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Senate

The Senate met at 3 p.m. and was called to order by the Honorable RON JOHNSON, a Senator from the State of Wisconsin.

PRAYER

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

Let us pray.

Gracious God, thank You for the gift of Yourself and for teaching us how to live and serve. Forgive us when we take Your grace for granted. Forgive us also when we fail to treat others as we ourselves desire to be treated.

Lord, transform our lawmakers into instruments of Your glory, enabling them to strengthen our Nation and world. Remind them that fierce winds bring no anxiety to those who keep their eyes on You. Imbue them with Your wisdom, that they may know the road to take. Sustain them in all of their endeavors, keeping them from stumbling or slipping. Carve tunnels of hope through mountains of despair, and let Your peace reside in their hearts.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 4, 2018.

To the Senate:

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

ORRIN G. HATCH,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

The Senator from Iowa.

REMEMBERING JOHN MCCAIN

Mrs. ERNST. Mr. President, today I rise to honor a dear friend of the Senate and a dear friend to me. This weekend many of us had the honor of joining the family of John Sidney McCain III as we walked through his life and shared memories of such a wonderful man, a true patriot, an American hero, a wonderful Senator, a father, and a wonderful friend.

The first time I met Senator McCain was in 2014, and he was larger than life. I was engaged in my primary for the Senate, and I had the opportunity to visit Washington, DC, and sit down with Senator McCain in his office and visited and talked with him about what it was like to be a U.S. Senator.

Immediately, I felt that bond with John McCain as a fellow veteran. It was one thing that he was truly interested in. He had been through the political stuff with a lot of other folks running for the Senate—what it is like to engage in a campaign. That is all good and fine, but what he really took an interest in was my experience in the war in Iraq. He asked me about my service. I talked to him about the Na-

tional Guard—all of those things he truly understood and connected with. He really enjoyed that aspect of our discussion.

It was that first meeting—again, meeting with somebody that to me was larger than life, someone who truly had served his country—and we felt that connection.

The months progressed, and I got through the primary campaign and moved on into the general election cycle. During that time, a number of Senators came to Iowa. They would hop on my bus, which we fondly called the “squeal mobile,” and we would travel around the State of Iowa.

John McCain is so well known for his codels, or his congressional delegation visits to other countries. I have heard many of my colleagues refer to those codels as the “McCain death marches” because he is going from sunup to sundown—no resting, no stopping. He was visiting with world leaders all over, furthering our American interests.

My bus tour was a lot like that in the fall of 2014. John graciously agreed to come out and spend a day on the road with me in the “squeal mobile.” That day we were doing eight different events in eight different counties in Iowa. We were going from sunup, literally, to sundown, and we were traveling in this big RV.

I remember having a conversation with him. We were sitting at a little table. I was facing the rear of the bus. He was facing the front. It was late at night. It was dark. The sun had already gone down. We were approaching Bloomfield, IA, which was the last stop for the day. All of a sudden and out of nowhere, as we were having this conversation, boom, and we hit something. The bus did. John McCain, in true John McCainism, said: What the “fill in the blank” was that?

I didn’t even have to turn around. I knew immediately. Again, it is Iowa. It is the fall. It is after dark. I said: John, we hit a deer.

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



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That deer took out the front end of the bus. The bus was going no further. Immediately, John was up. He was at the front of the bus, ready to get out the door, and he said: I have to see this.

There was the enthusiasm and the energy that man had. It was a unique experience for him to be in the “squeal mobile,” and it was the eighth stop of the night. John was used to the “go, go, go,” not just in campaign cycles but in anything he did. He was committed to finishing out that last stop of the night. We got out of the bus, which was incapacitated from that deer, and we hopped in a car that had been following us from one event to the next and went on to Bloomfield, to the diner, where he talked about service and commitment to country.

We did a lot of veterans stops that day. I will always fondly remember that and how many Iowans’ lives he had touched, sharing his stories and his thoughts about how we should do better for American service men and women.

After that incident, I made sure anytime somebody supplied me with deer jerky from Iowa that John got a little of it, and he always loved that.

When I was elected and I entered the Senate at the end of 2015, one of the very first things Senator McCain did for me and for several others who were freshmen was to make sure we secured seats on the Senate Armed Services Committee. This is one of the most important committees, in my estimation, of the U.S. Senate. Again, because I am a veteran and because I grew up as a soldier, it is very important to me. He took the time to make sure that Senator TOM COTTON, Senator DAN SULLIVAN, and I each had a seat on that committee.

He thought of us as the new era veterans—those that could really bring real world experience to the table from our time in Iraq and for TOM and DAN, their time in Afghanistan. Again, this was under the mentorship of a wonderful American, a patriot, and a true warrior—John McCain. He valued our input. He valued our time, and he encouraged us to get involved and stay involved, and I loved that.

Going back to the McCain death marches and the congressional delegations that John would plan for those of us who served on the Armed Services Committee, there was a trip I took in 2015 that was very important to me, and that was a trip I did with Senator McCain and Senator DAN SULLIVAN to Vietnam. Senator McCain took many Senators to Vietnam.

To me, it was such an incredible trip and probably one of the most treasured times I had with John McCain in the Senate. During that trip to Vietnam, of course, one of the usual stops for him was a trip to Hanoi, where he took us to the Hanoi Hilton, where he had been imprisoned so many years ago by the North Vietnamese. I found this time very sad, thinking about the pain and

the agony Senator McCain had gone through at the hands of his North Vietnamese captors. At the same time, what I experienced from John was something that I will never forget; that is, a sense of forgiveness. Having endured so many years of torture and hardship in Vietnam, what I found truly remarkable about Senator McCain was the fact that so many years later he had spearheaded the efforts to normalize relations between the United States and Vietnam. He forgave. He forgave.

There we were in Hanoi, walking through the very place I estimated had been so evil to him, and yet in those moments, he found his sense of humor. If anybody spent time around Senator John McCain, they know of his sharp wit and his humor. As we walked through the museum portion of the Hanoi Hilton, he would stop in front of a picture. He would look at it, and we would all look at it. DAN and I would look at it with John, and there would be a picture of American servicemen standing around a Christmas tree with smiles on their faces. He would look at it. He would look it up and down, and he would say: Bull “bleep”—fill in the bleep. Then, he would laugh, and he would move to the next picture. In the next picture, there were American servicemen playing sand volleyball, having a great time at the Hanoi Hilton. He would look at it, and he would shake his head and would say: Bull “fill in the blank.”

Then, we would move to the end of the room, and in this glass case with a plaque, there was a naval flight suit and flight helmet. On the plaque it said: John McCain’s flight suit and helmet. He looked it up and looked it down, and he said again: Bull “fill in the blank.” He said: That is not my flight suit. That is not my helmet.

This grand display at the Hanoi Hilton was to show what a wonderful experience it was for our service men and women, and we know that it wasn’t. But through all of that, John McCain forgave. He forgave, and he helped bring our countries closer together.

We still have a long journey ahead to totally repair relations between Vietnam and the United States, but because John McCain found it within himself to dig deep and forgive, we are on that path. We are on that path.

Later that evening, after having been to the infamous Hilton, John took us all to supper, and we were able to share traditional Vietnamese dishes. He shared a lot of stories with those of us who were on that delegation trip—stories that you will not find written in books, but things that were very personal and intimate to him and his experience.

He knew that DAN SULLIVAN and I, also being veterans, would understand the thoughts and the experiences that he had had in Vietnam. I will treasure that time with John McCain forever.

A little over a year ago, John was diagnosed with brain cancer, and I know,

for me personally, that was very hard, and I think a lot of other folks were shocked, again, because John’s persona was so big, larger than life. He had lived through so much in his lifetime, only to be diagnosed with something that we knew would be very difficult to overcome.

John stayed the course, though, working very hard here in the U.S. Senate, and I do remember there were times he would take votes that I totally disagreed with, and we got into a heated argument over one of those votes. As many of us have experienced with John and his temper, man, he got after me. I took a vote that he didn’t agree with. He yelled at me. He was all over me, and I wouldn’t let it go. He knew my personality. I wasn’t going to let it go. So after he had gotten on me, I would try to explain my position to him, and he would just walk away. For days after that incident, he would avoid me. I would be tracking him down, and he would avoid me. He would go down a hallway or try to get away from me. I finally caught up with him, and I said: John, I love you. We need to talk about this. And he said: Oh, JONI, I can’t stay mad at you. Then life went on as normal.

He was just a great man—a great man—and we knew that we could disagree, but we would get beyond it. We would get beyond it.

In the Senate Armed Services Committee, we always teased each other. He would call me colonel, and I would call him admiral. The funny thing is, he served in the Navy and retired as a captain. He did not achieve the rank of admiral. I served in the Iowa Army National Guard. I retired as a lieutenant colonel; I did not achieve the rank of colonel. But we would tease each other. He would call me Colonel ERNST, and I would call him Admiral McCain, and we would have a good chuckle over it.

He loved his time as a naval aviator. It was very significant to him—a very important part of his life. I had the wonderful experience in November of 2017, having gone to Oceana, down to Norfolk, and I was able to go through swimming physiology and then take my first flight ever in an F-18 with a naval aviator, and I was able to “bag some traps” out on the Abraham Lincoln.

After that weekend, I had a number of photos from that time. It was a great experience. I had been working on some issues with physiological episodes with some of our naval aviators, and I came back and was in votes that next week. I sat down with John here on the floor, and I pulled out those pictures, and he ate them up. He just continued flipping through those pictures, flipping through them, and I could just see the light in his eyes. I could tell that John was reliving some of the memories that he had in the cockpit—the times that he had, the times that he loved, the times that he enjoyed doing what he did as a naval aviator, fighting for the United States of America, doing what he believed to be true

and worthy. That was a precious time to share my tiny, tiny experience in the air with Senator John McCain.

So, again, I just wanted to share with everyone, with my colleagues, with my constituents the fact that I value the time that I spent in the U.S. Senate with Senator McCain. He taught us all a lot about love of country, duty, honor, commitment, service, leadership, patriotism, forgiveness, and how to love your brother and your sister, regardless of who you are and where you come from. I will treasure that time; I will treasure the man.

To his family—they have my deepest sympathies in the loss of their husband, their father, their brother, their son, their uncle. I think we will all feel the hurt of the loss for a long time. His spirit will live on with us in this Chamber.

Every time I walk into an Armed Services Committee meeting, I will always think of John McCain and how he strove to be a great leader for all of us, the mentorship that he provided.

John, I know you are with us, and it is my turn to say thank you for everything that you have done for your great State of Arizona, for all of us who have served in the U.S. Senate, and of course for these great United States of America. We honor you, John; we thank you. God bless you. Thanks so much, John.

I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

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

NOMINATION OF BRETT KAVANAUGH

Mr. McCONNELL. Mr. President, the Judiciary Committee has begun the hearing to consider Judge Brett Kavanaugh for confirmation as Associate Justice of the Supreme Court. One of the distinguished professionals asked to introduce Judge Kavanaugh is Lisa Blatt, a prominent and accomplished Supreme Court litigator. She also happens to be a self-described “liberal Democrat and feminist.”

Nevertheless, in a recent op-ed, Ms. Blatt laid out the case for why Democrats should support Judge Kavanaugh's nomination. Just last week, she spearheaded a letter that 41 veteran appellate advocates wrote to the committee. They said: “Based on our experience with Judge Kavanaugh and his work over 12 years of distin-

guished judicial service, we are confident that he possesses the character, temperament and intellect that will make him an asset for our Nation's highest Court.”

Our colleagues on the committee also received a letter from Bob Bennett. Like Ms. Blatt, he is also a Democrat and, in fact, he served as a personal lawyer to one of America's most prominent Democrats, President Bill Clinton, during a particularly acrimonious time in recent history. Yet Mr. Bennett concluded, in a letter to our colleagues, that Judge Kavanaugh is “the most qualified person any Republican President could possibly have nominated.”

He went on to say: “Were the Senate to fail to confirm Brett, it would not only mean passing up the opportunity to confirm a great jurist, but it would also undermine civility in politics.”

Those familiar with Judge Kavanaugh's judicial record and temperament come away impressed. So has the American Bar Association, an organization our Democratic friends have called “the gold standard” in evaluating judicial nominees. They deemed Judge Brett Kavanaugh to be unanimously “well qualified.” That is the highest possible rating they can give, unanimously “well qualified.”

Many of our Democratic colleagues have been determined to oppose Judge Kavanaugh's nomination, no matter what, since the day he was nominated. Some of our Democratic colleagues opposed him and anyone else before he was nominated, but they are running out of options. They can't find any substantive reasons why he doesn't deserve confirmation.

That explains the hyperventilation and orchestrated antics at this morning's hearing, where they talked about almost anything besides his distinguished record. Our colleagues keep falling back on the same process complaints that have failed to persuade anyone for weeks and weeks.

So let's review the facts.

The Judiciary Committee has received half a million pages of materials with respect to this nomination. This is by far—by far—the most materials provided in support of a Supreme Court nomination in our Nation's entire history. In fact, it is more material than was produced for the last five Supreme Court nominations combined.

Of course, this record-shattering tower of executive branch documents is all in addition to Judge Kavanaugh's 12-plus-year record on the DC Court of Appeals—obviously, the most relevant part of his record. Again, that judicial record was something our Democratic friends said was the best way to evaluate a judge, back when it was a Supreme Court nominee of a Democratic President whom the Senate was considering.

Judge Kavanaugh has issued over 300 opinions from what the legal community widely considers the second highest bench in the country. By any objec-

tive standard, by any fair metric, any Senator who is willing to give Judge Kavanaugh full and fair consideration is more than amply prepared to do so, but, of course, many of our Democratic colleagues haven't been interested in doing that.

As I said, many Senate Democrats made up their minds instantly upon Judge Kavanaugh's nomination that they would oppose him no matter what—no matter what his qualifications, no matter how many opinions are in the public record or how many pages of documents are provided. Many Senate Democrats were never going to give this nominee a fair hearing. There could be 1 million pages of documents or 5 million or 10 million, for that matter. Nothing will change the fact that one Democrat who serves on the committee declared she would oppose any nominee—any nominee—before Judge Kavanaugh was even announced. Nothing will change the fact that the very same night he was announced, two more Democrats on the Judiciary Committee publicly announced they finished their consideration and will vote against him. Nothing will change the fact that the very next morning, the Democratic leader stood up and said: “I will oppose him with everything I've got,” and more and more Democrats have followed suit.

Our colleagues will have the opportunity to thoroughly examine this nominee during this week's hearings, and afterward he will receive a vote on the floor. No amount of partisan opposition or political theater will stop the Senate from doing its job.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The assistant bill clerk read the nomination of Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2023.

Mr. McCONNELL. I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am very grateful to my colleague from New Mexico, Senator UDALL, for joining me today for my 218th "Time to Wake Up" speech. Senator UDALL is a formidable advocate for conserving public lands and protecting endangered species—helping to ensure that future generations will inherit a healthy and beautiful planet. These lands and creatures Senator UDALL fights so hard to protect are under direct attack from the current administration and the heavy hand of industry that guides it both through regulatory rollbacks and other efforts to weaken protections for special places and special wildlife. These species and places are also under siege from the consequences of climate change.

Just last week, both the Washington Post and The Atlantic reported on a recent study in the prestigious journal *Science*. The titles of their articles were foreboding—"Climate change could render many of Earth's ecosystems unrecognizable" from the Washington Post and "No Ecosystem on Earth Is Safe from Climate Change" from The Atlantic. The study looked at historic vegetation and temperature records to predict how global warming will transform our world.

Dr. Stephen Jackson, a scientist with the U.S. Geological Survey and the lead author, told The Atlantic:

Anywhere on the globe, the more you change climate, the more likely you are to see major ecological change. Having this kind of change occur at such a massive scale in such a short period of time is going to create unprecedented challenges.

Dr. Dorothy Peteet, a researcher with NASA who commented on the article, said: "There are notable effects of climate change we are seeing today . . . and they will probably be much more exacerbated in the future."

