we absolutely need. Yet there is only one U.S. manufacturer left of electrical steel. Imports have increased in the last year alone by about 100 percent. This is an example of how I believe section 232 could be used in a very targeted way that relates directly to our national security.

Again, we have other trade enforcement tools at our disposal, including the Level the Playing Field Act we talked about and the ENFORCE Act. We went after countries that subsidize or dump their products. These are more precise tools to hold our trading partners accountable that should be strengthened and used before section 232, where appropriate.

Misusing the 232 statute and its national security rationale not only leads to other countries increasing tariffs on all our exports to them, but it also risks the World Trade Organization stepping in and our actually losing what I think is an important national security tool. In other words, by misusing this, my fear is that we will be taken to the WTO by other countries. It has already happened. They have filed cases again us. The WTO could indeed rule—which they never have before—that we cannot use 232 in the way we have and take away that tool. That would be a big problem because I think it is a tool we should have in our toolbox.

I believe we run an even greater risk of losing this tool when the administration suggests that imports of cars

threaten our national security. That is the most recent case that is now working through the system. I want to see more cars made in America, but tariffs like the Commerce Department is suggesting would make it even more expensive to make a car here. We are told by the auto industry—and the big 3 automakers oppose this 232 on automobiles—we are told it would increase the cost of a car by about $2,000.

That is why I believe we have to reform the section 232 statute and ensure that any 232 actions are based on a legitimate national security justification and that Congress has a larger role to play in its oversight. A few hours ago, my colleagues, Senators DOUG JONES and JONI ERNST, and I introduced bipartisan legislation that would help do just that. Our bipartisan bill, called the Trade Security Act, will reform section 232 to better align the statute with its original intent.

First, it ensures that proper experts in government determine at the outset whether there is a national security threat. Our bill requires the Department of Defense, not the Secretary of Commerce, to assess the potential threat posed by imports of certain products to justify the national security basis for new tariffs under section 232. If the Department of Defense says a threat is found, the Department of Defense would send its report to the President. The President would then direct the Secretary of Commerce, in consultation with Congress, the Secretary of Defense, and USTR, to develop recommendations for how to respond to the threat. After receiving the remedy recommendations from the Secretary of Commerce, the President would then decide whether to take action.

So it creates a two-step process. The first step is determining whether there is a national security threat, done by the appropriate office and the appropriate experts in the Federal Government, and then the second step would be the Commerce Department coming up with the remedy, as opposed to now, where the Commerce Department makes that national security recommendation.

The bill will also expand the role of Congress by giving Congress the opportunity to disapprove of 232 action by passing a joint resolution. Currently, Congress can disapprove of section 232 actions through a joint resolution but only when it results in something covering oil or petroleum products. So it is interesting—under the current 232 statute, the disapproval process works but only as to oil or other petroleum products.

Our bill, the Trade Security Act, which we introduced today, would expand that process to include all products. By the way, the oil and petroleum production exception is a vestige from the last time section 232 was used, about 40 years ago, because it was used with regard to oil from Libya and from Iran.

Misusing our trade tools not only hurts our exporters, workers, and farmers, but also our consumers. I urge my colleagues to join me in supporting this legislation to increase congressional oversight on one of our most important national security tools. When he signed the Trade Expansion Act of 1962 into law, which included section 232, President Kennedy said:

> This act recognizes, fully and completely, that we cannot protect our economy by stagnating behind tariff walls, but that the best protection possible is a mutual lowering of tariff barriers among friendly nations so that all may benefit from a free flow of goods. Increased economic activity resulting from increased trade will provide more job opportunities for our workers.

So that was the context within which section 232 was passed—in other words, saying we don't want to put up more barriers. We want trade to be fair and reciprocal. Neither the President nor the Congress intended that section 232 would be used to put up more barriers. The Senate Finance Committee chairman in the Congress who passed this legislation said that in order for section 232 to apply, ''the products must be involved in our national security.''

Whether it is the President or whether it is the Congress, the intent was clearly to tie this closely to national security.

Let's restore this powerful and important tool to Congress' original intentions when it crafted the law and ensure that section 232 is used appropriately for national security purposes.

This legislation will help to guide our trade policy and ensure that we keep national security and trade issues separate. The strength of America's economy comes from hard-working and innovative Americans in our shops, plants, and farms across this country that send products around the globe. We want more of that. They deserve a level playing field and the chance to compete.

Let's be sure our trade policy gives them that and not escalating tariffs for their exports and higher costs for their families. Let's find that right balance, including restoring an important national security tool by not misusing it.

I urge my colleagues to join us in support of the Trade Security Act to help do just that.

I yield back my time.

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

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

UNITED STATES-ISRAEL SECURITY ASSISTANCE AUTHORIZATION ACT OF 2018

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 519, S. 2497.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

> A bill (S. 2497) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''United States-Israel Security Assistance Authorization Act of 2018''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

TITLE I—SECURITY ASSISTANCE FOR ISRAEL

SEC. 101. FINDINGS.

Congress makes the following findings:

(1) In February 1987, the United States granted Israel major non-NATO ally status.

(2) On August 16, 2007, the United States and Israel signed a ten-year Memorandum of Understanding on United States military assistance to

Israel. The total assistance over the course of this understanding would equal $30,000,000,000.

(3) On July 27, 2012, the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150; 22 U.S.C. 8601 et seq.) declared it to be the policy of the United States ''to help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation'' and stated the sense of Congress that the United States Government should ''provide the Government of Israel defense articles and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions''.

(4) On December 19, 2014, President Barack Obama signed into law the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296) which stated the sense of Congress that Israel is a major strategic partner of the United States and declared it to be the policy of the United States ''to continue to provide Israel with robust security assistance, including for the procurement of the Iron Dome Missile Defense System''.

(5) Section 1679 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1135) authorized funds to be appropriated for Israeli cooperative missile defense program codevelopment and coproduction, including funds to be provided to the Government of Israel to procure the David's Sling weapon system as well as the Arrow 3 Upper Tier Interceptor Program.

(6) On September 14, 2016, the United States and Israel signed a ten-year Memorandum of Understanding reaffirming the importance of continuing annual United States military assistance to Israel and cooperative missile defense programs in a way that enhances Israel's security and strengthens the bilateral relationship between the two countries.

(7) The 2016 Memorandum of Understanding reflected United States support of Foreign Military Financing (FMF) grant assistance to Israel over the ten year period beginning in fiscal year 2019 and ending in fiscal year 2028. FMF grant assistance would be at a level of $3,300,000,000 annually, totaling $33,000,000,000, the largest single pledge of military assistance ever and a reiteration of the seven-decade, unshakeable, bipartisan commitment of the United States to Israel's security.

(8) The Memorandum of Understanding also reflected United States support for funding for cooperative programs to develop, produce, and procure missile, rocket, and projectile defense capabilities over a ten year period beginning in fiscal year 2019 and ending in fiscal year 2028 at a level of $500,000,000 per year, totaling $5,000,000,000.

SEC. 102. STATEMENT OF POLICY REGARDING ISRAEL'S DEFENSE SYSTEMS.

It shall be the policy of the United States to provide assistance to the Government of Israel in order to support funding for cooperative programs to develop, produce, and procure missile, rocket, projectile, and other defense capabilities to help Israel meet its security needs and to help develop and enhance United States defense capabilities.

SEC. 103. ASSISTANCE FOR ISRAEL.

(a) AUTHORIZATION OF APPROPRIATIONS FOR ISRAEL.—Section 513(c) of the Security Assistance Act of 2000 (Public Law 106–280; 114 Stat. 856) is amended—

(1) in paragraph (1), by striking ''2002 and 2003'' and inserting ''2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, and 2028'';

(2) in paragraph (2)—

(A) by striking ''equal to—'' and inserting ''not less than $3,300,000,000.''; and

(B) by striking subparagraphs (A) and (B).

SEC. 104. EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.

(a) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''after September 30, 2018'' and inserting ''after September 30, 2023''.

(b) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''2013, 2014, 2015, 2016, 2017, and 2018'' and inserting ''2018, 2019, 2020, 2021, 2022, and 2023.''.

SEC. 105. EXTENSION OF LOAN GUARANTEES TO ISRAEL.

Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading ''LOAN GUARANTEES TO ISRAEL''—

(1) in the matter preceding the first proviso, by striking ''September 30, 2019'' and inserting ''September 30, 2023''; and

(2) in the second proviso, by striking ''September 30, 2019'' and inserting ''September 30, 2023''.

SEC. 106. JOINT ASSESSMENT OF QUANTITY OF PRECISION GUIDED MUNITIONS FOR USE BY ISRAEL.

(a) IN GENERAL.—The President, acting through the Secretary of State and the Secretary of Defense, is authorized to conduct a joint assessment with the Government of Israel with respect to the matters described in subsection (b).

(b) MATTERS DESCRIBED.—The matters described in this subsection are the following:

(1) The quantity and type of precision guided munitions that are necessary for Israel to combat Hezbollah in the event of a sustained armed confrontation between Israel and Hezbollah.

(2) The quantity and type of precision guided munitions that are necessary for Israel in the event of a sustained armed confrontation with other armed groups and terrorist organizations such as Hamas.

(3) The resources the Government of Israel can plan to dedicate to acquire such precision guided munitions.

(4) United States plans to assist Israel to prepare for sustained armed confrontations described in this subsection as well as the ability of the United States to resupply Israel with precision guided munitions in the event of confrontations described in paragraphs (1) and (2), if any.

(c) REPORT.—

(1) IN GENERAL.—Not later than 15 days after the date on which the joint assessment authorized under subsection (a) is completed, the President shall submit to the appropriate congressional committees a report that contains the joint assessment.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 107. TRANSFER OF PRECISION GUIDED MUNITIONS TO ISRAEL.

(a) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to sell such quantities of precision guided munitions from reserve stocks to Israel as necessary for legitimate self-defense and otherwise consistent with the purposes and conditions for such sales under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(b) CERTIFICATIONS.—Except in case of emergency, not later than 5 days before making a sale under this section, the President shall certify in an unclassified notification to the appropriate congressional committees that the sale of the precision guided munitions—

(1) does not affect the ability of the United States to maintain a sufficient supply of precision guided munitions;

(2) does not harm the combat readiness of the United States or the ability of the United States to meet its commitment to allies for the transfer of such munitions; and

(3) is necessary for Israel to counter the threat of rockets in a timely fashion.

SEC. 108. MODIFICATION OF RAPID ACQUISITION AND DEPLOYMENT PROCEDURES.

(a) REQUIREMENT TO ESTABLISH PROCEDURES.—

(1) IN GENERAL.—Section 806(a) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note; Public Law 107–314) is amended—

(A) in paragraph (1)(C), by striking ''; and'';

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(3) urgently needed to support production of precision guided munitions—

''(A) for United States counterterrorism missions; or

''(B) to assist an ally of the United States under direct missile threat from—

''(i) an organization the Secretary of State has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

''(ii) a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)) (as in effect pursuant to the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.''.

(2) PRESCRIPTION OF PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe procedures for the rapid acquisition and deployment of supplies and associated support services for purposes described in paragraph (3) of section 806(a) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as added by paragraph (1)(A) of this subsection.

(b) USE OF AMOUNTS IN SPECIAL DEFENSE ACQUISITION FUND.—Section 114(c)(3) of title 10, United States Code, is amended by inserting before the period at the end the following: ''or to assist an ally of the United States that is under direct missile threat, including from a terrorist organization supported by Iran, and such threat adversely affects the safety and security of such ally''.

SEC. 109. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Israel has adopted high standards in the field of export controls.

(2) Israel has declared its unilateral adherence to the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group.

(3) Israel is a party to—

(A) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed at Geneva October 10, 1980;

(B) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925; and

(C) the Convention on the Physical Protection of Nuclear Material, adopted at Vienna October 26, 1979.

(4) Section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note) directs the President, consistent with the commitments of the United States under international agreements, to take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export, reexport, or in-country transfer of an item subject to controls under the Export Administration Regulations.

(b) REPORT ON ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION EXCEPTION.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that—

(A) describes the steps taken to include Israel in the list of countries eligible for the strategic trade authorization exception as required under 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note; Public Law 113–296); and

(B) includes what steps are necessary for Israel to be included in such a list of countries eligible for the strategic trade authorization exception.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

TITLE II—ENHANCED UNITED STATES-ISRAEL COOPERATION

SEC. 201. UNITED STATES-ISRAEL SPACE COOPERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Authorized in 1958, the National Aeronautics and Space Administration (NASA) supports and coordinates United States Government research in aeronautics, human exploration and operations, science, and space technology.

(2) Established in 1983, the Israel Space Agency (ISA) supports the growth of Israel's space industry by supporting academic research, technological innovation, and educational activities.

(3) The mutual interest of the United States and Israel in space exploration affords both nations an opportunity to leverage their unique abilities to advance scientific discovery.

(4) In 1996, NASA and the ISA entered into an agreement outlining areas of mutual cooperation, which remained in force until 2005.

(5) Since 1996, NASA and the ISA have successfully cooperated on many space programs supporting the Global Positioning System and research related to the sun, earth science, and the environment.

(6) The bond between NASA and the ISA was permanently forged on February 1, 2003, with the loss of the crew of STS–107, including Israeli Astronaut Ilan Ramon.

(7) On October 13, 2015, the United States and Israel signed the Framework Agreement between the National Aeronautics and Space Administration of the United States of America and the Israel Space Agency for Cooperation in Aeronautics and the Exploration and Use of Airspace and Outer Space for Peaceful Purposes.

(b) CONTINUING COOPERATION.—The Administrator of the National Aeronautics and Space Administration shall continue to work with the Israel Space Agency to identify and cooperatively pursue peaceful space exploration and science initiatives in areas of mutual interest, taking all appropriate measures to protect sensitive information, intellectual property, trade secrets, and economic interests of the United States.

SEC. 202. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT-ISRAEL ENHANCED PARTNERSHIP FOR DEVELOPMENT COOPERATION IN DEVELOPING NATIONS.

(a) STATEMENT OF POLICY.—It should be the policy of the United States Agency for International Development (USAID) to partner with Israel in order to advance common goals across a wide variety of sectors, including energy, agriculture and food security, democracy, human rights and governance, economic growth and trade, education, environment, global health, and water and sanitation.

(b) MEMORANDUM OF UNDERSTANDING.—The Administrator of the United States Agency for International Development is authorized to enter into memoranda of understanding with Israel in order to enhance coordination on advancing common goals on energy, agriculture and food security, democracy, human rights and governance, economic growth and trade, education, environment, global health, and water and sanitation with a focus on strengthening mutual ties and cooperation with nations throughout the world.

SEC. 203. AUTHORITY TO ENTER INTO A COOPERATIVE PROJECT AGREEMENT WITH ISRAEL TO COUNTER UNMANNED AERIAL VEHICLES THAT THREATEN THE UNITED STATES OR ISRAEL.

(a) FINDINGS.—Congress makes the following findings:

(1) On February 10, 2018, Iran launched from Syria an unmanned aerial vehicle (commonly known as a ''drone'') that penetrated Israeli airspace.

(2) According to a press report, the unmanned aerial vehicle was in Israeli airspace for a minute and a half before being shot down by its air force.

(3) Senior Israeli officials stated that the unmanned aerial vehicle was an advanced piece of technology.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) joint research and development to counter unmanned aerial vehicles will serve the national security interests of the United States and Israel;

(2) Israel faces urgent and emerging threats from unmanned aerial vehicles, and other unmanned vehicles, launched from Lebanon by Hezbollah, from Syria by Iran's Revolutionary Guard Corps, or from others seeking to attack Israel;

(3) efforts to counter unmanned aerial vehicles should include the feasibility of utilizing directed energy and high powered microwave technologies, which can disable vehicles without kinetic destruction; and

(4) the United States and Israel should continue to work together to defend against all threats to the safety, security, and national interests of both countries.

(c) AUTHORITY TO ENTER INTO AGREEMENT.—

(1) IN GENERAL.—The President is authorized to enter into a cooperative project agreement with Israel under the authority of section 27 of the Arms Export Control Act (22 U.S.C. 2767), to carry out research on, and development, testing, evaluation, and joint production (including follow-on support) of, defense articles and defense services, such as the use of directed energy or high powered microwave technology, to detect, track, and destroy unmanned aerial vehicles that threaten the United States or Israel.

(2) APPLICABLE REQUIREMENTS.—The cooperative project agreement described in paragraph (1) shall—

(A) provide that any activities carried out pursuant to the agreement are subject to—

(i) the applicable requirements described in subparagraphs (A), (B), and (C) of section 27(b)(2) of the Arms Export Control Act (22 U.S.C. 2767(b)(2)); and

(ii) any other applicable requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.) with respect to the use, transfers, and security of such defense articles and defense services under that Act;

(B) establish a framework to negotiate the rights to intellectual property developed under the agreement; and

(C) include appropriate protections for sensitive technology.

TITLE III—ENSURING ISRAEL'S QUALITATIVE MILITARY EDGE

SEC. 301. STATEMENT OF POLICY.

It is the policy of the United States to ensure that Israel maintains its ability to counter and defeat any credible conventional military, or emerging, threat from any individual state or possible coalition of states or from non-state actors, while sustaining minimal damages and casualties, through the use of superior military means, possessed in sufficient quantity, including weapons, command, control, communication, intelligence, surveillance, and reconnaissance capabilities that in their technical characteristics are superior in capability to those of such other individual or possible coalition states or non-state actors.

Mr. PAUL. Mr. President, I am a strong supporter of Israel. They remain one of our staunchest allies, and we must support them. However, the Israelis have called for a curtailment of U.S. aid for more than 20 years in order to ensure their own military and economic independence.