From the mountains to the sea, from the North Pole to the South, climate change is wreaking havoc on our natural systems and the living creatures that rely on them for survival. A study from Global Change Biology earlier this year found "a strong association between rapid climate warming and declines of bird and mammal populations . . . showing that population declines have been greatest in areas that have experienced most rapid warming."

Birds are often seen as sentinels of an ecosystem's health and are especially vulnerable to climate change. In particular, migratory birds, some of which travel thousands of miles each year to breed, rely on a delicate balance of temperature cues and food availability to successfully make their impressive journeys.

Here on the east coast, Delaware Bay enjoys an annual visit from the rufa red knot, a bird with a body not larger than a teacup but whose wings carry it on a more than 9,000-mile journey from Tierra del Fuego on the southern tip of South America to the Canadian Arctic. After spending the summer nesting in

the north, they make their return trip back south to winter in the Southern Hemisphere.

On the northward journey, the red knots make a straight leg from the coast of Brazil to Delaware Bay. Think about that. These tiny birds take off from the coast of Brazil, and they fly all the way to Delaware Bay. They lose as much as half their body weight on this arduous trip, but Mother Nature provides a bounty for them upon their arrival.

Delaware Bay is the largest horseshoe crab spawning area in the world, and each May, millions of horseshoe crabs take part in a mating ritual that predates the dinosaurs. Each female horseshoe crab can lay up to 90,000 eggs, and horseshoe crab eggs make excellent fuel for little birds relishing a pause in their long journey. But warming waters and shifting seasons threaten to knock the timing of both species' cycles out of whack. If the environmental signal comes too early or too late and these little birds fly all that way and they get to Delaware Bay and the horseshoe crabs aren't there, that will shake the species.

Predictability in seasonal changes affects the survival of much of the world's wildlife. In 2014, the National Audubon Society published a comprehensive review of how climate change would affect the ranges of nearly 600 North American bird species. More than half of the species studied are at risk of losing more than 50 percent of their current range to climate change by 2080. Around a quarter of the species studied could see their range shrink that much by 2050.

Mr. President, may I interrupt my remarks for a moment? I see the minority leader on the floor. If he seeks recognition, Senator UDALL and I have time to do a pair of climate speeches. I am more than happy to interrupt and have him do what he needs to do.

I ask unanimous consent that at the conclusion of the leader's remarks, I be recognized and resume my remarks and that at the conclusion of them, Senator UDALL be recognized.

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

RECOGNITION OF THE MINORITY LEADER

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

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. First, let me thank my good friend—who did a great and outstanding job this morning on the Judiciary Committee—for his graciousness and thoughtfulness as always. I also thank my friend from New Mexico.

Mr. President, the Senate Judiciary Committee began hearings today on Judge Brett Kavanaugh's nomination to the Supreme Court. Democrats on the committee have pointed out that over 40,000 of Judge Kavanaugh's documents were handed over to the committee last night. It is the latest insult in what has been an insulting process

for reviewing the nominee's record on the issues. It has not just been insulting to Democrats in the Senate but insulting to the Senate as a whole and insulting to the American people: We can jam this through, and it doesn't matter what you think and what you need to know.

More than 90 percent of the nominee's record has been shielded from public scrutiny. The chairman keeps claiming that there are several hundred thousand pages that have been made available. That is not the point. If only 7 percent of the documents are made available, the question is, What looms in the other 93 percent? It is the percentage that matters because we want to know what is hidden.

Furthermore, we have no knowledge of why we were given these documents and not given the vast bulk of the documents. What is the rule? Is there some objective rule finding? They should make it public. Why? They haven't, and the reason is simple. The obvious conclusion—and we can't prove it because we don't have the documents—is that in the 93 percent, there are things they don't want to be made public. Otherwise, there would be a set system, and they would say: Here is why you are getting this, and here is why you are not getting that.

Again, it is not the number; it is the percentage. Almost everything the Republicans requested with Elena Kagan and Sotomayor when they were in the minority—in our position now—was granted. Very little of what we have requested has been granted. So the question looms: What are they hiding?

I commend my colleagues, sincerely and strongly, for standing up and raising these issues this morning. The Judiciary Committee members were lending their voices to a large and growing chorus of people out in America who are deeply concerned about how this process has been run. Every member of the Judiciary Committee was eloquent and forceful in their clarifying of just how far the Republicans have gone to keep Judge Kavanaugh's record a secret. Here, for the highest Court in the land—which has huge power over every one of our lives in many different ways—we are hiding what he really thinks. Maybe it is because they don't want the American people to know what he really thinks.

Nonetheless, the Judiciary Committee proceedings are going forward even though the Republican majority has taken great pains to shield a great bulk of Kavanaugh's record from the American public. Since they are in the majority, they can do this against the will of all of the Democrats and of, probably, much of the American people, but it is so wrong. Let's review what we already know about this nominee.

For the bulk of his career, Brett Kavanaugh has been a loyal Republican foot soldier who has consistently found himself near the center of the most heated, partisan legal fights of the past

two decades. From the Starr report to Bush v. Gore and through the myriad controversies of the Bush White House, Brett Kavanaugh was front and center in representing the political interests of the Republicans. His service as a partisan warrior was rewarded with a judgeship, wherein he immediately began to establish a jurisprudence far outside the judicial mainstream.

As a judge, he ruled against commonsense gun safety measures. He ruled against commonsense environmental protections. He consistently ruled against the rulemaking powers of independent agencies. He went so far as to label the CFPB, the Consumer Financial Protection Bureau, unconstitutional, and he has praised the dissents in both *Roe* and *Casey*, which are two landmark cases that established a woman's right to privacy with respect to her medical decisions.

Remember—we can't forget—Brett Kavanaugh was selected from a preapproved list of candidates that had been vetted by the Federalist Society and the Heritage Foundation—two hard-right groups that are dedicated to the destruction of our healthcare law and the repeal of *Roe v. Wade*. He was selected by a President who explicitly promised to pick judges who would do those two things exactly.

Unlike with former nominees, Brett Kavanaugh has the special burden of explaining his views on these crucial issues. The President didn't just say: I am going to choose the best legal mind available. He said: I am going to choose someone who will repeal *Roe*. He said: I am going to choose someone who will overturn many of the healthcare protections that we have, as in the ACA. So he has a special obligation.

When I interviewed him in my office, he ducked. I asked him if he believed *Planned Parenthood v. Casey* was correctly decided, not whether it were precedent. That doesn't matter. Precedents change. Supreme Court Justices do it. I asked him whether it was correctly decided. He refused to say. He refused to say whether any restriction on a woman's reproductive freedom constituted an undue burden. There was nothing that I heard from Judge Kavanaugh in our interview to dispel the presumption that has been created by President Trump's litmus test that a Justice Kavanaugh would vote to overturn *Roe* and protections for Americans with preexisting conditions.

Judge Kavanaugh will, no doubt, refuse to answer these important questions in the committee hearings as well. We are not going to get clear answers. That is what judicial nominees have been taught to do. Yet, given how he was chosen—in his coming from a preappointed list—that makes, No. 1, his obfuscation even more troubling. No. 2, it makes the need for documents all the more compelling.

Another area of examination this week should be of Judge Kavanaugh's views on Executive power and accountability. During his time in the White

House, it seems that Judge Kavanaugh developed an adulation for powers of the Presidency. He said that Presidents should not be subject to investigations of criminal or civil wrongdoing while in office. He said that a President can refuse to enforce any law that he deems unconstitutional even if a court has ruled otherwise. In our meeting, he refused to say that a President must comply with a duly issued subpoena. Judge Kavanaugh also wrote that Presidents should be able to hire and fire, at will, the heads of independent agencies. In Brett Kavanaugh's jurisprudence, the Executive of the United States is nearer a King than a coequal branch of government.

At a time when the President of the United States routinely tests the bounds of powers of his office, at a time when the President disdains and routinely disparages the rule of law, at a time when the President has been named as a coconspirator in a Federal criminal case, Brett Kavanaugh's views on Executive power are more than dangerous; they are disqualifying.

This week, the Judiciary Committee has the task of scrutinizing Kavanaugh. I would remind my colleagues there is no legal standard, rule, or logic that prohibits nominees from answering questions that don't involve immediate and specific cases that are or could become before the Court. I would remind my colleagues that indications of *stare decisis* and solemn promises to respect precedent have been called before the committee before and generally have little bearing, unfortunately, as to whether the nominee will abide by those principles on the bench.

Only a few months ago, Judge Gorsuch reminded us of that with his ruling in the *Janus* case, as Justice Roberts reminded us with his ruling in *Citizens United*. Justices will overturn decades of well-worn precedent if given the opportunity. The debate this week about the future of the Supreme Court may get wonky and technical, but what is at stake is not abstract. It is real; it is concrete for Americans whose lives, health, happiness, and freedoms are on the line at the Supreme Court. Closely divided decisions recently have meant that the difference between the ability to marry the person you love or not, to have your right to vote protected or not, to make personal choices about your healthcare or not are all at stake. Stakes in this nomination today could not be higher.

The need for openness and lack of secrecy is as high as it has ever been. The responsibility of the Judiciary Committee this week is to drill down and examine Judge Kavanaugh's views to the extent that he will share them and to point out those areas in which he fails to be forthcoming. The American people have a right to know who may become the deciding vote on issues ranging from women's reproductive rights, to civil rights, to labor rights,

to voting rights, to LGBTQ rights, and more. I believe the Judiciary Committee's proceedings this week will reveal to the American people a nominee unfit for the job of Associate Justice.

Mr. President, there is one more issue—that of President Trump's unconscionable statement of politicizing the Justice Department. Yesterday, the President made the following statement:

Two long-running, Obama era investigations of two very popular Republican Congressmen were brought to a well-publicized charge, just ahead of the Mid-Terms, by the Jeff Sessions Justice Department. Two easy wins now in doubt because there is not enough time. Good job Jeff. . . .

That is the President speaking. Yes, I think he spoke. He didn't tweet.

For so long, President Trump's actions have suggested that he views the Justice Department not as an independent law enforcement agency but as a tool to prosecute his enemies and protect himself and his friends. President Trump's statement yesterday comes right out and says it. Trump is chastising the Attorney General of the United States for enforcing the law—for announcing two indictments, backed up by ample evidence, because it may hurt members of his political party from winning elections. How outrageous is that?

So I say to President Trump: America is not some fiefdom in which the lord of the manor gets to decide who the law applies to and who it doesn't apply to. The beauty and the greatness of American democracy is that we are all equal in the eyes of the law—Republicans, Democrats, and, yes, even Presidents.

President Trump, you do not seem to understand or choose not to understand the basic principles of the rule of law that have governed our great Nation since its founding.

President Trump seems to think he is above the law, so it is no wonder he selected Judge Kavanaugh—who believes sitting Presidents should not be investigated—to sit on a potential jury on the Mueller probe.

Again, I thank my colleagues for their courtesy. I might note that I am very proud of the job the Senator from Rhode Island and all of his colleagues on the Judiciary Committee did this morning.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as I resume my remarks, we head westward to the tallest peaks of the Rockies, where, according to the U.S. Geological Survey, the Northern Rocky Mountains have been warming more than three times as fast as the global average over the past 100 years.

A 2014 Union of Concerned Scientists report warned that the Rocky Mountains will "become even hotter and drier," which will lead to increased

wildfire, reduced snowpack, and declines in the keystone trees that define the Rocky Mountain forests.

A recent study by U.S. Forest Service and Oregon State University researchers found that species like the pygmy rabbit, wolverine, Canada lynx, and snowshoe hare, which have specific habitat requirements, will be particularly vulnerable. Some mountain amphibians are even at risk from a harmful, invasive fungus that thrives in warmer temperatures.

The increased spread of disease and invasive species is a recurring theme of climate change. Animals and plants that are already stressed from depleted food and changing temperatures are more susceptible to disease, and stressed ecosystems leave openings for invasive species to move in and take over. After hitting U.S. shores in the early 2000s in wood packing material, the invasive and injurious emerald ash borer has spread to around 30 States and has destroyed tens of millions of ash trees in its wake. In July, my Rhode Island Department of Environmental Management discovered this invasive species in our State.

We look seaward from Rhode Island, and coastal States like ours are facing a red menace in their waters—the harmful algae blooms known as red tide. Florida is battling a devastating toxic algae bloom that has, according to Quartz, “killed masses of fish, 12 dolphins, more than 500 manatees, 300 sea turtles, countless horseshoe crabs, [and] a whale shark” as of August 22. Those were just the ones whose bodies came ashore. Locals and tourists alike are greeted with decaying marine life along the docks and beaches and with air that is tainted with the algae’s toxins. Quartz writes that this year’s “red tide in Florida doesn’t just make the issue of global warming visible; it’s an all-out sensory onslaught.”

Though algal blooms occur annually in Florida, this year’s bloom is a harbinger of the shifting reality of climate change. The Washington Post notes: “As air and ocean temperatures increase, the environment becomes more hospitable to toxic algal blooms.”

In addition to these warmer water temperatures, climate change also spurs heavy downpours, which wash more fertilizer from farms and lawns into the water, providing nutrients that spur the growth of the algae. Sea level rise expands the area of shallow coastal waters, where warm temperatures and ample sunshine bolster growing algae.

The oceans are experiencing “marine heat waves.” According to a recent review in the prestigious scientific journal *Nature*, these extended periods of elevated sea-surface temperatures “have caused changes in biological production, toxic algal blooms, regime shifts in reef communities, mass coral bleaching, and mortalities of commercially important fish species, with cascading impacts on economies and societies.”

That is “science-ese” for a pretty tough formula for coastal communities.

Indeed, a marine heat wave is responsible for the dramatic coral bleaching that occurred in the Great Barrier Reef, killing about half of the reef since 2016. In recent weeks, San Diego recorded its highest seawater temperature, around 80 degrees Fahrenheit, since measurements started in 1916.

The Nature study attributed 87 percent of modern marine heat waves to human-caused climate change. They warn that these heat waves “will become very frequent under global warming, probably pushing marine organisms and ecosystems to the limits of their resilience and even beyond.” Couple these extreme heat spells with ocean acidification, deoxygenation, and changes in ocean circulation and currents, and you are looking at a perfect storm for coral reefs, fisheries, and ocean wildlife.

Marine and atmospheric heat waves are also contributing to the rapid opening of Arctic sea ice. The iconic images of starving polar bears have brought this concern home for many, but sea ice also provides protection for narwhals, hosts algae that feed Arctic cod and whales, and provides an interstate highway of sorts for wolf and fox populations. This ice is the crux of the Arctic ecosystem, and it is falling apart.

For the first time since scientists started monitoring the Arctic’s sea ice in the 1970s, the waters north of Greenland are breaking through the usually permanently frozen ice cover. Until now, this area had been assumed to be the Arctic ice’s stronghold—the strongest and oldest ice plane in the Arctic. But spikes of warm temperatures earlier this year allowed the weakened ice to be pushed from shore, leaving it vulnerable to wind and waves.

Dr. Walt Meier, with the U.S. National Snow and Ice Data Center, called this loss of sea ice “a pretty dramatic indication of the transformation of the Arctic sea ice and Arctic climate.” A researcher with the Norwegian Meteorological Institute put it even simpler, calling it “nice and scary.”

I will now yield to my friend the Senator from New Mexico in the hopes that at some point this body will find the sense and the courage to address this problem as we see its manifestations from north to south, from pole to pole, and from the depths of the sea to our highest mountaintops.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

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

Mr. UDALL. Mr. President, I just want to tell you how proud I am to join Senator WHITEHOUSE today on the floor. I want to thank the Senator from Rhode Island for continuing to bring the urgency of combating climate change to the attention of this body. I

admire his passion and intellectual clout, which he has brought specifically to climate change a number of times here on the Senate floor. He has been a great advocate for his State of Rhode Island, where we all know there are going to be very serious impacts—sea level rise is one of the major ones, but there are many others—as a result of how climate change and global warming are playing out.