In 2013, Naftali Bennet, who was then serving as Israel's Minister of Economics and as the leader of the Home Party said, ''Today, U.S. military aid is roughly 1 percent of Israel's economy. I think, generally, we need to free ourselves from it. We have to do it responsibly . . . but our situation today is very different from what it was 20 and 30 years ago.''

Additionally, on July 10, 1996, Israeli Prime Minister Benjamin Netanyahu said before a Joint Session of Congress, ''I believe we can now say that Israel has reached childhood's end, that it has matured enough to begin approaching a state of self-reliance . . . . We are going to achieve economic independence [from the United States].''

Mr. GARDNER. Mr. President, I ask unanimous consent that the Rubio amendment at the desk be agreed to, the committee-reported amendment, as amended, be agreed to, and the bill, as amended, be considered read a third time.

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

The amendment (No. 3690) was agreed to, as follows:

(Purpose: To make improvements to the bill)

On page 29, after line 26, add the following:

(5) The current United States inventory of the precision guided munitions described in paragraphs (1) and (2), and an assessment whether such inventory meets the United States total munitions requirement.

On page 31, strike line 20 and insert ''at the end and inserting ''; or''; and''.

On page 40, after line 21, add the following:

(d) REPORT ON COOPERATION.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees (as that term is defined in section 101(a) of title 10, United States Code), the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report describing the cooperation of the United States with Israel with respect to countering unmanned aerial systems that includes each of the following:

(A) An identification of specific capability gaps of the United States and Israel with respect to countering unmanned aerial systems.

(B) An identification of cooperative projects that would address those capability gaps and mutually benefit and strengthen the security of the United States and Israel.

(C) An assessment of the projected cost for research and development efforts for such cooperative projects, including an identification of those to be conducted in the United States, and the timeline for the completion of each such project.

(D) An assessment of the extent to which the capability gaps of the United States

identified pursuant to subparagraph (A) are not likely to be addressed through the cooperative projects identified pursuant to subparagraph (B).

(E) An assessment of the projected costs for procurement and fielding of any capabilities developed jointly pursuant to an agreement described in subsection (c).

(2) LIMITATION.—No activities may be conducted pursuant to an agreement described in subsection (c) until the date that is 15 days after the date on which the Secretary of Defense submits the report required under paragraph (1).

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. GARDNER. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2497), as amended, was passed, as follows:

S. 2497

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''United States-Israel Security Assistance Authorization Act of 2018''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

TITLE I—SECURITY ASSISTANCE FOR ISRAEL

SEC. 101. FINDINGS.

Congress makes the following findings:

(1) In February 1987, the United States granted Israel major non-NATO ally status.

(2) On August 16, 2007, the United States and Israel signed a ten-year Memorandum of Understanding on United States military assistance to Israel. The total assistance over the course of this understanding would equal $30,000,000,000.

(3) On July 27, 2012, the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150; 22 U.S.C. 8601 et seq.) declared it to be the policy of the United States ''to help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation'' and stated the sense of Congress that the United States Government should ''provide the Government of Israel defense articles and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions''.

(4) On December 19, 2014, President Barack Obama signed into law the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296) which stated the sense of Congress that Israel is a major strategic partner of the United States and declared it to be the policy of the United States ''to continue to provide Israel with robust security assistance, including for the procurement of the Iron Dome Missile Defense System''.

(5) Section 1679 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1135) authorized funds to be appropriated for Israeli cooperative missile defense program codevelopment and coproduction, including funds to be provided to the Government of Israel to procure the David's Sling weapon system as well as the Arrow 3 Upper Tier Interceptor Program.

(6) On September 14, 2016, the United States and Israel signed a ten-year Memorandum of Understanding reaffirming the importance of continuing annual United States military assistance to Israel and cooperative missile defense programs in a way that enhances Israel's security and strengthens the bilateral relationship between the two countries.

(7) The 2016 Memorandum of Understanding reflected United States support of Foreign Military Financing (FMF) grant assistance to Israel over the ten year period beginning in fiscal year 2019 and ending in fiscal year 2028. FMF grant assistance would be at a level of $3,300,000,000 annually, totaling $33,000,000,000, the largest single pledge of military assistance ever and a reiteration of the seven-decade, unshakeable, bipartisan commitment of the United States to Israel's security.

(8) The Memorandum of Understanding also reflected United States support for funding for cooperative programs to develop, produce, and procure missile, rocket, and projectile defense capabilities over a ten year period beginning in fiscal year 2019 and ending in fiscal year 2028 at a level of $500,000,000 per year, totaling $5,000,000,000.

SEC. 102. STATEMENT OF POLICY REGARDING ISRAEL'S DEFENSE SYSTEMS.

It shall be the policy of the United States to provide assistance to the Government of Israel in order to support funding for cooperative programs to develop, produce, and procure missile, rocket, projectile, and other defense capabilities to help Israel meet its security needs and to help develop and enhance United States defense capabilities.

SEC. 103. ASSISTANCE FOR ISRAEL.

(a) AUTHORIZATION OF APPROPRIATIONS FOR ISRAEL.—Section 513(c) of the Security Assistance Act of 2000 (Public Law 106–280; 114 Stat. 856) is amended—

(1) in paragraph (1), by striking ''2002 and 2003'' and inserting ''2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, and 2028'';

(2) in paragraph (2)—

(A) by striking ''equal to—'' and inserting ''not less than $3,300,000,000.''; and

(B) by striking subparagraphs (A) and (B).

SEC. 104. EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.

(a) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''after September 30, 2018'' and inserting ''after September 30, 2023''.

(b) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''2013, 2014, 2015, 2016, 2017, and 2018'' and inserting ''2018, 2019, 2020, 2021, 2022, and 2023.''.

SEC. 105. EXTENSION OF LOAN GUARANTEES TO ISRAEL.

Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading ''LOAN GUARANTEES TO ISRAEL''—

(1) in the matter preceding the first proviso, by striking ''September 30, 2019'' and inserting ''September 30, 2023''; and

(2) in the second proviso, by striking ''September 30, 2019'' and inserting ''September 30, 2023''.

SEC. 106. JOINT ASSESSMENT OF QUANTITY OF PRECISION GUIDED MUNITIONS FOR USE BY ISRAEL.

(a) IN GENERAL.—The President, acting through the Secretary of State and the Secretary of Defense, is authorized to conduct a joint assessment with the Government of Israel with respect to the matters described in subsection (b).

(b) MATTERS DESCRIBED.—The matters described in this subsection are the following:

(1) The quantity and type of precision guided munitions that are necessary for Israel to combat Hezbollah in the event of a sustained armed confrontation between Israel and Hezbollah.

(2) The quantity and type of precision guided munitions that are necessary for Israel in the event of a sustained armed confrontation with other armed groups and terrorist organizations such as Hamas.

(3) The resources the Government of Israel can plan to dedicate to acquire such precision guided munitions.

(4) United States plans to assist Israel to prepare for sustained armed confrontations described in this subsection as well as the ability of the United States to resupply Israel with precision guided munitions in the event of confrontations described in paragraphs (1) and (2), if any.

(5) The current United States inventory of the precision guided munitions described in paragraphs (1) and (2), and an assessment whether such inventory meets the United States total munitions requirement.

(c) REPORT.—

(1) IN GENERAL.—Not later than 15 days after the date on which the joint assessment authorized under subsection (a) is completed, the President shall submit to the appropriate congressional committees a report that contains the joint assessment.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 107. TRANSFER OF PRECISION GUIDED MUNITIONS TO ISRAEL.

(a) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to sell such quantities of precision guided munitions from reserve stocks to Israel as necessary for legitimate self-defense and otherwise consistent with the purposes and conditions for such sales under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(b) CERTIFICATIONS.—Except in case of emergency, not later than 5 days before making a sale under this section, the President shall certify in an unclassified notification to the appropriate congressional committees that the sale of the precision guided munitions—

(1) does not affect the ability of the United States to maintain a sufficient supply of precision guided munitions;

(2) does not harm the combat readiness of the United States or the ability of the United States to meet its commitment to allies for the transfer of such munitions; and

(3) is necessary for Israel to counter the threat of rockets in a timely fashion.

SEC. 108. MODIFICATION OF RAPID ACQUISITION AND DEPLOYMENT PROCEDURES.

(a) REQUIREMENT TO ESTABLISH PROCEDURES.—

(1) IN GENERAL.—Section 806(a) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note; Public Law 107–314) is amended—

(A) in paragraph (1)(C), by striking ''; and'';

(B) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new paragraph:

''(3) urgently needed to support production of precision guided munitions—

''(A) for United States counterterrorism missions; or

''(B) to assist an ally of the United States under direct missile threat from—

''(i) an organization the Secretary of State has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

''(ii) a country the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)) (as in effect pursuant to the International Emergency Economic Powers Act), section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371), section 40 of the Arms Export Control Act (22 U.S.C. 2780), or any other provision of law, is a government that has repeatedly provided support for acts of international terrorism.''.

(2) PRESCRIPTION OF PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe procedures for the rapid acquisition and deployment of supplies and associated support services for purposes described in paragraph (3) of section 806(a) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as added by paragraph (1)(A) of this subsection.

(b) USE OF AMOUNTS IN SPECIAL DEFENSE ACQUISITION FUND.—Section 114(c)(3) of title 10, United States Code, is amended by inserting before the period at the end the following: ''or to assist an ally of the United States that is under direct missile threat, including from a terrorist organization supported by Iran, and such threat adversely affects the safety and security of such ally''.

SEC. 109. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Israel has adopted high standards in the field of export controls.

(2) Israel has declared its unilateral adherence to the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group.

(3) Israel is a party to—

(A) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed at Geneva October 10, 1980;

(B) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925; and

(C) the Convention on the Physical Protection of Nuclear Material, adopted at Vienna October 26, 1979.

(4) Section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note) directs the President, consistent with the commitments of the United States under international agreements, to take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export, reexport, or in-country transfer of an item subject to controls under the Export Administration Regulations.

(b) REPORT ON ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION EXCEPTION.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that—

(A) describes the steps taken to include Israel in the list of countries eligible for the strategic trade authorization exception as required under 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note; Public Law 113–296); and

(B) includes what steps are necessary for Israel to be included in such a list of countries eligible for the strategic trade authorization exception.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

TITLE II—ENHANCED UNITED STATES-ISRAEL COOPERATION

SEC. 201. UNITED STATES-ISRAEL SPACE COOPERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Authorized in 1958, the National Aeronautics and Space Administration (NASA) supports and coordinates United States Government research in aeronautics, human exploration and operations, science, and space technology.

(2) Established in 1983, the Israel Space Agency (ISA) supports the growth of Israel's space industry by supporting academic research, technological innovation, and educational activities.

(3) The mutual interest of the United States and Israel in space exploration affords both nations an opportunity to leverage their unique abilities to advance scientific discovery.

(4) In 1996, NASA and the ISA entered into an agreement outlining areas of mutual cooperation, which remained in force until 2005.

(5) Since 1996, NASA and the ISA have successfully cooperated on many space programs supporting the Global Positioning System and research related to the sun, earth science, and the environment.

(6) The bond between NASA and the ISA was permanently forged on February 1, 2003, with the loss of the crew of STS–107, including Israeli Astronaut Ilan Ramon.

(7) On October 13, 2015, the United States and Israel signed the Framework Agreement between the National Aeronautics and Space Administration of the United States of America and the Israel Space Agency for Cooperation in Aeronautics and the Exploration and Use of Airspace and Outer Space for Peaceful Purposes.

(b) CONTINUING COOPERATION.—The Administrator of the National Aeronautics and Space Administration shall continue to work with the Israel Space Agency to identify and cooperatively pursue peaceful space exploration and science initiatives in areas of mutual interest, taking all appropriate measures to protect sensitive information, intellectual property, trade secrets, and economic interests of the United States.

SEC. 202. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT-ISRAEL ENHANCED PARTNERSHIP FOR DEVELOPMENT COOPERATION IN DEVELOPING NATIONS.

(a) STATEMENT OF POLICY.—It should be the policy of the United States Agency for International Development (USAID) to partner with Israel in order to advance common goals across a wide variety of sectors, including energy, agriculture and food security, democracy, human rights and governance, economic growth and trade, education, environment, global health, and water and sanitation.

(b) MEMORANDUM OF UNDERSTANDING.—The Administrator of the United States Agency for International Development is authorized to enter into memoranda of understanding with Israel in order to enhance coordination on advancing common goals on energy, agriculture and food security, democracy, human rights and governance, economic growth and trade, education, environment, global health, and water and sanitation with a focus on strengthening mutual ties and cooperation with nations throughout the world.

SEC. 203. AUTHORITY TO ENTER INTO A COOPERATIVE PROJECT AGREEMENT WITH ISRAEL TO COUNTER UNMANNED AERIAL VEHICLES THAT THREATEN THE UNITED STATES OR ISRAEL.

(a) FINDINGS.—Congress makes the following findings:

(1) On February 10, 2018, Iran launched from Syria an unmanned aerial vehicle (commonly known as a ''drone'') that penetrated Israeli airspace.

(2) According to a press report, the unmanned aerial vehicle was in Israeli airspace for a minute and a half before being shot down by its air force.

(3) Senior Israeli officials stated that the unmanned aerial vehicle was an advanced piece of technology.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) joint research and development to counter unmanned aerial vehicles will serve the national security interests of the United States and Israel;

(2) Israel faces urgent and emerging threats from unmanned aerial vehicles, and other unmanned vehicles, launched from Lebanon by Hezbollah, from Syria by Iran's Revolutionary Guard Corps, or from others seeking to attack Israel;

(3) efforts to counter unmanned aerial vehicles should include the feasibility of utilizing directed energy and high powered microwave technologies, which can disable vehicles without kinetic destruction; and

(4) the United States and Israel should continue to work together to defend against all threats to the safety, security, and national interests of both countries.

(c) AUTHORITY TO ENTER INTO AGREEMENT.—

(1) IN GENERAL.—The President is authorized to enter into a cooperative project agreement with Israel under the authority of section 27 of the Arms Export Control Act (22 U.S.C. 2767), to carry out research on, and development, testing, evaluation, and joint production (including follow-on support) of, defense articles and defense services, such as the use of directed energy or high powered microwave technology, to detect, track, and destroy unmanned aerial vehicles that threaten the United States or Israel.

(2) APPLICABLE REQUIREMENTS.—The cooperative project agreement described in paragraph (1) shall—

(A) provide that any activities carried out pursuant to the agreement are subject to—

(i) the applicable requirements described in subparagraphs (A), (B), and (C) of section 27(b)(2) of the Arms Export Control Act (22 U.S.C. 2767(b)(2)); and

(ii) any other applicable requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.) with respect to the use, transfers, and security of such defense articles and defense services under that Act;

(B) establish a framework to negotiate the rights to intellectual property developed under the agreement; and

(C) include appropriate protections for sensitive technology.

(d) REPORT ON COOPERATION.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees (as that term is defined in section 101(a) of title 10, United States Code), the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report describing the cooperation of the United States with Israel with respect to countering unmanned aerial systems that includes each of the following:

(A) An identification of specific capability gaps of the United States and Israel with respect to countering unmanned aerial systems.

(B) An identification of cooperative projects that would address those capability gaps and mutually benefit and strengthen the security of the United States and Israel.

(C) An assessment of the projected cost for research and development efforts for such cooperative projects, including an identification of those to be conducted in the United States, and the timeline for the completion of each such project.

(D) An assessment of the extent to which the capability gaps of the United States identified pursuant to subparagraph (A) are not likely to be addressed through the cooperative projects identified pursuant to subparagraph (B).

(E) An assessment of the projected costs for procurement and fielding of any capabilities developed jointly pursuant to an agreement described in subsection (c).

(2) LIMITATION.—No activities may be conducted pursuant to an agreement described in subsection (c) until the date that is 15 days after the date on which the Secretary of Defense submits the report required under paragraph (1).

TITLE III—ENSURING ISRAEL'S QUALITATIVE MILITARY EDGE

SEC. 301. STATEMENT OF POLICY.

It is the policy of the United States to ensure that Israel maintains its ability to counter and defeat any credible conventional military, or emerging, threat from any individual state or possible coalition of states or from non-state actors, while sustaining minimal damages and casualties, through the use of superior military means, possessed in sufficient quantity, including weapons, command, control, communication, intelligence, surveillance, and reconnaissance capabilities that in their technical characteristics are superior in capability to those of such other individual or possible coalition states or non-state actors.

Mr. GARDNER. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 630, 631, 632, 730, 732, 767.

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

The clerk will report the nominations en bloc.

The bill clerk read the nominations of Emily Coody Marks, of Alabama, to be United States District Judge for the Middle District of Alabama; Jeffrey Uhlman Beaverstock, of Alabama, to be United States District Judge for the Southern District of Alabama; Holly Lou Teeter, of Kansas, to be United States District Judge for the District of Kansas; Colm F. Connolly, of Delaware, to be United States District Judge for the District of Delaware; Maryellen Noreika, of Delaware, to be United States District Judge for the District of Delaware; and Jill Aiko Otake, of Hawaii, to be United States District Judge for the District of Hawaii.

Thereupon, the Senate proceeded to consider the nominations en bloc.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Marks, Beaverstock, Teeter, Connolly, Noreika, and Otake nominations en bloc?

The nominations were confirmed en bloc.

EXECUTIVE CALENDAR

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 697.

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

The clerk will report the nomination.

The bill clerk read the nomination of Jason Klitenic, of Maryland, to be General Counsel of the Office of the Director of National Intelligence.

Thereupon, the Senate proceeded to consider the nomination.