Let’s state several things here that are clear. One is that the science is clear. The Earth’s atmosphere is warming at an alarming rate, and human activity is the principle cause. What we see every day with our own eyes—extreme weather events around the globe—is clearer and clearer. But worse and most clear is the harm being done to millions of Americans and people all around the world as a result of the destructive effects of climate change.

People are losing their homes, their lands, and their farms. We now have a new kind of refugee—climate refugees—who are displaced from their homes by catastrophic weather disasters, including drought and floods. In 2017 roughly 68.5 million people were climate refugees, and that number is expected to double to over 140 million by 2050.

Hundreds of thousands are losing their lives. The official death toll in Puerto Rico from Hurricane Maria is now 2,975, and there are even higher estimates of losses.

Climate change is the most pressing moral issue of our time. As the people in Puerto Rico know all too well, as the people of Rhode Island know well, as the people of New Mexico know well, and as all of our States and territories know well, it is an existential threat. Yet in the words of the late, great John McCain—as the Presiding Officer knows, he was always an outspoken gentleman—“we are getting nothing done, my friends. We’re getting nothing done.”

I know that Senator WHITEHOUSE was an honorary pallbearer at Senator McCain’s ceremony at the National Cathedral. We had 4 days of celebrating the John McCain that spoke up about core issues that America really faced. As I mentioned, John gave us that deserved chewing-out on the Senate floor on July 25 of last year for not working together, for not working in a bipartisan fashion, and for not reaching across the aisle. On climate change, we certainly are not getting anything done, and we are not working across the aisle, as John told us to do.

The West that John McCain so loved and worked to protect is getting hit hard. We have less precipitation and less snowpack, and the snowpack we have is melting earlier. Rivers and reservoirs are running at historic lows, and some river segments are drying. We now have abnormally dry conditions in every Western State. We have extreme drought weather in parts of New Mexico, Arizona, California, Utah, Colorado, and even Oregon. In my

home State of New Mexico, every single county is in abnormally dry or drought conditions.

Here are the drought maps of the West from last week and from the same time of the year in 2000, when the Federal Government first began keeping track. This map here is from 2000, when the Federal Government first began keeping track. Let's look at the contrast, which is very, very stark.

On the first map, we didn't see the extreme form and exceptional drought at all, but we can see a very, very stark contrast 18 years later.

These dry conditions are creating more wildfires that are burning more acreage and threatening more homes and threatening more lives.

The Mendocino Complex fire in California is the largest fire that State has ever experienced. Since it began in late July, it has burned over 450,000 acres, taken one firefighter's life, and destroyed 157 homes. After 2 months, it is still not fully contained.

In my home State of New Mexico, about 20 miles of the Rio Grande, south of Albuquerque and through the Bosque del Apache National Wildlife Refuge, we are already dry in May, months earlier than in typical years. Two weeks ago, farmers in the Middle Rio Grande area in my State started getting notified that the water stored for their crops was almost gone—months before irrigation season's end in October. As of 2 days ago, Elephant Butte Reservoir was only 4.6 percent full—4.6 percent. Back in the 1990s, the reservoir was 27 miles in length. Today, it is about 10 miles.

Here are the aerial maps of the Elephant Butte from 1994 and 2013. These photographs show that climate change is here and now. You can see Elephant Butte here in 1994, and in 2013 you see a very dramatically shrunken Elephant Butte.

Elephant Butte provides water to over 90,000 acres of farmland in southern New Mexico and western Texas. It is an economic engine for Sierra County, the rural county where it is located. We can't afford for this reservoir to be at 4.6 percent.

John McCain's beloved Arizona is in its 21st year of drought. We have measured the Animas River in Colorado for 106 years. Two weeks ago, in Durango, it was at its lowest measured point for this time of year, ever—ever.

Utah's temperature has warmed 2 degrees Fahrenheit over the last century. The State's \$1.3 billion ski industry has seen warmer winters, less snowpack, and less powder. Ski resorts that never had to make snow have to make it now.

Alaska is under singular threat. A warmer atmosphere is rapidly melting the Arctic's snowpack and glaciers. The seas are rising to unprecedented levels. Animals such as the polar bears and the walruses, which depend on ice to survive, are struggling to survive. The iconic polar bear has been listed as a threaten species since 2008—a direct result of climate warming.

During the last past century, Alaska has warmed twice as fast as the global average. Native villages along the sea are under siege. There are at least 31 Alaskan towns and cities at imminent risk of destruction. Two Native villages have voted to relocate. Newtok, a Native village along the river that feeds to the Bering Sea, is literally collapsing into the water and is already relocating. Their relocation will cost \$100 million. Congress gave them \$15 million this year toward that effort.

The fact is that Native Americans and other marginalized populations are more vulnerable to the devastation of climate change, but no one is immune from this. I could recite 1,000 statistics that show how climate change is hurting the American West, its people, and its lands. The statistics are there. The science is there. The American people are there. Congress needs to get there.

The New York Times Magazine recently ran its longest article ever. It was on climate change, entitled "Losing Earth: The Decade We Almost Stopped Climate Change."

The article showed that between 1979 and 1989, we came to understand the causes and dangers of the greenhouse effect. During that decade, we had the opportunity to take action to dramatically reduce carbon emissions, but we failed.

In 1998, one of the leading climate scientists then and now, James Hansen, working for NASA, told Congress that it was 99 percent certain that the global warming trend was not a natural variation but was caused by build-up of greenhouse gases in the atmosphere. He told Congress 30 years ago that climate change was here—here and now.

During that decade, there was more opportunity for consensus than today. The oil and gas industry was more receptive to taking action. Politicians' views weren't as set in concrete. But that generation failed to act on the science and failed to protect present and future generations.

There was another opportunity in the early 2000s for Congress to act. John McCain wanted us to act, but we didn't.

As chair of the Senate Commerce Committee, he held groundbreaking hearings in 2000 on climate change. He brought the science of climate change to light in the halls of the Senate.

Then, he and Senator Joel Lieberman crafted the first major, bipartisan climate change legislation—cap-and-trade legislation—modeled after similar and successful legislation to curb pollution from acid rain.

Senators McCain and Lieberman forced a vote on the floor of the Senate on their legislation in 2003.

John began his speech on the floor in support of his bill, quoting from Hemingway's "The Snows of Kilimanjaro":

Kilimanjaro is a snow-covered mountain 19,710 feet high, and is said to be the highest mountain in Africa. Its western summit is called . . . the House of God.

John warned then, in 2003, all too presciently, that the snow on Kilimanjaro may someday be relegated to the realm of fiction.

Some Senators who sit today voted on the McCain-Lieberman bill. The bill had a chance to succeed, but failed 43 to 55. Kilimanjaro's glaciers, in fact, have receded dramatically since that vote. The ice sheets depend on snowfall, which is affected by Indian Ocean currents. The Indian Ocean's warming, due to climate change, has changed moisture delivery to Kilimanjaro, and Hemingway's snow is disappearing.

Congress has had a few more bipartisan efforts at addressing climate change, including my own cap-and-trade bill in the House of Representatives with Republican Representative Tom Petri. But after the McCain-Lieberman bill and those efforts failed, we turned to the Obama administration to take on climate change in earnest.

The Obama administration passed the Clean Power Plan to limit carbon emissions from powerplants and put the brakes on new coal-fired powerplants; passed regulations to control methane, a super potent greenhouse gas from oil and gas operations; and joined with 190 countries in executing the Paris Agreement. All of these initiatives are now under assault by the Trump administration and industry. The United States is alone as the only country in the world that walked away from the Paris Accord.

Turning our backs on climate change means ignoring the national security threat it represents. Large groups of displaced people and scarce resources create conflict. The U.S. military—especially the Navy—recognizes the threat. That is why they created the MEDEA Program in the early 1990s to analyze the security threats of climate change, and that is one reason John McCain once worked toward a bipartisan solution to climate change.

Neither party can claim they have done enough to tackle global warming, but climate action demands that Republicans step up as Senator McCain once did.

The destruction to property and lives wrought by global warming does not distinguish between parties. This is a bipartisan problem that demands bipartisan solutions, and demands them now.

The West is right in the bull's-eye of climate change, but the West has great potential to be part of the solution. The West's potential to generate renewable clean energy through solar, wind, and geothermal is immense. New Mexico, California, Arizona, Colorado, and Nevada have some of the highest potential for solar generation in the country, and virtually all the Western States have immense potential for geothermal power. We should be harnessing this potential, creating sustainable jobs, and growing our rural Western economies and industries that are the future—industries that will help tackle the greatest challenge humanity faces.

The American people want Congress to meet the challenges of climate change. They want to protect future generations, their children, and their grandchildren.

We can do this, but we must do it now. And we must, as our late and very great colleague from Arizona urged us, do this on a bipartisan basis.

Let all of us show the courage, resolve, and independence of John McCain and do right by today's generation and future generations. Let us all commit to doing what it takes to reduce our carbon emissions, to meet the goals of the world of nations, to increase renewable energy to its fullest potential, and, most importantly, to do right by our children, our grandchildren, and beyond.

I yield the floor.

REMEMBERING JOHN MCCAIN

Ms. WARREN. Mr. President, I rise to pay tribute to a true American hero, my friend and my colleague, John McCain.

To know John was to know a man who was fiercely devoted to his family, his constituents, and his country. My thoughts and prayers are with his family and loved ones during this difficult time.

As a nation, we all share in the sense of emptiness his passing has left behind, but we also share a profound sense of gratitude for the life John lived and the legacy of service and unwavering commitment he has left us to cherish.

Many Americans felt a personal connection to John McCain. Our men and women in uniform always knew he was on their side. He was one of them. John understood better than anyone what it meant to send people into combat. So much of his work in the Senate was devoted to making sure our troops got the training, the equipment, and the pay they need.

Last year, I had the honor of traveling with John on one of his final trips to the Middle East. I had the chance to see how deeply revered he was by everyone in uniform. They all knew the story. They know how John McCain, the war hero, spent nearly 6 years as a prisoner of war in North Vietnam; how, when offered an abrupt release less than a year after his Navy jet was shot out of the air, John McCain refused to be released while his brothers were still in captivity; how he was isolated, tortured, and beaten so badly that he carried the physical consequences of his loyalty to our country with him for the rest of his life; how he could have avoided it all but endured out of love and loyalty to his fellow servicemembers. They knew the story, and every single servicemember we saw treated John like a celebrity rock star, and that is because he was.

John was a deeply principled man. I had the honor of working with John closely in the fight to reinstall Glass-Steagall, and, boy, was it a fight. Throughout the entire battle, John would tease me about pulling my

weight in "getting this thing done." "Show some fight, girl." "Don't tell me you're afraid." "Get in there—throw some punches." That was John's approach to life: If you are going to be in a fight, you had better give it your all.

Don't get me wrong, John and I disagreed on many things, and sometimes quite forcefully, but even when we disagreed, I always respected that his heart was focused on doing what he believed was right for the American people.

I remember expressing to John my views on the most effective strategy in Iraq and Afghanistan; that there are simply some problems that cannot be solved through military action alone. We can't simply fight our way to peace. We need to bring our troops home. Respectfully, John would disagree and then proceed to energetically walk me through why he believed in the benefits of staying longer.

Democrat or Republican, foreign leader or President of the United States, John McCain would go toe to toe with anyone to fight for what he thought was right. He applied these principles to his service to our country, in his commitment to the people of Arizona, and his abiding love and defense of the American people. At a time when character and integrity are under siege, the entire Nation mourns the loss of a public servant who lived his life with courage and conviction.

John ran the Armed Services Committee with an iron fist but also with respect for the importance of bipartisanship and a basic sense of fairness that no one could ever ignore. If you came to the table ready, prepared to work, John made sure you were heard. There were so many occasions where John would jump in while I was questioning a witness because John was listening and would hear how the questions were being dodged and disregarded. His admonishment to the witness was like a whip: If you can't come up with better answers, what are you here for?

I count it as a blessing to have had the honor to serve with Senator John McCain in the U.S. Senate. If there ever was a true American patriot, John McCain was that patriot. I will miss his strength, I will miss his maverick spirit, but most of all I will miss his kindness.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

NOMINATION OF BRETT KAVANAUGH

Mr. CASSIDY. Mr. President, I rise to speak about Judge Kavanaugh's nomination to the Supreme Court.

Let me begin by saying the Senate has been hard at work vetting and confirming good judges to the bench. So far, the Senate has confirmed 60 of President Trump's judicial nominees—a historic pace that includes 26 circuit judges, 33 district court judges, and Neil Gorsuch to the Supreme Court. This week, we will confirm even more,

as the confirmation process continues for President Trump's second Supreme Court nominee, Judge Brett Kavanaugh.

I would also like to point out, the last week or two, the Democratic minority has been very cooperative with this, appointing good, conservative Republicans to the district and circuit courts, but let me continue about Judge Kavanaugh.

First, let's just say he is well regarded by his peers. He is a mainstream, independent jurist who is extremely well regarded across the political spectrum. All you have to do is look at Judge Kavanaugh's professional career to see why. His record at the Supreme Court as a clerk is stellar. The Supreme Court has adopted positions advanced by his opinions at least 13 times and overruled him only once.

On the DC Circuit Court, Democratic-appointed judges were just as likely to join Judge Kavanaugh's published majority opinions in full as his Republican-appointed colleagues, about 88 percent of the time.

Two of President Obama's Solicitors General praised Judge Kavanaugh, saying he is an "incredibly brilliant, careful person" who is "very gracious . . . on the bench and off." One said: "He carries out all phases of his responsibilities as a judge in the way you'd want, in an exemplary way."

That said, Judge Kavanaugh is acknowledged as being highly qualified, and even though they are on opposite sides of the aisle, these legal figures respect Judge Kavanaugh's qualifications and depth of experience.

Lisa Blatt, who worked in the Solicitor General's Office for 13 years during the Clinton, Bush, and Obama administrations, said:

Sometimes a superstar is just a superstar. This is the case with Judge Brett Kavanaugh, who had long been considered the most qualified nominee for the Supreme Court if Republicans secured the White House. The Senate should confirm him.

She also said:

I expect my friends on the left will criticize me for speaking up for Kavanaugh. But we all benefit from having smart, qualified and engaged judges on our highest court, regardless of the administration that nominates them.

I have to say, on a personal level, when I met Judge Kavanaugh in my office, I was incredibly impressed. We talked about his views on the role of the judiciary, original intent, and the importance of interpreting the Constitution as written. It was clear he had a deep and thorough grasp of the law, but you don't have to take my word for it, and you don't have to take Lisa Blatt's word. She is not the only one who has attested that Judge Kavanaugh is a legal "superstar."

Recently, over 100 students, alumni, and faculty at Yale College wrote that Judge Kavanaugh is a "distinguished jurist" with "deep conviction and integrity."

The American Bar Association, which Democratic leaders have called

their gold standard of judicial evaluations, unanimously rated Judge Kavanaugh as “well qualified.”

Last week, 144 law professors from around the country wrote to the Judiciary Committee in support of Judge Kavanaugh, saying they “all agree” he “displays outstanding scholarly and academic virtues and that he would bring to the Court an exceptional record of distinction in judicial service.” These 144 law professors also stated that they are “impressed by Judge Kavanaugh’s long record of teaching and mentoring students of diverse backgrounds.”

As an example, perhaps, members of the Harvard Law School chapter of the Black Law Students Association have been vocal in their support for Judge Kavanaugh, citing the positive impact he has had on their chapter. They know his character. It is the same humility and generosity we all saw just a couple days after he was nominated in July, when he was spotted serving hot meals to the needy alongside other volunteers with Catholic Charities, a ministry he has been a part of for a long time.

I will also say, he is one of the most transparent nominees in history. This is the nominee Senate Democrats labeled “extreme”? Please. We know most of them announced their opposition to Judge Kavanaugh before his confirmation hearing even started. We also know many of them announced their opposition before he was even named. We know they did so because they want a Supreme Court full of liberal activists who will help them create law instead of following the law.

That is not just Kavanaugh. He is a mainstream, independent jurist who respects the Constitution. He doesn’t try to rewrite it for political reasons, to fit his own opinions about the way it should be. That is apparently why Democrats are concocting a new reason every day to explain why they wish to block him. Their latest excuse is they want more time to see documents.

Let’s be absolutely clear. Judge Kavanaugh’s professional record is the most transparent record the Senate has ever had for a Supreme Court nominee, and it is not even close.

The Senate Judiciary Committee has received more pages of executive branch records for Judge Kavanaugh’s nomination than for the last five confirmed Supreme Court nominees combined. The committee has reviewed more than 440,000 pages of documents submitted from Judge Kavanaugh’s time in the executive branch—the largest volume of records for any Supreme Court nominee ever.

During his time on the bench, Judge Kavanaugh has authored more than 300 opinions and heard more than 2,000 cases. No less than nine Senate Democrats cited their review of his opinions when they announced weeks ago that they would oppose him. They said they had seen enough of his record. Now we are supposed to believe they want to see more of his record. It is obvious this argument is not in good faith.

Indeed, I think it is fair to say that the Democratic Senators’ disruptions show desperation. We see this desperation in some of the most shameful political theatrics we have seen, and those are from the Senate Democrats in the committee hearing today. It is clear they are increasingly desperate to resist this incredibly qualified nominee. They are throwing everything and anything against the wall, but nothing is sticking.

Today, we learned that the Democratic minority leader plotted a coordinated protest strategy over the weekend with his Members, and they all agreed to disrupt and protest the hearing. They would like to think it was a spontaneous outburst of righteousness anger, but indeed it was a planned strategy in order to draw attention to themselves.

I would remind my colleagues across the aisle that this is the United States of America, not a third-world legislative body where they toss decorum out the window, scream, shout, and throw chairs and punches in order to thwart the legislative process.

Those who are interested in preserving and protecting our democratic process and institutions should shun the chaos Senate Democrats appear intent upon creating. In this country, we debate ideas and nominees on the merits. I urge my colleagues to do just that. If they do, I am confident they will understand the broad support, the justified support Brett Kavanaugh has for his nomination to the Supreme Court.

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. CRAPO. 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.

NOMINATION OF ELAD ROISMAN

Mr. CRAPO. Mr. President, I rise today in support of Elad Roisman, who has been nominated to serve on the U.S. Securities and Exchange Commission. On June 1, 2018, President Trump announced his intention to nominate Elad to be the Commissioner of the Securities and Exchange Commission for a 5-year term.

Elad currently serves as chief counsel for the Banking Committee. I and many members of the committee can personally attest to his qualifications for this position. He has an impressive command of securities law, a keen intellect and work ethic, and has always exhibited a steadfast commitment to doing what is right. Those attributes were manifest during his nomination testimony hearing a few weeks ago. He was subsequently voted out of the committee by voice vote with unanimous bipartisan support.

As many on the Banking Committee know, Elad is intimately familiar with

the inner workings of the SEC, having previously served as counsel to Commissioner Daniel Gallagher and as chief counsel at the NYSE Euronext. He is highly regarded by those with whom he has worked and is an exceptionally qualified candidate for this position.

The SEC has an important three-part mission: protect investors; maintain fair, orderly, and efficient markets; and facilitate capital formation. Each part of this mission is equally important and should not come at the expense of another. In his nomination hearing, Elad echoed the importance of this mission and committed to furthering it.

He stressed the need to promote investor confidence in both the markets and the SEC itself and the importance of dispelling the perception that markets are inaccessible or rigged against the little guy.

He committed to ensuring that the SEC has a strong enforcement program—one that holds regulated entities and individuals accountable. Elad also emphasized that the SEC must listen to small business owners and investors, many of whom do not make it to Washington regularly, whose perspectives are incredibly important to the SEC’s work and its continued improvement of capital markets.

The U.S. financial system and markets are the preferred destination for investors throughout the world, and the SEC has an important role in ensuring that it remains so. Capital markets drive innovation and job creation, and access to them is the lifeblood of our economy. Elad has consistently demonstrated a commitment to ensuring that our markets remain the envy of the world, and I am confident he will work hard to make sure the U.S. financial markets can thrive while also protecting investors.

I personally want to thank Elad for his tireless service to the Senate and for being a trusted resource and ally of mine. I urge my colleagues to vote yes on the cloture motion and to support his nomination so he can quickly get to work for the American people.

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 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.

REMEMBERING JOHN MCCAIN

Ms. MURKOWSKI. Mr. President, there have been many words that have been spoken about our friend, Senator John McCain, and I want to join with the many words and the tributes that have been shared in the recent days since his passing.

We all know the background. We all know the bio. John McCain served our

Nation for 60 years, starting as an officer in the U.S. Navy, as a prisoner of war in unspeakable conditions, and during his terms in the House of Representatives and in the Senate for some 30 years. That is the biography of the man, but it is just the start of who he was and the mark he made not only on the lives of us in the Senate but on the lives of Americans all over the country.

John McCain was a beloved colleague. He was a patriot. He was truly an American hero. He had remarkable intellect. He had an iron will, most certainly. He had unquestionable integrity and courage that was absolutely unwavering.

When I think about John and how John approached issues, John was one who did what he thought was right. When he thought he was right, there wasn't much arguing with him—he was right. Even then, we would engage, we would go back and forth, and I think oftentimes it was those arguments that caused us to either gain greater respect or perhaps greater fear, depending on where you were in the process.

John was one of those guys who favored straight talk. I don't think he would have any hard feelings about any of us describing our relationship with him over the years. We didn't always agree, and sometimes we didn't even get along, but the truth was, John McCain would always make sure you knew where he stood.

John was very clear that you had to earn his respect. Respect was not something that came with the title. The fact that you were a U.S. Senator didn't mean you had earned his respect. And I know because I felt that in my early years here in the Senate. I came through an appointment, and I think John McCain was just going to wait to see if I was able to prove myself, and he ultimately decided, apparently, that I had. He came up to me one day—we were actually walking down the aisle there, and he came up and he said: You know, you are OK, kid. And for that, that was high praise.

We all have heard some of the legendary stories of when individuals kind of came head-to-head or toe-to-toe with John McCain, and certainly there were some areas where we disagreed. We had a little bit different view on earmarks. And that was not just my relationship with Senator McCain but previous Alaskan Senators as well. But I think we all agreed that our disagreements were principled in nature.

I remember one very interesting and heated exchange over the merits of essential air service, and John was on one side of the issue and I was an advocate for essential air. We were literally nose-to-nose, and I said: Don't you understand that it is called essential air because it is essential because we don't have roads to these places? And he kind of growled at me and: Well, I don't know why we need to have it. There were legendary back-and-forths, and sometimes you won, sometimes John

won, but it was always with a great deal of passion that these exchanges moved forward.

Then there was the other end of the spectrum—those times when John and I were voting together, sometimes against the majority of our own party. Healthcare and the ACA vote last year is certainly a prime example of that. That was a tough vote. That was a tough vote for our conference. It was a difficult vote, but I will tell you, it was comforting to have some solidarity with my friend John McCain even when it was clear that we may have disagreed with many of our colleagues. But John was one who, when he had made up his mind up, he had made up his mind, and you respected that.

John visited Alaska, and it helped validate his view that climate change is real, that it is something we have to deal with, and that we have to take practical steps to address it. And I agree with John. I don't need any convincing on that, and I am going to be proud to help achieve that goal.

I valued John's work on campaign finance reform and comprehensive immigration reform. I was never part of the gang on immigration, but my votes clearly marked me as a fellow traveler.

We also shared a strong respect for our Native peoples. Both Arizona and Alaska have many Tribes and large concentrations of indigenous Americans, and his decades of work to advance the cause of Native people was legendary.

Because John accomplished so much during his time here—we all talk about his time spent on the international front working on defense issues, but I think oftentimes the issues with Native Americans, Indian issues, were overlooked, so let me comment on that for a moment.

Back in the 1990s, John joined with Senator Inouye of Hawaii on amendments to the Indian Self-Determination Act providing for Tribal self-governance compacting. That opened up a whole new era of opportunity for Alaska Tribes. It laid the groundwork for Alaska Tribes to take over the delivery of Native healthcare from a failing Federal bureaucracy. Now, around the State, whether you are up in Utqiagvik or down in Ketchikan, they enjoy award-winning, world-class healthcare in a system that the Native people control, and that really would not have been possible without people like John McCain fighting for our Native people.

I think that John would have been proud of me on the afternoon that he passed. I was in the village of Savoonga, which is a small community—about 800 people—on St. Lawrence Island, about 40 miles from Russia. It is in the Bering Sea. It is one of the most remote places in Alaska. I was there to conduct a field hearing—the Indian Affairs Committee—focused on poor housing conditions, overcrowded housing, where our Native people are forced to live in extraordinarily difficult homes with difficult

sanitation problems in these very remote communities. John was really a champion for ending the Third World living conditions that too many of our Native people still endure. We have a lot of unfinished work on that front, and I plan to attack it with the same vigor John brought to the fight.

I mentioned John's love for our military, for our veterans. He will long be remembered for his efforts to bring our military back from years of neglect and the devastating pain of sequestration.

The story that we all know—John worked on major defense budgets and was an extraordinary advocate for all of our defense. I think my story and how it intersects with a very, very small group of elderly Alaska warriors demonstrates that this big, strong, gruff guy, who was truly taking on the world, had a very soft spot in his heart, and the kindness he showed to these few elderly Alaska Native Guard veterans is something that is worthy of sharing.

After Senator Stevens left the Senate in 2009, the Pentagon had tried to cut off the pensions of two dozen—just two dozen—elderly men who served in the Alaska Territorial Guard during World War II. Senator Stevens had worked very hard to get their service counted as military service and to grant them veteran status, and, not unlike the way Ted did things, he took care of it in the appropriations process, so it was an earmark. Over the Christmas holiday, the Pentagon kind of worked to reinterpret that earmark. Needless to say, Ted was gone, and this was an important issue to these 24 elderly veterans, and so I moved an amendment on the Defense appropriations bill to reverse it. I talked to John, and he was pretty skeptical at first because, he said, it was an earmark. But then he asked whether these Native Guardsmen, these Eskimo Scouts, had actually seen war, and I was able to share with him the story of those who had stood lookout on the homeland in the Aleutian Islands, the reminder that in Alaska, we were the only American soil that was occupied by the Japanese in World War II and that it was these Native warriors who were standing guard, standing lookout. So, long story short, John knew that supporting these elderly veterans was the right thing to do.

There are so many things we can share about John, but really when I think about his legacy going forward, whether he is "Project Maverick," as my friend from South Carolina has said, or however we choose to remember him, I do hope that history will remember John as an institutionalist in the highest tradition of the Senate.

John was committed to thoughtful debate and regular order. He was an effective committee chairman, respecting the interests of members on both sides. He managed his bills on the floor working hand-in-hand with the other side. These were tough bills. The annual Defense authorization bill draws

something on the order of 600 amendments. He was always protective of committee prerogatives. He was known to put his foot down when appropriators sought to muscle out the authorizers. He was always looking toward compromise and bipartisanship.

John fought for our institution because he never lost sight of the fact that the legislative branch is a coequal branch of government, not subordinate to the White House. He took no guff—we all know—from the administration, no matter who was in charge. That wasn't just because John liked to flex his senatorial muscle; it was because he was a true believer in the Constitution and its checks and balances. He was a true believer in the institutions of government and a true believer in democracy.

John certainly made his share of history, and he has earned his place in it. I think we all know how much we will miss him, his passion, his courage. His loss leaves us sad, but at the same time, I think it offers us a beacon of hope here in the Senate as we reflect on his life and his contributions.

Senator GRAHAM observed that John will not be replaced by any one Senator. It is going to take all of us working together. It is going to take all of us to really accomplish what John knew we were capable of. By coming together, respecting one another, one another's principles, even when we disagree, and working through these disagreements to compromise—that is how we really honor John's legacy. There are a lot of words, and these words will come and go, but the way to truly honor him is to live out what he believed this Senate is capable of doing.

We were reminded that there is a little John McCain in all of us. I think it would be good for us to remind one another of that, to urge the inner John McCain in each of us to present itself in a way that betters our institution.

On behalf of the people of the 49th State, the great State of Alaska, I thank you, John McCain. I thank the family for the years that you gave him to us, to his country. We will take it from here, inspired by your service, John McCain, by your intellect, by your integrity, and by your determination to do right.

May you rest in peace, John McCain.

Mr. President, I yield the floor.

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

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

The assistant bill clerk proceeded to call the roll.

Mrs. GILLIBRAND. 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.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2023.

Mitch McConnell, John Cornyn, Michael B. Enzi, Roy Blunt, Thom Tillis, Mike Rounds, Johnny Isakson, Roger F. Wicker, Mike Crapo, Richard C. Shelby, Steve Daines, John Kennedy, John Boozman, David Perdue, John Thune, Shelley Moore Capito, Pat Roberts.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Elad L. Roisman, of Maine, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2023, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 83, nays 14, as follows:

[Rollcall Vote No. 201 Ex.]

YEAS—83

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

NAYS—14

Baldwin	Harris	Schatz
Blumenthal	Hirono	Schumer
Booker	Markey	Warren
Feinstein	Menendez	Whitehouse
Gillibrand	Merkley	

NOT VOTING—2

Brown Sanders

The PRESIDING OFFICER. On this vote, the yeas are 83, the nays are 14.

The motion is agreed to.

The Senator from Tennessee.

REMEMBERING JOHN MCCAIN

Mr. ALEXANDER. Thank you, Mr. President.

Mr. President, I am glad I traveled to Phoenix Thursday for John McCain's funeral. You learn a lot more about a U.S. Senator in his hometown than you do here in Washington, DC.

What was clear in Phoenix last Thursday was that John McCain and the State of Arizona were well connected with one another. Frankly, I had wondered about that because it is a long way to Phoenix. It is a 5-hour flight. Sometimes John took a connecting flight. He must have taken hundreds of trips around the world. So I wondered if he really was connected to the State the same as he was to Senate. But I shouldn't have had any doubt about that because you are not going to get elected six times in a primary and then six times in a general election, in a State where both primary and general elections are competitive, without being well connected to your State, and he obviously was.

Listening to those who remembered John in Phoenix, it was clear that John McCain kept his feet on the ground in Arizona. Grant Woods, the former attorney general, spoke first. He was very good. He captured John perfectly. He had been his chief of staff. He had been the attorney general of Arizona. In his remarks, he captured John's erratic driving and his mercurial personality.

Tommy Espinoza, a friend of Senator McCain, helped us understand, again, how John thought his job was to serve everybody, whether they were Republicans, Democrats, or from whatever walk of life.

We all knew John McCain was a sports nut, and I don't guess that any of us were surprised to see Larry Fitzgerald speak, who is entering his 15th year in the National Football League. I was impressed when Larry Fitzgerald talked about having so much respect for John McCain that he—Larry Fitzgerald—flew to Hanoi, went to the lake where McCain crashed his plane, and then went to the cell in Hanoi where he spent nearly 6 years.

Joe Biden brought the only touch of Washington, DC, to Phoenix last Thursday, but it really wasn't that big of a touch because what Joe mainly talked about was his friendship with John McCain and their relationships, which all of us know is the heart and soul of the Senate.

The service in the big Baptist church, concluding with Frank Sinatra singing "My Way," was a reminder that the service was, well, pure John McCain.

Those of us who eulogized John are honest enough to say that he was an equal-opportunity insulter. He took the head off of almost every one of us in the Senate at one time or another. He was filled with passion for every issue he touched, and that often led to explosions. After the explosions and after the inevitable apologies, which usually didn't take very long, he would say: I never expected to be elected Mr. Congeniality. I chalked up those explosions—and I think almost all of us

did—to those 6 years of captivity in Hanoi. All of us wondered and admired how someone who suffered that much pain in those circumstances for the rest of his life could lead such a productive life and be so useful to our country.

John brought the same passion and generosity of spirit that he had for his issues to his friendships—and I was glad to be included as one of those—and the extent of that generosity of spirit to people he didn't know, whom he had just met in many walks of life.