Mr. GARDNER. 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 related 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 Klitenic nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

TRIBUTE TO WILL T. SCOTT

Mr. MCCONNELL. Mr. President, in the marble halls of the Kentucky State Capitol building in Frankfort, visitors will discover numerous portraits of those who have served our Commonwealth in our highest offices. Depictions of Kentucky's Governors, legislators, and supreme court justices line the halls as memorials to those public servants. On August 7, another portrait will be added, paying tribute to an individual who has served our State and our Nation with distinction.

William Thompson Scott, known by his friends as ''Will T.,'' is a native of Pike County in eastern Kentucky and served as an associate justice on the Kentucky Supreme Court from 2005 to 2015. Known for his humor and congenial nature, Justice Scott clearly earned his colleagues' respect when they elected him to serve a 4-year term as the deputy chief justice. With the esteem of his peers and those he served, Justice Scott's tenure on the supreme court can be remembered for his positive impact on the Commonwealth of Kentucky.

Even before his first election to the high court, Justice Scott actively engaged in the service of our Commonwealth and our Nation for much of his life. Interrupting his undergraduate studies at Eastern Kentucky University in 1966 to voluntarily enlist in the U.S. Army, he proudly served our Nation in Vietnam as a first lieutenant

and earned the Bronze Star Medal. When he was discharged, he returned to Kentucky and received his bachelor's degree from Pikeville College before studying law at the University of Miami in Florida.

After spending a few years as a trial attorney, Will T. found a way to employ his skills for the good of his neighbors and became an assistant Commonwealth's attorney for Pike County in 1981. A few years later, he was elected as a circuit court judge in Kentucky, beginning what would be his long and distinguished career serving on the bench.

When his portrait joins those of other jurists from Kentucky's past, Justice Scott's legacy will be enshrined for future generations to study, interpret, and appreciate. So as Justice Scott's friends, family, and colleagues gather to honor his career, I would like to ask my Senate colleagues to join me in thanking him for his service to our Nation and to the Commonwealth of Kentucky.

TRIBUTE TO DAVID BECK

Mr. MCCONNELL. Mr. President, today it is my privilege to recognize a prominent member of Kentucky's agricultural community, David Beck. During his four decades with the Kentucky Farm Bureau, KFB, David has been an effective advocate for our farm families and rural communities. Now, after great success with KFB, he has decided to leave the bureau for a new challenge. David has accepted the role of president and CEO of Kentucky Venues, an organization responsible for many of the Commonwealth's most beloved traditions like the annual State fair.

Graduating from Murray State University in Calloway County with a degree in agriculture, David set out to dedicate his career to promoting farm communities in Kentucky. Since joining KFB in 1977 as a field service director in Central Kentucky, David has worn a lot of hats within the organization. Advocating in Frankfort and in Washington and working to implement KFB programs at all levels, he has also done a lot of good.

In my work on the Senate Agriculture Committee, David has provided me with many valuable insights helping me better represent Kentucky farm families. Through multiple fly-ins and Farm Bills, we worked closely to develop policy to help support our agriculture communities. I would like to note one important project in particular we collaborated on: the 2004 Tobacco buyout. This landmark legislation not only reoriented our Depression-era Federal tobacco program toward the free market, but it also provided much-needed relief to some of the hardest hit farming communities in our State. With David's assistance, I championed this major legislation and worked with my colleagues in Congress to bring it to the President's desk.

In his role as KFB executive vice president, David has time and again proven his leadership to benefit the organization's members and farmers throughout the country. Through seminars, conferences, and workshops he led with the American Farm Bureau Federation, AFBF, David helped build the farm economy nationwide. One clear measure of his success is the growth in our Nation's farm communities during David's time advocating for American agriculture. The AFBF cites a growth of more than 3 million member families across the Nation in the last four decades. He has led a remarkable career and has so much to be proud of.

David's dedication to the Commonwealth has extended beyond the farm, helping families throughout Kentucky thrive. His work with our State's council on postsecondary education has helped students gain the skills they need to succeed in the workforce. By serving in leadership roles for the Kentuckians for Better Transportation, David helped encourage economic development with a safe and reliable infrastructure network. His passion for service runs deep, and David's experience continues to be an asset to the Commonwealth.

On behalf of the many men and women from our home State who have benefited from his leadership, I would like to express our gratitude to David for his career at the KFB. As he leaves the bureau to take the next steps in his career, I wish him the best and look forward to his great accomplishments to come.

RECOGNIZING THE COLCHESTER CAUSEWAY BIKE FERRY CREW

Mr. LEAHY. Mr. President, Vermont is special in large part because of the dedication and kindness that Vermonters show to neighbors and strangers alike. I would like to recognize a few Vermonters in particular who went out of their way to do what needed to be done to save the lives of others. On July 6, a number of boaters became stranded on the water near the Colchester Causeway Bike Ferry while enjoying themselves on Lake Champlain. Luckily for those in distress, the crew of the Bike Ferry was nearby, and sprang into action.

After quickly rescuing four people, Captain Brian Costello, deckhand and former coastguardsman Frank Malaki, and captain-in-training Richard Schattman were told that there were more people who needed assistance. Before long, all those who had been stranded were safe and sound, with warm clothes, water, and shelter, thanks to the ferry's crew.

Anyone who has enjoyed the beauty of our great Lake Champlain knows that, in bad weather, its calm, rolling waves can quickly turn treacherous. We have always been lucky to have the protection of the Coast Guard on the water in times of emergency, but it should hearten many to hear that there are also professional, courageous, and selfless Vermonters like Captain Costello, Mr. Malaki, and captain-in-training Schattman nearby to lend a hand.

I share the pride of the Coast Guard in this lifesaving effort. I ask unanimous consent that the July 19, 2018, article from ''My Champlain Valley'' entitled ''Bike-ferry crew recognized by Coast Guard for heroic rescue,'' which commemorates the bravery of these men, be printed in the RECORD.

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

[From My Champlain Valley, July 19, 2018]

BIKE FERRY CREW RECOGNIZED BY COAST GUARD FOR HEROIC RESCUE

(By Devin Bates)

SOUTH HERO, VT.—A crew from the Colchester Causeway Bike Ferry got some special recognition from the U.S. Coast Guard on Thursday for rescuing seven people in Lake Champlain earlier this month.

Coast Guard officials were so impressed with the crew's work that they came down to the causeway to express their gratitude and thank them for their heroic act.

The rescue happened the afternoon of July 6. Winds were gusty, reaching 25–30 mph. The ferry crew—Cpt. Brian Costello, former Coast Guardsman and deckhand Frank Malaki and Captain-in-training Richard Schattman—tracked down and rescued four people. Three kayakers—including one in the water—were rescued a short time later.

All seven of the boaters were wearing life jackets and were unharmed. The crew gave them warm clothes, shelter from the wind and bottled water.

The rescue occurred just days after 41 year-old Eric Plett of Weehawken, New Jersey, went missing after falling out of his kayak near Shelburne Point. Plett's body was recovered several days later after a search by the Coast Guard and state police.

''Any good Vermonter would respond to people in distress, whether it's on the water or on land, and we happened to be the closest,'' Costello said. ''We also happen to have an experienced and trained crew.''

While the crew members were modest about their efforts, Sector Commander Brian LeFebvre of the U.S. Coast Guard made sure to give them the recognition they deserved.

''I applaud the crew, their dedication and selfless service to the boating public, and I am truly thankful for the professional seamanship that you exercised in response to these potentially grave situations,'' LeFebvre said. ''Bravo Zulu for a job extremely well-done, and thank you very much.''

LeFebvre urged boaters to be safe out on the lake.

''Anything can happen at any given time when you're on the water, even when you least expect it,'' LeFebvre said. ''It's always important to be wearing your life jacket, especially if you're on a paddle-craft or in a kayak.''

DISCLOSURE OF CORPORATE POLITICAL SPENDING

Mr. MENENDEZ. Mr. President, I rise today because Senate Republicans have blocked a vote on my amendment, No. 3532. My amendment is really quite simple. It would have struck language in the underlying bill that prohibits

the Securities and Exchange Commission from requiring corporations to tell their investors and the public how they spend money in politics.

It has been 8 years since the Supreme Court's Citizens United decision, a decision which gave corporations the right to spend unlimited, unchecked, and—more often than not—undisclosed money on our elections.

For 8 long years, more and more money has flowed from corporate coffers into campaign ads and political expenditures, and Republicans have defended the dark money poisoning our politics every step of the way.

In the 2016 elections alone, outside groups spent more than $1.4 billion, much of it funneled through trade associations and nonprofits, and much of it undisclosed to the public.

This is elementary; shareholders don't invest in political agendas or candidates. They invest in companies, and they deserve to know whether the corporate executives of those companies are using their money to grow their businesses or to advance political outcomes that are contrary to investors' values.

With no requirement to disclose how this money is being spent, shareholders and the public are left in the dark with no way to know if corporations are spending their money to defund Social Security and Medicare, keep the cost of prescription drugs high, dismantle environmental protections, undermine education programs, or eviscerate rules on Wall Street.

This information is material to how shareholders decide to invest their money and vote in corporate elections. Even setting aside the case for this disclosure as a matter of corporate governance and investor protection, this issue gets to the very core of our democracy.

Corporations can secretly funnel money to organizations that have no requirement to report on their contributions, and then the American public is left with no way of knowing who is advancing what causes.

All of this secret cash and dark money undermines the ability of the American people to hold their government accountable.

Disclosing corporate spending in our elections is the least we can do to help ensure that voters and not dollars set the agenda in Washington.

That is what Americans want. The Securities and Exchange Commission has received a record 1.2 million comments from investors and members of the public in support of requiring corporations to disclose how they spend money in politics.

Moreover, a May 2018 University of Maryland study found that Americans, both liberal and conservative, overwhelmingly support a constitutional amendment that would overturn Citizens United. Seventy-five percent of those surveyed support such an amendment. Even more, 88 percent of those surveyed want to reduce the outsized influence of corporations in our politics.

But Republicans in the Senate wouldn't even let us have a vote on this amendment. What was behind their refusal? After passing trillion-dollar tax cuts for big corporations, Republicans are hoping some of that money trickles down into their reelection efforts. The Republican Congress and this President depend upon this influence being kept in the shadows. It makes you wonder, what are they hiding? What would happen if the American people knew who was really funding their agenda?

That is why they slipped this language into a must-pass spending bill a few years ago, and why they are holding on to it with all of their might today. As long as the American people are kept in the dark, Republicans are better able to hold onto power.

That is why just 2 weeks ago, President Trump's Treasury Department announced that it would no longer certain nonprofit organizations that engage in political activity to disclose their donors to the IRS.

They want to make it easier for big corporations, billionaires, special interests—and even illegal foreign money—to influence our elections.

They don't want the American people to know that behind every bill, amendment, and Executive order is a corporate benefactor. A corporate benefactor that knows so long as the money keeps flowing, there is someone in Congress to do their bidding.

They are so afraid of what these disclosures will reveal that they would not even allow the Senate to vote on my amendment, which does not nothing more than restore the status quo allowing the SEC to move forward with a rule-making requiring corporations to disclose how they spend money in politics.

The fight is not over. We must remain steadfast in our commitment to shining a light on dark money in our politics. I will continue pushing to end Republicans' toxic prohibition on the SEC, which only serves to silence the voices of hard-working American families in favor of amplifying the speech and magnifying the influence of corporations.

In our democracy, the size of your wallet should not determine the power of your voice. I urge my colleagues to listen to the American people who have been loud and clear: They want disclosure, they want to reduce corporate influence in our politics, and they want this government to work for them.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. WYDEN. Mr. President, a short while ago the Senate passed the final version of the National Defense Authorization Act. Here is why I opposed that legislation: It is a national security bill that weakens our national security. This afternoon I want to discuss why.

The Chinese tech company ZTE was revealed not long ago to be a serial sanctions violator. They violated U.S. sanctions against Iran and North Korea, knowingly selling American technology to those countries. For their violations, the Commerce Department dropped the hammer and hit them with crippling penalties, including a fine of $1.2 billion.

That is until Donald Trump stepped in to save ZTE.

With a speed and a focus this administration seems incapable of bringing to any other issue, the President ordered his team to spring into action to rescue ZTE. He fired off tweets. He made the eyebrow-raising comment that it was a problem that U.S. sanctions were hurting jobs in China. His Treasury Secretary virtually apologized for the U.S. having taken action against a serial sanctions violator. This all comes from an administration putting on a show—constantly tough talking—and from a President pretending that he puts America first. He sure didn't in this case.

Now there are a few sides of this issue for everybody at home to remember—the national security aspect, as well as the trade and economic aspect.

First, I sit on the Senate Intelligence Committee, and a few months ago, the committee held an open hearing with Bill Evanina, the Director of the National Counterintelligence and Security Center. He is the point-man for the Trump administration when it comes to questions of counterespionage and counterterror. In response to my question, he told me that ZTE poses a national security risk to the United States.

That was not some outside individual providing testimony. He is not a hearing witness chosen by Democrats. Again, that is the person who has led the National Counterintelligence and Security Center since 2014. He says ZTE poses a threat to America, but his boss, the President of the United States, let ZTE off the hook.

Here is the second issue: the Trump administration loves to tout what it calls new trade deals, but as far as I can tell, just about the only deal they have cooked up with any teeth, the only one that is actually finished, is this ZTE deal that saved jobs—in China.

Colleagues, the President and I don't agree on much, but one of his favorite talking points that I do agree with is that our country has to do a lot more to stop China from stealing our technology and our jobs, but when you look at this ZTE case, he seems to be giving away our jobs and our security.

It is an absolute head-scratcher to me and to a whole lot of other people including Senators on both sides of the aisle. It raised the question are the President's decisions being guided by something else, something other than American interests? That is because the ZTE deal came right after the Trump family secured valuable trademarks in China and a Trump project in

Indonesia got a $500 million loan from a Chinese state-owned company.

So a bipartisan group of Senators, myself included, said let's figure out a way to reinstate the penalties against ZTE as a part of the annual defense authorization bill, but when it came time to hammer out the differences between the Senate's bill and the House's bill, Republicans watered down the ZTE penalties. Republicans in both Chambers caved to the White House and handed a big gift to China at the expense of American jobs and national security.

In my view, it is inexcusable that the plan put together by Senators on both sides—a plan that would have protected our security and punished a serial violator of U.S. sanctions—was stripped out of this bill. The weaker House proposal that took its place doesn't go nearly far enough to fight the espionage threat that the Trump administration's own counterintelligence nominee testified to.

Bottom line, Trump's ZTE deal is bad for American security and American jobs. The House got it wrong with their weaker legislation. The Senate was under no obligation to accept their watered-down bill. That is why I voted no, and that is why members who voted for this proposal cannot claim innocence when it comes to letting ZTE off the hook for its violations of our sanctions.

NOMINATION OBJECTION

Mr. WYDEN. Mr. President, today I am placing a hold on the nomination of Justin Muzinich to be Deputy Secretary of the Treasury. I will maintain that hold until the Treasury Department provides the Senate Finance Committee information and documents related to Russia and its financial dealings with President Trump and his associates, as well as outside organizations Russia used to help elect him. I originally asked for these documents on May 10, 2017, and have yet to receive an answer of any kind.

I have stated repeatedly that we must follow the money if we are going to get to the bottom of how Russia has attacked our democracy. That means thoroughly reviewing any information that relates to financial connections between Russia and President Trump and his associates, whether direct or laundered through hidden or illicit transactions.

The Treasury Department for which Mr. Muzinich is nominated to serve as the No. 2 official is responsible for much of this information. The Treasury Department authorities include intelligence and enforcement functions to combat financial crimes and threats, including money laundering.

For these reasons, I will object to any unanimous consent request concerning the nomination of Mr. Muzinich.

REMOVAL OF NOMINATION OBJECTION

Mr. WYDEN. Mr. President, I am lifting my hold on the nomination of Mr. Jason Klitenic to be General Counsel of the Office of Director of National Intelligence. Senator GRASSLEY and I have received a response to our March 6, 2018, letter regarding the Intelligence Community Office of Inspector General, OIG, and the termination of its Executive Director of Intelligence Community Whistleblowing and Source Protection, ''Executive Director.'' In addition, I have been provided access to documents related to the Executive Director's termination. I remain concerned about the circumstances surrounding that termination and look forward to reviewing them further, even as I work with my colleagues to strengthen protection for intelligence community whistleblowers. My hold on the nomination of Mr. Klitenic was based on these concerns and not on the qualifications of the nominee.

AFGHAN RELIGIOUS MINORITIES

Mr. MENENDEZ. Mr. President, today I would like to raise concerns about violence perpetrated against religious minorities in Afghanistan, particularly the Sikh and Hindu communities.

One month ago today, on July 1, a suicide bomber attacked a crowd of Afghan Sikhs and Hindus as they gathered to meet with Afghan President Ashraf Ghani on his visit to Jalalabad. At least 19 innocent civilians lost their lives, and 10 more were wounded. The attack also claimed the life of Awtar Singh Khalsa, the only Sikh candidate running in Afghanistan's upcoming Parliamentary elections, and Rawail Singh, a prominent community activist.

Of the 19 killed, 17 belonged to the minority Sikh and Hindu religious groups.

I condemn this cowardly and heinous attack and all those like it in the strongest possible terms. The Islamic State in Afghanistan claimed responsibility for the July 1 attack and multiple attacks on civilian targets since then. It is impossible to overstate the depravity of this group that resorts to killing innocent people when it fails to otherwise advance its cause.

We cannot allow attacks such as this on civilians to pass unremarked, nor can we ignore violence specifically targeted toward Afghanistan's diverse religious minorities. Sikhs and Hindus in Afghanistan have long faced systemic discrimination, economic marginalization, and, as this latest attack only serves to further illustrate, unspeakable violence. Members of Sikh and Hindu communities report facing prejudice, harassment, bullying of children, and attacks from militant groups; disproportionate denial of their rights in Afghan courts; and even interference in their efforts to cremate the remains of their dead and peacefully adhere to other tenets of their faiths. Only a few places of worship remain available to Sikhs and Hindus in Afghanistan, many of whom face discrimination so severe that they choose to leave the country.

For his part, Mr. Khalsa's candidacy was a testament to the strength and resiliency of Afghan Sikhs who, even in the face of unrelenting hardship, remain dedicated to their country's democratic future. After last month's attack in Jalalabad, that kind of political engagement has been dealt a terrible blow.

The recent and ongoing attacks against Sikhs and Hindus come against a broader backdrop of sustained violence in Afghanistan. According to recent figures from the U.N. Assistance Mission in Afghanistan, more Afghan civilians were killed in the first 6 months of 2018—1,692 deaths—than in any other 6-month period over the last 10 years. This figure demonstrates the continuing devastation caused by the past 17 years of war in Afghanistan and the need for the United States and our partners in the international community to redouble efforts toward reaching a negotiated political settlement that can bring this long war to an end. Without peace in Afghanistan, the scourges of terrorist and insurgent violence, illegal narcotics trafficking, corruption, and limited government capacity to deliver justice and other public services will remain, and the Afghan people will continue to suffer.

All Afghans, of all beliefs, stand to benefit from the end of bloodshed. Cowardly attacks against religious minorities such as the one that took place in Jalalabad only serve to damage prospects for a peace that can benefit all.

The Jalalabad attack is also a stark reminder of the sectarian violence facing religious minorities in many parts of South Asia. Across the region, members of minority religious groups are being denied their basic human rights and the ability to live free from discrimination or violence. Attacks like the one in Jalalabad underscore the urgent need for governments in the region to hold perpetrators accountable and to enact laws and policies that foster tolerance, protect minorities' rights, and respect individual freedoms.

America is also home to many Sikh and Hindu communities living in every U.S. State, who, like so many minority groups in our diverse country, have played a positive role in the social, cultural, and economic development of the United States. In my home State of New Jersey, I am reminded every day of how much better off we all are for the contributions of Sikh and Hindu communities to our great State and Nation. This is despite the fact that individuals in the United States of South Asian heritage and representing diverse faiths have faced attacks on account of their identity, including harassment, discrimination in employment and schooling, or even violent

hate crimes, such as the devastating mass shooting in Oak Creek, Wisconsin Sikh Gurdwara in 2012.

Just as we as a country will not stand for religious intolerance at home, we must not fail to speak out against it abroad. Respect for religious and other basic human freedoms worldwide is a core American value, one that bears repeating whenever and wherever those freedoms are threatened.

In closing, I will say it again: I condemn the July 1 attack against Afghan Sikh and Hindu civilians and any individual or group that would harm innocent people based on their peaceful religious beliefs. We stand in solidarity with religious minorities in Afghanistan, in South Asia, and around the world.

ANIMAL GENERIC DRUG USER FEE AMENDMENTS OF 2018

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD the commitment letter for the Animal Generic Drug User Fee Agreements of 2018.

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

ANIMAL GENERIC DRUG USER FEE AMENDMENTS OF 2018

AGDUFA REAUTHORIZATION PERFORMANCE GOALS AND PROCEDURES FOR FY'S 2019 THRU 2023

The goals and procedures of the Food and Drug Administration (FDA or the Agency) as agreed to under the ''Animal Generic Drug User Fee Amendments of 2018'' are summarized as follows:

APPLICATION/SUBMISSION GOALS

Beginning October 1, 2018, all applications and submissions under the Federal Food, Drug, and Cosmetic Act (FD&C Act) section 512(b) must be created using the eSubmitter tool and submitted to the Agency through the FDA Center for Veterinary Medicine (CVM) Electronic Submission System (ESS).

1. Original Abbreviated New Animal Drug Applications (ANADAs) and Reactivations

Review and act on 90 percent of original ANADAs within 240 days after the submission date. An application is incomplete if it would require additional data or information to enable the Agency to complete a comprehensive review of the application and reach a decision on the issue(s) presented in the application. If the Agency determines that the deficiencies are not substantial, the Agency will review and act on 90 percent of reactivated applications within 120 days after the reactivated ANADA submission date. This shorter review time for reactivated ANADAs for which the deficiencies are determined not to be substantial is not intended to prevent the use of minor amendments during Agency review of an application. If the Agency determines that the deficiencies are substantial or new substantial information is provided, the Agency will review and act on 90 percent of reactivated applications within 240 days after the reactivated ANADA submission date.

2. Administrative ANADAs

Review and act on 90 percent of administrative ANADAs (ANADAs submitted after all scientific decisions have been made in the generic investigational new animal drug (JINAD) process, i.e., prior to the submission of the ANADA) within 60 days after the submission date. Paragraph IV certification applications (FD&C Act section 512(n)(1)(H)(iv)) submitted as administrative ANADAs will be excluded from the administrative ANADA cohort.

3. Prior Approval Manufacturing Supplemental ANADAs and Reactivations

Review and act on 90 percent of Prior Approval manufacturing supplemental ANADAs within 180 days after the submission date. A Prior Approval manufacturing supplemental ANADA includes: one or more major manufacturing changes according to 21 CFR 514.8(b)(2)(ii) and in accordance with Guidance for Industry 83 (Chemistry, Manufacturing, and Controls Changes to an Approved NADA or ANADA); and, changes submitted as ''Supplement-Changes Being Effected in 30 Days'' that require prior approval according to 21 CFR 514.8(b)(3)(v)(A). If a Prior Approval supplement does not clearly identify any major manufacturing changes, the Prior Approval supplement will be designated by the Agency as a ''Supplement-Changes Being Effected'' with a 270 days review goal (see ''Supplement-Changes Being Effected Manufacturing Supplemental ANADAs and Reactivations'' below).

A submission is incomplete if it requires additional data or information to enable the Agency to complete a comprehensive review of the submission and reach a decision on the issue(s) presented in the submission. If the Agency determines that the deficiencies are not substantial for manufacturing supplements requiring prior approval, the Agency will allow the manufacturing supplements to be resubmitted as ''Supplement-Changes Being Effected in 30 Days'' as described in 21 CFR 514.8(b)(3) and the drug made with the change can be distributed 30 days after the resubmission according to 21CFR 514.8(b)(3)(iv). The Agency will review and act on 90 percent of these reactivated manufacturing supplements within 270 days after the resubmission date of a complete submission. If the Agency determines that the deficiencies remain substantial or new substantial information is provided, prior-approval is required according to 21 CFR 514.8(b)(3)(v)(A). The Agency will review and act on 90 percent of these reactivated manufacturing supplements within 180 days after the re-submission date of a complete submission.

4. Supplement—Changes Being Effected Manufacturing Supplemental ANADAs and Reactivations

Review and act on 90 percent of ''Supplement—Changes Being Effected'' manufacturing supplemental ANADAs and reactivations submitted according to 21 CFR 514.8(b)(3)(vi) and in accordance with Guidance for Industry 83 (Chemistry, Manufacturing, and Controls Changes to an Approved NADA or ANADA), including manufacturing changes not requiring prior approval according to 21 CFR 514.8(b)(3)(iv), within 270 days after the submission date.

5. Generic Investigational New Animal Drug (JINAD) Study Submissions

Review and act on 90 percent of JINAD study submissions within 180 days after the submission date. A submission is incomplete if it would require additional data or information to enable the Agency to complete a comprehensive review of the study submission and reach a decision on the issue(s) presented in the submission. If the Agency determines that the deficiencies are not substantial, the Agency will review and act on 90 percent of resubmitted JINAD study submissions within 60 days after the receipt date of a complete study submission. This shorter review time for resubmitted JINAD study submissions is not intended to prevent the use of minor amendments during Agency review of a study submission. If the Agency determines that the deficiencies are substantial or new substantial information is provided, the Agency will review and act on 90 percent of resubmitted JINAD study submissions within 180 days after the receipt date of a complete study submission.

6. JINAD Protocols

Review and act on 90 percent of JINAD submissions consisting of protocols without substantial data, that the Agency and the sponsor consider to be an essential part of the basis for making the decision to approve or not approve an ANADA or supplemental ANADA, within 75 days after the submission date. Allow comparability protocols as described in 21 CFR 514.8(b)(2)(v) to be submitted as protocols without substantial data in a JINAD file. The Agency will review and act on 90 percent of JINAD submissions consisting of protocols without substantial data within 75 days after the submission date of the protocol. For potentially more complex comparability protocols, for example sterile process validation protocols, the sponsor should discuss and have Agency concurrence regarding the appropriate filing strategy.

For the application/submission goals above, the term ''review and act on'' means the issuance of either: (1) a complete action letter that approves an original or supplemental ANADA or notifies a sponsor that a JINAD submission is complete; or (2) an ''incomplete letter'' that sets forth in detail the specific deficiencies in an original or supplemental ANADA or JINAD submission and, where appropriate, the actions necessary to place such an original or supplemental ANADA or JINAD submission in condition for approval. Within 30 days of receipt of the application, FDA shall refuse to file an original or supplemental ANADA, or their reactivation, that is determined to be insufficient on its face or otherwise of unacceptable quality for review upon initial inspection as per 21 CFR 514.110. Thus, the agency will refuse to file an application containing numbers or types of errors, or flaws in the development plan, sufficient to cause the quality of the entire submission to be questioned to the extent that it cannot reasonably be reviewed. Within 60 days of receipt of the submission, FDA will refuse to review a JINAD submission that is determined to be insufficient on its face or otherwise of unacceptable quality upon initial inspection using criteria and procedures similar to those found in 21 CFR 514.110. A decision to refuse to file an application or to refuse to review a submission as described above will result in the application or submission not being entered into the cohort upon which the relevant user fee goal is based. The agency will keep a record of the numbers and types of such refusals and include them in its annual performance report.

FDA may request minor amendments to original or supplemental ANADAs and JINAD submissions during its review of the application or submission. At its discretion, the Agency may extend an internal due date (but not a user fee goal) to allow for the complete review of an application or submission for which a minor amendment is requested. If a pending application is amended with significant changes, the amended application may be considered resubmitted, thereby effectively resetting the clock to the date FDA received the amendment. The same policy applies for JINAD submissions.

Sponsors are not required to submit study protocols for review. However, for each voluntarily submitted protocol for a study that the Agency and the sponsor consider to be an essential part of the basis for making the decision to approve or not approve an original

or supplemental ANADA, the Agency will issue a complete action letter providing comments resulting from a complete review of the protocol. The complete action letter will be as detailed as possible considering the quality and level of detail of the protocol submission; will include a succinct assessment of the protocol; and will state whether the Agency agrees, disagrees, or lacks sufficient information to reach a decision that the protocol design, execution plans, and data analyses are adequate to achieve the objectives of the study. If the Agency determines that a protocol is acceptable, this represents an agreement that the data generated by the protocol can be used to support a safety or effectiveness decision regarding the subject new animal drug. Having agreed to the design, execution, or analyses proposed in protocols reviewed under this process, the Agency will not later alter its perspectives on the design, execution, or analyses unless the Agency issues a written order that a substantiated scientific requirement essential to the assessment of the study appeared after the Agency's protocol assessment, or public (human or animal) health concerns unrecognized at the time of protocol assessment under this process are evident.

The term ''submission date'' means the date the FDA Center for Veterinary Medicine (CVM) Electronic Submission System (ESS) receives an application or submission. Upon receipt of an application or submission, the CVM ESS creates an electronic receipt that contains the date of receipt and is sent to the submitter.

WORK QUEUE REVIEW PROCEDURES

The Agency will review all submissions in accordance with procedures for working within a queue. An application/submission that is not reviewed within the applicable Application/Submission Goal time frame will be reviewed with the highest possible priority among those pending.

AMENDING SIMILAR APPLICATIONS AND SUBMISSIONS

The Agency and regulated industry agree that applications and submissions to the Agency will be complete and of sufficient quality to allow the Agency's complete and timely review. The Agency will refuse to file poor quality and incomplete applications and submissions rather than allowing them to serve as ''placeholders'' in the review queue that are subsequently amended to add the missing or inadequate portions.

The Agency recognizes that there are circumstances in which a controlled amendment process can make the review of similar, pending submissions more efficient without compromising the sponsor's responsibility for high quality submissions. Thus, if the Agency requests an amendment to a non-administrative original ANADA, manufacturing supplemental ANADA, JINAD study submission, or a JINAD protocol submission (a ''CVM-initiated amendment''), or issues an incomplete letter for such an application or submission, a sponsor may request to amend other, similar applications or submissions it has pending with the Agency (''sponsor-initiated amendment(s)'') in accordance with the following criteria:

1. The amended information for these similar applications or submissions must be the same as in the CVM-initiated amendment or incomplete letter; and

2. The amended information must not significantly change the similar applications or submissions; and

3. The amended information for these similar applications or submissions must be submitted no later than:

a. 120 days after the submission date for the similar original ANADA, manufacturing supplemental ANADA; or

b. 100 days after the submission date for the similar JINAD study submissions; or

c. 40 days after the submission date for the similar JINAD protocol submissions.

If the Agency determines that the above criteria have been met, it will not change the user fee goal for the similar application or submission that has been amended by a sponsor-initiated amendment. If the above criteria have not been met, the Agency may consider the similar application or submission resubmitted on the date of the sponsor-initiated amendment, thereby resetting the clock to the date FDA received the amendment.

MULTIPLE DATA SUBMISSIONS TO THE CHEMISTRY, MANUFACTURING, AND CONTROLS TECHNICAL SECTION

The Agency will continue to allow two-phased Chemistry, Manufacturing, and Controls technical section submissions under the JINAD process. Timely Foreign Pre-Approval Inspections

1. The Agency and regulated industry are committed to improving the review and business processes that will facilitate the timely scheduling and conducting of pre-approval inspections (PAIs). To improve the timeliness and predictability of foreign PAIs, sponsors may voluntarily submit 1) at the beginning of the calendar year, a list of foreign manufacturing facilities that are specified in an abbreviated application, supplemental abbreviated application, or generic investigational file and may be subject to foreign PAIs for the following fiscal year; and 2) a notification 30 days prior to submitting an abbreviated application, a supplemental abbreviated application, or generic investigational file that informs the Agency that the application includes a foreign manufacturing facility. Should any changes to the annual list occur after its submission to the Agency, the sponsor may provide the updated information to the Agency.

2. The Agency will keep a record of the number of foreign PAIs conducted for abbreviated applications, along with the average time for completing the PAIs, and include this information in its annual performance report. The time for completing the PAI is understood to mean the time from the inspection scheduling request through notification to the Center of inspectional findings.

TIMELY MEETINGS WITH INDUSTRY

The Agency and the regulated industry agree that the use of both formal meetings (e.g., presubmission conferences, workshops) and informal communication by both parties is critical to ensure high submission quality such that the above performance goals can be achieved.

WORKLOAD ADJUSTMENT

The workload adjustment will continue to be calculated per CVM Program Policy and Procedures Manual 1243.3022, page 35, except that, for purposes of calculating the workload adjustment, it has been agreed to reset the base years to FY 2014–FY 2018. There will be no workload adjustment for FY 2019. Workload adjustments are one-time adjustments, and are calculated annually.

REMEMBERING HIGHT PROFFIT

Mr. ENZI. Mr. President, I rise to speak on behalf of Hight Proffit, who is being inducted into the Wyoming Agriculture Hall of Fame. Every year since 1992, Wyoming has recognized individuals who have made substantial contributions to agriculture in our State. During his life, Hight displayed a special talent for agriculture and was a dedicated public servant for his neighbors and friends. Hight is a well-deserved recipient of this great honor.

Hight moved to Wyoming at a young age during the middle of the Great Depression when it wasn't easy to make a living, let alone to be a rancher. Much like he would show throughout his life, he showed what you can accomplish through hard work and resolve and learned to make the best out of everything.

He is remembered as a handyman, as well as an innovator. Hight excelled in improving agriculture and left his mark on the long, proud history of Wyoming agriculture. He worked hard to improve not only his ranch, but also the community around him, from fairly distributing water to expanding electric power.

Among his many accomplishments, perhaps the greatest was the dedication he showed to his family. By his side for over 60 years, was his loving wife, Dorothy. As his son Don puts it, Hight and Dorothy ''established a ranch with the help of the Federal Land Bank on the Bear River, where they raised cattle, sheep and horses, as well as four children.'' Hight and Dorothy were then blessed with numerous grandchildren and great-grandchildren.

Not only did he serve as a role model for his family, but his community as well as a dedicated public servant. Hight served on numerous boards and committees, as a Unita County commissioner, a State representative, and as a State senator. He also served as a mentor to countless young people through 4–H, Boy Scouts of America, Farm Bureau, and his church.

Although it has now been 16 years since Hight has passed, his memory lives on and his example continue to inspire others. I want to extend my congratulations to the family of Hight and Dorothy. Hight truly lived the code of the West, and I am proud to have the opportunity to recognize his achievements and his memory as an inductee into the Wyoming Agriculture Hall of Fame. Wyoming is well served by his lasting and continuing contributions to our State.

TRIBUTE TO DAVE TRUE

Mr. BARRASSO. Mr. President, I rise today to recognize Dave True, who will soon be honored for his contributions to his local community and the agriculture industry across Wyoming. Each year, Senator ENZI and I have the opportunity to introduce outstanding individuals as they are inducted into the Wyoming Agriculture Hall of Fame. As one of the 2018 inductees, Dave is an outstanding addition to their ranks.

Seventy years ago, Dave's father moved to Casper, WY, as part owner of a drilling company and established what would eventually become the True Companies. In the years that followed, Dave worked with his father and brothers to expand the company's focus. Today the True Companies is a

diversified portfolio of farms, ranches, and feedlots, as well as businesses in the oil and gas and transportation sectors.