I can remember when he was campaigning in Tennessee with me. He was spending the night with me at our home in East Tennessee. It was late when we got there, 10:30 or 11. My son had a group of national songwriters who were writing what they all hoped to be the next No. 1 hit. Of course, they were eager for John to hear their No. 1 hit. He stopped, and he listened. He spent some time with them. One of them said to me last week how thrilled he still is that he got to meet John McCain.

The next morning, Eugene Caylor, who is a craftsman from Townsend, TN, was coming to work, and John was leaving. It turns out that Eugene had been in Vietnam when John had been there. So they talked about that for a few minutes. Eugene told me this past week how much he valued those few minutes with John McCain.

John McCain came to the Senate in 1976 or so. John was then a Senate liaison. He got his hair cut by Mario D'Angelo, who is still here cutting hair. I saw Mario the other day. He has been cutting my hair over a long period of time, as well as ORRIN HATCH's and many of us. Mario said that about the time Senator McCain was running for President, he was on television, sitting there with his wife Cindy, and some interviewer asked him if he had any friends in the Senate.

He thought for a moment, and finally Cindy said: Well, there is Mario.

And McCain said: Mario the butcher; he is responsible for all these scars on my face.

Last week, after John McCain's death, Mario laughed and said: That is what he always called me, "the butcher," but he was my buddy.

When he found out I was going to Phoenix, he said: Say a big good-bye to my buddy John McCain.

That is how Mario felt, and that is how many, many of us felt.

We have heard so much said about Senator McCain during the last week that one would wonder if there was anything left to say. What I want to say is not something different, but I would like to emphasize something, and that is the commitment Senator John McCain had to the Senate as an institution. His devotion to the Senate as an institution is, by far, not his most newsworthy accomplishment, but it underlay many of his most important decisions. He said he voted against the ObamaCare repeal because it didn't

go through the regular order, the kind of order an institution ought to have. The last chapter of one of his books is entitled "The Regular Order."

In 2005, when Democrats balked at George W. Bush's judicial nominees—Republicans were seeking to change the very nature of the Senate by turning it into a majoritarian institution—Senator McCain worked with Republicans and Democrats in sort of a gang, as they called it, to try to make sure that didn't happen. He wanted to preserve the Senate as an institution.

I worked with him many, many hours in 2011, 2012, and 2013 on the same sort of thing. We saw the difficulty that President Obama at that time had in getting some of his nominations confirmed. So we worked to change the Senate rules so that President Obama and subsequent Presidents could get their nominees approved in a reasonable time.

We worked with Senator Carl Levin, for example, who insisted that we needed to be successful or else we would have one of those nuclear explosions that would change the nature of the Senate and make it a majoritarian institution that ran roughshod over the minority. Senator Levin said at the time—with which Senator McCain and I both agreed—that a Senate in which the majority can change the rules at any time is a Senate without any rules. What Senator Levin might also have said is that the Senate is a weaker institution, deserving less respect.

In a speech at Morristown, NJ, a few years ago, the late Justice Scalia said that "the reason America's basic freedom has endured for 200 years is not the amendments to the Constitution but the Constitution itself."

Justice Scalia said this:

Every tin horn dictator in the world today, every president for life, has a Bill of Rights. That's not what makes us free; if it did, you would rather live in Zimbabwe. But you wouldn't want to live in most countries in the world that have a Bill of Rights. What has made us free is our Constitution.

Think of the word "constitution." It means structure.

Scalia continued:

That's why America's framers debated . . . the structure of the federal government. The genius of the American constitutional system is the dispersal of power. Once power is centralized in one person, or one part [of government], a Bill of Rights is just words on paper.

John McCain understood that. He sensed that a nation as fragmented as ours has become in this internet democracy in which we live today especially needs strong institutions. The most important institution designed to reach a consensus, a compromise, an agreement, the kind of agreement most Americans will support and the kind of agreement that will last a long time—the institution most suited to do that is the U.S. Senate. That is our job, just as it is our job to weigh in against the excesses of the popular will and the excesses of the Chief Executive. If we don't do our jobs, as Justice Scalia

said, we are risking creating in our country an authoritarian government.

The U.S. Senate is a representative body, so some Senators stand out above others. There is usually one Senator who stands out over all the other Senators, and, for the last few years, that has been John McCain. For me, one of the most enduring contributions John McCain made to this institution was his continuous efforts to help strengthen the Senate as an institution, to see to it that we do our jobs, providing checks against the excesses of the popular will, excesses of the Executive, and that we work hard to find the kind of compromise and consensus and agreement that most Americans can support and that can last for a long time.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Alaska.

TRIBUTE TO JONATHAN ROWAN AND AARON ISAACS

Mr. SULLIVAN. Mr. President, it is Tuesday afternoon, and although I usually come to the floor of the Senate on Thursday to talk about an individual in Alaska who makes my State such a great place—what we call the Alaskan of the Week—we haven't been able to do that for a couple of weeks, so I thought I would just move up the timeline today and talk a little bit about some people in my State who really have made an incredible difference. It is one of my favorite speeches I give throughout the year and throughout the week because it is about people who help their community, help their State, help their country, and oftentimes they are not always recognized.

So today we are going to talk about two—not one but two—individuals who are our Alaskans of the Week. We actually made our poster board today to be a little bit more specific on what just transpired in our great State a couple of weeks ago.

The two Alaskans are Jon Rowan and Aaron Isaacs.

As I mentioned, we have a beautiful, incredible State, and recently I was reminded again of just how awe-inspiring the great State of Alaska is. I have been home pretty much every weekend this summer. I had the opportunity to visit 12 villages in the western part of our State, where I was able to meet with my constituents—some of the most generous, resilient, and, very important, patriotic people in our great Nation.

Jon Rowan and Aaron Isaacs are part of that tradition. Alaska has more veterans per capita than any State in the country, and Alaska Natives serve at higher rates in the military than any other ethnic group in the country. So this is very special patriotism, particularly with regard to the Alaska Native population in our great State.

So what have they done? What did Jon Rowan and Aaron Isaacs do? They live in a wonderful community in Southeast Alaska, Klawock, and this

community now has a 37-foot totem pole dedicated to those who have served our country in the military. That totem pole now stands tall because of the dedication and skill of Jon, who is the carver, and Mr. Isaacs, a highly respected Alaska Native elder who had the idea and the vision and raised the money to make it happen.

Let me talk a little bit about both of these Alaskan patriots. Jon was raised in Klawock. When he was in the eighth grade, he saw an ad featuring a group of men in uniform on Zodiacs at night, recon marines on a mission, and he was very struck by that. He said he wanted to be a marine. He wanted to be like them.

Shortly after he graduated from high school, he contacted a recruiter whose name he still remembers, Gunny Joins, and 2 weeks after graduation, in 1982, he left his village to become a U.S. marine.

Four years later, he was back home and met his future wife Patricia. They were soon married, and he and Patricia have been happily married ever since and have raised two fine daughters.

Along the way, Jon worked as a logger, then got a job as a janitor in the local high school. John had a passion for carving. In the Native tradition, carving was something he had done since he was a child. He continued it throughout his life, and he became the Native artisan teacher and a master carver at his local high school.

At about this time—and remember, this is about 30 years ago—he was approached by Mr. Isaacs, who talked to him about his plans to carve a giant totem pole in tribute to our service-members. Now, totem poles in Southeast Alaska Native culture are revered, and they are often carved and raised in ceremonies commemorating significant people or significant events. They are very special.

As my colleagues can see in the pictures we have, this is what they were working on. A Smithsonian researcher once wrote that such totem poles in Alaska are “as beautiful and interesting as the Parthenon of the [ancient] Greeks.” They are truly awe-inspiring pieces of art and pieces of culture.

So 30 years ago, Mr. Isaacs and Jon, my fellow brother marine, talked about this. Jon liked the idea, but he kind of shrugged it off. He knew all the work that went into building a totem pole. He knew how expensive it was. He didn't know where the funds would come from, but Mr. Isaacs was determined. He had a dream. He had a vision.

So Mr. Isaacs, who is now 80 years old, but he doesn't look it—we can see him in some of these photos—also grew up in Klawock. His father served in the storied Alaska Territorial Guard during World War II. These were the Alaskan Natives who signed up by the thousands to defend Alaska, which a lot of Americans don't realize was actually the site of major battles during World War II against the Japanese.

Mr. Isaacs had two brothers who also served in the military, one in the Army and one in the Marine Corps. In 1961, he was drafted and became a paratrooper in the storied 82nd Airborne Division.

So my colleagues are starting to get a sense of what I am talking about when it comes to Alaska Natives and serving in the military, an unbelievable tradition and special patriotism.

When Mr. Isaacs got back from his duty with the 82nd Airborne, he turned to carpentry—something he was trained in—and he built many of the buildings in Klawock. He married Betty, his wonderful wife, and in October—just next month—they will be celebrating 52 years of marriage. They raised a family and built a wonderful life.

Over the years, he became more involved in helping his fellow veterans. He and a handful of other veterans began talking about this idea of creating a totem pole as a tribute to the so many veterans in Southeast Alaska. He knew that if it was going to be done right, he and the community had to do it themselves, so they began to raise money 30 years ago, dollar by dollar, quarter by quarter. He held his first fundraising breakfast at his wife's restaurant, where fellow veterans would donate the bacon and eggs and pancake mix. It was slow going, but he didn't stop. He said: “We had been struggling and struggling, and it was a handful of veterans who kept us going, and we had the vision.”

He began to put more energy into raising funds. He sent letters. His fundraising efforts began to spread throughout Southeast Alaska. He reached out to companies, corporations, the Department of Defense even. Eventually, his efforts began to pay off. The funds started to come in and, all told, he raised \$61,000. “It was a labor of love,” he said, “but I loved every bit of it.”

Think about that—\$61,000 over almost 30 years of fundraising. Talk about perseverance for one idea and vision.

So after many setbacks, Mr. Isaacs and the Prince of Wales Veterans Association were able to procure a giant—and I am talking giant—red cedar tree, with the assistance of the U.S. Forest Service, and Alaska Specialty Wood helped to carve and transport this massive log.

Jon, with the help of his students, got to work on the log.

About a year ago, I was in Klawock, and we saw the hard work they were doing. They were carving. It was unbelievable. When I was invited to come to the raising of this totem pole, I said: “I wouldn't miss it for the world.”

So just 2 weeks ago, in this wonderful town of about 800 people on Alaska's Prince of Wales Island, hundreds—hundreds—gathered after a 3-day ceremony to raise this massive and lovingly carved totem pole that pays homage to our veterans—all of our American veterans.

Let me give my colleagues a little description of the totem pole we are seeing here. At its base is a folded flag, which is a flag that a family receives at a veteran's funeral. As we progress up the totem pole a little bit more, there are two soldiers on either side. One is an ancient warrior holding a double-headed dagger and a pick, the other is a 1960s-era U.S. Army soldier complete with a pack of Lucky Strikes tucked in his helmet.

Going further up, we can see the emblem for our POWs and Missing in Action military members, and then further up is the insignia for the five different branches of the U.S. military positioned so you have to walk around the entire totem pole. At the very top are an Eagle and a Raven. Now, of course, there is Alaska Native cultural significance here, but also Jon, the carver, wanted the Eagle and the Raven back-to-back on the totem pole.

“For the veterans, this is us watching each other's backs,” he said. Mr. Isaacs praised Jon's work: “It's beautiful and it's perfect.”

You get a sense of just how massive this totem pole is—37 feet but several tons. It is not easy raising one of these totem poles. You see the ropes here. It involves ropes and pulleys and dozens of people pulling this giant totem pole up into its place of honor in this wonderful community.

I had the honor of being there. I also had the honor of bringing our new Commandant of the Coast Guard, Admiral Schultz, with me.

There is the Admiral.

There is Jon, my fellow marine.

There is the totem pole being raised.

It was an unbelievable ceremony. Several hundred were there watching something, the vision of which began 30 years ago by two veterans who wanted to honor all American veterans. Jon was there with his wife and two daughters—a master artist, a veteran, a proud Tlingit, an Alaskan, an American, a marine—filled with gratitude for the part he played in helping Mr. Isaac's dream—a Native elder, an Army veteran, an airborne soldier—helping that vision come true.

Mr. Isaac's family was also there with him, including his son, who is a paratrooper in the Army. This community is so patriotic, they serve their country generation after generation in the military.

“I don't care who sees me,” Mr. Isaacs told a friend next to him, a Korean war combat veteran, “I'm going to cry when that [beautiful totem] pole goes up.” For all of us, it was very emotional.

I once again congratulate Jon Rowland and Aaron Isaacs. Thank you for all you have done. Thank you for your vision. Thank you for your hard work. Thank you for your military service for your country and for your community.

Veterans not just in Alaska but all across America, when you come to Alaska, when you come to Southeast

Alaska, come to Klawock and see a massive totem pole that these two wonderful men spent 30 years putting together, raised in the honor of every American veteran and military member who has defended freedom in our great Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

LABOR DAY

Mr. BROWN. Mr. President, yesterday around the country, Americans gathered to honor the women and men who built our economy and continue to power it today—American workers.

Almost every year when we return after Labor Day, I speak about American workers—those who work with their hands, their shoulders, their arms, their brains—because all work has dignity. All work matters to our country.

Martin Luther King said, “All labor that uplifts humanity has dignity and importance.” He told the Local 1199 hospital workers union more than 50 years ago that “no labor is really meritorious unless you’re not getting adequate wages”—something that is too often the case today. Let me talk a little bit about that.

All work has dignity. That is what Labor Day is all about. Over the last week, I traveled all over Ohio, meeting with workers who power our State and support our families. Last week, I talked with mineworkers and Teamsters in Cambridge, in Eastern Ohio, in Appalachia. They are fighting to protect the pensions they earned over a lifetime of work.

One retired coal miner, John Vargo, who was there with his wife Linda, gave me a coal-black beer stein that was given to his father. Five thousand of those steins were given out to UMWA members 40 years ago. The front features a miner with a pickaxe doing his job working through a black tunnel. The inscription on the bottom says that it “represents the long struggle historically for humane working conditions.”

On Sunday, I talked to firefighters and steelworkers and so many others—several hundred workers in Lorain; auto, steel, iron workers, carpenters, and other tradespeople; machinists, service workers, SEIU, AFSCME, and others.

Yesterday in Cleveland, I spoke with workers at the 47th annual Labor Day parade and festival. This event was started nearly half a century ago by Mayor Carl Stokes, continued by his brother Lou Stokes and by Stephanie Tubbs Jones, and carried on today by my friend Congresswoman MARCIA FUDGE. It is a reminder of the historic connection between the civil rights movement and our labor movement. Both are movements for justice. They are about treating Americans—no matter whether you work in a hospital, punch a clock, work construction, are an hourly wage worker, work for tips—treating all Americans with dignity and respect.

This morning, I met with a group of firefighters, several of them retired—union firefighters and fire chiefs—in Shaker Heights, Lakewood, and Cleveland, all of whom talked to me about how we know that when there is a fire, firefighters rush into danger while all of us civilians flee and rush out. What we don’t think about enough—and we know the dangers of the job: a collapsing roof, a floor falling in—what we don’t think enough about is the chemicals they are exposed to. That is why we pushed legislation here—and then the dollars to go with it—for a cancer registry, so we can figure out why so many firefighters are dying from cancer and why so many have developed cancer after 10, 15, or 20 years on the job exposed to these chemicals.

All these workers—retired firefighters, mineworkers, Teamsters, steelworkers—all of these workers are part of the struggle.

On my lapel, I wear this pin depicting a canary in a birdcage. It was given to me at a workers Memorial Day in Lorain, OH, as a reminder of what American workers have done for this country.

At the turn of the last century, in 1900, mineworkers took a canary in a cage down in the mines. If the canary stopped singing, if the canary died from toxic gas or lack of oxygen, the mineworker knew he had minutes to get out alive. He didn’t have a union strong enough to protect him. He didn’t have a government that cared enough to protect him.

American workers in the labor movement changed all that. Workers organized. They ended child labor. They pushed through Congress the 40-hour workweek and overtime pay. They helped to create Social Security and Medicare. They fought for workers’ rights, women’s rights, and civil rights.

The economy grew, and workers’ wages grew along with it. Profits were up, compensation for executives went up, productivity went up, and workers’ wages pretty much went up with it. That was then. American workers have been the engine behind all that success.

You build an economy from the middle out, not from the top down—although, from the tax bill this Congress passed, you would think my colleagues believe that if you shovel enough money to the rich, it will trickle down and help the middle class. It has never really worked that way.

When I say that workers are the engine behind that success, I mean all workers—whether you punch a clock, swipe a badge, earn a salary, or make tips. But today this hard work isn’t paying off. Corporate profits have gone up, executive compensation has exploded, stock prices have gone up, workers are ever more productive, but wages have barely budged. Wages have declined this year in spite of the administration singing its own praises for a growing economy.

At the same time, do you know what else has gone up? Healthcare costs have

gone up. Healthcare costs go up while executive compensation goes up, while profits go up, but workers’ wages have simply plateaued. Workers are getting squeezed at both ends. Paychecks aren’t growing fast enough. Workers’ budgets are being stretched thin with the cost of everything—particularly housing, prescription drugs, and college tuition.

We need to think differently about the American economy. Corporations don’t drive the economy; workers do. We grow the economy from the middle class out. If work isn’t valued, Americans can’t earn their way to a better life for their families no matter how hard they work.

Millions of Americans work long hours but struggle to get by, and they don’t feel as though anyone notices or cares. That feeling was captured pretty well by my friend, Ohioan Rita Lewis, the widow of Teamster Butch Lewis. She herself has become an advocate, fighting for the pensions her husband and other Teamsters earned. Not long ago, Rita said, “It’s like we’re invisible.” Too often, she is right.

To the millions of Americans working too many hours for too little pay, let me tell you this: You aren’t invisible. You may be invisible to most Members of the Senate, you may be invisible to Washington, you may be invisible to the corrupt State government in Columbus, OH, but you are not invisible to me, and you are not invisible to some people in this body. We see you. We hear you. We fight for you. We fight for paid family leave. We fight for paid sick leave. We fight for the overtime pay that you earn.

We fight to give workers a say in their jobs. We fight to save American pensions, give people a break, and make it a bit easier to save for retirement. We work to encourage companies to invest in their greatest asset: you, the American workers. That is what we will fight for not just on Labor Day but the next day and the day after that and every day throughout the year.

If you love this country, you fight for people who make it grow, and you fight for people who make it work.

I encourage my colleagues to reflect this week on what we do to honor American workers who make our country great.

HONORING JOURNALISTS

Mr. BROWN. Mr. President, last week, we were reminded again of the important work journalists do in their communities, breaking stories that affect Ohioans. We know what comes out of the White House, as the President calls journalists and reporters enemies of the people. Last Wednesday, I saw something again to underscore and illustrate how wrong that is.

The Chillicothe Gazette—a town 50 miles south of Columbus—reported that 28 people at an Ohio correctional institution were sent to the hospital after being exposed to a mysterious substance, prison guards and inmates alike. The reporters talked to the Ohio

Highway Patrol. They were able to confirm that the incident began when an inmate began showing signs of an overdose. They learned that more than 20 staff members had potentially been exposed and were sent to a hospital for treatment. They reported that some received the drug naloxone, which is used to reverse an overdose.

After investigating, the reporters at the Chillicothe Gazette were able to confirm that it was fentanyl-laced heroin that sent workers to the hospital. Reporters talked with one corrections officer who told them: We were trying to keep up with everything. It was a form of controlled chaos.

The journalists at the Gazette did what good reporters do in a rapidly unfolding incident like this one: They talked to witnesses. They reached out to the institutions involved. They established a hotline. They tracked down a pair of 911 calls, tracing the first call to 8:45 a.m. on Wednesday.

They didn't stop there. They published multiple followup stories. They looked into the prison's history. They found that the institution had a history of high drug use. They tracked down the most recent prison report. They found that Ross Correctional led the State in positive random drug tests in 2015.

Like so much good reporting, these stories were a team effort among journalists at the Gazette. I happened to be at the Gazette that morning around the time the story broke. I talked to Mike Throne, the editor. Mike understands, as all of his reporters do and as the community does, that people don't see the Chillicothe Gazette—people don't see these hard-working reporters, who are not paid a lot of money—not paid anything close to what they earn, frankly—they don't see them as enemies of the people; they see them as serving their community. These reporters do their job. They were informing us, the citizens of their State and this country. They were serving their communities in Chillicothe, Bournville, Circleville, Waverly—all over Southern Ohio. They deserve our respect.

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.

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 1069, 1070, 1071, 1072, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no

intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following named officer for appointment as Chief of Air Force Reserve and appointment to the grade of lieutenant general in the Reserve of the Air Force while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8038:

To be lieutenant general

Maj. Gen. Richard W. Scobee

IN THE ARMY

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Anthony H. Adrian

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Thomas S. James, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. James M. Richardson

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN2152 AIR FORCE nominations (47) beginning LA RITA S. ABEL, and ending JARED K. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2018.

PN2154 AIR FORCE nominations (22) beginning DAVID A. BARGATZE, and ending FRANK YOON, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2018.

PN2400 AIR FORCE nominations (2) beginning TODD A. BIALOWAS, and ending ROSEMARY A. CITIZEN, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2401 AIR FORCE nomination of Jonathan W. Beich, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2402 AIR FORCE nominations (6) beginning ROLAND W. NASH, and ending KELLY E. MILLER, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

IN THE ARMY

PN2295 ARMY nomination of Donald C. Carmichael, which was received by the Senate and appeared in the Congressional Record of July 18, 2018.

PN2358 ARMY nomination of Adam R. Liberman, which was received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2359 ARMY nominations (18) beginning JEFFREY A. BRUCE, and ending PATRICK A. YOUNG, which nominations were received

by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2360 ARMY nominations (6) beginning TYLER Q. HEMMERICH, and ending FREDERIC M. PALLEZ, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2361 ARMY nomination of David M. Barnes, which was received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2362 ARMY nominations (136) beginning BROOKE R. ADAMS, and ending LAURA D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2363 ARMY nominations (185) beginning JOSEPH B. AHLBORN, and ending LASHELLE M. ZELLNER, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2364 ARMY nominations (40) beginning RUSSELL A. BURNHAM, and ending ERIC M. WAGNER, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2365 ARMY nominations (23) beginning JERAMIE ABEL, and ending WHITNEY A. WALDSMITH, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2403 ARMY nominations (11) beginning JAN K. BEHN, and ending CARLOS G. TORRESFEBUS, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2404 ARMY nomination of Taylor M. Lee, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2405 ARMY nomination of Robert A. Deitz, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2406 ARMY nominations (12) beginning CHRISTOPHER E. BARTON, and ending JEFFREY D. WOOD, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2407 ARMY nomination of James M. Smith, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2408 ARMY nomination of Jeffrey S. Hartsell, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2409 ARMY nomination of Carl C. Gramstorff, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2410 ARMY nominations (99) beginning CHARLES L. ANDERSON, and ending CHANG M. R. YIM, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2411 ARMY nominations (311) beginning CHAD C. ADAMS, and ending ERIKA K. ZAVYALOV, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2412 ARMY nomination of Juan C. Rizo-Lenis, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2413 ARMY nomination of Rufus H. Shumate, III, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2414 ARMY nominations (100) beginning CAROL H. ADAMS, and ending TOMASZ ZIELINSKI, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2415 ARMY nominations (103) beginning COREBRIANS A. ABRAHAM, and ending D013412, which nominations were received by

the Senate and appeared in the Congressional Record of August 16, 2018.

PN2416 ARMY nominations (16) beginning KRISTIN E. AGRESTA, and ending SCOTT WILLENS, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2417 ARMY nominations (26) beginning MICHAEL V. BEAN, and ending D011029, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2418 ARMY nomination of Samuel N. Blacker, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2419 ARMY nominations (3) beginning RYAN M. DERRICK, and ending ROBERT W. LOYD, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2420 ARMY nomination of Joseph L. Handke, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2421 ARMY nomination of Mallory A. Valverde, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2422 ARMY nomination of Mason W. Heimer, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2423 ARMY nomination of Roger M. Lewis, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2424 ARMY nomination of Brandy L. Gardner, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2425 ARMY nominations (10) beginning MATTHEW M. BACON, and ending WILLIAM H. WAGNER, which nominations were received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2426 ARMY nomination of Keisha R. Douglass, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

PN2427 ARMY nomination of Julie A. Balten, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

IN THE MARINE CORPS

PN2429 MARINE CORPS nomination of Juliet H. Calvin, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

IN THE NAVY

PN2366 NAVY nomination of Katherine L. Meadows, which was received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2367 NAVY nominations (44) beginning CHRISTOPHER S. ANDERSON, and ending JOSHUA M. VUKELICH, which nominations were received by the Senate and appeared in the Congressional Record of July 31, 2018.

PN2428 NAVY nomination of Alice S. Y. Shen, which was received by the Senate and appeared in the Congressional Record of August 16, 2018.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

Mr. MCCONNELL. 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 PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JESSE SCHOTT

Mr. MCCONNELL. Mr. President, I would like to pay tribute to a young man who recently lost his courageous battle with cancer. Jesse Schott, a 17-year-old student at North Bullitt High School near Shepherdsville, KY, became a local hero and will be dearly missed by all those who knew and loved him.

Although first diagnosed with brain cancer at the age of 3, Jesse spent his life chasing his dreams. In fact, it was often during the darkest moments of his fight that Jesse accomplished his most impressive feats. As a first sergeant in his Junior Reserve Officers' Training Corps, JROTC, Jesse commanded the color guard under the bright lights at the football stadium. Last December, after learning his cancer had spread, Jesse surprised many when he competed in a drill meet. When he was too ill to complete his Eagle Scout project to build a receptacle for old or damaged flags to be properly retired, his fellow scouts helped finish the task.

Whatever the hardship that confronted him, Jesse didn't complain. Reassured by his faith and his loving family, he persevered and kept fighting. Jesse encouraged those around him with bravery beyond his years. A fellow member of the JROTC said, "He was going through the battle of his life and he never gave up so why should I give up on anything?"

His life may have been cut short, but Jesse clearly left a lasting impact on those he met. His community honored his life and his example. The Zoneton Fire Department named him an honorary firefighter. Jesse was named the honorary mayor of Hillview. The Kentucky National Guard made him an honorary member earlier this year. Jesse's life will continue to inspire those who knew him and those who will hear his story for many years to come.

I urge my Senate colleagues to join me in extending our condolences to Jesse's family. I hope that their happy memories of Jesse will ease their grief during this difficult time.

NOMINATION OF ELAD ROISMAN

Mrs. FEINSTEIN. Mr. President, today I wish to oppose the nomination of Elad Roisman to be a Member of the Securities and Exchange Commission, SEC.

Members of the SEC are charged with the critical tasks of protecting investors and their hard-earned savings and ensuring that capital markets are fair and transparent.

In the aftermath of the worst financial crisis since the Great Depression, these responsibilities are more important now than ever before.

That is why the Senate must confirm SEC Commissioners who have learned the lessons of the financial crisis and will prioritize investor protections and maintaining a fair marketplace for all.

Unfortunately, I am not confident that Mr. Roisman fits the bill.

As the majority chief counsel for the Senate Banking Committee, Mr. Roisman was instrumental in developing legislation that rolled back essential rules put in place after the financial crisis to protect consumers and help prevent another crisis from occurring.

According to the nonpartisan Congressional Budget Office, passing that legislation into law has increased the probability that a large bank will fail or that another financial crisis will occur.

During the last financial crisis, more than 2 million Californians were unemployed, and nearly 200,000 Californians filed for bankruptcy.

We simply cannot return to that time, and Mr. Roisman's work on the Dodd-Frank rollback bill should raise concerns about his commitment to protecting consumers and promoting fair markets.

In addition, the manner in which Mr. Roisman's nomination has proceeded breaks with a longstanding Senate tradition to confirm SEC nominees in bipartisan pairs.

The President has yet to nominate a replacement for a Democratic Commissioner whose term expired in June 2017 and is slated to step down later this year.

I believe the Senate should follow its tradition of waiting until the President nominates a Democratic Commissioner before advancing Mr. Roisman, a conservative pick, in the Senate.

Proceeding in a bipartisan fashion is critical for ensuring that no President can stack independent agencies like the SEC with a large partisan majority.

For these reasons, I must regretfully vote no on Mr. Roisman's confirmation.

TRIBUTE TO JOHN MCCAIN

Mrs. SHAHEEN. Mr. President, I wish to honor the life and legacy of my friend and colleague, Senator John McCain. Over these past months, his presence has been dearly missed, and I must admit it is still hard to imagine that John isn't coming back.

I want to associate myself with the remarks of my colleagues who have so eloquently discussed John's lasting legacy as a great statesman and as a true American hero. I join with them and so many Americans across the country in mourning his passing.

As many people know, John had a special relationship with New Hampshire, a relationship forged during his Presidential campaigns. We often considered John one of our own, a true Granite Stater. He just seemed to click with the Granite State; in fact, he

would call New Hampshire his “second favorite state.”

Throughout his many visits to New Hampshire, Granite Staters appreciated his candor and sincerity. The Straight Talk Express wasn't just a slogan—the John McCain you saw was the John McCain you got.

Most memorable, during a campaign stop in Wolfeboro in 2008, a mother stood up and asked John to wear a bracelet with her son's name it. Her son, Matthew Stanley, was only 22 years old when he died serving in Iraq. She wanted to make sure that her son's sacrifice wasn't forgotten, that he didn't die in vain. John said he would be honored to wear the bracelet. From then on, it was on his wrist everywhere he went. In his final days, John continued to wear the bracelet of Matthew Stanley on his wrist. Until the very end, John was true to his word and true to his convictions.

As my chairman on the Armed Services Committee, it was always a great honor to work with John on the annual defense authorization bill. The issues we addressed were so important to him. His devotion to service and the Armed Forces not only ran deep in his character, but in his family legacy. Delivering a good and timely defense bill was John's No. 1 priority.

One issue I had the great honor of working with John on every year was providing additional visas to Afghan interpreters and support staff who help our troops and diplomats on the ground. For their service, these men and women are often targeted by the Taliban and other terrorist groups. John recognized that we have a profound obligation to provide a safe haven to these Afghan allies who risk everything. John led this fight because it is just the right thing to do. He understood that the solemn commitment to leave no man behind extends to all who fight, and just like John, America would be true to its word.

I also had the pleasure of traveling internationally with John to represent the United States and observe U.S. missions. As many of my colleagues can attest, rarely was a minute wasted on a McCain delegation. One of his great passions was human rights and supporting those on the side of freedom and democracy around the world. Whether that be students seeking academic freedom in Belarus or newly elected leaders in Tunisia, he always made time to encourage and support their efforts.

John cared greatly for the U.S. Senate and was deeply worried about the current state of our politics. I believe that the floor speech that Senator McCain delivered soon after learning of his cancer diagnosis will echo for decades to come. We can fight like hell for what we believe in, but we must always recognize that we are fundamentally Americans who have more in common than we have differences. Compromise in a legislative body is essential, not a dirty word. Political expediency must

take a backseat to what is best for the country. We should all take this message to heart every day as we seek to address the many challenges our country faces.

My thoughts and prayers continue to be with the McCain family. I wish for them strength and perseverance during this very difficult time.

There will never be another John McCain, and the Senate will not be the same without him.

CONFIRMATION OF LYNN A. JOHNSON

Mr. VAN HOLLEN. Mr. President, today I wish to express my opposition to the confirmation of Lynn Johnson to become Assistant Secretary for Family Support at the Department of Health and Human Services.

Time and again, this administration has shown a complete lack of good judgement on immigration policy. Most recently, the Trump administration implemented their family separation policy, which caused the cruel separation of thousands of children from their parents, a number of whom have still not been reunited.

The sheer inhumanity of a policy that involves forcibly separating children from their families has traumatized these children. Experts have said that this trauma will compound the trauma many of these children have already experienced fleeing their violent home countries, exacerbate learning difficulties, increase depression and post-traumatic stress disorder, and may make some children more prone to substance use disorders.

These traumatized children have then gone into the care of facilities overseen by the Office of Refugee Resettlement, which Ms. Johnson will oversee. There have been a number of concerning reports about facilities caring for these separated children, including medical neglect, physical and sexual abuse, overzealous restrictions on phone contact with their parents, and inappropriate use of psychotropic drugs without parental consent.

While I understand that Ms. Johnson was not in charge of the agency when this policy was implemented, I could not in good conscience vote to confirm a nominee who will be charged with carrying out this administration's misguided policies.

Thank you.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2147. An act to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

The message also announced that the House has agreed to the following resolution:

H. Res. 1047. Resolution relative to the death of the Honorable John Sidney McCain, III, a Senator from the State of Arizona.

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-6341. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Aspartic acid, N-(1,2-dicarboxyethyl)-, tetrasodium salt; Exemption from the Requirement of a Tolerance” (FRL No. 9981-27) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6342. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Zinc oxide; Exemption from the Requirement of a Tolerance” (FRL No. 9978-36) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6343. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Lignosulfonic Acid, Calcium, comp. with 1,6 hexanediamine polymer with Guanidine Hydrochloride (1:1); Tolerance Exemption” (FRL No. 9979-94) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6344. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Seed Cotton Changes to Agriculture Risk Coverage (ARC), Price Loss Coverage (PLC) Programs” (RIN0560-AI40) received in the Office of the President of the Senate on August 27, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6345. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, the Defense Environmental Programs Annual Report for fiscal year 2017; to the Committee on Armed Services.

EC-6346. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-6347. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-6348. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Significant New Use Rules on Certain Chemical Substances” (FRL No. 9982-77) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Environment and Public Works.

EC-6349. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 9982-24) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Environment and Public Works.

EC-6350. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List; Partial Deletion of the Omaha Lead Superfund Site" (FRL No. 9982-84-Region 7) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Environment and Public Works.

EC-6351. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hawaii: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9982-86-Region 9) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Environment and Public Works.

EC-6352. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Nebraska; Revisions to Title 115 of the Nebraska Administrative Code; Rules of Practice and Procedure" (FRL No. 9982-07-Region 7) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Environment and Public Works.

EC-6353. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Plan Revisions; Approvals and Promulgations: California; Placer County Air Pollution Control District; Stationary Source Permits" (FRL No. 9981-98-Region 9) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Environment and Public Works.

EC-6354. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Nebraska Air Quality Implementation Plan; Particulate Emissions; Limitations and Standards" (FRL No. 9982-06-Region 7) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Environment and Public Works.

EC-6355. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Adoption and Foster Care Analysis and Reporting System" (RIN0970-AC76) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Finance.

EC-6356. 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 under Section 162(m)" (Notice 2018-68) received in the Office of the President of the Senate on August 23, 2018; to the Committee on Finance.

EC-6357. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended,

the report of the texts and background statements of international agreements, other than treaties (List 2018-0132 - 2018-0139); to the Committee on Foreign Relations.

EC-6358. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of the danger pay allowance for the Bahrain and Saudi Arabia; to the Committee on Foreign Relations.

EC-6359. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services to the Philippines to support the integration, operation, demonstration, repair testing, storage, shipping, modification, and maintenance of the Maverick Weapon System in the amount of \$14,000,000 or more (Transmittal No. DDTC 17-033); to the Committee on Foreign Relations.

EC-6360. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress of the Tenth Review of the Backlog of Postmarketing Requirements and Commitments"; to the Committee on Health, Education, Labor, and Pensions.

EC-6361. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate on August 27, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-6362. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Certification of Fiscal Year 2018 Total Local Source General Fund Revenue Estimate (Net of Dedicated Taxes) in Support of the District's Issuance of General Obligation Commercial Paper Bond Anticipation Notes (Series 2018A)"; to the Committee on Homeland Security and Governmental Affairs.

EC-6363. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "The District's Worksite Parking Program Treats Employees Inequitably and Could Increase Revenue"; to the Committee on Homeland Security and Governmental Affairs.

EC-6364. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Office of Inspector General, Freedom of Information Act Program" (RIN0790-AJ65) received in the Office of the President of the Senate on August 27, 2018; to the Committee on the Judiciary.

EC-6365. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services - 2018 Update" (Docket No. EP 542) received in the Office of the President of the Senate on August 27, 2018; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-298. A resolution adopted by the Mayor and City Council of the City of Gautier, Mississippi regarding sales tax laws and interstate internet sales; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARRASSO, from the Committee on Environment and Public Works:

Report to accompany S. 2602, a bill to support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes (Rept. No. 115-328).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1204. A bill to authorize the United States Postal Service to carry out emergency suspensions of post offices in accordance with certain procedures, and for other purposes (Rept. No. 115-329).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 1888. A bill to amend title 5, United States Code, to increase the maximum amount of a Voluntary Separation Incentive Payment and to include an annual adjustment in accordance with the Consumer Price Index (Rept. No. 115-330).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2276. A bill to require agencies to submit reports on outstanding recommendations in the annual budget justification submitted to Congress (Rept. No. 115-331).

S. 2836. A bill to assist the Department of Homeland Security in preventing emerging threats from unmanned aircraft and vehicles, and for other purposes (Rept. No. 115-332).

S. 3027. A bill to save taxpayer money and improve the efficiency and speed of intragovernmental correspondence, and for other purposes (Rept. No. 115-333).

H.R. 4581. A bill to require the Secretary of Homeland Security to develop best practices for utilizing advanced passenger information and passenger name record data for counterterrorism screening and vetting operations, and for other purposes (Rept. No. 115-334).

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. JOHNSON:

S. 3405. A bill to reauthorize the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GARDNER (for himself, Mr. MARKEY, Mr. RUBIO, and Mr. MENENDEZ):

S. 3406. A bill to express United States support for Taiwan's diplomatic alliances around the world; to the Committee on Foreign Relations.

By Ms. HEITKAMP:

S. 3407. A bill to offset retaliatory duties against the United States by establishing a fund to promote the exports of United States

agricultural commodities and products; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. HIRONO (for herself and Mr. SCHATZ):

S. Res. 621. A resolution congratulating the Honolulu Little League Baseball team of Hawaii on winning the 2018 Little League Baseball World Series Championship; considered and agreed to.

ADDITIONAL COSPONSORS

S. 281

At the request of Mr. LEE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 281, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 588

At the request of Mr. MURPHY, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 588, a bill to require the Securities and Exchange Commission to clarify what constitutes a general solicitation under the Federal securities laws, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 733

At the request of Ms. MURKOWSKI, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 733, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 811

At the request of Mr. ENZI, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 811, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 948

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 948, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1016

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Mr.

SULLIVAN) was added as a cosponsor of S. 1016, a bill to amend title XVIII of the Social Security Act to expand access to telehealth services, and for other purposes.

S. 1023

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1023, a bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

S. 1413

At the request of Mr. COONS, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1413, a bill to authorize the Secretary of Education to award grants to establish teacher leader development programs.

S. 1467

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1467, a bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree programs in orthotics and prosthetics, and for other purposes.

S. 1730

At the request of Ms. COLLINS, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1730, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 1854

At the request of Mr. GRAHAM, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1854, a bill to amend chapter 44 of title 18, United States Code, to enhance penalties for theft of a firearm from a Federal firearms licensee.

S. 1856

At the request of Mr. PAUL, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1856, a bill to prevent the militarization of Federal, State, and local law enforcement by Federal excess property transfers and grant programs.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2313

At the request of Mr. VAN HOLLEN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2313, a bill to deter foreign interference in United States elections, and for other purposes.

S. 2463

At the request of Mr. CORKER, the name of the Senator from Oregon (Mr.

WYDEN) was added as a cosponsor of S. 2463, a bill to establish the United States International Development Finance Corporation, and for other purposes.

S. 2568

At the request of Mr. PORTMAN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor 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. 2694

At the request of Mr. SCHATZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2694, a bill to amend the Communications Act of 1934 to lengthen the statute of limitations for enforcing robocall violations, and for other purposes.

S. 2770

At the request of Ms. CORTEZ MASTO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2770, a bill to direct the Attorney General to submit to Congress investigative materials in the event of certain pardons granted by the President, and for other purposes.

S. 2823

At the request of Mr. HATCH, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from Colorado (Mr. GARDNER), the Senator from Florida (Mr. RUBIO), the Senator from Michigan (Ms. STABENOW), the Senator from Alaska (Mr. SULLIVAN), the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 2823, a bill to modernize copyright law, and for other purposes.

S. 2843

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2843, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions to help combat the opioid crisis.

S. 2865

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2865, a bill to ensure that certain materials used in carrying out Federal infrastructure aid programs are made in the United States, and for other purposes.

S. 2891

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2891, a bill to amend title XI of the Social Security Act to require applicable manufacturers to include information regarding payments made to physician assistants, nurse practitioners, and other advance practice nurses in transparency reports submitted under section 1128G of such Act.

S. 2908

At the request of Mr. ROBERTS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2908, a bill to amend title XVIII of the Social Security Act to provide for electronic prior authorization under Medicare part D for covered part D drugs, and for other purposes.

S. 2934

At the request of Mr. NELSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2934, a bill to increase the recruitment and retention of school-based mental health services providers by low-income local educational agencies.

S. 3172

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Ms. DUCKWORTH) 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.

At the request of Mr. WARNER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3172, *supra*.

S. 3192

At the request of Mr. MARKEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3192, a bill to amend the Safe Drinking Water Act to update and modernize the reporting requirements for contaminants, including lead, in drinking water, and for other purposes.

S. 3284

At the request of Mr. TESTER, the name of the Senator from Illinois (Ms. DUCKWORTH) 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 Delaware (Mr. COONS) and the Senator from Louisiana (Mr. CASSIDY) 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. 3321

At the request of Mr. COONS, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of 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.

S. 3359

At the request of Ms. HARRIS, the names of the Senator from South Caro-

lina (Mr. SCOTT), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 3359, a bill to posthumously award a Congressional Gold Medal to Aretha Franklin in recognition of her contributions of outstanding artistic and historical significance to culture in the United States.

S. 3388

At the request of Mr. TILLIS, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 3388, a bill to amend the Health Insurance Portability and Accountability Act.

S. RES. 562

At the request of Mr. MERKLEY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. Res. 562, a resolution expressing the sense of the Senate that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) continues to make an invaluable contribution to United States and international security, 50 years after it opened for signature on July 1, 1968.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 621—CONGRATULATING THE HONOLULU LITTLE LEAGUE BASEBALL TEAM OF HAWAII ON WINNING THE 2018 LITTLE LEAGUE BASEBALL WORLD SERIES CHAMPIONSHIP

Ms. HIRONO (for herself and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:

S. RES. 621

Whereas the 2018 Honolulu Little League Baseball team, having proudly represented the State of Hawaii and the West region of the United States, won Hawaii's third Little League Baseball World Series Championship;

Whereas the Honolulu Little League Baseball team capped off a thrilling championship game to defeat the Asia-Pacific and International Championship team of South Korea by a score of 3 to 0;

Whereas the 2018 Honolulu Little League Baseball team demonstrated sportsmanship and humility on its path to an undefeated West Regional title in San Bernardino, California;

Whereas the 2018 Honolulu Little League Baseball team played with consistency and dominance throughout the 2018 Little League World Series in Williamsport, Pennsylvania, winning all 5 of the tournament games the team played in;

Whereas the 2018 Honolulu Little League Baseball team rode a wave of sterling pitching, shutting out opponents in 4 of 5 games, including in the first championship shutout win since 2002;

Whereas the 2018 Honolulu Little League Baseball team has brought pride and excitement to the State of Hawaii and delivered hope to the people of Hawaii in the wake of the devastating impacts of Hurricane Lane, the major flooding in April 2018, and the Kilauea volcano eruptions of 2018;

Whereas the 2018 Honolulu Little League Baseball team further galvanized the State

of Hawaii to come together and root the team to victory;

Whereas the manager of the 2018 Honolulu Little League Baseball team, Gerald Oda, the coaching staff of the team, and the parents of players of the team provided vital leadership and support, including by inculcating in the players a culture of respect and humility; and

Whereas the 2018 Honolulu Little League Baseball team included players Bruce Boucher, Kory Chu, Tanner Chun, John De la Cruz, Kaolu Holt, Aukai Kea, Mana Lau Kong, Chandler Murray, Hunter Nishina, Taylin Oana, Caleb Okada, Jace Souza, Zachary Won, and Sean Yamaguchi and coaches Keith Oda and Willis Kato: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of Little League Baseball to the State of Hawaii;

(2) congratulates the Honolulu Little League Baseball team on its 2018 Little League Baseball World Series Championship;

(3) recognizes the hard work, commitment to sportsmanship, and dignity of the players, coaches, and families of the Honolulu Little League Baseball team; and

(4) joins with all the people of Hawaii, the United States, and baseball fans everywhere in celebrating Hawaii's third Little League Baseball World Series Championship.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4009. Mr. MCCONNELL (for Ms. STABENOW) proposed an amendment to the bill S. 2553, to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

SA 4010. Mr. MCCONNELL (for Ms. STABENOW) proposed an amendment to the bill S. 2553, *supra*.

TEXT OF AMENDMENTS

SA 4009. Mr. MCCONNELL (for Ms. STABENOW) proposed an amendment to the bill S. 2553, to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals; as follows:

Strike section 2 and insert the following:

SEC. 2. PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.

(a) IN GENERAL.—Section 1860D-4 of the Social Security Act (42 U.S.C. 1395w-104) is amended by adding at the end the following new subsection:

“(m) PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.—A PDP sponsor and a Medicare Advantage organization shall ensure that each prescription drug plan or MA-PD plan offered by the sponsor or organization does not restrict a pharmacy that dispenses a prescription drug or biological from informing, nor penalize such pharmacy for informing, an enrollee in such plan of any differential between the negotiated price of, or copayment or coinsurance for, the drug or biological to the enrollee under the plan and a lower price the individual would pay for the drug or biological if the enrollee obtained the drug without using any health insurance coverage.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning on or after January 1, 2020.

SA 4010. Mr. MCCONNELL (for Ms. STABENOW) proposed an amendment to

the bill S. 2553, to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals; as follows:

Amend the title so as to read: "A bill to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals."

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have a request for one committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, September 4, 2018, at 9.30 a.m. to conduct a hearing on the nomination of the Honorable Brett M. Kavanaugh, to be an Associate Justice of the Supreme Court of the United States.

PRIVILEGES OF THE FLOOR

Mr. UDALL. Mr. President, I ask unanimous consent that Olubukola Adebayo and Christina Youn, congressional fellows in my office, be granted floor privileges for the remainder of the 115th Congress.

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

Ms. WARREN. Mr. President, I ask unanimous consent that Stephen McCall, a fellow in my office, be granted floor privileges for the remainder of today's session.

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

THE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the following calendar bills en bloc: Calendar No. 420, H.R. 1109 and Calendar No. 469, S. 186.

The PRESIDING OFFICER. The clerk will read the titles of the bills en bloc.

AMENDING SECTION 203 OF THE FEDERAL POWER ACT

The senior assistant legislative clerk read as follows:

A bill (H.R. 1109) to amend Section 203 of the Federal Power Act.

FAIR RATES ACT

The senior assistant legislative clerk read as follows:

A bill (S. 186) to amend the Federal Power Act to provide that any inaction by the Federal Energy Regulatory Commission that allows a rate change to go into effect shall be treated as an order by the Commission for purposes of rehearing and court review.

There being no objection, the Senate proceeded to consider the bills en bloc as follows:

H.R. 1109, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following: **SECTION 1. CLARIFICATION OF FACILITY MERGER AUTHORIZATION.**

Section 203(a)(1) of the Federal Power Act (16 U.S.C. 824b(a)(1)) is amended by striking subparagraph (B) and inserting the following:

"(B) merge or consolidate, directly or indirectly, its facilities subject to the jurisdiction of the Commission, or any part thereof, with the facilities of any other person, or any part thereof, that are subject to the jurisdiction of the Commission and have a value in excess of \$10,000,000, by any means whatsoever;"

SEC. 2. NOTIFICATION FOR CERTAIN TRANSACTIONS.

Section 203(a) of the Federal Power Act (16 U.S.C. 824b(a)) is amended by adding at the end the following new paragraph:

"(7)(A) Not later than 180 days after the date of enactment of this paragraph, the Commission shall promulgate a rule requiring any public utility that is seeking to merge or consolidate, directly or indirectly, its facilities subject to the jurisdiction of the Commission, or any part thereof, with those of any other person, to notify the Commission of such transaction not later than 30 days after the date on which the transaction is consummated if—

"(i) the facilities, or any part thereof, to be acquired are of a value in excess of \$1,000,000; and

"(ii) such public utility is not required to secure an order of the Commission under paragraph (1)(B).

"(B) In establishing any notification requirement under subparagraph (A), the Commission shall, to the maximum extent practicable, minimize the paperwork burden resulting from the collection of information."

SEC. 3. EFFECTIVE DATE.

The amendment made by section 1 shall take effect 180 days after the date of enactment of this Act.

SEC. 4. FEDERAL ENERGY REGULATORY COMMISSION REPORT.

(a) *IN GENERAL.*—Not later than 2 years after the date of enactment of this Act, the Federal Energy Regulatory Commission shall submit to Congress a report that assesses the effects of the amendment made by section 1.

(b) *REQUIREMENTS.*—In preparing the report under subsection (a), the Federal Energy Regulatory Commission shall—

(1) take into account any information collected under paragraph (7) of section 203(a) of the Federal Power Act (16 U.S.C. 824b(a)) (as added by section 2); and

(2) provide for public notice and comment with respect to the report.

S. 186, which had been reported from the Committee on Energy and Natural Resources, with an amendment as follows:

(The part of the bill intended to be stricken is shown in boldfaced brackets, and the part of the bill in be inserted is shown in italic.)

S. 186

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 "Fair Ratepayer Accountability, Transparency, and Efficiency Standards Act" or the "Fair RATES Act".

[SEC. 2. AMENDMENT TO THE FEDERAL POWER ACT.

[Section 205(d) of the Federal Power Act (16 U.S.C. 824d(d)) is amended by adding at the end the following: "Any absence of action by the Commission that allows a change to take effect under this section (including the Commission allowing the 60 days of notice provided under this section to expire without Commission action) shall be considered to be an order issued by the Commission accepting the change for purposes of section 313.".]

SEC. 2. AMENDMENT TO THE FEDERAL POWER ACT.

Section 205 of the Federal Power Act (16 U.S.C. 824d) is amended by adding at the end the following:

"(g) *INACTION OF COMMISSIONERS.*—

"(1) *IN GENERAL.*—If the Commission permits the expiration of the 60-day period established under the first sentence of subsection (d) because the members of the Commission are divided two against two as to the lawfulness of the change, as a result of vacancy, incapacity, or recusal on the Commission—

"(A) the failure to act by the Commission shall be considered to be an order issued by the Commission accepting the change for purposes of section 313(a); and

"(B) there shall be added to the record of the proceeding of the Commission—

"(i) the proposed order;

"(ii) notice of the division of the Commissioners with respect to the proposed order; and

"(iii) the written statement of each member of the Commission explaining the views of the Commissioner with respect to the proposed order.

"(2) *APPEAL.*—If any party to a proceeding of the Commission described in paragraph (1) seeks a rehearing under section 313(a) and the Commission fails to act on the merits of the rehearing request by the date that is 30 days after the date of the rehearing request because the members of the Commission are divided two against two, as a result of vacancy, incapacity, or recusal on the Commission, any party that sought the rehearing may appeal under section 313(b)."

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bills, as amended, be considered read a third time en bloc.

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

The committee-reported amendment in the nature of a substitute was ordered to be engrossed and the bill (H.R. 1109) to be read the third time.

The bill (H.R. 1109) was read the third time.

The bill (S. 186) was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bills, as amended, en bloc.

PRESIDING OFFICER. The bills having been read the third time, the question is, Shall the bills pass en bloc?

The bill (H.R. 1109), as amended, was passed.

The bill (S. 186), as amended, was passed.

S. 186

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 “Fair Ratepayer Accountability, Transparency, and Efficiency Standards Act” or the “Fair RATES Act”.

SEC. 2. AMENDMENT TO THE FEDERAL POWER ACT.

Section 205 of the Federal Power Act (16 U.S.C. 824d) is amended by adding at the end the following:

“(g) INACTION OF COMMISSIONERS.—

“(1) IN GENERAL.—If the Commission permits the expiration of the 60-day period established under the first sentence of subsection (d) because the members of the Commission are divided two against two as to the lawfulness of the change, as a result of vacancy, incapacity, or recusal on the Commission—

“(A) the failure to act by the Commission shall be considered to be an order issued by the Commission accepting the change for purposes of section 313(a); and

“(B) there shall be added to the record of the proceeding of the Commission—

“(i) the proposed order;

“(ii) notice of the division of the Commissioners with respect to the proposed order; and

“(iii) the written statement of each member of the Commission explaining the views of the Commissioner with respect to the proposed order.

“(2) APPEAL.—If any party to a proceeding of the Commission described in paragraph (1) seeks a rehearing under section 313(a) and the Commission fails to act on the merits of the rehearing request by the date that is 30 days after the date of the rehearing request because the members of the Commission are divided two against two, as a result of vacancy, incapacity, or recusal on the Commission, any party that sought the rehearing may appeal under section 313(b).”.

Mr. MCCONNELL. I ask unanimous consent that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

DESIGNATING THE UNITED STATES COURTHOUSE LOCATED AT 300 SOUTH FOURTH STREET IN MINNEAPOLIS, MINNESOTA, AS THE DIANA E. MURPHY UNITED STATES COURTHOUSE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 550, S. 3021.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3021) to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the ‘Diana E. Murphy United States Courthouse.’

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 (S. 3021) was passed, as follows:

S. 3021

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DIANA E. MURPHY UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, shall be known and designated as the “Diana E. Murphy United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “Diana E. Murphy United States Courthouse”.

DESIGNATING THE J. MARVIN JONES FEDERAL BUILDING AND MARY LOU ROBINSON UNITED STATES COURTHOUSE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 551, H.R. 5772.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5772) 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.”

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 that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 5772) was ordered to a third reading, was read the third time, and passed.

DR. BENJY FRANCES BROOKS CHILDREN'S HOSPITAL GME SUPPORT REAUTHORIZATION ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5385, 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. 5385) to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

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 that 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. 5385) was ordered to a third reading, was read the third time, and passed.

CONGRATULATING THE HONOLULU LITTLE LEAGUE BASEBALL TEAM OF HAWAII ON WINNING THE 2018 LITTLE LEAGUE BASEBALL WORLD SERIES CHAMPIONSHIP

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 621, 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. 621) congratulating the Honolulu Little League Baseball team of Hawaii on winning the 2018 Little League Baseball World Series Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I further 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. 621) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

PROTECTING RELIGIOUSLY AFFILIATED INSTITUTIONS ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 394, S. 994.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 994) to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Religiously Affiliated Institutions Act of 2018”.

SEC. 2. PROTECTION OF COMMUNITY CENTERS WITH RELIGIOUS AFFILIATION.

Section 247 of title 18, United States Code, is amended—

(1) in subsection (a)(2), by inserting after “threat of force,” the following: “including by threat of force against religious real property,”;

(2) in subsection (d)—
 (A) in the matter preceding paragraph (1), by inserting “or (c)” after “subsection (a)”;
 (B) in paragraph (3), by striking “and” at the end;
 (C) by redesignating paragraph (4) as paragraph (5); and
 (D) by inserting after paragraph (3) the following:

“(4) if damage to or destruction of property results from the acts committed in violation of this section, which damage to or destruction of such property is in an amount that exceeds \$5,000, a fine in accordance with this title, imprisonment for not more than 3 years, or both; and”;

(3) in subsection (f), by inserting before the period at the end the following: “, or real property owned or leased by a nonprofit, religiously affiliated organization”.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table.

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 994), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 994

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 “Protecting Religiously Affiliated Institutions Act of 2018”.

SEC. 2. PROTECTION OF COMMUNITY CENTERS WITH RELIGIOUS AFFILIATION.

Section 247 of title 18, United States Code, is amended—

(1) in subsection (a)(2), by inserting after “threat of force,” the following: “including by threat of force against religious real property,”;

(2) in subsection (d)—

(A) in the matter preceding paragraph (1), by inserting “or (c)” after “subsection (a)”;

(B) in paragraph (3), by striking “and” at the end;

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

“(4) if damage to or destruction of property results from the acts committed in violation of this section, which damage to or destruction of such property is in an amount that exceeds \$5,000, a fine in accordance with this title, imprisonment for not more than 3 years, or both; and”;

(3) in subsection (f), by inserting before the period at the end the following: “, or real property owned or leased by a nonprofit, religiously affiliated organization”.

KNOW THE LOWEST PRICE ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of S. 2553 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 legislative clerk read as follows:

A bill (S. 2553) to amend title XVIII of the Social Security Act to prohibit health plans and pharmacy benefit managers from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I further ask unanimous consent that the Stabenow amendment, which is at the desk, be considered and agreed to; that the bill, as amended, be considered read a third time and passed; that the amendment to the title, which is at the desk, be agreed to; and that 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 amendment (No. 4009) was agreed to, as follows:

(Purpose: To improve the bill)

Strike section 2 and insert the following:

SEC. 2. PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.

(a) IN GENERAL.—Section 1860D–4 of the Social Security Act (42 U.S.C. 1395w–104) is amended by adding at the end the following new subsection:

“(m) PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.—A PDP sponsor and a Medicare Advantage organization shall ensure that each prescription drug plan or MA–PD plan offered by the sponsor or organization does not restrict a pharmacy that dispenses a prescription drug or biological from informing, nor penalize such pharmacy for informing, an enrollee in such plan of any differential between the negotiated price of, or copayment or coinsurance for, the drug or biological to the enrollee under the plan and a lower price the individual would pay for the drug or biological if the enrollee obtained the drug without using any health insurance coverage.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning on or after January 1, 2020.

The bill (S. 2553), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2553

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Know the Lowest Price Act of 2018”.

SEC. 2. PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.

(a) IN GENERAL.—Section 1860D–4 of the Social Security Act (42 U.S.C. 1395w–104) is amended by adding at the end the following new subsection:

“(m) PROHIBITION ON LIMITING CERTAIN INFORMATION ON DRUG PRICES.—A PDP sponsor and a Medicare Advantage organization shall ensure that each prescription drug plan or MA–PD plan offered by the sponsor or organization does not restrict a pharmacy that dispenses a prescription drug or biological from informing, nor penalize such pharmacy for informing, an enrollee in such plan of any differential between the negotiated price of, or copayment or coinsurance for, the drug or biological to the enrollee under the plan and a lower price the individual would pay for the drug or biological if the enrollee ob-

tained the drug without using any health insurance coverage.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to plan years beginning on or after January 1, 2020.

The title amendment (No. 4010) was agreed to as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A bill to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.”.

ORDERS FOR WEDNESDAY, SEPTEMBER 5, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Wednesday, September 5; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session for the consideration of the Roisman nomination and that notwithstanding rule XXII, the Senate vote on confirmation of the nomination.

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

ADJOURNMENT UNTIL TOMORROW

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

There being no objection, the Senate, at 7:17 p.m., adjourned until Wednesday, September 5, 2018 at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 4, 2018:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF AIR FORCE RESERVE AND APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE RESERVE OF THE AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 803B:

To be lieutenant general

MAJ. GEN. RICHARD W. SCOBEE

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. ANTHONY H. ADRIAN

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

To be lieutenant general

MAJ. GEN. THOMAS S. JAMES, JR.

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

To be lieutenant general

MAJ. GEN. JAMES M. RICHARDSON

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH LA RITA S. ABEL AND ENDING WITH JARED K. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2018.

AIR FORCE NOMINATIONS BEGINNING WITH DAVID A. BARGATZE AND ENDING WITH FRANK YOON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2018.

AIR FORCE NOMINATIONS BEGINNING WITH TODD A. BIALOWAS AND ENDING WITH ROSEMARY A. CITIZEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

AIR FORCE NOMINATION OF JONATHAN W. BEICH, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH ROLAND W. NASH AND ENDING WITH KELLY E. MILLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

IN THE ARMY

ARMY NOMINATION OF DONALD C. CARMICHAEL, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ADAM R. LIBERMAN, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JEFFREY A. BRUCE AND ENDING WITH PATRICK A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2018.

ARMY NOMINATIONS BEGINNING WITH TYLER Q. HEMMERICH AND ENDING WITH FREDERIC M. PALLEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2018.

ARMY NOMINATION OF DAVID M. BARNES, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH BROOKE R. ADAMS AND ENDING WITH LAURA D. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2018.

ARMY NOMINATIONS BEGINNING WITH JOSEPH B. AHLBORN AND ENDING WITH LASHELLE M. ZELLNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2018.

ARMY NOMINATIONS BEGINNING WITH RUSSELL A. BURNHAM AND ENDING WITH ERIC M. WAGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2018.

ARMY NOMINATIONS BEGINNING WITH JERAMIE ABEL AND ENDING WITH WHITNEY A. WALDSMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2018.

ARMY NOMINATIONS BEGINNING WITH JAN K. BEHN AND ENDING WITH CARLOS G. TORRESFEBUS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATION OF TAYLOR M. LEE, TO BE MAJOR.

ARMY NOMINATION OF ROBERT A. DEITZ, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH CHRISTOPHER E. BARTON AND ENDING WITH JEFFREY D. WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATION OF JAMES M. SMITH, TO BE COLONEL.

ARMY NOMINATION OF JEFFREY S. HARTSELL, TO BE COLONEL.

ARMY NOMINATION OF CARL C. GRAMSTORFF, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH CHARLES L. ANDERSON AND ENDING WITH CHANG M. R. YIM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATIONS BEGINNING WITH CHAD C. ADAMS AND ENDING WITH ERIKA K. ZAVYALOV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATION OF JUAN C. RIZO-LENIS, TO BE MAJOR.

ARMY NOMINATION OF RUFUS H. SHUMATE III, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH CAROL H. ADAMS AND ENDING WITH TOMASZ ZIELINSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATIONS BEGINNING WITH COREBRIANS A. ABRAHAM AND ENDING WITH D013412, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATIONS BEGINNING WITH KRISTIN E. AGRESTA AND ENDING WITH SCOTT WILLENS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATIONS BEGINNING WITH MICHAEL V. BEAN AND ENDING WITH D011029, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATION OF SAMUEL N. BLACKER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH RYAN M. DERRICK AND ENDING WITH ROBERT W. LOYD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATION OF JOSEPH L. HANDKE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MALLORY A. VALVERDE, TO BE MAJOR.

ARMY NOMINATION OF MASON W. HEIMER, TO BE MAJOR.

ARMY NOMINATION OF ROGER M. LEWIS, TO BE MAJOR.

ARMY NOMINATION OF BRANDY L. GARDNER, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MATTHEW M. BACON AND ENDING WITH WILLIAM H. WAGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 16, 2018.

ARMY NOMINATION OF KEISHA R. DOUGLASS, TO BE COLONEL.

ARMY NOMINATION OF JULIE A. BALTEN, TO BE COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JULIET H. CALVIN, TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATION OF KATHERINE L. MEADOWS, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER S. ANDERSON AND ENDING WITH JOSHUA M. VUKELICH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2018.

NAVY NOMINATION OF ALICE S. Y. SHEN, TO BE LIEUTENANT COMMANDER.