Together with his wife, Melanie, Dave works to make sure the family business endures for the next generation: their children, Shane and his wife JoAnn; Christy and her husband Quintin; Bryce and his wife Kelsey; Ashley, who interned in my office, and her husband Gene; and the many grandchildren.

Today, Dave manages the agricultural holdings and actively seeks out opportunities to serve the larger agricultural community. Dave has given his time to the Wyoming 4–H Foundation, the Casper Rotary Club, the Farm Bureau, and many other organizations who share his passions. As a member of the University of Wyoming's College of Agriculture advisory council and as the current president of the University of Wyoming board of trustees, Dave plays an active role in guiding students who make Wyoming's future so bright.

The scope of Dave's leadership is not limited to the borders of Wyoming. For many years, Dave served as treasurer of the National Cattlemen's Beef Association and has mentored countless members of the national agriculture sector. Never too busy to attend educational workshops, I remember when Dave shared his biggest successes and his biggest failure during a beef symposium. His willingness to share obstacles in his own enterprise and offer advice has made Dave an outstanding resource for the next generation of producers.

This year marks the 150th anniversary of Wyoming's status as a U.S. Territory and the 106th annual Wyoming State Fair. Although the Wyoming Agriculture Hall of Fame began only in 1992, Wyoming has a longstanding tradition of recognizing those who are integral to the success of our State's agricultural industry. Selection as a member of this outstanding group is one of many honors Dave has received, and it is one that is undoubtedly well-deserved. The members of this elite club grow crops and raise livestock while building a strong foundation for the next generation of successful producers. Together, they will make the next 150 years of Wyoming's history as rich as the last.

It is with great honor that I recognize my friend as an outstanding member of our Wyoming community. My wife, Bobbi, joins me in congratulating Dave True as one of the 2018 inductees into the Wyoming Agriculture Hall of Fame.

TRIBUTE TO JOHN JORGENSEN

Mr. BARRASSO. Mr. President, I rise today in celebration of John Jorgensen, the Boys and Girls Club of Central Wyoming's 2018 honoree.

Since 1978, the Boys and Girls Clubs of Central Wyoming has been working to make a positive difference in the lives of children. Their mission is to inspire all youth to reach their full potential as productive, responsible, and caring citizens. Their activities provide the children in our community with a sense of competence, usefulness, and belonging.

On August 29, 2018, the Boys and Girls Club of Central Wyoming will host the 20th Annual Awards and Recognition Breakfast. Every year at this event, the Boys and Girls Club honors a member of the community who has made outstanding contributions to their organization, Wyoming youth, and the city of Casper. It is an inspiring celebration. This year's honoree is John Jorgensen. He is an ideal choice to receive this honor because of his dedication to advancing childhood literacy and improving the lives of Wyoming's children. With this award, the Boys and Girls Club of Central Wyoming shows their gratitude for John's work, which mirrors the club's important mission.

John is a successful manager, generous philanthropist, and devoted family man. He is a native of Nebraska and attended the University of Nebraska, earning a bachelor's degree in Political Science. He served 3 years in the U.S. Army before pursuing his career in banking. His path lead him to California and the Midwest before finally calling Casper, WY, home for the past 31 years. He started in Casper as the president of the First Wyoming Bank and retired in 2015 as the president of Hilltop National Bank.

John's involvement in his community is immeasurable, and his positive impact is felt across Casper and Wyoming. He has been a Casper College Foundation Board Member since 1987 and has served as its President since 1990. John's leadership grew the foundation to one of the top five community college foundations nationwide, with assets of over $90 million. John was recently awarded the 2018 Casper College Alumni Association's Commitment to Excellence Award for his exemplary service. He was also awarded the prestigious Benefactor Award in 2014 from the Council for Resource Development. In addition, John has served on the Natrona County Public Library Foundation, the Nicolaysen Art Museum Board, the Wyoming Community Foundation, and the Sue Jorgensen Library Foundation. He was instrumental in the completion of the David Street Station project and is a member of the Casper Rotary Club.

Any mention of John would be incomplete without the acknowledgment of the Wyoming Reads program. Inspired by his wife Sue's love of reading, he founded the program in her memory after her passing in 1996. Sue was the director of the elementary education and graduate education programs for the University of Wyoming/Casper College Center in Casper and was the first coordinator of the UW elementary education teacher preparation program. Each year, the Governor of Wyoming proclaims the date of the Wyoming Reads program as Wyoming Literacy Day. The event started as ''Casper Cares, Casper Reads'' 20 years ago. Since then, the program has grown to include thousands of children across Wyoming and delivered more than 180,000 personalized books. John's work has inspired similar programs in other States, with communities in California, Oregon, and Minnesota following his lead. John even takes the time to travel to many of these locations to provide leadership and encouragement.

John devotes his time to instilling the value of reading in Wyoming youth. He wrote a fairy tale that he acts out as a play for the first graders, feeding their excitement to learn as well as honoring Sue. He quotes her saying that, ''Until someone can read, they can't really do anything else.'' This is his vision for helping children succeed and grow. His devotion to childhood literacy ensures the youth of Wyoming are educated and inspired.

John Jorgensen and his family truly represent the Wyoming values of courage, generosity, and selflessness. John with his late wife, Sue, have five children, Matt Jorgensen, Chris Jorgensen, Marty Jorgensen, Sarah Olsen, and Lindsay Lawton, as well as loving grandchildren. Children in Casper, WY, and across the country have a bright future thanks to the efforts of this incredible family.

It is with great honor that I recognize this exceptional member of our Wyoming community. My wife, Bobbi, joins me in extending our congratulations to John Jorgensen for receiving this special acknowledgement from the Boys and Girls Club of Central Wyoming.

TRIBUTE TO DEL McOMIE

Mr. BARRASSO. Mr. President, I rise today in celebration of Del McOmie, mayor of Lander, WY, and one of our State's true leaders.

Born and raised in Lander, Del has worked continually to make the community and Wyoming better for future generations.

Del married his sweetheart, Patty, in 1975. They welcomed five children, Delbert, Jr., Alan, Kathleen, Pamela, and Craig. The McOmie family has since grown to include 14 grandchildren and 20 great-grandchildren. In his everyday words and deeds, Del has passed on his tradition of excellence and love of Wyoming. Governor Matt Mead appointed Delbert as the director of the state construction department. Alan gives back to their community, serving as an officer in the Lander Police Department. Working for the Wyoming Department of Environmental Quality, Craig embodies his father's passion for the beauty of our State.

Del has committed his life to serving those around him. When he finishes his current term as mayor of Lander, he will have served as an elected official

for 30 years, along with providing leadership and expertise to the Wyoming Department of Transportation for over 39 years. Alongside this public service, Del has been a small business owner and a champion for local economic development.

As the cofounder of LEADER Corp., a private economic development group committed to expanding the economic base of Lander, Del helps transform his vision of a prosperous community into reality. Known for his dedication and determination, Del brings all the players to the table and works to make things happen. Del is a problem-solver, and Lander and the State of Wyoming are better for it.

Del's neighbors and friends know they can rely on him to get the job done. They have elected him as mayor four times and sent him to represent their interests in the State legislature seven times. He has rewarded their faith in him by finding the funds necessary to build the new Lander Valley High School.

Del and I served in the Wyoming State Legislature together for 5 years. His opinions and advice carried great weight in both chambers and across the aisle. Del was known for his integrity and devotion to Wyoming. He served on the education committee when we passed the Hathaway Scholarship that ensures every Wyoming High School graduate has access to higher education. Together, we cosponsored legislation to fund critical emergency telephone services in our rural State. Del's legacy will always be working to meet the needs of our State and her people.

In Wyoming, we have adopted the Code of the West as our guiding ethical principles. No one embodies these commitments more than Del McOmie. Throughout his impressive career of service, Del has always ''done what has to be done'' and embraced that ''when you make a promise, [you must] keep it.'' Even before Wyoming had an official code of ethics, Del has always been one to ''ride for the brand''.

It is with great honor that I recognize this exceptional member of our Wyoming community. My wife, Bobbi, joins me in extending our appreciations to Del McOmie for his service.

75TH ANNIVERSAY OF QUEEN CITY AIRPORT

Mr. TOOMEY. Mr. President, I would like to recognize the 75th anniversary of Queen City Airport, located in Allentown, PA.

Dedicated in October 1943, Queen City Airport was originally known as Convair Field and consisted of an airstrip and several production facilities leased from Mack Truck. During the Second World War, Consolidated Vultee, a local aircraft manufacturer, produced the TBY–2 Sea Wolf torpedo bomber for the U.S. Navy at the airport and employed several thousand workers. After the war ended, aircraft production shut down and the leased facilities were returned to Mack Truck.

In 1947, ownership of the airport was transferred from the Federal Government to the city of Allentown, which agreed to maintain the land as an airport and emergency landing field. Shortly thereafter, the Pennsylvania Air National Guard began leasing a facility at the airport for flight training exercises. It was not until 1961 that the airport was renamed Queen City Municipal and the city assumed full ownership and operation of the airport. In addition to general aviation services, the airport began hosting events and exhibitions for members of the Allentown community, including airshows, hot-air balloon events, and fireworks on the Fourth of July.

Today Queen City Airport is owned and operated by the Lehigh-Northampton Airport Authority, LNAA. Nearly 80 individual aircraft are now based at the airport, a majority of which are used for local general aviation. As a result of LNAA's support for general aviation, the Federal Aviation Administration's Eastern Region recognized Queen City Airport as the General Aviation Airport of the Year in 2006.

Again, I wish to congratulate Queen City Airport as it celebrates its 75th anniversary later this year. The airport serves as the home base for many general aviation pilots throughout the Lehigh Valley, and during State work periods, I often start my day at Queen City, using the airport as a home base before flying to various parts of Pennsylvania to meet with constituents and business leaders. I hope the airport will continue to support the Allentown community well into the future.

ADDITIONAL STATEMENTS

TRIBUTE TO GREG BOLLARD

● Mr. BLUMENTHAL. Mr. President, today I wish to recognize Greg Bollard, who will be honored at the 15th anniversary celebration for Friends of the Lake on August 9, 2018. His numerous accomplishments on behalf of Lake Lillinonah have made a great impact on the health of Connecticut's environment.

Mr. Bollard is the cofounder of Friends of the Lake, a nonprofit organization created to improve the water quality of Lake Lillinonah in Connecticut, enhance the enjoyment of the lake's pristine and stunning surroundings and protect that portion of the Housatonic River and its watershed.

Friends of the Lake works alongside an array of community and environmental organizations, Federal, State and local officials, and residents in order to acquire vital funding to improve the lake, raise awareness of the project and its importance, and bring together the community around Lake Lillinonah. Mr. Bollard has worked tirelessly over the past decade and a half to obtain and deploy a monitoring buoy. This buoy uses the Global Lake Observatory Network GLEON, to share data about the lake with scientists and other lake organizations worldwide, in order to facilitate more thorough monitoring and study of lake ecology.

In order to ensure Lake Lillinonah is clean, safe, and accessible to the community, Mr. Bollard has led tireless efforts to learn more about invasive species and control their populations, along with chairing the water quality committee. He is known as an incredibly dependable man, who is able to fix any problem by spearheading key efforts to develop a solution and bring the right group of people together to see it through successfully.

Mr. Bollard's desire to help his community extends beyond his work with Friends of the Lake, as well. For 16 years, he served on the Bridgewater Inland Wetlands Commission, and he continues to dedicate his time to his community through his role as an EMT and ambulance coordinator for the Bridgewater Fire Department, a firefighter and EMT for the Morris Volunteer Fire Department, and as a member of the Shepaug parent council.

Through his devotion to helping our State with Friends of the Lake and his great work as a public servant, Mr. Bollard has left a lasting, positive impression upon Connecticut and laid a profoundly strong foundation for improving our State's environment in the years to come.

I applaud Greg Bollard's dedicated commitment to improve and protect Lake Lillinonah, and I hope my colleagues will join me in congratulating Mr. Bollard on his well-deserved honor.●

TRIBUTE TO OLIVIA MITCHELL

● Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Olivia Mitchell of Wheatland County.

At just 11 years old, Olivia took third place on her Americanism essay at the Montana Department of the American Legion Auxiliary convention. She wrote on a topic that is far beyond her years, serving as a testament to her exemplary work. Olivia said she loves to write and even finds it relaxing.

Olivia lives in Judith Gap and will soon be a sixth grader at Judith Gap School. She is able to balance her school work and extracurricular activities, including hunting, fishing, and sports with ease. Olivia loves to hunt. She already has a mule deer under her belt and has a goal to bag an elk and antelope next. She loves being outdoors and hopes to visit Yellowstone National Park soon. Her values and work ethic can be attributed to her loving parents, Lane and Christie Mitchell, and her two younger sisters. Olivia is a compassionate leader and loves to help her community.

I congratulate Olivia on her accomplishments. I look forward to seeing her succeed as she continues to grow.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 1, 2018, she had presented to the President of the United States the following enrolled bill:

S. 2779. An act to amend the Zimbabwe Democracy and Economic Recovery Act of 2001.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6133. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Mark C. Nowland, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–6134. A communication from the Acting Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's 2018 Annual Report of the Supplemental Security Income Program; to the Committee on Finance.

EC–6135. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Corinthian College and American Career Institutes Discharge of Indebtedness Private Student Loans'' (Rev. Proc. 2018–39) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Finance.

EC–6136. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidance on Recontributions, Rollovers and Qualified Higher Education Expenses under Section 529'' (Notice 2018–58) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Finance.

EC–6137. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''United States Tobacco Product Exports That Do Not Conform to Tobacco Product Standards''; to the Committee on Health, Education, Labor, and Pensions.

EC–6138. A communication from the Assistant General Counsel for Regulatory Services, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Withdrawal of Guidance Documents'' ((RIN1810–AB33) (Docket No. ED–2016–OESE–0056)) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–6139. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the implementation of the recommendations of the 9/11 Commission for the period from October 1, 2018 through March 31, 2018; to the Committees on Homeland Security and Governmental Affairs; Select Committee on Intelligence; and the Judiciary.

EC–6140. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2018''; to the Committee on Veterans' Affairs.

EC–6141. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund'' ((RIN3060–AK57) (WC Docket No, 10–90)) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6142. A communication from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Assessment and Collection of Regulatory Fees for Fiscal Year 2018'' (FCC 18–65) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6143. A communication from the Chief, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Expanding Flexible Use of the 3.7 to 4.2 GHz Band; Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz; Petition for Rulemaking to Amend an Modernize Parts 25 and 101 of the Commission's Rules. . .'' ((FCC 18–91) (GN Docket No. 18–122) (GN Docket No. 17–183) (RM–11791) (RM–11778)) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Commerce, Science, and Transportation.

EC–6144. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Island Pelagic Fisheries; False Killer Whale Take Reduction Plan; Closure of Southern Exclusion Zone'' (RIN0648–XG334) received in the Office of the President of the Senate on July 31, 2018; to the Committee on Commerce, Science, and Transportation.

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–280. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to require, if necessary, a resolution between the federal Centers for Medicare and Medicaid Services and TRICARE to immediately restore data sharing and to waive the one-year timely filing restriction for all claims caught in this stoppage; to the Committee on Veterans' Affairs.

SENATE JOINT RESOLUTION NO. 23

Whereas, The federal Centers for Medicare and Medicaid Services (CMS), a part of the United States Department of Health and Human Services (HHS), works with the states to fund and implement the Medicaid program, which provides health coverage to millions of Americans, including eligible low-income adults, children, pregnant women, elderly adults, and people with disabilities; and

Whereas, TRICARE, which is managed by the United States Department of Defense Military Health System, provides civilian health benefits for active duty and reserve military members of the United States Armed Forces, military retirees, and their dependents, and which relies on the Defense Enrollment Eligibility Reporting System (DEERS) computerized database that contains TRICARE eligibility data for these individuals; and

Whereas, Approximately 1.75 million military veterans, their families, and active duty family members (nearly 1 in 10) have TRICARE and Medicaid coverage, including family members of active duty members who qualify under Medicaid income limits, veterans and their families who qualify under Medicaid income limits, disabled veterans and their families, ,and active duty family members that qualify for Medicaid due to disability; and

Whereas, For individuals who have both TRICARE and Medicaid coverage, TRICARE must pay as primary coverage; and

Whereas, Historically, identifying individuals with both TRICARE and Medicaid coverage has been a challenging, yet necessary, process, as acknowledged and documented in an HHS Inspector General report, ''Medicaid Third Party Liability (TPL) Savings Have. Increased, But Challenges Remain''; and

Whereas, Prior to 2017, TRICARE had matched their DEERS eligibility files and provided information back to the states about the individuals who had both TRICARE and Medicaid coverage; and

Whereas, The agreement to cross-match between CMS and TRICARE has expired and the parties have been unable to reestablish terms to coordinate benefits between the two programs; and

Whereas, In early 2017, TRICARE ceased its support in the data-match process in which states provide Medicaid enrollee eligibility information to TRICARE in order to identify those Members who have both TRICARE and Medicaid; and

Whereas, The expiration of the agreement has the effect of preventing the recovery of millions of payments annually where Medicaid erroneously paid, because TRICARE should have paid as primary coverage, resulting in a shift of additional costs from the federal government to the states; and

Whereas, TRICARE's timely filing limitation precludes Medicaid from billing a claim that should be TRICARE's responsibility if the service was rendered more than one year prior, resulting in additional annual costs shifting to California and other states; and

Whereas, TRICARE refuses to share data with, and process eligibility information from, Medicaid managed care organizations that provide care to more than 60 percent of all Medicaid members nationally. It is estimated that millions of dollars annually paid in claims should have been TRICARE's responsibility, not Medicaid managed care organizations resulting in even more cost shifting to the states and leading to improper Medicaid capitation payments; and

Whereas, Approximately 8.6 percent of TRICARE beneficiaries, or approximately 894,724 uniformed service members and their families, are located in California, and thus it is estimated that California could be paying millions of dollars it is not responsible for if this issue of data sharing between TRICARE and CMS is not resolved; Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California urges the United States Department of Defense and the United States Department of Health and Human Services to implement, and the United States Congress to require, if necessary, a resolution between the federal Centers for Medicare and Medicaid Services and TRICARE to immediately restore data sharing and to waive the one-year timely filing restriction for all claims caught in this stoppage; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–281. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to act favorably in regard to legislation to have the Mare Island Naval Cemetery transferred to the Department of Veterans Affairs and that the National Cemetery Administration restore the cemetery to national cemetery standards and provide for perpetual care of the facility as dictated by those standards; to the Committee on Veterans' Affairs.

SENATE JOINT RESOLUTION NO. 26

Whereas, The Mare Island Naval Cemetery is the oldest military cemetery on the West Coast, and the final resting place for over 900 veterans; and

Whereas, The cemetery is a national sanctuary and should be maintained to the highest standards in honor of the military heroes who are buried there; and

Whereas, The Navy was forced to close the Mare Island facility under the United States government's Base Realignment and Closure program in 1996 and deeded portions of Mare Island's physical property and facilities, including the Mare Island Naval Cemetery, to the City of Vallejo; and

Whereas, The Navy did not provide funds to maintain and provide for the perpetual care of the cemetery, and therefore the cemetery became the City of Vallejo's responsibility; and

Whereas, The City of Vallejo has experienced significant financial difficulties and has been unable to maintain the cemetery to the standards expected of a facility where veterans are laid to rest, which has resulted in a continual deterioration of the site since 1996; and

Whereas, The South Napa earthquake added to the physical deterioration of the cemetery by knocking down some headstones and breaking others; and

Whereas, The National Park Service, in May 1975, listed Mare Island Naval Shipyard as a National Historic Landmark, and a park with hiking paths has been established at the western end of the island where the cemetery is located; and

Whereas, A petition has been created by veterans and concerned visitors with over 54,000 signatures, encouraging United States Department of Veterans Affairs (VA) ownership and the restoration of the cemetery; and

Whereas, The City of Vallejo does not have the funds to restore the cemetery and has formally requested the federal government reassume ownership of the cemetery, without compensation to the city; and

Whereas, Representative Mike Thompson has introduced legislation (H.R. 5588) in the United States House of Representatives that will direct the United States Secretary of Veterans Affairs to seek an agreement with the City of Vallejo, under which the city would transfer control of the Mare Island Naval Cemetery to the VA; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the Congress of the United States to act favorably in regard to legislation to have the Mare Island Naval Cemetery transferred to the United States Department of Veterans Affairs and that the National Cemetery Administration restore the cemetery to national cemetery standards and provide for perpetual care of the facility as dictated by those standards; and be it further

Resolved, That the National Cemetery Administration provide continuing care for those interned in the cemetery, including those who are not veterans or eligible family members; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–282. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida urging the rapid reunification of families separated as a result of the Administration's immigration policy; to the Committee on the Judiciary.

POM–283. A resolution adopted by the Lauderdale Lakes City Commission, Lauderdale Lakes, Florida expressing its concern, condemnation and outrage at and rejection of the implementation of the Administration's current immigration policies, particularly those which encourage and sanction the separation of families, and urging the United States Congress to forthwith take such steps as shall be appropriate to publicly condemn such policies and enact appropriate action to reverse the continuing application thereof; to the Committee on the Judiciary.

POM–284. A resolution adopted by the City Council of the City of Solana Beach, California memorializing its opposition to the Administration's zero tolerance policy, and any federal policy that removes children from families of immigrants who are seeking to enter our country; to the Committee on the Judiciary.

POM–285. A petition from a citizen of the State of Texas relative to constructing a physical barrier between the United States and foreign nations; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany S. 440, a bill to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota (Rept. No. 115–313).

Report to accompany S. 2074, a bill to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes (Rept. No. 115–314).

Report to accompany H.R. 2897, a bill to authorize the Mayor of the District of Columbia and the Director of the National Park Service to enter into cooperative management agreements for the operation, maintenance, and management of units of the National Park System in the District of Columbia, and for other purposes (Rept. No. 115–315).

Report to accompany H.R. 4609, a bill to provide for the conveyance of a Forest Service site in Dolores County, Colorado, to be used for a fire station (Rept. No. 115–316).

By Mr. BARRASSO, from the Committee on Environment and Public Works, without amendment:

S. 3021. A bill to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the ''Diana E. Murphy United States Courthouse''.

H.R. 5772. A bill to designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas, as the ''J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse''.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Martin J. Oberman, of Illinois, to be a Member of the Surface Transportation Board for the remainder of the term expiring December 31 , 2018.

*Martin J. Oberman, of Illinois, to be a Member of the Surface Transportation Board for a term expiring December 31, 2023.

By Mr. BARRASSO for the Committee on Environment and Public Works.

*Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

*William Charles McIntosh, of Michigan, to be an Assistant Administrator of the Environmental Protection Agency.

*Mary Bridget Neumayr, of Virginia, to be a Member of the Council on Environmental Quality.

*John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development.

By Mr. HATCH for the Committee on Finance.

*Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

*Justin George Muzinich, of New York, to be Deputy Secretary of the Treasury.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. NELSON:

S. 3316. A bill to amend title XVIII of the Social Security Act to improve the affordability and enrollment procedures of the

Medicare program, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 3317. A bill to amend the Internal Revenue Code of 1986 to repeal certain rules related to the determination of unrelated business taxable income; to the Committee on Finance.

By Mr. COONS (for himself and Mrs. ERNST):

S. 3318. A bill to authorize the use of veterans educational assistance for examinations to receive credit toward degrees awarded by institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DURBIN (for himself and Ms. MURKOWSKI):

S. 3319. A bill to impose additional restrictions on tobacco flavors for use in e-cigarettes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MCCASKILL:

S. 3320. A bill to prevent low-income seniors from losing benefits due to defaulted student loan debt by increasing the amount of benefits exempted from garnishment; to the Committee on Finance.

By Mr. COONS (for himself, Ms. MURKOWSKI, Ms. HARRIS, Mrs. CAPITO, Mr. MARKEY, Ms. WARREN, Mr. CARPER, Ms. KLOBUCHAR, Ms. HASSAN, Mr. ALEXANDER, Mr. PETERS, Mr. WHITEHOUSE, Mr. WYDEN, Mr. DURBIN, Mr. MERKLEY, Ms. SMITH, Mr. ISAKSON, Mr. REED, Ms. COLLINS, Mr. JONES, Mr. MANCHIN, Mr. KAINE, Mrs. MURRAY, Mr. VAN HOLLEN, Ms. HEITKAMP, Ms. CORTEZ MASTO, Mr. CASEY, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. BLUMENTHAL, Ms. HIRONO, Mr. KING, Mr. NELSON, Mr. BLUNT, Mr. WARNER, Mr. SANDERS, Ms. BALDWIN, Mr. RUBIO, Mrs. FEINSTEIN, Mr. KENNEDY, Mr. SCOTT, Mrs. HYDE-SMITH, Mr. MENENDEZ, Mr. BOOKER, Mr. PORTMAN, and Mr. BURR):

S. 3321. A bill to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden and to posthumously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson in recognition of their contributions to the success of the National Aeronautics and Space Administration during the Space Race; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN (for herself and Mr. HOEVEN):

S. 3322. A bill to establish a pilot program to provide flight training services to veterans; to the Committee on Commerce, Science, and Transportation.

By Mr. DONNELLY (for himself and Mr. HELLER):

S. 3323. A bill to amend the Securities Exchange Act of 1934 to establish a Senior Investor Taskforce, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN:

S. 3324. A bill to establish a voluntary program in the National Highway Traffic Safety Administration to encourage consumers to purchase or lease new automobiles made in the United States, and for other purposes; to the Committee on Finance.

By Mr. THUNE:

S. 3325. A bill to amend the Federal Land Policy and Management Act of 1976 to provide for the eligibility of national grasslands for grazing leases and permits; to the Committee on Energy and Natural Resources.

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

S. 3326. A bill to amend the Internal Revenue Code of 1986 to ensure proper allocation of lump-sum payments of disability insurance benefits for determinations of modified adjusted gross income under the refundable tax credit for coverage under a qualified health plan; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself and Mr. KENNEDY):

S. 3327. A bill to amend title XVIII of the Social Security Act to authorize the suspension of payments by Medicare prescription drug plans and MA–PD plans pending investigations of credible allegations of fraud by pharmacies; to the Committee on Finance.

By Ms. STABENOW:

S. 3328. A bill to amend title 38, United States Code, to enhance the payment of monthly housing stipends under the Post-9/11 Veterans Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PORTMAN (for himself, Mr. JONES, Mrs. ERNST, and Mr. ALEXANDER):

S. 3329. A bill to amend section 232 of the Trade Expansion Act of 1962 to require the Secretary of Defense to initiate investigations and to provide for congressional disapproval of certain actions, and for other purposes; to the Committee on Finance.

By Ms. HIRONO (for herself, Mr. REED, Mr. BROWN, Mr. NELSON, Ms. HASSAN, Mrs. SHAHEEN, Ms. HARRIS, Mr. JONES, Mr. MERKLEY, Mrs. MCCASKILL, Ms. BALDWIN, Ms. DUCKWORTH, and Mr. CARPER):

S. 3330. A bill to protect the Medicare and Medicaid programs with respect to certain changes in reconciliation legislation; to the Committee on the Budget.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 3331. A bill to provide for an equitable management of summer flounder based on geographic, scientific, and economic data and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LANKFORD:

S. 3332. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion of certain fringe benefit expenses for which a deduction is disallowed in unrelated business taxable income; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. WYDEN, Mr. MERKLEY, Mrs. FEINSTEIN, Ms. HARRIS, Mr. MARKEY, Mr. HEINRICH, Ms. SMITH, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. REED, Mr. SANDERS, Mr. UDALL, Ms. HIRONO, Mr. MENENDEZ, and Mr. DURBIN):

S. 3333. A bill to provide lasting protection for inventoried roadless areas within the National Forest System; to the Committee on Energy and Natural Resources.

By Mr. NELSON:

S. 3334. A bill to amend section 987 of title 10, United States Code, to expand and improve consumer credit protections for members of the Armed Forces and their dependents, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself, Mr. COTTON, and Mr. GRAHAM):

S. 3335. A bill to amend title 18, United States Code, relating to sentencing of armed career criminals; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. MENENDEZ, Mr. GARDNER, Mr. CARDIN, Mr. MCCAIN, and Mrs. SHAHEEN):

S. 3336. A bill to strengthen the North Atlantic Treaty Organization, to combat international cybercrime, and to impose additional sanctions with respect to the Russian Federation, and for other purposes; to the Committee on Foreign Relations.

By Ms. SMITH (for herself, Mr. MURPHY, and Mr. WHITEHOUSE):

S. 3337. A bill to amend the Public Health Service Act to revise and extend projects relating to children and to provide access to school-based comprehensive mental health programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Mr. TOOMEY, Mr. MENENDEZ, and Mr. CASSIDY):

S. 3338. A bill to direct the Secretary of Health and Human Services to finalize certain proposed provisions relating to the Programs of All-Inclusive Care for the Elderly (PACE) under the Medicare and Medicaid programs; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mrs. FEINSTEIN):

S. 3339. A bill to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. BENNET, Mr. CORNYN, and Mr. WARNER):

S. 3340. A bill to amend title II of the Higher Education Act of 1965 to provide for teacher, principal, and other school leader quality enhancement; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. ALEXANDER, Mr. ROUNDS, and Mr. BOOKER):

S. 3341. A bill to encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BOOKER:

S. 3342. A bill to require Community Development Block Grant recipients to develop a strategy to support inclusive zoning policies, to allow for a credit to support housing affordability, and for other purposes; to the Committee on Finance.

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

S. 3343. A bill to amend the Truth in Lending Act to limit overdraft fees and establish fair and transparent practices related to the marketing and provision of overdraft coverage programs at depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 3344. A bill to enhance the early warning reporting requirements for motor vehicle manufacturers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO:

S. 3345. A bill to provide paid parental leave benefits to parents following the birth or adoption of a child; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself and Mr. GARDNER):

S. 3346. A bill to establish the Office of Internet Connectivity and Growth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. CASEY, and Ms. WARREN):

S. 3347. A bill to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T-Band spectrum; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BLUMENTHAL (for himself, Mr. BROWN, Mrs. MURRAY, Mr. MENENDEZ, Mr. UDALL, Mr. WHITEHOUSE, Mr. WYDEN, Mr. BOOKER, Mr. CARDIN, and Ms. HASSAN):

S. Res. 601. A resolution condemning the decision by President Donald Trump and the White House to ban members of the media from White House events for asking critical questions of the President, and affirming the importance of a free and unfettered press in our democracy; to the Committee on the Judiciary.

By Mr. MURPHY (for himself, Mr. JOHNSON, Mr. RUBIO, Mr. COONS, Mr. MARKEY, Mr. BARRASSO, Mrs. SHAHEEN, and Mr. RISCH):

S. Res. 602. A resolution supporting the agreement between Prime Minister Tsipras of Greece and Prime Minister Zaev of Macedonia to resolve longstanding bilateral disputes; to the Committee on Foreign Relations.

By Mrs. FISCHER (for herself and Mr. PETERS):

S. Res. 603. A resolution designating September 2018 as ''School Bus Safety Month''; to the Committee on the Judiciary.

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 604. A resolution to authorize document production by the Select Committee on Intelligence in United States v. Mariia Butina (D.D.C.); considered and agreed to.

By Mr. MERKLEY (for himself, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. CARDIN, Mr. CARPER, Mr. MARKEY, Mr. BROWN, Mr. KING, Mr. NELSON, Ms. CANTWELL, Mr. DURBIN, Mr. WYDEN, and Ms. HIRONO):

S. Res. 605. A resolution designating the first week in August as ''World Breastfeeding Week'', and designating August as ''National Breastfeeding Month''; to the Committee on the Judiciary.

By Ms. HARRIS (for herself, Mrs. FEINSTEIN, Mr. SCHUMER, Mr. MARKEY, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. VAN HOLLEN, Mr. WYDEN, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. BENNET, Mr. SANDERS, Mr. CARPER, Ms. HASSAN, Mr. COONS, Mrs. GILLIBRAND, Mrs. MURRAY, Ms. SMITH, Ms. HIRONO, Ms. CANTWELL, Mr. MENENDEZ, Mr. CARDIN, Mr. REED, Mr. UDALL, Ms. CORTEZ MASTO, Ms. BALDWIN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. CASEY, Mrs. SHAHEEN, Mr. BOOKER, Mr. LEAHY, Ms. DUCKWORTH, and Mr. NELSON):

S. Con. Res. 42. A concurrent resolution supporting America's clean car standards and defending State authority under the Clean Air Act to protect their citizens from harmful air pollution; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 58

At the request of Mr. HELLER, the names of the Senator from Utah (Mr. HATCH) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 58, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

S. 108

At the request of Mr. HATCH, the names of the Senator from Alabama (Mr. JONES) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 108, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 155

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 155, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 224

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 224, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 322

At the request of Mr. PETERS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 413

At the request of Mrs. CAPITO, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA–PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 477

At the request of Mr. DURBIN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 477, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research and surveillance efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 512

At the request of Mr. BARRASSO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 512, a bill to modernize the regulation of nuclear energy.

S. 533

At the request of Mr. NELSON, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 533, a bill to modernize the Undetectable Firearms Act of 1988.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from Montana (Mr. DAINES) 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. 749

At the request of Mr. ENZI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 749, a bill to amend the Higher Education Act of 1965 to require the disclosure of the annual percentage rates applicable to Federal student loans.

S. 890

At the request of Mr. UDALL, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 890, a bill to grant the Congressional Gold Medal to the troops who defended Bataan during World War II.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 1050

At the request of Ms. DUCKWORTH, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1084

At the request of Mr. TOOMEY, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1084, a bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes.

S. 1112

At the request of Mrs. CAPITO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1112, a bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1152

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1152, a bill to create protections for depository institutions that provide financial services to cannabis-related businesses, and for other purposes.

S. 1503

At the request of Mr. INHOFE, his name was added as a cosponsor of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1970

At the request of Mr. BENNET, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 1970, a bill to establish a public health plan.

S. 2051

At the request of Mr. PORTMAN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2051, a bill to amend title XVIII of the Social Security Act to modernize the physician self-referral prohibitions to promote care coordination in the merit-based incentive payment system and to facilitate physician practice participation in alternative payment models under the Medicare program, and for other purposes.

S. 2065

At the request of Mr. YOUNG, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 2065, a bill to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes.

S. 2358

At the request of Mr. RUBIO, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 2358, a bill to require a study on women and lung cancer, and for other purposes.

S. 2387

At the request of Mrs. CAPITO, the names of the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2387, a bill to provide better care and outcomes for Americans living with Alzheimer's disease and related dementias and their caregivers while accelerating progress toward prevention strategies, disease modifying treatments, and, ultimately, a cure.

S. 2430

At the request of Mr. COONS, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2430, a bill to provide a permanent appropriation of funds for the payment of death gratuities and related benefits for survivors of deceased members of the uniformed services in event of any period of lapsed appropriations.

S. 2432

At the request of Mr. YOUNG, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 2432, a bill to amend the charter of the Future Farmers of America, and for other purposes.

S. 2500

At the request of Mr. CASEY, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Delaware (Mr. COONS), the Senator from Maryland (Mr. CARDIN), the Senator from Hawaii (Ms. HIRONO) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2500, a bill to award a Congressional Gold Medal, collectively, to the women in the United States who joined the workforce during World War II, providing the vehicles, weaponry, and ammunition to win the war, that were referred to as ''Rosie the Riveter'', in recognition of their contributions to the United States and the inspiration they have provided to ensuing generations.

S. 2554

At the request of Ms. COLLINS, the names of the Senator from Mississippi (Mr. WICKER), the Senator from West Virginia (Mrs. CAPITO) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 2554, a bill to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

S. 2568

At the request of Mr. PORTMAN, the names of the Senator from Nebraska (Mr. SASSE) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. 2568, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 2633

At the request of Ms. HARRIS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2633, a bill to amend title 18, United States Code, with respect to civil forfeitures relating to certain seized animals, and for other purposes.

S. 2705

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2705, a bill to amend the Communications Act of 1934 to expand and clarify the prohibition on inaccurate caller identification information and to require providers of telephone service to offer technology to subscribers to reduce the incidence of unwanted telephone calls and text messages, and for other purposes.

S. 2823

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. BURR), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 2823, a bill to modernize copyright law, and for other purposes.

S. 2863

At the request of Mr. BLUNT, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2863, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

S. 3030

At the request of Mr. THUNE, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 3030, a bill to allow tribal grant schools to participate in the Federal Employee Health Benefits program.

S. 3063

At the request of Mr. BARRASSO, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Arkansas (Mr. COTTON) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3063, a bill to delay the reimposition of the annual fee on health insurance providers until after 2020.

S. 3067

At the request of Mr. BROWN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to permit nurse practitioners and physician assistants to satisfy the documentation requirement under the Medicare program for coverage of certain shoes for individuals with diabetes.

S. 3140

At the request of Mr. INHOFE, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 3140, a bill to amend the Packers and Stockyards Act, 1921, to provide for the establishment of a trust for the benefit of all unpaid cash sellers of livestock, and for other purposes.

S. 3142

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

S. 3172

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Mr. HOEVEN) 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. 3178

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

S. 3241

At the request of Ms. WARREN, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 3241, a bill to amend the Servicemembers Civil Relief Act to provide for the termination by a spouse of a lessee of certain leases when the lessee dies while in military service.

S. 3257

At the request of Mr. CRUZ, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from

Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3257, a bill to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes.

S. 3269

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3269, a bill to establish the Department of Veterans Affairs Advisory Committee on Tribal and Indian Affairs, and for other purposes.

S. 3284

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3284, a bill to amend the Internal Revenue Code of 1986 to require certain tax-exempt organizations to include on annual returns the names and addresses of substantial contributors, and for other purposes.

S. 3290

At the request of Mr. COTTON, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 3290, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Tomb of the Unknown Soldier.

S. 3300

At the request of Mr. BLUMENTHAL, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 3300, a bill to amend chapter 44 of title 18, United States Code, to ensure that all firearms are traceable, and for other purposes.

S. 3301

At the request of Mrs. MCCASKILL, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 3301, a bill to implement recommendations related to the safety of amphibious passenger vessels, and for other purposes.

S. 3304

At the request of Mr. NELSON, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 3304, a bill to amend chapter 44 of title 18, United States Code, to prohibit the publication of 3D printer plans for the printing of firearms, and for other purposes.

S. 3312

At the request of Mr. MERKLEY, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 3312, a bill to suspend proposed rulemaking signed by former Administrator of the Environmental Protection Agency Scott Pruitt, and for other purposes.

S.J. RES. 62

At the request of Mr. KAINE, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S.J. Res. 62, a joint resolution formalizing congressional opposition to any withdrawal from the North Atlantic Treaty, requiring the advice and consent of the Senate to modify or terminate the North Atlantic Treaty, and authorizing litigation to advance the Senate's constitutional authority.

AMENDMENT NO. 3595

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 3595 proposed to H.R. 6147, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3619

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 3619 intended to be proposed to H.R. 6147, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

AMENDMENT NO. 3670

At the request of Mr. CORNYN, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. MORAN), the Senator from Oregon (Mr. MERKLEY) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of amendment No. 3670 proposed to H.R. 6147, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Ms. MURKOWSKI):

S. 3319. A bill to impose additional restrictions on tobacco flavors for use in e-cigarettes; 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. 3319

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 ''Stopping Appealing Flavors in E-Cigarettes for Kids Act'' or the ''SAFE Kids Act''.

SEC. 2. ADDITIONAL RESTRICTIONS ON USE OF TOBACCO FLAVORS.

(a) TOBACCO PRODUCT STANDARDS.—Section 907(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387g) is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) SPECIAL RULE FOR TOBACCO PRODUCTS OTHER THAN CIGARETTES.—

''(i) IN GENERAL.—Except as provided in clause (ii), a tobacco product that is not a cigarette, or any component, part, or accessory of such a product, shall not contain, as a constituent (including a smoke or aerosol constituent) or additive, an artificial or natural flavor (other than tobacco) or an herb or spice (including menthol, strawberry, grape, orange, clove, cinnamon, pineapple, vanilla, coconut, licorice, cocoa, chocolate, cherry, and coffee) that is a characterizing flavor of the tobacco product, tobacco smoke, or aerosol emitted from the product. Nothing in this subparagraph shall be construed to limit the Secretary's authority to take action under this section or other provisions of this Act applicable to any artificial or natural flavor, herb, or spice not specified in this subparagraph.

''(ii) EXCEPTIONS.—An electronic nicotine delivery system component or part shall not contain or use an artificial or natural flavor (other than tobacco) that is a characterizing flavor of the product or its aerosol unless the Secretary issues an order finding that a manufacturer has demonstrated that use of the characterizing flavor—

''(I) will increase the likelihood of smoking cessation among current users of tobacco products;

''(II) will not increase the likelihood of youth initiation of nicotine or tobacco products; and

''(III) will not increase the likelihood of harm to the person using the characterizing flavor.''.

(b) DEFINITIONS.—Section 900 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387) is amended—

(1) by redesignating paragraphs (8) through (22) as paragraphs (9) through (23); and

(2) by inserting after paragraph (7) the following:

''(8) ELECTRONIC NICOTINE DELIVERY SYSTEM.—The term 'electronic nicotine delivery system'—

''(A) means any electronic device that delivers nicotine, flavor, or another substance via an aerosolized solution to the user inhaling from the device (including e-cigarettes, e-hookah, e-cigars, vape pens, advanced refillable personal vaporizers, and electronic pipes) and any component, liquid, part, or accessory of such a device, whether or not sold separately; and

''(B) does not include a product that—

''(i) is approved by the Food and Drug Administration for sale as a tobacco cessation product or for another therapeutic purpose; and

''(ii) is marketed and sold solely for a purpose described in (i).''.

(c) CONFORMING AMENDMENT.—Section 9(1) of the Comprehensive Smokeless Tobacco Health Education Act of 1986 (15 U.S.C. 4408(1)) is amended by striking ''section 900(18)'' and inserting ''section 900(19)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of enactment of this Act.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 3331. A bill to provide for an equitable management of summer flounder based on geographic, scientific, and economic data and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. SCHUMER. 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. 3331

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 ''Fluke Fairness Act of 2018''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Summer flounder is an important economic fish stock for commercial and recreational fishermen across the Northeast and Mid-Atlantic United States.

(2) The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) was reauthorized in 2006 and instituted annual catch limits and accountability measures for important fish stocks.

(3) That reauthorization prompted fishery managers to look at alternate management schemes to rebuild depleted stocks like summer flounder.

(4) Summer flounder occur in both State and Federal waters and are managed through a joint fishery management plan between the Council and the Commission.

(5) The Council and the Commission decided that each State's recreational and commercial harvest limits for summer flounder would be based upon landings in previous years.

(6) These historical landings were based on flawed data sets that no longer provide fairness or flexibility for fisheries managers to allocate resources based on the best science.

(7) This allocation mechanism resulted in an uneven split among the States along the East Coast which is problematic.

(8) The fishery management plan for summer flounder does not account for regional changes in the location of the fluke stock even though the stock has moved further to the north and changes in effort by anglers along the East Coast.

(9) The States have been locked in a management system based on data that occurred over a decade ago and the summer flounder stock is not being managed using the best available science and modern fishery management techniques.

(10) It is in the interest of the Federal Government to establish a new fishery management plan for summer flounder that is based on current geographic, scientific, and economic realities.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Atlantic States Marine Fisheries Commission.

(2) COUNCIL.—The term ''Council'' means the Mid-Atlantic Fishery Management Council established under section 302(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)).

(3) NATIONAL STANDARDS.—The term ''National Standards'' means the national standards for fishery conservation and management set out in section 301(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851(a)).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(5) SUMMER FLOUNDER.—The term ''summer flounder'' means the species Paralichthys dentatus.

SEC. 4. SUMMER FLOUNDER MANAGEMENT REFORM.

(a) FISHERY MANAGEMENT PLAN MODIFICATION.—Not later than 1 year after the date of enactment of this Act, the Council shall submit to the Secretary, and the Secretary may approve, a modified fishery management plan for the commercial and recreational management of summer flounder under title III of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1851 et seq.) or an amendment to such plan that—

(1) shall be based on the best scientific information available;

(2) reflects changes in the distribution, abundance, and location of summer flounder in establishing distribution of the commercial and recreational catch quotas;

(3) considers regional, coastwide, or other management measures for summer flounder that comply with the National Standards; and

(4) prohibits the allocation of commercial or recreational catch quotas for summer flounder on a State-by-State basis using historical landings data that does not reflect the status of the summer flounder stock, based on the most recent scientific information.

(b) CONSULTATION WITH THE COMMISSION.—In preparing the modified fishery management plan or an amendment to such a plan as described in subsection (a), the Council shall consult with the Commission to ensure consistent management throughout the range of the summer flounder.

(c) FAILURE TO SUBMIT PLAN.—If the Council fails to submit a modified fishery management plan or an amendment to such a plan as described in subsection (a) that may be approved by the Secretary, the Secretary shall prepare and approve such a modified plan or amendment.

SEC. 5. REPORT.

Not later than 1 year after the date of the approval under section 4 of a modified fishery management plan for the commercial and recreational management of summer flounder or an amendment to such plan, the Comptroller General of the United States shall submit to Congress a report on the implementation of such modified plan or amendment that includes an assessment of whether such implementation complies with the National Standards.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 601—CONDEMNING THE DECISION BY PRESIDENT DONALD TRUMP AND THE WHITE HOUSE TO BAN MEMBERS OF THE MEDIA FROM WHITE HOUSE EVENTS FOR ASKING CRITICAL QUESTIONS OF THE PRESIDENT, AND AFFIRMING THE IMPORTANCE OF A FREE AND UNFETTERED PRESS IN OUR DEMOCRACY

Mr. BLUMENTHAL (for himself, Mr. BROWN, Mrs. MURRAY, Mr. MENENDEZ, Mr. UDALL, Mr. WHITEHOUSE, Mr. WYDEN, Mr. BOOKER, Mr. CARDIN, and Ms. HASSAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 601

Whereas President Donald Trump repeatedly refers to reputable journalists and multiple media organizations as ''fake news'';

Whereas President Trump has characterized media organizations as ''a stain on America'';

Whereas President Trump has also characterized media organizations as ''the real enemy of the people'', while simultaneously characterizing his summit with Russian President Vladimir Putin as ''a great success'';

Whereas President Trump has threatened media organizations such as CNN and the Washington Post with antitrust actions while ignoring antitrust concerns with news organizations that provide him favorable coverage;

Whereas, on July 25, 2016, the White House singled out CNN reporter Kaitlan Collins and barred her from attending an event at the White House Rose Garden;

Whereas Ms. Collins asked President Trump questions regarding his former attorney Michael Cohen and Russian President Vladimir Putin, which he did not answer, at the White House press pool earlier in the day;

Whereas the White House alleged that Ms. Collins' questions were inappropriate for the venue;

Whereas the White House's justification for removing Ms. Collins was clearly a pretext, and the real reason she was removed was that President Trump didn't like Ms. Collins' questions, which made him uncomfortable;

Whereas President Trump has threatened to take away the White House press credentials of journalists whose coverage he does not like;

Whereas the decision to bar a member of the press from the White House for the questions the member asked is retaliatory in nature, violates the spirit of the First Amendment to the Constitution of the United States, and is not indicative of an open and free press; and

Whereas a free and unfettered press is the cornerstone of our democracy: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the decision by President Donald Trump and the White House to bar Kaitlan Collins from the White House;

(2) condemns the escalating attacks by President Trump on reputable journalists and news organizations as ''fake news'', ''a stain on America'', and ''the real enemy of the people'';

(3) affirms that it is necessary and appropriate for reporters to ask questions of powerful government officials, including the President of the United States, in order to hold these officials accountable to the people of the United States; and

(4) affirms that reporters and journalists must be able to feel free to do their duty without fear of reprisal from the Government.

SENATE RESOLUTION 602—SUPPORTING THE AGREEMENT BETWEEN PRIME MINISTER TSIPRAS OF GREECE AND PRIME MINISTER ZAEV OF MACEDONIA TO RESOLVE LONGSTANDING BILATERAL DISPUTES

Mr. MURPHY (for himself, Mr. JOHNSON, Mr. RUBIO, Mr. COONS, Mr. MARKEY, Mr. BARRASSO, Mrs. SHAHEEN, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 602

Whereas, on June 17, 2018, Prime Minister of Greece Alexis Tsipras and Prime Minister of Macedonia Zoran Zaev signed an agreement to officially change the constitutional name of the ''Republic of Macedonia'' to the ''Republic of North Macedonia'' and end a 27-year-long dispute;

Whereas, on June 12, 2018, the United States Department of State congratulated Prime Ministers Tsipras and Zaev and welcomed their historic agreement to resolve the name dispute;

Whereas, on June 12, 2018, the European Union's High Representative for Foreign Policy, Federica Mogherini, and the European Union's Commissioner for Enlargement, Johannes Hahn, issued a joint statement wholeheartedly congratulating Prime Ministers Tsipras and Zaev, their teams, and the people of the two countries, and further reaffirming that the European Union perspective of the Western Balkans remains the most stabilizing force for the region;

Whereas, on June 12, 2018, NATO Secretary General Jens Stoltenberg stated, ''This historic agreement is testament to many years of patient diplomacy, and to the willingness of these two leaders to solve a dispute which has affected the region for too long.'';

Whereas the agreement paves the way for Macedonia to begin accession talks to join NATO and the European Union;

Whereas, on July 5, 2018, Macedonia's parliament ratified the agreement to rename the country as the ''Republic of North Macedonia,'' and under the terms of the agreement the Government of Macedonia may hold a public referendum and shall pass a constitutional amendment to rename the country, and the parliament of Greece must vote on ratification of the agreement;

Whereas Russia consistently seeks to undermine agreements that enhance European cohesion, broaden the NATO alliance, or strengthen transatlantic partnerships;

Whereas the Governments of both Greece and Macedonia have accused Russia of meddling in their domestic affairs to undermine the name agreement, including by organizing public protests and deepening ties with nationalist organizations;

Whereas, on July 11, 2018, the Government of Greece announced the expulsion of two Russian diplomats and barred the entry of two additional Russian diplomats due to their involvement in funding public protests to undermine the name deal;

Whereas Greece is a longstanding NATO member and valued United States ally, contributing 2.6 percent of its gross domestic product (GDP) to defense and hosting United States Naval Support Activity at Souda Bay;

Whereas Macedonia joined NATO's Partnership for Peace in 1995, joined NATO's Membership Action Plan in 1999, and is one of the largest per-capita troop contributors to the NATO-led mission in Afghanistan;

Whereas, on July 11, 2018, NATO allies formally invited Macedonia to begin accession talks to join the alliance under the name ''Republic of North Macedonia''; and

Whereas, on July 19, 2018, Macedonia's parliament unanimously adopted a declaration supporting the country's bid to join NATO: Now, therefore, be it

Resolved, That the Senate—

(1) welcomes the agreement between Greece and the Republic of Macedonia to resolve the name dispute and to strengthen bilateral relations for the benefit of both countries;

(2) congratulates Prime Ministers Alexis Tsipras and Zoran Zaev, Foreign Ministers Nikos Kotzias and Nikola Dimitrov, their teams, and the people of both countries for this historic achievement;

(3) affirms that stability in southeastern Europe is an important United States national security interest;

(4) condemns efforts by the Government of the Russian Federation to undermine the agreement and supports United States assistance to authorities in Athens and Skopje to counter malign Russian influence;

(5) urges Macedonia to continue implementing important reforms as it seeks to join NATO and the European Union, including those related to protecting freedom of expression, strengthening the rule of law, and fighting corruption; and

(6) encourages the United States Department of Commerce, Department of State, and other relevant agencies to support United States companies interested in investing in southeastern Europe.

SENATE RESOLUTION 603—DESIGNATING SEPTEMBER 2018 AS ''SCHOOL BUS SAFETY MONTH''

Mrs. FISCHER (for herself and Mr. PETERS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 603

Whereas, every school day in the United States, approximately 500,000 public and private school buses carry more than 26,000,000 children to and from school;

Whereas school buses comprise the largest mass transportation fleet in the United States;

Whereas 55 percent of all K–12 students ride a school bus, totaling 260,000,000 miles for each of the 180 school days in a year, or 46,800,000,000 miles driven annually;

Whereas the Child Safety Network, celebrating 29 years of national public service, supports the CSN Safe Bus campaign, which is designed to provide the latest technology and free safety and security resources to the school bus industry;

Whereas the designation of School Bus Safety Month will allow broadcast and digital media and social networking industries to make commitments to disseminate public service announcements that are produced in order—

(1) to provide resources designed to safeguard children; and

(2) to recognize school bus drivers and professionals;

Whereas key leaders who are deserving of recognition during School Bus Safety Month and beyond have provided security awareness training materials to more than 14,000 public and private school districts, trained more than 100,000 school bus operators, and provided more than 110,000 counterterrorism guides to individuals who are key to providing both safety and security for children in the United States; and

Whereas School Bus Safety Month offers the Senate and the people of the United States an opportunity to recognize and thank all of the school bus drivers in the United States and the professionals who are focused on school bus safety and security: Now, therefore, be it

Resolved, That the Senate designates September 2018 as ''School Bus Safety Month''.

SENATE RESOLUTION 604—TO AUTHORIZE DOCUMENT PRODUCTION BY THE SELECT COMMITTEE ON INTELLIGENCE IN UNITED STATES V. MARIIA BUTINA (D.D.C.)

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 604

Whereas, the prosecution and the defendant in *United States v. Mariia Butina*, Cr. No. 18–218, currently pending in the United States District Court for the District of Columbia, have requested copies of a transcript of an interview of the defendant conducted by the Select Committee on Intelligence;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that documents, papers, and records under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Vice Chairman of the Senate Select Committee on Intelligence, acting jointly, are authorized to provide to the parties in *United States v. Mariia Butina*, under appropriate security procedures, copies of the transcript of the interview of the defendant taken by the Committee.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution on documentary production by the Select Committee on Intelligence, and ask for its immediate consideration.

Mr. MCCONNELL. Mr. President, the Select Committee on Intelligence has received requests from the Department of Justice and from the defendant in a pending criminal case for copies of a transcript of an interview that the Committee staff conducted of the defendant in April 2018 for use in preparation for trial.

This resolution would authorize the Chairman and Vice Chairman of the Select Committee on Intelligence, acting jointly, to provide copies of the interview transcript, under appropriate security procedures, to both parties in response to this request.

SENATE RESOLUTION 605—DESIGNATING THE FIRST WEEK IN AUGUST AS ''WORLD BREASTFEEDING WEEK'', AND DESIGNATING AUGUST AS ''NATIONAL BREASTFEEDING MONTH''

Mr. MERKLEY (for himself, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. CARDIN, Mr. CARPER, Mr. MARKEY, Mr. BROWN, Mr. KING, Mr. NELSON, Ms. CANTWELL, Mr. DURBIN, Mr. WYDEN, and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 605

Whereas the American Academy of Pediatrics recommends that breastfeeding continue for at least 12 months after the birth of a baby and for as long as the mother and baby desire;

Whereas the World Alliance for Breastfeeding Action has designated the first week of August as ''World Breastfeeding Week'', and the United States Breastfeeding Committee has designated August as ''National Breastfeeding Month'';

Whereas National Breastfeeding Month focuses on how data and measurement can be used to build and reinforce the connections between breastfeeding and a broad spectrum of other health topics and initiatives;

Whereas World Breastfeeding Week and National Breastfeeding Month provide important opportunities to address barriers to breastfeeding faced by families across the United States;

Whereas, according to the 2016 Breastfeeding Report Card of the Centers for

Disease Control and Prevention, 81.1 percent of mothers in the United States, or about 4 out of every 5 mothers in the United States, start breastfeeding their babies at the birth of their baby;

Whereas by the end of 6 months after the birth of a baby, breastfeeding rates for mothers in the United States fall to 51.8 percent, and only 22.3 percent of babies in the United States are exclusively breastfed at 6 months of age;

Whereas 2 of every 3 mothers report that they are unable to reach their personal breastfeeding goals;

Whereas there are substantial racial and ethnic disparities in breastfeeding initiation and duration;

Whereas, in 2014, 85.7 percent of non-Hispanic White infants were breastfed, as compared to—

(1) 68.0 percent of non-Hispanic Black infants; and

(2) 79.5 percent of non-Hispanic American Indian and Alaska Native infants;

Whereas the Healthy People 2020 objectives for breastfeeding are that—

(1) 82 percent of babies are breastfed at some time;

(2) 61 percent of babies continue to be breastfed at 6 months; and

(3) 34 percent of babies continue to be breastfed at 1 year;

Whereas breastfeeding is a proven primary prevention strategy that builds a foundation for life-long health and wellness;

Whereas the evidence of the value of breastfeeding to the health of women and children is scientific, solid, and continually reaffirmed by new research;

Whereas, during the first year of the life of a baby, a family that follows optimal breastfeeding practices can save between $1,200 and $1,500 in expenses on infant formula;

Whereas a 2016 study of maternal and pediatric health outcomes and associated costs based on 2012 breastfeeding rates indicates that if 90 percent of infants were breastfed according to medical recommendations, 3,340 deaths, $3,000,000,000 in medical costs, and $14,200,000,000 in costs relating to premature death would be prevented annually;

Whereas the great majority of pregnant women and new mothers want to breastfeed but face significant barriers in community, health care, and employment settings; and

Whereas a 2016 study found that universal breastfeeding—

(1) could prevent 800,000 child deaths per year across the world; and

(2) is an invaluable tool for mothers to provide essential nutrients to protect newborns against infectious diseases in developing countries: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of August 2018 as ''World Breastfeeding Week'';

(2) designates August 2018 as ''National Breastfeeding Month'';

(3) supports the goals of National Breastfeeding Month; and

(4) supports policies and funding to ensure that all mothers who choose to breastfeed can access a full range of appropriate support from child care and health care institutions, health care insurers, employers, researchers, and government entities.

SENATE CONCURRENT RESOLUTION 42—SUPPORTING AMERICA'S CLEAN CAR STANDARDS AND DEFENDING STATE AUTHORITY UNDER THE CLEAN AIR ACT TO PROTECT THEIR CITIZENS FROM HARMFUL AIR POLLUTION

Ms. HARRIS (for herself, Mrs. FEINSTEIN, Mr. SCHUMER, Mr. MARKEY, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. VAN HOLLEN, Mr. WYDEN, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. BENNET, Mr. SANDERS, Mr. CARPER, Ms. HASSAN, Mr. COONS, Mrs. GILLIBRAND, Mrs. MURRAY, Ms. SMITH, Ms. HIRONO, Ms. CANTWELL, Mr. MENENDEZ, Mr. CARDIN, Mr. REED, Mr. UDALL, Ms. CORTEZ MASTO, Ms. BALDWIN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. CASEY, Mrs. SHAHEEN, Mr. BOOKER, Mr. LEAHY, Ms. DUCKWORTH, and Mr. NELSON) submitted the following concurrent resolution; which was referred to the Committee on Environment and Public Works:

S. CON. RES. 42

Whereas Congress enacted the Clean Air Act, requiring the Environmental Protection Agency (EPA) to set standards controlling air pollutant emissions from motor vehicles and preventing the endangerment of public health and welfare;

Whereas Congress enacted section 209 of the Clean Air Act allowing the State of California to set vehicle emissions standards that meet or exceed Federal emission regulations;

Whereas Congress enacted section 177 of the Clean Air Act to allow States besides California to adopt California's stronger standards in lieu of Federal requirements;

Whereas the EPA has authority under the Clean Air Act to regulate greenhouse gas (GHG) emissions from vehicles;

Whereas the States of California, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington have elected to set vehicle emissions standards that are more stringent than otherwise applicable Federal vehicle emission standards and can do so based on principles of cooperative federalism pursuant to the Clean Air Act;

Whereas Congress enacted the Energy Policy and Conservation Act and the Ten-in-Ten Fuel Economy Act (42 U.S.C. 6201 et seq.), requiring the Administrator of the National Highway Traffic Safety Administration to set maximum feasible corporate average fuel economy standards with the ultimate goal of promoting energy savings and reducing oil consumption;

Whereas Congress enacted legislation requiring the National Highway Traffic Safety Administration to set Corporate Average Fuel Economy Standards with the ultimate goal of promoting energy savings and reducing oil consumption;

Whereas the Federal Government, the State of California, and the auto industry agreed to a coordinated set of regulations, called the One National Program, that aligned these light-duty vehicle GHG emissions and fuel economy standards as closely as possible and set achievable standards of increasing stringency through model year 2025;

Whereas the EPA, together with the National Highway Traffic Safety Administration and the California Air Resources Board, collaborated on extensive analysis that clearly demonstrated that the existing standards are technically feasible and can be met at reasonable cost;

Whereas in January 2017, the EPA issued a final determination to maintain the existing GHG emissions standards for vehicles of model years 2022 through 2025, based on the extensive technical record showing the standards are appropriate and achievable;

Whereas the administration must adhere to cooperative federalism principles by meeting with key State stakeholders before impacting their State goals on emissions and public health;

Whereas America's light-duty vehicle GHG emissions and fuel economy standards support over 288,000 auto manufacturing jobs across 1,200 facilities in the United States;

Whereas America's light-duty vehicle GHG emissions and fuel economy standards are keeping United States auto companies competitive globally and protecting American consumers from dirtier and more costly technology, as other countries adopt strict clean car policies;

Whereas transportation has now surpassed the energy sector as the largest source of GHG emissions in the United States;

Whereas America's light-duty vehicle GHG emissions and fuel economy standards, if fully implemented through model year 2025, will—

(1) reduce American consumption of oil by 2,400,000 barrels per day;

(2) save American consumers $130,000,000,000 at the pump by 2030; and

(3) reduce GHG emissions by 470,000,000 metric tons by 2030;

Whereas America's light-duty vehicle GHG emissions and fuel economy standards protect low-income communities and communities of color from disproportionate public health and economic burden; and

Whereas 87 percent of Americans support maintaining strong clean car standards and want automakers to continue to improve fuel economy for all types of vehicles: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) supports the existing One National Program, agreed to with State stakeholders, with the goals of reducing GHG emissions and oil usage, protecting national security, and protecting human health and welfare; and

(2) supports policies to achieve that goal that will—

(A) achieve maximum feasible oil use reductions and reduce GHG emissions from mobile sources;

(B) recognize the rights and importance of States in cooperative federalism to set and follow stronger vehicle emissions standards under the Clean Air Act if they so choose; and

(C) ensure the administration, Department of Transportation, and Environmental Protection Agency solicit input from State parties impacted by any changes to the existing GHG emissions standards for light-duty vehicles and the associated standards for corporate average fuel economy.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3687. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 4, to reauthorize programs of the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table.

SA 3688. Mr. MCCONNELL (for Mr. DONNELLY) proposed an amendment to the bill S. 2101, 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.

SA 3689. Mr. WYDEN submitted an amendment intended to be proposed by him to the

bill H.R. 4, to reauthorize programs of the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table.

SA 3690. Mr. GARDNER (for Mr. RUBIO) proposed an amendment to the bill S. 2497, to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

TEXT OF AMENDMENTS

SA 3687. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill H.R. 4, to reauthorize programs of the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 53, between lines 7 and 8, insert the following:

SEC. 1228. FORMER MILITARY AIRPORTS.

Section 47118(a) is amended—

(1) in paragraph (1)(C) by striking ''or'' at the end;

(2) in paragraph (2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) the airport is—

''(A) a former military airport that supported military operations after December 31, 1965; and

''(B) a nonhub primary airport in the most currently published National Plan of Integrated Airport Systems.''.

SA 3688. Mr. MCCONNELL (for Mr. DONNELLY) proposed an amendment to the bill S. 2101, 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; as follows:

On page 2, beginning on line 4, strike ''was commanded'' and all that follows through ''Tinian'' on line 7 and insert '', commanded by Captain Charles Butler McVay III, carried 1,195 personnel when it set sail for the island of Tinian''.

On page 2, line 19, strike ''explosion'' and insert ''explosions''.

On page 2, line 19, strike ''off''.

On page 2, line 20, strike ''1,196 crew members'' and insert ''1,195 personnel''.

On page 2, line 24, strike ''Shortly after 11 a.m.'' and insert ''At 10:25 a.m.''.

On page 3, line 21, strike ''317 men'' and insert ''316 men''.

SA 3689. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 4, to reauthorize programs of the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

On page 560, between lines 10 and 11, insert the following:

SEC. 6805. TORT CLAIMS PROCEDURE.

Section 2680(h) of title 28, United States Code, is amended by inserting '', including an employee of the Transportation Security Administration,'' after ''officer of the United States''.

SA 3690. Mr. GARDNER (for Mr. RUBIO) proposed an amendment to the bill S. 2497, to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes; as follows:

On page 29, after line 26, add the following:

(5) The current United States inventory of the precision guided munitions described in paragraphs (1) and (2), and an assessment whether such inventory meets the United States total munitions requirement.

On page 31, strike line 20 and insert ''at the end and inserting ''; or''; and''.

On page 40, after line 21, add the following:

(d) REPORT ON COOPERATION.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees (as that term is defined in section 101(a) of title 10, United States Code), the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report describing the cooperation of the United States with Israel with respect to countering unmanned aerial systems that includes each of the following:

(A) An identification of specific capability gaps of the United States and Israel with respect to countering unmanned aerial systems.

(B) An identification of cooperative projects that would address those capability gaps and mutually benefit and strengthen the security of the United States and Israel.

(C) An assessment of the projected cost for research and development efforts for such cooperative projects, including an identification of those to be conducted in the United States, and the timeline for the completion of each such project.

(D) An assessment of the extent to which the capability gaps of the United States identified pursuant to subparagraph (A) are not likely to be addressed through the cooperative projects identified pursuant to subparagraph (B).

(E) An assessment of the projected costs for procurement and fielding of any capabilities developed jointly pursuant to an agreement described in subsection (c).

(2) LIMITATION.—No activities may be conducted pursuant to an agreement described in subsection (c) until the date that is 15 days after the date on which the Secretary of Defense submits the report required under paragraph (1).

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator RON WYDEN, intend to object to proceeding to the nomination of Justin George Muzinich, of New York, to be Deputy Secretary of the Treasury, dated August 1, 2018.

AUTHORITY FOR COMMITTEES TO MEET

Mr. TILLIS. Mr. President, I have 9 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 9:45 a.m., to conduct a business meeting and hearing on the following nominations: Rick A. Dearborn, of Oklahoma, to be a Director of the Amtrak Board of Directors, and Martin J. Oberman, of Illinois, to be a Member of the Surface Transportation Board.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 9:45 a.m., to conduct a business meeting and hearing on the following nominations: William Charles McIntosh, of Michigan, to be an Assistant Administrator, and Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, both of the Environmental Protection Agency, Mary Bridget Neumayr, of Virginia, to be a Member of the Council on Environmental Quality, and John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development, and General Services Administration resolutions.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 10:30 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 9:30 a.m., to conduct a hearing on the following nominations: Justin George Muzinich, of New York, to be Deputy Secretary, and Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel, both of the Department of the Treasury.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 10 a.m., to conduct a hearing on the following nominations: R. Clarke Cooper, of Florida, to be an Assistant Secretary (Political-Military Affairs), and John Cotton Richmond, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with the rank of Ambassador at Large, both of the Department of State.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 10 a.m., to conduct a hearing on the following nominations: Richard J. Sullivan, of New York, to be United States Circuit Judge for the Second Circuit, Diane Gujarati, Eric Ross Komitee, and Rachel P. Kovner, each

to be a United States District Judge for the Eastern District of New York, John L. Sinatra, Jr., to be United States District Judge for the Western District of New York, and Lewis J. Liman, and Mary Kay Vyskocil, both to be a United States District Judge for the Southern District of New York.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 9:30 a.m., to conduct a hearing.

SUBCOMMITTEE ON SPACE, SCIENCE, AND COMPETITIVENESS

The Subcommittee on Space, Science, and Competitiveness of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 2:30 p.m., to conduct a hearing

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Erin McGinnis, be granted privileges of the floor for the remainder of the day.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that my legislative fellow Long Lam and intern Erin McGinniss be granted privileges of the floor.

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

ORDERS FOR FRIDAY, AUGUST 3, 2018, THROUGH WEDNESDAY, AUGUST 15, 2018

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, August 3, at 10:30 a.m.; Tuesday, August 7, at 10 a.m.; Friday, August 10, at 10:30 a.m.; Tuesday, August 14, at 1 p.m. I further ask that when the Senate adjourns on Tuesday, August 14, it next convene at 12 noon on Wednesday, August 15, and 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; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Quattlebaum nomination; further, that notwithstanding the provisions of rule XXII, the cloture motions filed during today's session ripen at 5:30 p.m., Wednesday, August 15; finally, that the Senate recess, following the resumption of the Quattlebaum nomination, until 2:15 p.m. to allow for the weekly caucus meetings.

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

ADJOURNMENT UNTIL FRIDAY, AUGUST 3, 2018, AT 10:30 A.M.

Mr. GARDNER. 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 8:09 p.m., adjourned until Friday, August 3, 2018, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

KELVIN DROEGEMEIER, OF OKLAHOMA, TO BE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE JOHN P. HOLDREN.

DEPARTMENT OF TRANSPORTATION

JOEL SZABAT, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE SUSAN L. KURLAND, RESIGNED.

DEPARTMENT OF STATE

CAROL Z. PEREZ, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE, VICE ARNOLD A. CHACON, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 1, 2018:

THE JUDICIARY

EMILY COODY MARKS, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA.

JEFFREY UHLMAN BEAVERSTOCK, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ALABAMA.

HOLLY LOU TEETER, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS.

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

JASON KLITENIC, OF MARYLAND, TO BE GENERAL COUNSEL OF THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

THE JUDICIARY

COLM F. CONNOLLY, OF DELAWARE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF DELAWARE.

MARYELLEN NOREIKA, OF DELAWARE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF DELAWARE.

JILL AIKO OTAKE, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII.