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Senate

The Senate met at 10 a.m. and was called to order by the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Pastor Sam Steele of Chapel by the Sea from South Padre Island, TX.

The guest Chaplain offered the following prayer:

Good morning.

Christ Jesus sent people out two by two.

Let us pray.

Eternal God, as our Senators gather—two from each State—they break down barriers that divide, create an environment of honest dialogue, and bring about positive compromise so that there is unity in our diversity and so our Nation is steadfast in the foundation of the people, by the people, and for the people.

Loving God, we lift up to You our brothers and sisters touched by the weather across our land. May we reach out our hands of love and help. Comfort those who suffer, and strengthen those who serve.

Creator God, pour Your wisdom upon each Senator. Bless them with humility as they serve, and make us once again "we the people."

In Your Holy Name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 25, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mrs. HYDE-SMITH thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2019.

RECOGNITION OF THE MAJORITY LEADER

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

NOMINATION OF BRETT KAVANAUGH

Mr. MCCONNELL. Madam President, in the past week and a half, the American people have seen a confusing and chaotic process play out right here in the Senate.

They have seen uncorroborated, decades-old allegations of wrongdoing pop up in the press at the last minute, just as Judge Brett Kavanaugh's confirmation process was winding down.

They have seen an accuser's request for privacy disregarded and ordinary standards of fairness completely discarded.

They have seen a disturbing pattern play out on two separate occasions already. It goes like this: No. 1, our Democratic colleagues on the Judiciary Committee get wind of or maybe even go looking for a sensitive allegation. Second, they decline to share it with the majority, meaning the committee cannot promptly take appropriate action. Third, they allow the allegation to leak to the press at the last moment.

Fortunately, in stark contrast to this malpractice, the American people have also seen the exemplary manner in which Chairman GRASSLEY has led the Judiciary Committee throughout the entire process. The chairman has acted swiftly and transparently in pursuit of the truth. He has treated Dr. Ford with kindness and respect. Acknowledging that the irresponsible and irregular manner in which her allegation was brought to light was no fault of hers, the chairman opened a dialogue with Dr. Ford's counsel. He deferred to her preferences on the timing of her hearing and a number of other details.

I will quote from a letter the chairman wrote to Dr. Ford yesterday. Here is what Chairman GRASSLEY had to say:

I am committed to fair and respectful treatment of you. . . . [The] hearing on Thursday will allow you to testify and also will allow the nominee to address the allegations. . . . Both of you deserve a credible and fair process in a secure and professional setting.

• 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 was Chairman GRASSLEY.

So we have one side that is handling these sensitive matters with dignity, with professionalism, by the book, and we have another side that chose to sit on allegations and keep them secret until they were leaked to the press—the same side as the Democratic leader's, who had already made up his mind mere hours after Judge Kavanaugh was chosen and said: "I will oppose him with everything I've got." Well, apparently so.

Look, the American people know that sexual misconduct is gravely serious. They expect this to be treated seriously and addressed promptly. That is precisely what Chairman GRASSLEY has done and is doing. But the American people also insist that vague, unsubstantiated, and uncorroborated allegations of 30-plus-year-old misconduct—where all the supposed witnesses either totally deny it or can't confirm it—is nowhere near grounds to nullify someone's career or destroy their good name. Justice matters. Evidence matters. Facts matter.

Let's look at one of the supposed witnesses, Ms. Leland Keyser. She is not a friend of Judge Kavanaugh's. In fact, she says she doesn't even know him. Rather, she is a longtime friend of Professor Ford's. What does Ms. Keyser say about the allegations? Through her lawyer, she says that she "does not know Mr. Kavanaugh and she has no recollection of ever being at a party where he was present, with, or without, Dr. Ford." In other words, she backs up Judge Kavanaugh's statement.

Look, this is America here we are talking about. We are supposed to uphold fairness and a presumption of innocence. Everyone deserves better than this—not just Judge Kavanaugh; everyone deserves better than this.

I was surprised and disappointed by the recent statements on television from some of my Democratic colleagues, including one statement this weekend that Judge Kavanaugh is not owed the presumption of innocence. One of our Democratic colleagues said Judge Kavanaugh is not owed the presumption of innocence, because they disagree with his judicial philosophy. That is not a standard we want to set in America.

No matter how loudly my Democratic colleagues try to say otherwise, we have never been and do not wish to be a society in which a single, uncorroborated allegation—disputed by everyone who supposedly has some knowledge of it—can float out across decades and wield veto power over somebody's life.

Judge Kavanaugh is an immensely bright and qualified nominee. We have heard from legal experts and scholars that he is one of the fairest and most brilliant jurists anywhere in our country. We have heard from hundreds of character witnesses from his high school days to the present who vouch for his character and his integrity.

Yet the need for a fair process runs even deeper than Judge Kavanaugh

himself. As he wrote in his own letter to Chairman GRASSLEY yesterday, the weaponization of unsubstantiated smears—that is what we have here, the weaponization of unsubstantiated smears—"will dissuade competent and good people of all political persuasions from service."

This isn't what Members want the Senate to be. This isn't what Americans want our society to be. So I look forward to hearing from both Dr. Ford and Judge Kavanaugh under oath this Thursday morning. I am glad we will be able to hear testimony from both. Then I look forward to an up-or-down vote on this nomination right here on the Senate floor.

THE WEEK'S BUSINESS

Madam President, on an entirely different matter, as I noted yesterday, the Senate continues to make progress on critical national priorities. We are restoring the regular order appropriations process; we are securing common-sense reforms to infrastructure policy and the longest authorization of FAA in over 35 years; and, this week, we are confirming more of the President's well-qualified nominees. Yesterday, the Senate voted to confirm Jackie Wolcott as the U.S. Representative to the International Atomic Energy Agency and to the United Nations in Vienna. Today, we turn to consider the nomination of Peter A. Feldman to be a Commissioner of the Consumer Product Safety Commission.

I urge each of our colleagues to join me in voting to confirm Mr. Feldman and in continuing to process nominees for vital roles in the executive branch.

TAX REFORM

Madam President, on one final matter, for months, we have heard the firsthand accounts of American workers and job creators who have felt the immediate impacts of the Republicans' pro-growth, pro-opportunity agenda.

We have heard from working parents who have received raises and special bonuses as a result of once-in-a-generation tax reform. We have heard from small- and medium-sized business owners who have been able to make larger investments in their workers, facilities, and products, thanks to increased regulatory certainty. With every new job created and every pay raise passed along, we have seen that these stories are not disconnected anecdotes. Rather, they are part of larger trends in an American economy that is reaching new heights.

For example, here on the floor, I have highlighted small businesses in Montana and the ways they are using tax reform savings to drive their local economies forward—how Stricks Ag has awarded worker bonuses and how Thompson River Lumber has invested in new equipment. Well, earlier this month, Governor Bullock and the Montana Department of Labor released a report that that suggests the State's economy is showing signs of wide-reaching prosperity. In other words, the stories my colleagues and I have

been hearing for months are no fluke. In the last year, Montana's entrepreneurs founded nearly 3,000 new enterprises, and according to Governor Bullock, the employment rate is the lowest it has been in over a decade in Montana.

Over the past year and a half, this united Republican government has implemented a bold, pro-growth agenda to help create the conditions for Montana's workers and job creators to write this new chapter. The signs we are seeing today are truly remarkable, but they shouldn't come as a surprise, for the trends we are seeing across the country today are exactly what this united Republican government had in mind when we passed generational tax reform. They are exactly what one of Montana's Senators had in mind when he voted to deliver it. What a shame that the other Senator joined Senate Democrats in lockstep opposition.

These days, the ball is in the American people's court. They will keep taking it and running with it—creating jobs and new prosperity all across our country. Here in Congress, the Republicans will keep working hard to help them do it.

The ACTING PRESIDENT pro tempore. The assistant Democratic leader.

Mr. DURBIN. Madam President, what is the business before the Senate?

The ACTING PRESIDENT pro tempore. The Senate is considering the Feldman nomination.

Mr. DURBIN. Thank you.

Madam President, I ask unanimous consent to speak as in morning business.

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

NOMINATION OF BRETT KAVANAUGH

Mr. DURBIN. Madam President, plow through this nomination. That is what the Republican majority leader said over the weekend, that we are going to plow through this nomination of Brett Kavanaugh for the Supreme Court. It doesn't sound to me like a recipe for fairness, and it certainly doesn't sound like a recipe for getting to the truth. Plow through. That was what the Republican majority leader said the Republican majority would do.

When this all started, I was surprised when a spokesperson for President Trump—Kellyanne Conway, who is not noted for her moderation—made what I thought was a very moderate and thoughtful statement at the beginning of the consideration of Dr. Ford's charges. She said that we are neither going to ignore nor insult Dr. Ford. I thought that was a good standard. Unfortunately, since she has said that, neither the President nor many Republican leaders have lived up to it.

I really come to this as a member of the Senate Judiciary Committee who is trying to think about the gravity of the situation and what is fair. In this situation, we have Dr. Ford's coming forward. I have thought long and hard and have talked to many of my staffers

and friends back home about her motivation. What in the world does she have to gain by putting herself and her family through this? What is at the end of it for her?

I can't see any positives other than the satisfaction that she is pursuing what she believes to be true. She is exposing herself to ridicule, harassment, and attack even by the President of the United States in his tweets. Her family is in danger, and they have had to move out of their home. Her computers have been hacked, and she has had to engage attorneys and get into lengthy negotiations with Republicans in the Senate just for a chance to come and tell her story. This woman had a family and a life and was well respected by her colleagues and the people in her community. It has been turned upside down.

Why? What is in this for Dr. Ford? What is she trying to achieve here?

The more I have thought about it, the more I have concluded that she just believes it is so critically important for the American people to hear her story and understand what she believes to be true about this nominee. So I come to this, certainly, with an open mind in terms of her presentation.

When I hear the Republican leader come to the floor and talk about her situation, he zigs and zags. In one moment, he sounds like he is sympathetic to Dr. Ford and to what she has been through and calls for fairness. Then, before he catches a breath, he calls her charges an unsubstantiated smear.

I would say to my colleague from Kentucky that he can't have it both ways. He can't be respectful of Dr. Ford and of the reason she comes to Washington and then dismiss and discredit everything she has said as a smear. He just can't have it both ways, but he has tried for 2 straight days.

He argues that this situation that we face has been carefully choreographed by the Democrats.

There is the old cliché by Will Rogers: "I don't belong to any organized political party—I am a Democrat." It, certainly, applies to this situation because this has been an unusual development.

Senator DIANNE FEINSTEIN receives a letter from Dr. Ford through a Member of Congress, ANNA ESHOO. When she receives the letter, it reads at the top "confidential," that she doesn't want her identity to be disclosed.

Senator FEINSTEIN told me and others over and over again that she felt duty bound not to victimize Dr. Ford, who claimed to have been victimized already. She tried to find a way to get to the bottom of this—to establish whether Dr. Ford's charges were accurate. After weeks of trying, she came to the conclusion that she couldn't do it through the U.S. Senate and through the resources available to her. She spoke to Dr. Ford. She took the charges seriously. She was in communication with her attorneys. She tried her best to find a way to establish the

credibility of these charges before moving forward and was always constrained by Dr. Ford's admonition: Don't let my identity become public. That is why it took longer than it should have.

Now Senator MCCONNELL has come to the floor for 2 straight days and has somehow suggested that the Democrats leaked this letter to the press. Well, I don't have any knowledge of that whatsoever. I do know, as far as Senator FEINSTEIN was concerned, she was scrupulous in making certain that Dr. Ford's identity was protected as long as she wanted it protected. So I don't know what he is saying or whether he has information to back up these charges that he has made for 2 straight days on the floor.

I take a look at this situation, and I understand where we are today. The bottom line is that Dr. Ford had nothing to gain by doing this—nothing—and still has nothing to gain. Yet then there is one overriding fact here that Senator MCCONNELL continues to ignore. Let me take you back in history.

Twenty-seven years ago was the Clarence Thomas hearing. I was in the House at the time, but I read about it and followed it as most Americans did. On the very day that Senate Judiciary Committee Chairman Joe Biden received the letter from Anita Hill, which charged sexual misconduct against Clarence Thomas, Chairman Biden sent the letter to the President George H.W. Bush White House—to the White House Counsel, C. Boyden Gray. Then on that very day, C. Boyden Gray, the White House Counsel, ordered the Federal Bureau of Investigation to investigate the charges by Anita Hill.

There has been a lot of comment on whether that investigation had been adequate or preemptory. There has been a lot more comment on whether the following hearing had been fair, adequate, and not preemptory. Yet the fact is that the instinct of Joe Biden and the instinct of the George H.W. Bush White House was the same: Investigate it. Don't assume it is true, and don't assume it is false.

Now look at this case. Look at where we are today despite repeated requests to the White House and the Republicans for the Federal Bureau of Investigation to look into this matter. Despite repeated requests for them to ask the FBI to do this, they have refused. The Republicans have refused an investigation of the charges by Dr. Ford. Dr. Ford has called for the FBI to investigate her own charges. They have refused.

If they truly believed that there was no evidence, no witness to back up Dr. Ford's charges, wouldn't they, obviously, have called the FBI and said, "Do your job, and find what you can. We are confident, at the end, that Judge Kavanaugh will be exonerated"? Yet they have not. Despite all of the calls for fairness over and over again by Senator MCCONNELL, fairness would

dictate a nonpartisan investigative group like the FBI to look into this matter and come to conclusions, whatever they may be.

I listened as Senator MCCONNELL said this morning that justice matters. Evidence matters, he said. Facts matter, he said. I might add that an FBI investigation matters, too, because it would get to the bottom of all three of those things. Yet, the White House, the President, Senator MCCONNELL, and the Republicans have resisted this FBI investigation despite Dr. Ford's asking for it.

As far as the presumption of innocence, I listened to Senator MCCONNELL say that someone suggested that Judge Kavanaugh is not entitled to that. I disagree with whoever said that. Both Dr. Ford and Judge Kavanaugh are entitled to the presumption of innocence. The case has to be proven; the facts have to be shown as best they can.

I want to add something else too. I am troubled by what President Trump said over the weekend about Dr. Ford's charges—the suggestion that it has been so long that her charges are not credible, the suggestion that if they were truly credible, she would have told her parents what had happened that night in the bedroom and that her parents would have reported it to law enforcement, and we could have read the police reports.

That is not the real world when it comes to this kind of sexual harassment and sexual violence—not at all. It is the reason it took 40 years for altar boys in the Catholic Church to come forward and finally tell their stories. It is the reason many women who have been victims never come forward. It is hard. It is difficult. It is painful. It is divisive. Many of them step away from it and carry those memories for their lifetimes without ever telling anyone.

If you want to be fair to Dr. Ford, and if you want to be fair to the victims of sexual violence, harassment, and assault, then you have to acknowledge the obvious. This is something no one wishes on any member of their family, friend, or person they have met. In fairness, if it occurs, we should be sensitive to the fact that many don't want to come forward at all, and some only do it reluctantly much later.

I want a fair and open hearing this Thursday when both Dr. Ford and Judge Kavanaugh come before us. This is not a smear campaign, as far as I am concerned.

Dr. Ford, with nothing to gain, has stepped forward and told her story. She has subjected her family and her name to the kind of publicity no one would wish on their family, and she has done it because she believes the truth is important.

By the same token, Judge Kavanaugh is entitled to tell his story, and I hope he will. He will have to explain to this committee why he didn't call for a Federal Bureau of Investigation effort on his own behalf to establish the facts,

the evidence, and the witnesses, if there were any. He didn't, and that is a fact.

We also know this charge Senator MCCONNELL made that Senator SCHUMER made up his mind on the Kavanaugh nomination early in some respects is true. Senator SCHUMER announced his position on this nomination early, but if you have been listening to the speeches given by Senator MCCONNELL on the floor from the start, you certainly know where his vote has been. He says he is looking forward to hearing the testimony on Thursday. Well, clearly, he has made up his mind before he hears that testimony. So to fault Senator SCHUMER for taking a position on this nomination early, that he is ignoring the obvious—so did Senator MCCONNELL.

At this point, I will say we face an awesome responsibility. A nation divided politically, a nation where people have strong feelings on both sides in an effort to find the truth—I don't know what the legal standard is for this hearing. When it comes to criminal law, we certainly know the matter of probable cause, which leads to investigation and prosecution, and beyond a reasonable doubt to prove the guilt of someone. We know on the civil side there are different standards. No one has quite spelled out what our standard of proof is, but this much I know. No one—not any single American—is entitled to a seat on the Supreme Court. They have to come before the American people first and certainly the Senate, under the Constitution, and make their case for the advice and consent of the Senate to that nomination.

It is a lifetime appointment to the highest Court in the land. The person who fills that seat can make decisions which swing history one way or the other, decisions which affect justice and privacy and fairness in American life. For that reason, all of us—all the Members of the Senate, certainly the Senate Judiciary Committee—have to take it seriously. I am going to take this very seriously, and I hope Members on both sides of the aisle will.

I also will say this. Senator MCCONNELL followed up with his “plow through this matter” comment and told us: We will stay through the weekend, if necessary, to get this done. We have to get it behind us. We have to move on. Where was Senator MCCONNELL's sense of urgency when the vacancy was created by the death of Antonin Scalia? For almost a year, Senator MCCONNELL left that seat vacant in the hopes that a Republican would be elected President. The idea now of giving a few days to go through the evidence, to go through an investigation, to have a reasonable review of the record of Judge Kavanaugh is now pushed away. This has to be done, it has to be done this weekend, and that is it—why? Why the urgency, Senator MCCONNELL? Shouldn't we value fairness over urgency?

I ask Senator MCCONNELL: Set your “plow” aside for a few minutes, would

you? Take a look at the Senate, this deliberative body, and make sure that in fairness to both Dr. Ford and Judge Kavanaugh, we don't push this through, and we don't rush to judgment. Let us use our opportunity in the Senate and our responsibility in the Senate to treat our constitutional requirement seriously.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Madam President, yesterday the Republican leader began his speech with a quote of mine. Let me begin mine with a quote of his. “We're going to plow right through it.” That is Leader MCCONNELL: We are going to plow right through it. He was speaking to the Values Voter Summit about serious allegations of sexual misconduct by Supreme Court nominee Judge Kavanaugh. “We're going to plow right through it.” Does that sound like someone who is treating these allegations with respect and fairness and evenhandedness? Does it sound like someone who wants to get at the real facts no matter where they fall? Certainly not to me and not to the American people.

Then, yesterday, Leader MCCONNELL brought the debate to a new low by calling the allegations against Judge Kavanaugh a “Democratic smear job.” Never mind that Leader MCCONNELL has no evidence—no evidence whatsoever—that the recent allegations were contrived by Democrats. They were not. Never mind that Leader MCCONNELL has no evidence—no evidence whatsoever—that the events in question took place or didn't take place. It seems likely they did, but he has no evidence one way or the other because he will not even ask for an investigation of it.

He then unilaterally declared the accounts of multiple women to be “manufactured mud,” part of a partisan smear campaign. Let me address these comments directly that these allegations are part of a “Democratic smear job.”

First, these allegations did not originate with Democrats. These women came forward with principle and courage, knowing they would face abuse and lasting personal pain for doing so, but realizing they had an obligation to the country, they did so anyway.

Dr. Ford came forward and shared her story voluntarily and on her own initiative. She wasn't put up by a Democrat or Republican or anybody else. It came from her heart. The idea that these allegations were cooked up or in-

stigated or encouraged by Democrats in Congress is patently absurd and a real insult to the members of the Judiciary Committee and the Members of this Chamber. It is against the spirit, if not the letter, of our Senate rules.

Addressing the second part of MCCONNELL's claim, that is even worse. Democrats and Republican are always throwing charges at each other, but the idea that this is a smear job—whatever you think of the veracity of the allegations, it is shameful—shameful—to doubt the women's sincerity. To say they are making it up and to discredit their sincere testimony is nothing more than a partisan hit job.

For too long, people in positions of power have dismissed accounts made by women before any evidence could be brought forward as politically motivated or character assassination. We have come a long way in this country, and we have to be better than that—better than the low standard Senator MCCONNELL has set.

At a minimum, we must respect these women and Judge Kavanaugh by handling these allegations with the seriousness they deserve. Leader MCCONNELL owes an apology to Dr. Ford for labeling her allegations a “smear job.” Let me repeat that. Leader MCCONNELL owes an apology to Dr. Ford for labeling her allegations a “smear job,” and he should apologize to her immediately.

It is galling—galling—for the Republican leader, who has done more than maybe anyone else to politicize the Supreme Court nomination process, to make these trumped-up, hyperbolic charges of partisanship by Democrats.

It is a sad habit of Republicans to accuse the other side of doing what they, in fact, are doing. It happens over and over. That seems to be the case here, as Democrats have over and over urged the FBI to help investigate these allegations, to get to the bottom of it, to get to the truth, while Republicans block any investigation and plow right through with their nominee.

It is simple. If Leader MCCONNELL were truly concerned about these allegations being swept up in partisanship, he would join us in calling for an FBI background investigation, which can be performed quietly, soberly, quickly, and effectively, without fuss, without muss, and without any circus atmosphere. That is the way to get this done. The only reason it hasn't happened is that both the President and Leader MCCONNELL have blocked it, as well as Senator GRASSLEY. Don't they want the truth? They say they do, but their actions belie that because they will not even entertain a background check, which the FBI does over and over, to find out the facts. I think they are afraid of the facts.

Why doesn't Judge Kavanaugh call for an FBI investigation? He went on TV last night and said they are not true. If they are not true, he has nothing to fear from an FBI background investigation, and he should want it, no

matter what Leader MCCONNELL and President Trump say. Why doesn't he call for it? Is he afraid of the facts?

So I challenge you, Leader MCCONNELL. If you are so convinced this is a smear campaign, you will have no problem with an FBI investigation to prove your case. Come to the floor. Come now. Join me in asking the White House to reopen the background check. Let's get the politics out of it. Let's root out the facts. Let's get to the truth—no histrionics, no smearing, no name-calling—as they said in Drag-net, just the facts.

Labeling this a partisan smear job demeans not only the Senators in my caucus, who I know are doing everything they can to treat these allegations with caution and respect for both Dr. Ford and Judge Kavanaugh, but it demeans many, many women who have come forward of their own volition, knowingly inviting abuse, to share their stories. They share them not because they simply want their stories to be told. They want to prevent it from happening again and again and again in the future. They want to protect their daughters and their granddaughters from this kind of stuff, which, as we have seen in the last year or two, has been all too real, all too frequent. They are doing a noble thing. Then, to slander them by calling what Dr. Ford said a smear job is outrageous, demeaning, wrong. Again, Leader MCCONNELL should rethink what he said in the heat of the moment and apologize to Dr. Ford.

So what is really going on here? Why are Republicans falsely claiming that credible allegations are being made for political reasons? Because their nominee to the Supreme Court, frankly, has a gigantic credibility problem.

In his testimony before the Judiciary Committee, Judge Kavanaugh misled the committee on numerous occasions regarding his involvement in some of the ugliest controversies of the Bush administration, including the Bush administration's policies on torture, the confirmation of some deeply flawed judges, like William Pryor and Charles Pickering, and his knowledge of the odious theft of Democratic email records by a Republican staff member named Manny Miranda. In all of those, Judge Kavanaugh did not come clean. He did not tell the truth and nothing but the truth, but far, far from it.

Judge Kavanaugh was in the thick of all of those things as a top political operative in the Bush White House and yet denied any involvement. Here again, with these new allegations brought forward by Dr. Ford and others, Judge Kavanaugh is again issuing blanket denials, but the question looms: Is he credible? Is he credible?

He is opposed to having the FBI investigate, as is the majority leader and as is President Trump. None of them want the facts to come out. They just want to "plow right through it." If not for the courage of a handful of Republican Senators, we wouldn't have even

had the hearing. Leader MCCONNELL and Senator GRASSLEY did not want hearings—even hearings, which they are now saying are fair and right. But a few Republican Senators, to their credit, said: We have to have hearings. At least let's hear this woman out.

I didn't hear them calling this a smear job, thank God. They said: Let's get the facts.

Again, to repeat, the best way to get the facts is not to just plow through it. It is to have the FBI do what they have always done when new information comes up involving a nominee they may have already checked out: Reopen the background check and check out these new facts. It will not take long. It will be done quietly and in private, and then the Judiciary Committee members, on both sides of the aisle, can learn the same facts, done by an objective observer. That is all the American people want.

The American people see what is going on. They are looking at Judge Kavanaugh, and they are finding him less and less credible. That is why his nomination is in deep trouble. Perhaps that is why, in poll after poll, the plurality of Americans say Judge Kavanaugh should not be confirmed.

Let us get the facts. Let us stop smearing women who have the courage to come forward. Let's get to the bottom of this in a correct, appropriate, and dignified way. That is what the American people want, and that is what we should be doing in a bipartisan way in this Chamber.

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

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

Mr. CORNYN. Mr. President, I wanted to come to the floor and talk for a few minutes about the unfortunate circumstances we find ourselves in as a result of the failure of the Ranking Member of the Judiciary Committee to submit a letter that she received from—in this case, we now know—Dr. Ford to the background investigators, who are bipartisan, who would have investigated this matter during the normal course of the confirmation process in a way that protected the anonymity and confidentiality of Dr. Ford, as well as the nominee.

As the Presiding Officer knows, having been a longtime member of the Senate Judiciary Committee, frequently during the course of a background investigation, we will learn things that Senators will want to ask the nominee about, but some of them are so sensitive and, frankly, some of them involve allegations we just don't know whether there is any basis to them or not. So they are handled in a

particularly careful manner by the background investigators, and they are not generally made available to Members of the Judiciary Committee staff because they are so sensitive and potentially embarrassing. Frankly, we just have to get to the bottom of them, but we want to do so in a way that is respectful of both the person making the accusation as well as the nominee.

Unfortunately, none of that happened here because we now know that the ranking member, our friend Senator FEINSTEIN, sat on this letter for some 6 weeks. Then, after the hearing, after all the thousand-plus questions for the record, after being able to examine not only the nominee for 2 days—over a long period of time—having gone through an FBI background investigation, as well as a bipartisan background investigation by the Judiciary Committee staff, this letter comes out in a way that, frankly, puts Dr. Ford in an uncomfortable position but also has consequences in terms of the nominee.

Many of us saw last night Judge Kavanaugh talk about the impact of this accusation that he denies ever occurring, its impact on his children, on his marriage, and on his reputation. This is not something any of us should welcome or take lightly, especially when there is an alternative, which would have protected Dr. Ford and the nominee and allowed us to get to the bottom of this accusation before it would ever have the potential of becoming public.

I just don't buy this idea either that if you are a man, you are on one side of this argument when it comes to accusations of sexual misconduct, or if you are a woman, you are on the other side. All of us have mothers. We all have fathers. Many of us have brothers and sisters. Many of us are fortunate enough to have daughters, as I do. I want to make sure my daughters, my wife, and my sister are treated with the dignity and respect that they are entitled to were they to be so unfortunate as to be caught up in a situation where they were a victim of sexual misconduct by a man. Conversely, this idea that just because you are a man, you are presumed to be guilty because somebody makes an accusation without presenting any evidence to support that accusation strikes me as being uniquely antithetical to our constitutional system and our sense of what is fair play. I will talk about that more in just a second.

I am very proud to support the nominee, Brett Kavanaugh, for the U.S. Supreme Court. I have had the fortune to know him since about 2000. He is an exceptional nominee by all respects. I, along with the majority leader and others, think it is a disservice to him, as well as to our courts, as well as to the Senate and the confirmation process for us to sit idly by and allow our colleagues across the aisle to blow up the normal process and to denigrate the reputation he has spent a career to build—especially, without solid evidence.

Again, we all feel sympathy—we should—for people who claim sexual assault. We owe them an opportunity for a fair chance to tell their story and to produce evidence, and we have recourse in our courts of law and elsewhere when those sorts of serious accusations are made.

But we also need to consider both sides of the equation. We need to consider the impact on the nominee—somebody who served more than 12 years as a judge on the DC Circuit Court of Appeals and, before that, worked for the President of the United States in the White House Counsel's Office. His public service required him to go through not one FBI background check but six FBI background checks, and he passed all of them with flying colors. Never before in any of those six background checks has this accusation been lodged. Not once in his long career has there been any allegation of improper conduct on the part of Judge Kavanaugh toward women—not once—other than this allegation.

As I said, as we think about what a fair process is—and Judge Kavanaugh talked about that last night—we need a fair process. We need not to assume somebody is guilty because an allegation has been made.

Frankly, in the criminal law context, we wouldn't want to give the government that much power to be able to deny us of our liberty, our property, or even our life by just an accusation, without requiring credible evidence to be presented in order to prove it before an impartial jury or judge. This is a constitutional principle—a bedrock constitutional principle—of our form of government.

It is very disturbing, and it is dangerous to hear some of our colleagues try to turn that principle on its head and say it is up to Judge Kavanaugh to disprove the allegations. He said it never happened. How could he possibly disprove the allegation when he said it never happened?

Well, that just shows the extent to which I think we have gotten off track in this confirmation process. We have already heard an awful lot about the judge. By all accounts, he is well qualified, according to friends, mentors, law clerks, attorneys, and professors. Everybody who testified about his nomination considered him to be a man of integrity, and I believe that personally to be the fact.

So it ought to trouble all of us—notwithstanding this orderly, respectful process by which the Judiciary Committee conducts background investigations, including accusations like the one being made by Dr. Ford—when that emerges at the eleventh hour. It makes no sense in terms of what we know about the nominee. It doesn't fit the picture. When something is alleged that is so completely out of character for what we do know about the nominee, it ought to strain our credulity. I, unlike some of our colleagues across the aisle, do not believe we should rush

to judgment and simply assume the worse.

Of course, the other attribute of a fair process would be an impartial judge or somebody who hasn't already made up their mind. We know that is not the case among our Democratic colleagues. The minority leader said he would do everything in his power to stop the nominee long before this accusation came up, and I believe none of the Democrats on the Judiciary Committee would have supported the nominee even before they knew about this allegation.

That is not a fair process. They are not a neutral observer or an impartial arbiter of the facts. They are more than happy to embrace thinly sourced allegations—even character assassinations—based on shreds of evidence, if you can dignify it by calling it that.

But that is not an approach that I think we should support. It is certainly not an approach I can support. I don't think it is a process anybody in the Senate or any American should support. It is shortsighted. It is narrowly focused and wrong.

I once told a friend that when the facts no longer make a difference in an argument, I am going to look for a new line of work. But the facts do matter, and these are the facts. Right now, we have one primary allegation regarding Judge Kavanaugh, and then another one that just popped up in the last day or so that I will talk about in a moment. Americans are all too familiar now with the misconduct that one person claims occurred more than 35 years ago. It is really hard to reconstruct things that happened 35 years ago. I think we all know that from our common experience.

I wonder if anybody within the sound of my voice could answer me: What were you doing 35 years ago on a given day in a given month at a given time? Could you reconstruct, in your own memory, what you were doing at that time and on that date and where you were and who you were with?

We also have to bear in mind that Judge Kavanaugh has said that this alleged incident, simply, did not happen. He said so under penalty of felony. In other words, if you lie to the FBI or if you lie to Congress during the course of a background investigation or in testimony to Congress, that is subject to a criminal penalty. Now, because Dr. Ford didn't go through the normal background investigation, she has not had to give evidence to the committee or to the Congress under that same penalty of perjury. Judge Kavanaugh has, but she hasn't. Yet she will have that chance this Thursday.

I firmly believe that a fair process means that both the accuser and the accused should be required to provide information to the Congress—to the Senate and to the Judiciary Committee—under the same conditions. In other words, if one witness testifies under oath, then both witnesses should testify under oath. If one witness is

subject to a penalty of perjury for lying, then both witnesses should be subject to a penalty in the event of perjury for lying. That is another attribute of the fair process that Judge Kavanaugh talked about last night.

We can't ignore the fact that, so far, no one else has corroborated Dr. Ford's statements and that she herself concedes she told no one about this alleged incident, not even a friend or a family member, until 2012 and, only then, without mentioning Brett Kavanaugh's name. The Judiciary Committee's investigators, as you would want and expect, have already been in touch with the four other people who Dr. Ford claimed were involved in this incident, and all four have denied having any knowledge of this event. That is a fact. You can't ignore it. You shouldn't ignore it. That is something we ought to consider as part of a fair process.

Nevertheless, we have really done everything we possibly can. We have acceded to every reasonable demand that has been made by Dr. Ford and her lawyers to give her the opportunity to be heard. We welcome her testimony, and we will listen to her at the hearing that has been scheduled for this Thursday. We welcome her participation, but we insist on a fair process—a fair process to her and a fair process to the nominee—one that allows her and Judge Kavanaugh to testify: to explain, to justify, and to corroborate if they can. Again, one of the hallmarks of a fair process is the presumption of innocence. This presumption of guilt, based on an unproven accusation, is un-American. It is absolutely foreign to who we are as a country and the sort of process demanded under our Constitution for people who are accused of serious misconduct.

So far, this process has been patently unfair both to Dr. Ford and to Judge Kavanaugh because the ranking member sat on this letter for 6 weeks and didn't submit it through the regular background investigation process that would have protected Dr. Ford and her confidentiality while it was being pursued. Now, as a result of the way this was handled by the ranking member, her letter, which she requested to remain confidential, and her complaint, which she requested to remain anonymous, was leaked to the press, and a media firestorm ensued. I am confident this is not what Dr. Ford wanted when she sent that letter to our ranking member on the Judiciary Committee.

It is important that Dr. Ford be given the chance to talk about what she believes happened to her. We are in the middle of an important national conversation about sexual assault and how certain people in positions of power wield their influence to coerce and intimidate women in the workplace and at large. This is a long overdue conversation, but we can't let the pendulum swing so far as to deny the accused his or her basic rights.

The Judiciary Committee, as I said, is no stranger to these sorts of allegations as one of our own Members

stepped down during this Congress after he acknowledged his own misconduct. Yet, if, as Judge Kavanaugh says, the conduct in question never occurred, he shouldn't be used as some sort of sacrificial lamb on behalf of larger causes and concerns to which he is in no way attached or implicated. That would be unjust. That would be the opposite of fair. It would also establish a terrible precedent for nominees in moving forward. We can't and we shouldn't let that happen.

I believe Chairman GRASSLEY, the chairman of the Judiciary Committee, has done an extraordinary job under very difficult circumstances. He has been extraordinarily gracious in trying to accommodate Dr. Ford. That is what we all have wanted even after her legal team has ignored offers and deadlines over the course of the last week.

I have to be honest, though. Some of the tactics that have been waged so far make me wonder whether Dr. Ford is still in control of her own story and her own circumstances. It makes me wonder whether she is being exploited by a political cause and whether her handlers and some of her supporters truly have her interests at heart. I wonder this particularly given that, after insisting this sensitive matter be treated confidentially, the letter—in the possession of our colleagues on the Democratic side on the Judiciary Committee—was leaked to the media, and Dr. Ford was forced to go forward publicly. Remember that the reason our friend, the ranking member from California, said she withheld this allegation until the very last minute was to protect Dr. Ford and to respect her request for anonymity. Yet that was then trampled on, ignored, and her wishes betrayed when this letter was leaked to the press.

Again, this is a particularly troubling matter, but one of our colleagues on the other side of the aisle on the Judiciary Committee has gone so far as to suggest that Judge Kavanaugh doesn't deserve the presumption of innocence, that just because a 35-year-old allegation was made, we must presume he is guilty. She said she believes that not because of anything to do with his reputation for honesty or truthfulness or anything about the facts; she said it is because of the way he conducts his judging, the way he approaches cases.

This is an extraordinarily disturbing statement, and I think it should be to all of us—this idea that he is denied what is a constitutional right, when an accusation is made of a crime, because of the way he performs his job as a judge, deciding cases. That ought to disturb all of us. I hope our colleagues will approach Thursday's hearing with more open minds than, apparently, she will.

As I mentioned a moment ago, it is true that now there is a second allegation that has been reported against Judge Kavanaugh. It stems from the New Yorker article that was published a couple of days ago, but, obviously, it

does not hold up to scrutiny. You don't have to take my word for it. Just ask the New York Times. The New York Times looked into it and conducted dozens of interviews. It tried to find anybody who would corroborate this allegation, and it wouldn't touch it because it couldn't get anybody else to say: Yes, that is what happened.

One journalist said on the air that Democrats sought out this second woman and essentially convinced her to make an accusation against Judge Kavanaugh. According to the story, no one the accuser knows has corroborated her claim. That is why the New York Times wouldn't report it. They interviewed several dozen people. They looked really hard. You can imagine how hard those reporters looked to find somebody—anybody—who would corroborate this allegation, but they couldn't find anybody. What they found was that the accuser herself reportedly told others that she was not sure if the perpetrator was actually Judge Kavanaugh. She told others with whom she was talking about possibly corroborating her accusation that she was not sure it was Judge Kavanaugh.

Now this information has been distributed to the press and around the country in a way that really is extraordinarily shameful. I don't say this often, but good for the New York Times. Thanks for upholding a modicum of journalistic integrity by not reporting this uncorroborated allegation in which the person who was making the accusation said: I may have the wrong guy. Shame on the New Yorker and others who have published this junk journalism.

As he said, Judge Kavanaugh is not going away. Despite the allegations made against him, which he says are false and did not happen, despite the smear campaign on his reputation as a person of integrity, despite the threats made against him and his family, he said he will not be intimidated into withdrawing, and he vowed to defend both his integrity and his good name before the Judiciary Committee this week.

As the delay tactics continue to play out and as the news stories continue to pile up, let's not lose sight as to why Judge Kavanaugh was nominated in the first place—his qualifications and the respect that he enjoys from all of those who have interacted with him professionally and personally. His work has been praised by legal practitioners and scholars alike. He has been unanimously affirmed by the Supreme Court on numerous occasions. During his grueling week-long confirmation hearing, he showed the kind of poise and seriousness befitting of the high office to which he has been nominated. He fielded many, many questions from Republicans and Democrats, and he responded to all of them truthfully, articulately, and graciously.

While it is easy to be distracted by the latest irresponsible, unsubstantiated allegation, we need to put that

in a larger context. Surely, these allegations cannot be viewed in isolation nor can the fact that our colleagues across the aisle previously questioned Amy Coney Barrett for her Catholic faith. Judge Kavanaugh is a practicing Catholic as well. Amy Coney Barrett, who had been nominated for the Seventh Circuit, was actually told in the questioning of her Catholic faith that the dogma lived loudly within her, which suggested somehow that because she is a practicing Catholic, she could not be confirmed to the U.S. Court of Appeals for the Seventh Circuit.

We don't have religious tests in this country. No matter what your faith or background or absence of faith in a higher being, we should not be attacking nominees for their religions or their faiths or their lack of faith. We should be confirming good nominees who can apply the law and the Constitution as written. Yet I think it is important to put the Amy Coney Barrett questioning and statement in this context, given the background and faith of this nominee.

We will try our best to get to the truth this week. We will listen carefully, but we will remember all of the evidence, and then we will vote on whether to confirm Brett Kavanaugh to the U.S. Supreme Court.

Our Democratic colleagues have dragged this out long enough. There will be no more delays, and soon it will be the time to vote. I say to my friends, we will hear from Dr. Ford. We have done our best to accommodate her and to give her a safe place where she can tell her story under oath to members of the Judiciary Committee who will be voting on this nomination. Likewise, Judge Kavanaugh will be placed under oath and give his testimony. Both of them will be subject to the penalties for perjury, which is a routine requirement for everyone giving testimony. We have to remember this has to be a fair process, both to the accused and the accuser.

Some of the rhetoric, some of the statements I have heard about the process have been anything other than fair to either one of them, thanks to the fact that this letter was not disclosed earlier but then dropped into the public view, notwithstanding the reluctance of Dr. Ford to have her identity revealed.

So we are where we are. We have a job to do. Under the Constitution, it is the Senate's responsibility to provide advice and consent on nominations to the U.S. Supreme Court, and we are going to do that. We are going to do that after hearing from Dr. Ford and after hearing from Judge Kavanaugh, just as we have heard for days from Judge Kavanaugh and other nominees following an extensive FBI background investigation and investigation by the bipartisan professional staff on the Senate Judiciary Committee. We are going to know everything that can be known about the nominee and about this alleged incident that Judge

Kavanaugh said never occurred 35-plus years ago.

I can't tell you where I was on any given day of the week 35 years ago at a certain time of day. That is why our job is so difficult, but we are going to do our very best, in fairness to Dr. Ford and Judge Kavanaugh, to try to bring this matter to a fair conclusion.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE).

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TAX REFORM

Mr. THUNE. Mr. President, America has always been a place of economic promise. Millions of people have come to this country in search of a better life for themselves and an even better life for their children, but in recent years this dream had started to dim.

Under the Obama administration, our economy stagnated. Too many American families struggled. Worse, some economists were predicting that weak economic growth would be the new normal. Republicans disagree with that assessment. We didn't think the United States was doomed to a future of weak growth and diminished opportunity. We knew American workers and American businesses were as driven, creative, and innovative as ever. We also knew they were facing a lot of obstacles, including burdensome regulations and an outdated tax code that acted as a drag on economic growth. So instead of giving up on the economy, we decided we were going to get the economy going again by removing obstacles to economic growth and job creation.

Over the past 21 months, that is exactly what we have done. We have removed burdensome regulations, and last December we passed a historic and comprehensive reform of our Tax Code.

The Tax Code isn't necessarily the first thing people think of when they think of economic growth, but in actual fact, the Tax Code has a huge effect on our economy.

A small business owner facing a huge tax bill is highly unlikely to be able to expand her business or hire a new employee. In fact, if her tax burden is heavy enough, she may not even be able to keep her business open. Similarly, a large business is going to find it pretty hard to create jobs or improve benefits for employees if it is struggling to stay competitive against foreign businesses that are paying much less in taxes.

Prior to the passage of the Tax Cuts and Jobs Act, our Tax Code was not helping our economy. It was doing the opposite, and so we took action. We lowered tax rates across the board for owners of small and medium-sized businesses, farms, and ranches. We lowered our Nation's massive corporate tax

rate, which up until January 1, was the highest corporate tax rate in the developed world. We expanded business owners' ability to recover the cost of investments they make in their businesses, which frees up cash they can reinvest in their operations and their workers. We brought the U.S. international tax system into the 21st century so American businesses are not operating at a disadvantage next to their foreign competitors.

Now we are seeing the results. Our economy is thriving. The economy grew at a vigorous 4.2-percent pace in the second quarter of 2018. Since the Tax Cuts and Jobs Act was signed into law less than a year ago, 1.7 million jobs have been created. U.S. job openings have hit a record high of 6.94 million. In fact, the number of job openings has exceeded the number of unemployed for 5 straight months. Think about that. The number of job openings has exceeded the number of people who are looking for jobs for the past 5 months.

Wages are rising at the fastest rate since 2009. Middle-class income hit its highest level ever last year—ever—and the poverty rate dropped to its lowest level since 2006. Small business optimism shattered its previous record to reach a new high in August. I could go on.

So what does this all mean? It means that if you need a job, there are more jobs available and jobs with good benefits. It means there are more opportunities for workers to advance and build rewarding and secure careers. It means fewer families are having to live paycheck to paycheck and that more families have money available to plan for the future, such as for their kids' college or for their retirement. It means small business owners can think about expanding their businesses and hiring new workers instead of wondering how they are going to make ends meet.

When the American people elected us to the majority almost 2 years ago, we had one priority, and that was making life better for American families. I am very proud we are succeeding, but we are certainly not stopping here. We are going to continue working to expand opportunity for Americans even further. We are going to continue to build on the work we have done on other priorities, from equipping our military and supporting our veterans to fighting the opioid crisis.

NOMINATION OF BRETT KAVANAUGH

Mr. President, before I close, I want to take a moment to express my profound disappointment with my Democratic colleagues.

It came as no surprise that Democrats were determined to oppose Judge Kavanaugh's nomination. It has become abundantly clear in this Congress that Democrats consider being nominated by a Republican President disqualifies a person from serving on the Supreme Court. It doesn't matter how mainstream you are, how widely respected, or how fair and impartial, if

you are nominated by a Republican President, you are out.

As I said, it came as no surprise that Democrats were determined to fight Judge Kavanaugh's nomination. The ink on the nomination was scarcely dry before the Democratic leader had announced he was going to "fight this nomination with everything I've got."

While I expect the Democrats to fight Judge Kavanaugh's nomination, I expected them to do so honorably. I expected them to make their objections known, to grill Judge Kavanaugh in the hearing, and then to cast their votes against the judge, but that is not what happened.

As it became clear that Judge Kavanaugh was headed toward a vote and confirmation, it was leaked that the ranking member on the Senate Judiciary Committee had a letter containing an unsubstantiated allegation against Judge Kavanaugh regarding an alleged incident when he was in high school. The ranking member had received this letter at the end of July but chose to sit on it for a month and a half without discussing its existence with Republicans.

If the ranking member thought this allegation was credible, she had an absolute responsibility to bring it up immediately so it could be addressed. Holding it until a politically opportune moment was a betrayal of her obligation as a leader on the committee.

On the other hand, if she thought the allegation to be false—which is the only possible justification for her decision to sit on the allegation for 6 weeks—then the subsequent decision by Democrats to exploit the allegation in an attempt to derail Judge Kavanaugh's confirmation is, frankly, despicable. Either way, it is clear that from the beginning, Democrats operated without a shred of real concern for either the individual who made the allegation against Judge Kavanaugh or for the integrity of the confirmation process.

Now, after a fishing expedition by Democrats, the New Yorker has reported an accusation from Judge Kavanaugh's freshman year in college made by a woman who has admitted her memory of the event is hazy and that she can't be sure Judge Kavanaugh is the individual she has in mind.

The New York Times—not what anyone would call a conservative newspaper—declined to publish the allegation because it could not find anyone to corroborate the story, despite contacting "several dozen people." Yet Democrats have seized on this hazy, unsubstantiated story—a story so shaky that as I have mentioned, the New York Times refused to even print it—and are using that to call for further delays in the confirmation process.

That is not a concern for the truth; it is politics, pure and simple; it is attacking someone's character; and it is a serious matter. If you are going to

impugn someone's character, you need to have actual evidence to back it up, not a story that even the accuser herself has called into question.

Is this what Democrats want subsequent Supreme Court confirmations to look like, a hyperpartisan process in which character attacks don't have to be backed up with actual evidence, in which innuendo can substitute for information, and where a presumption of guilt is the order of the day, no matter how shaky or unsubstantiated the allegations?

I will say it again. I am deeply disappointed in my Democratic colleagues.

I look forward to hearing from Judge Kavanaugh later this week.

NOMINATION OF PETER FELDMAN

Mr. President, I rise today to voice my strong support for the nomination of Peter Feldman to be a Commissioner at the Consumer Product Safety Commission.

Peter has been an exceptional member of my staff throughout my time as chairman and ranking member of the Senate Commerce Committee. Serving as senior counsel for consumer protection on the committee for over 7 years, Peter has been instrumental in drafting and negotiating bipartisan legislation and conducting meaningful oversight of Federal agencies related to consumer product safety, unfair and deceptive trade practices, and sports policy. Those who have had the privilege of working with Peter would attest to his well-earned reputation for building consensus and forming coalitions to improve consumer safety.

Peter's work on significant consumer safety legislation began even before his tenure on my staff. As a staffer for former Senator Mike DeWine, for example, he worked directly on the Virginia Graeme Baker Pool and Spa Safety Act. More recently, on the Senate Commerce Committee, Peter led our work on numerous bipartisan legislative initiatives, including the Consumer Review Freedom Act, the Better Online Ticket Sales Act, and the Child Nicotine Poisoning Prevention Act.

Peter is very well qualified to serve as a Commissioner on the CPSC and enjoys the support of a wide range of stakeholder groups, including safety advocates who describe him as "a professional, thoughtful, and committed public servant." Nevertheless, it is my understanding that some on the other side of the aisle are requiring us to hold multiple votes on his confirmation for reasons that have nothing to do with his qualifications. In a nutshell, Democrats have expressed no objection—no objection—to Peter's qualifications to be a CPSC Commissioner. Instead, Democrats object to the fact that, in addition to being nominated to complete the remainder of a term expiring next year, President Trump has also nominated him to a full 7-year term on the CPSC.

While Peter's situation is somewhat unique, it is not unprecedented. In fact,

in 2005, the Senate confirmed former CPSC Commissioner Nancy Ann Nord to similar successive terms—a remainder term and a second full term—and the Senate did it by voice vote.

What is unprecedented is the level of partisanship that CPSC nominees are facing in the current environment. In fact, since Congress established the CPSC in 1972, there have been only three rollcall votes to confirm CPSC Commissioners. One of those rollcall votes occurred this past May for Commissioner Dana Baiocco after Democrats delayed her confirmation for over 6 months. The other two were in 2014 and in 1976.

Put another way, when we finish voting on Peter's confirmation, we will have doubled in a single year the amount of votes on CPSC Commissioners since Congress established the agency in 1972. That is how easy, in the past, it has been to confirm Commissioners to this agency.

My hope is that we are not yet done confirming CPSC nominees. I am hoping that soon the Senate will turn to the nomination of Acting CPSC Chairman Ann Marie Buerkle. The Commerce Committee held a hearing on Acting Chairman Buerkle's confirmation almost a year ago; nevertheless, Democrats still haven't allowed a vote on her confirmation. While she continues to lead the agency in an acting capacity, the CPSC deserves a Senate-confirmed leader, and we are committed to confirming her nomination as soon as possible.

Let me be clear. I expect and appreciate that more Democrats will likely vote for Peter Feldman's initial term at the CPSC. I expect that we are going to have Democrats here—many Democrats, I hope—who will vote for that initial term. Peter's history of bipartisanship, depth of experience, and mastery of the critical consumer safety issues before the agency will undoubtedly benefit the agency greatly and more than merit such support from both sides of the aisle. Peter's confirmation will also ensure that the CPSC has its full complement of Commissioners to execute its important safety mission. Nevertheless, I find it deeply regrettable that a well-qualified nominee like Peter will face objections from some who have expressed no substantive concerns about his qualifications to be a CPSC Commissioner.

It is my hope that the Senate will soon return to its tradition of bipartisanship in the confirmation of nominees to critical independent safety agencies such as the CPSC.

I urge my colleagues to support Peter Feldman's confirmation for both the remainder of the existing term and for the full term to which he has been nominated.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all time has expired.

RECESS

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

Thereupon, the Senate, at 12:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, all time has expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

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

The result was announced—yeas 80, nays 19, as follows:

[Rollcall Vote No. 215 Ex.]

YEAS—80

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

NAYS—19

Blumenthal	Hirono	Schumer
Booker	Markey	Stabenow
Brown	Menendez	Warren
Durbin	Merkley	Whitehouse
Gillibrand	Reed	Wyden
Harris	Sanders	
Heinrich	Schatz	

NOT VOTING—1

Flake

The nomination was confirmed.

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

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2019. (Reappointment)

Mitch McConnell, Richard C. Shelby, Todd Young, Pat Roberts, Thom Tillis, Cory Gardner, Roger F. Wicker, Mike Rounds, David Perdue, John Boozman, Roy Blunt, Jerry Moran, Lamar Alexander, John Thune, Tim Scott, John Barrasso, Steve Daines.

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

The question is, Is it the sense of the Senate that debate on the nomination of Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2019, (Reappointment), shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. FLAKE).

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

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 216 Ex.]

YEAS—50

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

NAYS—49

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

Udall	Warner	Whitehouse
Van Hollen	Warren	Wyden

NOT VOTING—1

Flake

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 49. The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Peter A. Feldman, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2019. (Reappointment)

The PRESIDING OFFICER. The Senator from Utah.

ORRIN G. HATCH MUSIC MODERNIZATION ACT

Mr. HATCH. Mr. President, this week, the House of Representatives will pass and send to the President the most important copyright reform in decades. The name of the bill, which passed this body by unanimous vote last week, is the Orrin G. Hatch–Bob Goodlatte Music Modernization Act.

As the Senate was considering the bill, my good friend from Tennessee, Senator ALEXANDER, asked to rename the bill in my honor. I was touched by this kind gesture from my good friend and by the willingness of my colleagues to agree to this suggestion. It wasn't necessary though.

We are also adding to the bill the name of the retiring House Judiciary Committee chairman, BOB GOODLATTE, in recognition of all he has done to get this bill across the finish line and to improve our Nation's copyright laws.

The Music Modernization Act was years in the making. It was the result of countless hours of hard work and many late nights by staff, stakeholders, and Members of this body. My friend from Tennessee, Senator ALEXANDER, did an outstanding job last week here on the floor explaining the need for the bill and how it will improve the music marketplace. I will provide a brief summary at this time.

Our current music licensing laws are badly out of date. Too often, songwriters don't get paid when their songs get played, and even when they do get paid, they don't get paid at a fair market rate. This has made it increasingly difficult for songwriters to make a living doing what they love and has harmed our entire music industry. Some have even left the field of writing songs. They have given up, and I really lament that.

Songwriters are the lifeblood of American music. In order to have a great single or a great album, you first have to have a great song. You need the music. You need the lyrics. And you need them to fit together in a way that makes you feel something, that tugs at your heart and your heartstrings, that makes you feel excited or peaceful or nostalgic.

Songwriting is an art. I know this because I have done it myself. I have written dozens of songs over the years, and I even earned a gold and a platinum record. I know firsthand how small the royalties are, even when your song is a success. It is time to change that. The Music Modernization Act will do so.

The heart of the bill is the creation of a mechanical licensing collective to administer reproduction and distribution rights for digital music. One of the driving forces in recent years of the decline in songwriter royalties has been the transition to digital music. This may seem a bit surprising as one might think that the availability of millions of songs at the click of a mouse will lead to more royalties, given that more music than ever before is now available instantaneously.

The problem is that these big digital music companies, like Pandora and Spotify, with their catalogs of millions of songs, simply don't have the capability to find every single songwriter for every single one of the songs they play. Tracking down the recording artist—that is, the singer—usually can be done, but finding songwriters is a different story.

The bill creates a mechanical licensing collective that is tasked with identifying songwriters, matching them to sound recordings, and then ensuring that a songwriter actually gets paid as he or she should. Importantly, this collective will be run by songwriters themselves and by their representatives in the publishing community.

This is an enormous victory for songwriters. For the first time in history, songwriters and their representatives will be in charge of making sure they get paid when their songs get played.

This is not the only thing the bill does, not by a long shot. It also changes the rate standard for reproduction and distribution rights to ensure that songwriters get paid a fair market rate, and it provides important protections to digital music companies. It creates a blanket digital license for companies like Pandora and Spotify so that they can have certainty that they will not be sued when they offer songs for download or interactive streaming. It also provides a liability shield against past infringement, provided certain conditions are met—again, so that digital music companies can have certainty in going forward.

The Music Modernization Act also makes important changes to performance rights. It creates a Federal performance right for pre-1972 sound recordings and moves our licensing laws away from the patchwork of inconsistent State laws and toward a more uniform, coherent Federal standard. It ends the rate carve-out that legacy cable and satellite providers have enjoyed for two decades that has allowed them to pay below-market rates and stave off meaningful competition. This will result in fairer rates for recording artists and create a more level playing field for new market entrants.

The bill also provides that rate proceedings for performance rights will rotate among judges and that judges may consider sound recording royalty rates when setting corresponding rates for musical works, and it makes a clear statement that the Department of Justice should work with Congress to ensure there is a proper framework in place to administer performance rights for musical works in the event the Department decides it is time to sunset the ASCAP and BMI consent decrees.

Lastly, the bill puts in place a formal process for producers, sound engineers, and other behind-the-scenes players to receive a share of the performance royalties. This will help to ensure that all of the participants in the music-making process are fairly compensated for their contributions.

As one can see, the Orrin G. Hatch-Bob Goodlatte Music Modernization Act is a comprehensive piece of legislation that will have wide-ranging impacts across the music landscape. It touches all sectors of the music industry and makes important reforms to ensure that songwriters, musicians, and other key contributors to American music are treated fairly.

There is a reason this bill passed the Senate unanimously and why it will pass the House with overwhelming support, which is that all sides of the music industry came together to find a way to make our music laws better, to make them function properly, and to update them for the digital age. No side got everything it wanted, but everyone got something. At the end of the day, we have a piece of legislation we can all be proud of.

Now, the fact that this bill passed unanimously does not mean that it was an easy lift—not by any means. This was an extraordinarily complex, multifaceted piece of legislation with dozens of moving parts and cross-cutting issues that impacted stakeholders in varying ways. Each component of the bill was crucial to its passage, which made negotiating and revising the legislative text an exceedingly delicate process. There were numerous unexpected developments along the way, each of which had to be handled in a manner that did not upset the bill's careful balance. So I need to spend some time today in thanking everyone who made it possible for us to get to this point. How often does the Senate pass a 186-page bill unanimously? Almost never. That alone tells you how well the bill's sponsors and their staffs managed this process.

I first need to thank Senator ALEXANDER, my dear friend from Tennessee. He has been by my side throughout the entire process. Senator ALEXANDER is a tireless advocate for songwriters in his State and for music in general in his State. This bill would not be on its way to the President's desk in short order without all of his hard work. I acknowledge it and compliment him in every way for it.

Senator ALEXANDER's staff has been outstanding as well. In particular, I

need to recognize David Cleary, his chief of staff; Lindsay Garcia, his general counsel; and Paul McKernan, his former legislative assistant. They were wonderful to work with and deserve tremendous credit for this victory.

I next need to thank Senator WHITEHOUSE, who has been with me throughout this entire journey as well. His chief counsel, Lara Quint, has been a terrific help and an important liaison with my Democratic colleagues.

I need to thank Chairman GRASSLEY, who shepherded this bill through the committee and made important contributions to the bill's oversight and transparency provisions. His deputy staff director and chief civil counsel, Rita Lari, put a lot of work into this bill and into the accompanying committee report. Her determination and dedication made this bill better and helped to bring us to this point today.

Ranking Member FEINSTEIN deserves significant credit as does her counsel, Anant Raut. They helped to make this bill a bipartisan success.

Senator COONS played a pivotal role in this legislation. He was a champion of title II, the CLASSICS Act, which creates a Federal performance right for pre-1972 sound recordings. Special recognition goes to Jamie Simpson, in his office, who led us through some challenging negotiations and made sure we came out all right.

Senator KENNEDY was the Republican lead on the CLASSICS Act, and I am glad to have had this opportunity to work with him and with Nick Hawatmeh and Brittany Sadler from his staff.

I also need to recognize two House colleagues. The first is Representative DOUG COLLINS, who has fought tirelessly for this bill. He and his staff have been unstoppable. Every obstacle, every hurdle they have worked to overcome. Even after the bill passed the House, they did not let up. They were 100 percent committed to this legislation, and I cannot thank them enough for everything they have done. Brendan Belair, Representative COLLINS' chief of staff, and Sally Rose Larson, his legislative director, have been absolutely outstanding.

The other House colleague I need to recognize is my good friend BOB GOODLATTE, the chairman of the House Judiciary Committee. Like me, Bob is retiring this year. He has been a wonderful chairman. I have had the privilege of working with him on a number of initiatives that have become law—a whole raft of them. I am so glad to have had the opportunity to work with him on this legislation before we leave office, and I am so pleased to share my name with his on the bill.

I would like to give a special shout-out to his chief counsel for intellectual property, Joe Keeley, who played a crucial role in shepherding this bill through the House.

Now I need to turn to the industry stakeholders who came together to make the compromises that made this

bill possible and who did a superb job of educating Congress on the need for this bill and how it is going to make a difference for songwriters and musicians.

The first are the Nashville Songwriters Association International and Songwriters of North America, which helped me and my colleagues to understand how our current laws are hurting songwriters and what we needed to do to help them. Next is the National Music Publishers Association, which refused to give up on this bill even when the path forward looked murky at best. ASCAP and BMI were also crucial players that helped to energize tens of thousands of songwriters to support this effort.

I next need to thank the Recording Industry Association of America, as well as SoundExchange and the Recording Academy, for their work on behalf of recording artists and their willingness to make the necessary compromises to get this bill through.

The Digital Media Association and its member companies, including Amazon, Apple, Microsoft, Pandora, Rhapsody, Spotify, and YouTube, also deserve special recognition. They were essential in helping me and my colleagues to understand the uncertainties of the current digital music marketplace and why the reforms in the Music Modernization Act are necessary to the continued growth and success of the digital music ecosystem. The Internet Association similarly played an important educative function, and I thank the association and its members for their support.

The final industry stakeholder I would like to thank is the National Association of Broadcasters. In particular, I would like to thank the association for its willingness to compromise and for the support it lent to later stages of the legislative process. The 50-State support that the NAB gave to the bill made an important difference to a number of my colleagues, and I thank the NAB for its advocacy.

The final thanks I need to offer is to my staff. This bill would not have happened without them and their tireless dedication.

I would first like to highlight my communications team, Matt Whitlock and Ally Riding. They did a terrific job in putting together materials to help other offices and the public understand this bill and its importance. They also showed some pretty serious video production chops.

I would next like to thank my legislative director, Matt Jensen. Matt worked diligently behind the scenes to identify the proper vehicle and offset for the bill. He reviewed just about every fund and fee in the entire Federal Government and would not give up.

Next up is my chief of staff, Matt Sandgren. Matt has been with me now for 15 years. He is one of the finest aides I have ever had. He spent years as my go-to intellectual property counsel before becoming my chief of staff and has been an essential part of this process. He had the foresight and strategic

know-how to get this bill across the finish line. No last-minute obstacle was going to stop him.

Finally, I would like to thank my chief counsel, Chris Bates. Chris oversaw this bill from start to finish—from the very first stakeholder meetings, where we talked about broad outlines, to last week, when he sat next to me here on the floor while the Senate passed the bill by voice vote. For well over a year now, he has dealt expertly with dozens of stakeholders and 100 Senate offices. He has had the judgment to know when to strike deals and when to push forward. As the careful lawyer that he is, he has made sure, at every step along the way, that the bill's text has been precise, accurate, and tightly drafted.

This bill has been as complicated an endeavor as any bill I have done during my 42 years in the Senate, and Chris deserves immense credit for the way he has seen this bill through to enactment.

Let me just say that this bill means so much to me. It was a number of years ago that a wonderful woman songwriter named Janice Kapp Perry came to me and said: You write poetry. I would like you to write some songs with me.

I thought that was a really nice offer. So I sat down and wrote 10 songs that weekend, all of which were put into recorded form, and we have written a lot of songs ever since.

Then, all of a sudden, I had people from all over the country come to me and say: I want to write some music with you. I have had artists and songwriters and just good people come and really help me to learn this business and learn what to do. It has been one of the great joys of my life because I love music.

When I was a kid, my mother had an old violin, and I learned to play that violin all the way through grade school, high school, and even in college. I also had piano lessons—6 months of them. I have been able to play most of the popular music on the piano ever since. I am not an accomplished pianist like Senator ALEXANDER, but I certainly enjoy plinking on the keys.

Then, I had others on my staff who really helped me to understand that music is a tremendously wonderful thing for people. It is uplifting. It is inspiring. It can be humorous. There are so many things it can be.

I have also enjoyed writing the lyrics for well over 100 songs. I have one gold and one platinum record and a number of others that are on their way, and I just feel really good that I have had the help of all of these people to be able to do something that really brings me a great deal of joy.

I thank Senator ALEXANDER. He has been an inspiration to me. He is a wonderful leader for his State and for Nashville. They couldn't have a better leader in Senator ALEXANDER, plus his being a wonderful person too. He has

been a great aide to me—a great help to me—throughout this process, and I care for him a great deal.

There are others, of course, I would like to mention, but I will do that separately at a later date.

I am grateful for music in my life. I am grateful I have had this privilege of writing songs, some of which have been heralded and acclaimed. I am grateful for those who have had the patience to work with me. I am grateful the Mormon Tabernacle Choir has sung a number of my songs—and they don't sing junk, let me tell you. You have to really make the grade to have your song sung by the Mormon Tabernacle Choir. They have done a few of my songs, and I am grateful for that.

There are so many others I would like to compliment at this time. Let me say this. I have taken enough time, but I am very grateful for this privilege of learning how to write music and having written a number of songs that are really popular today. I am grateful for my friends in the Senate who have tolerated me. I am grateful for the poetry in my life, which I have written since I was a kid. I am just grateful to God for the many blessings I have had.

I am grateful to be a U.S. Senator. I am very grateful for the privilege of associating with all of these wonderful people and for those in the past who have served with us as well.

I would like to say more, but I will yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

MR. ALEXANDER. Mr. President, building on Senator HATCH's comments, we are grateful for his service to the U.S. Senate for more than four decades and grateful he is a songwriter. Of course, he comes from a culture and a faith that emphasizes music.

As a little boy in the East Tennessee mountains, I remember every week listening on the Zenith radio to the Mormon Tabernacle Choir. I think everybody in Utah and in the Mormon faith actually grows up learning to sing and to enjoy music.

ORRIN HATCH is not just a U.S. Senator, he is a genuine songwriter. He has a gold and a platinum record. I know many national songwriters who have cowritten with him, and they admire him greatly.

I can think of no more important tribute to him than the Hatch-Goodlatte Music Modernization Act, which should pass the House this week and be on its way to the President. Then it will be, as Senator HATCH said, the single-most important piece of legislation in decades or in a generation that changes copyright law in a way that is fair to songwriters.

Senator HATCH is correct. This has not been easy. It has taken several years. There are a great many different people to it. The heavy lifts and the unexpected developments were occurring all the way down to about 30 minutes before it passed last Tuesday night.

It has been a great privilege to work with Senator HATCH and his staff on this legislation whom I will have more to say about in a minute.

The Senator from Utah has done a very good job of explaining what the bill does, but the truth is, copyright law is complicated. About the first 25 times somebody explains to you the law governing songwriting, you will not have a clue what they are talking about. So let me tell a couple of stories about songwriting that might help make it clear.

Right after World War II, two national songwriters, Pee Wee King and Redd Stewart, were driving from Memphis to Nashville, back before the interstates were created, and one said to the other: Well, Missouri has a waltz and Kentucky has a waltz, why doesn't Tennessee have a waltz? So on that drive—probably about a 5-hour drive then—they took a matchbox, an old penny matchbox that held wooden matches, threw the matches on the floorboard, and on the back of it they wrote the words to the "Tennessee Waltz."

Now, the "Tennessee Waltz" was already a waltz. It was called the "No Name Waltz." People played it and sang it in different places. It was just a random song, but they added these few words to it. Then, that night when he got back, Pee Wee King wrote it on a lead sheet. That is what you call a blank page of music. He took it in to Fred Rose the next day, who was his publisher. Fred Rose was the publisher for Hank Williams, Roy Acuff—all kinds of people. He made one change in the words. Where it said: "Oh, the Tennessee waltz, the Tennessee waltz," he changed the words to "I remember the night and the Tennessee waltz."

That song went nowhere for a while. It was performed around by Pee Wee King until Mercury Records decided they had a song, a different song, called "Boogie Woogie Santa Claus." They wanted the hottest young female singer in America to sing it so they flew Patti Page to New York in about 1950. She sang "Boogie Woogie Santa Claus" on Mercury Records, but they had nothing to put on the back of the record. So somebody suggested they just throw on the back of the record this "Tennessee Waltz."

Well, the "Tennessee Waltz" sold 5 million copies. It became the most recorded song ever by a female artist. In many ways, it is the Magna Carta of country music.

So the question is, How did that happen? What is the mystery that causes a waltz that is just kicked around for a long time, has a few words placed on it by a few songwriters driving from Memphis to Nashville, to suddenly sell 5 million copies? Well, none of us really knows. It is just a magnificent form of art.

All over my State of Tennessee, there are thousands and thousands and thousands of teachers, taxi drivers, waitresses, people thinking of songs, getting together and writing songs, hoping to have the next No. 1 hit.

I saw Bob DiPiero at the Bluebird Cafe a week ago Saturday.

I say to Senator HATCH, he was a guitar teacher in RiverGate Mall, outside of Nashville, in the early 1980s. At about 3, he would take a bus from downtown Nashville out to RiverGate Mall, and he would teach guitar lessons to all of these kids after school until 9. Then, during the day, he would write songs. He didn't do well at all until one day he wrote a song with the lyrics: "My baby is American made, born and bred in the U.S.A." Well, everybody knows that song now, and Bob DiPiero is a great songwriter. So I guess he makes a living off of songwriting, but lots of people don't.

This bill is about songs that are played over the internet. The way Bob DiPiero or Redd Stewart or Pee Wee King's descendants would get paid for their creative work is whenever the song is played over the internet, this Hatch-Goodlatte legislation says: We have a way to make sure you get paid if you are the songwriter or you own the rights, and, No. 2, we have changed the law to make it more likely that you will get a fair market value for what you get paid—those two things.

I have asked several of the songwriters and the people in the music industry: Do you really think this will make a difference? They, to a person, say yes.

Will it make it as good as it was? No, it probably will not, but it will be fair, and it will create an environment where not just Bob DiPiero can get paid for "My baby is American made" but where a lot more songwriters can make a decent living because they get paid and get paid a fair market value for their work.

I will tell you another story I have repeated on the floor about that. Unfortunately, I don't have a gold record, and I don't have a platinum record, but I can play the piano. I am as grateful for music as Senator HATCH is. When I was 4, my mother took me to the Maryville College, and I began piano lessons, which I continued until I was 16.

Senator MCCONNELL, the majority leader, who had a wonderful and sainted mother who helped him recover from polio, once told me the one thing he regrets about his mother is she allowed him to stop taking piano lessons.

I said back to Senator MCCONNELL: I don't ever remember ever having a choice. I made a deal with my mother that I would practice 30 minutes in the morning, and I would get to do what I wanted to in the afternoon, and I had a wonderful time with music.

I say to the Senator from Utah, when I was Governor, I was trying to think what could unite our State. The Presiding Officer probably had thoughts

like that when he was Governor of his State. All I could think of that would unite our big, long State, from Memphis to Bristol, was music, from Beale Street in Memphis through Music City in Nashville, to the home of country music in Bristol, TN, where they brought a recording machine in 1927 and called for the hillbillies to come down out of the mountains. Among the hillbillies who came and had their music recorded were Jimmie Rodgers and the Carter family. That was the beginning of what we call country music, what you hear on the radio in Nashville.

So as I was thinking about what united Tennessee, I thought, well, music. I asked the legislature in our State in the 1980s—and they did it—to appropriate some moneys for endowments for all of our community orchestras. There are about two dozen of them. If we give the Nashville Symphony or the Greenville Community Orchestra some State dollars, if they matched it, then they would have a little endowment that would support that music. I went around the State and played the piano with all of those community orchestras and had a good time when people came out to see the Governor make a mistake or miss a chord or that kind of thing.

So music is terribly important to our State, as it is to Utah and as it is to our country.

Ken Burns has a new film coming out. I think Ken Burns is America's greatest storyteller today. I mean, we have other good ones, but today he is. He has done more than 30 films. There is one about the Mayo Clinic that is out today. There is the Civil War, National Parks, all of those films—Vietnam more recently. His new film is the film he thinks may be the most popular film of all he has produced, of the 30, and it is about country music. It is about the stories and the lives of the people whom country music is about.

I think of Jessi Alexander, whom I just heard play a song at the Bluebird Cafe. She had heard on the radio about the father from Texas whose son was killed in Afghanistan, and they asked him how he grieved, and he said: I drive his truck. She wrote a song, "I Drive Your Truck," about that father and his son who had been killed defending our country. It won the song of the year, as it should have.

So these emotional stories about life and death and whiskey and love and romance and cheating and everything that goes into human nature, these are the stories that make it into these songs.

Sometimes—sometimes—they are like the "Tennessee Waltz." You put some words with a waltz that has been around for a while, and out comes 5 million records sold.

Sometimes it is more like this story. I was coming out of the drugstore in Maryville, TN, and I ran into an old couple in a pickup truck. I walked by them, and I said: How are you all doing?

The older lady said: Well, we are just falling apart together.

So I told that story to Lee Brice and some songwriters who were at our home for the weekend writing songs.

They said: We could do something with that, and they wrote a song, "Falling Apart Together." Lee Brice is a pretty well-known singer. He and Billy Montana and John Stone wrote it. According to Nashville tradition, they gave me a fourth of the royalties because that is what they do. If you make any contribution to the song, you get a little piece of the action.

I thought: Well, this is good. I can actually do that as a U.S. Senator. That is legal. The Ethics Committee will approve that. So in 2016, the royalty I received for "Falling Apart Together," which was recorded by Lee Brice and is on one of his albums, was \$101.75. You can't make a living on that.

What Senator HATCH and the Senate has done, and the House is about to do and it will go on to the President, is to change the law.

First, it will create an entity. Those two songwriters who wrote the "Tennessee Waltz" after World War II, let's say their great-grandchildren now own all of the rights, and they are spread all over the place. Let's say Spotify wants to play the "Tennessee Waltz." Now all they have to do is to go down to this new entity to get a license. They have a right to do it, and nobody can sue them. It is the entity's job to go find all of these 100 descendants and pay them the royalty.

Then we changed the law to try to make sure the royalties are a fair market value. Now, in that case, if some company owns that, it might be easier to find them, but that is why everybody came together to pass this bill.

Specifically, the legislation will help make sure songwriters are paid when their songs are played by creating a new simplified licensing entity.

This new licensing entity will make it easier for digital music companies to obtain a license to play songs and ensure songwriters are paid when their music is played.

This new entity helps songwriters because it will collect royalties each time a song is played, look for the songwriter, and hold on to their royalties for 3 years until they can be found.

This new entity also helps digital music companies because it makes sure songwriters get paid, which means fewer lawsuits.

Second, the legislation will help make sure songwriters are paid a fair market value for their work by doing three things.

The legislation revises outdated songwriter royalty standards to ensure songwriters are paid a fair market rate for their work. The new royalty payments will be based on what a willing buyer and willing seller would agree to in a free market—not the statutory below-market standard of today.

The legislation allows ASCAP and BMI—the two largest performing rights

organizations—to present new evidence about the fair market value of a songwriter's works—like what the performer earns for their songs—to a Federal rate court judge when there is a dispute about royalty rates for songwriters.

The legislation allows ASCAP and BMI to have Federal judges in the Southern District of New York randomly assigned to hear their rate cases, rather than have all the proceedings occur before the same judge each time. This should lead to better outcomes for songwriters.

This change in the law made sense in the internet world. Today, in the world we live in, more than half of the revenues in the music business are for songs played over the internet. The internet has changed music just like it has changed everything else. This changes the law to put us into the internet age. It changes some laws that have been around for centuries, since the days of the player piano.

Since there are others who will be wanting to speak, I have had other chances to talk about the bill. I have said most of what I wanted to say, except for a couple of thank-yous.

First, ORRIN HATCH is exactly the right leader for this bill in the Senate for a variety of reasons. He is chairman of one important committee and nearly ranking on another. Through his prestige and his position in the Senate and through the respect we have for him, he was able to ask Senators to step back and allow us to do this very complex piece of legislation in a situation where any one Senator could have blocked it—and many did for a while, until they were persuaded not to.

I want to thank Chairman GRASSLEY and Senator FEINSTEIN for moving it through the Judiciary Committee expeditiously. This could not have happened if Senator McCONNELL and Senator SCHUMER had not created an environment in which we could do this. Senator HATCH mentioned Senator WHITEHOUSE and Senator COONS, who were among the lead Democratic cosponsors. We had 82 cosponsors of this bill. We only have 100 Senators, and we had 82 cosponsors of the bill.

I want to particularly thank Senator DURBIN, who may be a Democrat from Illinois, but he loves to go to Nashville and go to the Grand Ole Opry, and he jumped on early. He is the No. 2 Democrat, and he has been a big help.

DOUG COLLINS, HAKEEM JEFFRIES, and DARRELL ISSA in the House of Representatives were real leaders from the beginning, and, of course, BOB GOODLATTE and Ranking Member NADLER were as well.

I think it is important to join Senator HATCH in mentioning again those music groups whom we sat down with more than 2 years ago and said: Look, we have been here for a long time, and we could continue to argue about what you disagree on or we could try to pass what you can agree on. And for the last 2½ years, they have worked to com-

promise, to agree on what they could agree on, and they have done that in an important way.

I thank the Nashville Song Writers Association International—Bart Herbison especially, but a whole bunch of them, including the National Music Publishers Association, ASCAP, BMI, the Recording Academy, Sound Exchange, Digital Media Association, Song Writers of North America, Internet Association, Recording Industry Association of America, and the National Association of Broadcasters, which came with a strongly support recommendation in the end, which was a big, big help.

Senator HATCH was correct. The most valuable players in all of this most likely have been the staff members on both sides of the aisle and in both Houses who helped put the competing interests together—and there were many—in a way that produced this bill.

I would especially like to thank Lindsey Garcia, who is sitting here with me, and Paul McKernan, who worked on this for a long time, and David Cleary and Allison Martin on my staff.

Chris Bates, Matt Jensen, and Matt Sandgren on Senator HATCH's staff have been terrific and essential.

I thank Rita Lari from the Senate Judiciary staff. We were joking the other day. When we first talked to her about this, she said: Are you sure you can pass a bill like this? Most people didn't think it was possible to get all of the competing interests here to agree.

Congressman DOUG COLLINS and his staff have really been at the forefront of this, including Sally Rose Larson.

Republican floor staff Megan Mercer was a big help.

A special shout-out to Reema Dodin, who works for Senator DURBIN and who was a consistent help but was especially helpful on last Tuesday afternoon when we only had a little bit of time and we needed to get some last-minute changes cleared in the Democratic cloakroom as well as the Republican cloakroom.

This would be a good exercise for a chapter in a book on legislation sometime. But it is going to be the Hatch-Goodlatte Music Modernization Act, and the result is going to be that thousands and thousands of songwriters in this country for the first time in a long time are, A, going to get paid for their work, and, B, they are going to get paid more of a fair market value, as they should.

I am deeply grateful for the opportunity to have worked on it, and I thank all of my colleagues for working so well with Senator HATCH and me to get it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

REMEMBERING JOHN ABRAMS

Ms. DUCKWORTH. Mr. President, I am here today to honor the life of GEN John Abrams—a father, a husband, a friend, a soldier, and to so many, a

hero. He passed away last month at the age of 71 after spending more than half of his life in the U.S. Army.

Rising from the son of a general to become himself a four-star general, John Abrams embodied the spirit of selflessness and of sacrifice for which our military is known. He spent his life fighting to defend the freedoms that we all too often take for granted. He was wounded in battle, returned to duty, and then wounded again, but he refused to let any injury deter him. He was a soldier's soldier from the very start, and those who knew him were made better by being in his orbit.

He served in the Armed Forces for 36 years, first enlisting in 1966 before becoming commissioned as an officer just 1 year later. He made it to four stars the hard way: by starting as a private—the lowest rank.

Soon after he was commissioned, he deployed to Vietnam, where he served two consecutive tours and volunteered for a third before being sent home. Then, he was off to a Korean province just north of Seoul. After that, he went to Germany for five tours, serving in Hungary, Bosnia, and Kuwait as well—all this in service to his country, all in an effort to add to the greater good.

He made history, becoming just the second American ever to command the same unit as his father when he was promoted to lieutenant general and tasked with commanding the V Corps in Germany—yes, that V Corps, the same unit that stormed the shores near Normandy and fought at Omaha Beach, that liberated Paris and took on the German troops during the Battle of the Bulge.

His own heroism in Vietnam did not go unnoticed. He was decorated with a Silver Star and a Purple Heart. But he would tell you that his greatest decoration was that of being a father, a husband, and a leader of soldiers.

He went on to lead the U.S. Army Training and Doctrine Command, overseeing the Army's training in its entirety. He continued to rise in the ranks alongside his own brothers, one of whom just testified in front of the Senate today and is set to be confirmed as the next commander of U.S. Forces Korea.

Looking back, it is little wonder where General Abrams' strength of character came from. His father served as the Army Chief of Staff, commanding all forces across Vietnam from 1968 through 1972. His mother founded the Army's chapter of the Arlington Ladies around that same time, organizing volunteers to attend funerals to make sure that no troop was ever buried alone. He combined his father's courage with his mother's compassion, and in the process, he made this Nation a better, safer place for the rest of us—for his children and their children and my children.

He couldn't have done any of this without the loving support and service of his family, his wife Cecelia and his two daughters. As the quintessential

military family, they served alongside of him. To each of them, I express my gratitude and that of this grateful Nation.

My thoughts are with all of General Abrams' loved ones today, along with my deep gratitude. Thank you for sharing your father, your husband, your brother with the rest of this country that he served so valiantly for so long. God bless him and his legacy. God bless the troops he cared so deeply about and led so ably. God bless the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

FAA REAUTHORIZATION

Mr. MARKEY. Mr. President, I rise today to express my frustration—my outrage—that this body is poised to miss a historic, once-in-a-generation opportunity to stop the major airlines from gouging Americans with exorbitant fees every time they fly.

In the dark of night early Saturday morning, House and Senate committee leadership released a Federal Aviation Administration reauthorization bill that does not include a commonsense, bipartisan provision to protect passengers from having to pay \$200 to change a ticket that costs \$250—a provision that would have protected a family from paying \$200 to cancel a flight because another family member had fallen seriously ill and a vacation had to be canceled.

Instead, after months of lobbying against my bipartisan FAIR Fees provision, the airlines won and airline passengers lost. I would compare it to the Christians and the lions, but in this story, the Christians even had to pay extra to enter the amphitheater.

What once were considered the basic services of flying have now become optional and with a massive price tag—checking a bag, carrying on a bag, flying standby for an earlier flight, printing a boarding pass, early boarding, seat selection, changing or canceling your flight, even a blanket and pillow.

Air travelers are being nicked-and-dimed, but the real cost is in the billions of dollars. That is because the major airlines have turned fees into a multibillion-dollar industry. Last year, the airlines raked in \$7.4 billion in fees. More than \$4.5 billion came from now having to pay to check your bag, and \$2.9 billion was extra fees if you wanted to change your ticket or if you wanted to cancel your ticket. That is billions of dollars. That is actually the equivalent of 11 million flights from Washington, DC, to Boston. That is the cost that is now imposed upon consumers. Passengers think they are buying low-cost fares, but they are really just victims of airline greed in support of a new multibillion-dollar profit center.

Even in the past few weeks, as we worked in Congress to include important consumer protection measures in this final FAA legislation, the airlines continued to raise their fees.

Last month, JetBlue Airways raised its change and cancellation fees from

\$150 to \$200 for certain flights. They also raised fees for a passenger's first checked bag from \$25 to \$30 and increased the fees for a second checked bag from \$35 to \$40. That is \$140 to check two bags for a round trip. Shortly after, United Airlines, Delta Airlines, and American Airlines followed suit, raising their bag fees to match JetBlue's.

In college, I might have spent more time being interested in politics than economics, but I thought competition was supposed to drive prices down and not up. So why are the airlines charging these fees? Well, the first answer is, because they can, but the real answer is, because there is no competition among domestic airlines.

In the past 10 years, we have gone from 10 major airlines down to just 4. Only four airlines control 85 percent of traffic in the skies. The only thing competitive about the current airline industry is the fight for overhead compartment space. Americans have more choice in where to eat at the airport than which airline they can take.

We know that when choice goes down, fees go up. And these sky-high fees bear almost no resemblance to the cost of the services being provided. The Government Accountability Office, GAO, recently released a report confirming what countless passengers across the country already know to be true: Airlines are gouging captive passengers to line their pockets, not to cover the actual cost of the services provided.

Does it really cost \$200 for American Airlines to change a ticket? Does it really cost Delta Air Lines \$40 to load that second bag—\$10 more than processing the first bag? Airlines are increasing their fees in order to match their competitors. They are actively seeking to deceive passengers by offering artificially low fares and then charging exorbitant fees on the back end.

Enough is enough. It is time we put a stop to these abusive practices. That is why Republican Senator ROGER WICKER of Mississippi and I joined together to get our provision ensuring change and cancellation fees are reasonable into the Senate FAA reauthorization bill.

When a liberal from New England and a Republican from the Deep South can agree on policy, we are on the right side of history. Yet the airline industry had other plans. They stated their No. 1 priority in the FAA reauthorization was defeating our FAIR Fees provision.

What is it about this provision that they would stop at nothing to block it from becoming law? Why would the airline industries band together on this one issue? They don't compete truly against each other in the marketplace. Here, they could all come together on one policy. It is because they don't want the Department of Transportation to assess whether change and cancellation, baggage, and other fees are reasonable and proportional to the costs of the services provided. They

don't want to ensure change and cancellation fees are reasonable. That is all that our provision does—ensure that these fees are reasonable and proportional to the cost of the services being provided by the airlines to the customer. That is it. It is as commonsense and as straightforward as you would want an airline passenger to receive from their airline—fair and reasonable.

No price is determined by this amendment—only that it has to be fair and reasonable and related to the cost that is, in fact, borne by the airlines in order to provide that service. How onerous could that be on an airline? Why can't we get that passed through this body so that consumers don't get tipped upside down at the counter as they try to change a ticket or to cancel a ticket? Why can't we get that passed?

If a child gets sick and a passenger has to change or cancel a flight weeks in advance, does it really cost Delta Air Lines \$200 to cancel that ticket? If a meeting gets postponed so a ticket has to be canceled 2 weeks before departure, is it fair for United Airlines to charge \$200 for a ticket that costs about that same amount? Are those fees proportional when the airlines can still resell the vacated seat, even if the passenger cancels weeks ahead of time?

Think about that. The passenger gives the airline 2 weeks' notice. Then, they have to pay a fine, \$200. Then, the airline resells the ticket to another passenger. What is the cost to the airline in that kind of situation? Or are they just exploiting the vulnerability of the passenger who has to change it? They have resold the ticket for the same price or higher to another passenger.

The answer is no. Passengers have no choice. They have no alternative.

The market has failed, leaving these flyers vulnerable to fee gouging and corporate greed from the airlines. You are at the counter, and they can say: Go to another airline.

And you say: Well, there are no other airlines at this airport that fly to my destination. It is the only airline I can rely upon.

Well, then, pay the cancellation fee, pay the change fee because you are not at a marketplace where you can then say: There is another airline I can go to right here at this airport that will take me to that destination nonstop.

In fact, the only thing the airline industry was more committed to doing than raising airline fees was defeating the consumer protection provision in the FAA bill. We still have an opportunity to right this wrong. Tomorrow the House of Representatives will consider the FAA reauthorization bill. On behalf of the flying public—the millions of Americans who are subjected to ridiculous airline fees—I call on the House to add the FAIR Fees provision to the FAA reauthorization bill, and I call on my Senate colleagues to support it. It is time to stop nickel-and-dime American families and ensure

that they are flying the fair and friendly skies. Otherwise, these billions of dollars, year after year, will come out of the pockets of consumers who have no choice.

Senator WICKER and I worked together to build it into the Senate bill. We should not have receded to the position of the House. That was a mistake. This history is going to continue because the anger of the flying public is only going to build as each and every month and year goes by. The day is going to come, I vow to you, where we are going to have this in a bill that passes this Chamber and the House of Representatives.

This is an issue whose time has come. If it has been blocked, it is only temporarily. We are going to return to this issue. Everyone in the Congress will be made accountable to the flying public so that they are not given this offer they can't refuse every time they are at the counter: Pay or don't fly. It is absolutely wrong.

At this point, I yield back.

I suggest the absence of a quorum.

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

The bill 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 (Mr. JOHNSON). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that all postcloture time on Executive Calendar No. 941 be considered expired at 1:45 p.m. on Wednesday, September 26; that if confirmed, the motion to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

TRIBUTE TO JIM PAXTON

Mr. MCCONNELL. Mr. President, at the end of this month, my friend Jim Paxton will end his 32-year tenure with the Paducah Sun newspaper in western Kentucky. Through his service as the paper's editor and publisher, Jim has shown a dedication to his community and his organization, and he deserves our sincere gratitude. Looking back at

his experience with the paper, Jim called it, "the best job a person could ask for." It is my privilege to congratulate him on his remarkable career in journalism.

Founded more than 120 years ago as the Paducah Evening Sun, Jim's newspaper has always been a family business. Before joining the paper, Jim worked with other news organizations in Nashville and Lexington and went to law school. However, after a tragic aviation accident that claimed the life of the Sun's previous editor, Jack Paxton, Jim left his legal career behind and agreed to lead the local institution.

Jim began at the Sun in 1986 and soon after earned the title of editor. With his brothers David and Richard, who later joined the company, the family expanded their media offering to better serve their community. The story of Paducah is intertwined with the region's river system, and the Sun has the news that its readers need for their day. There is a great deal of local news to cover. Paducah is the heart of our Nation's inland waterways network, and it is home to both the National Quilt Museum and the U.S. Department of Energy's Gaseous Diffusion Plant. Further, in 2013, the U.N. Educational, Scientific, and Cultural Organization, UNESCO, designated Paducah as the world's seventh City of Crafts and Folk Art. The Paducah Sun, under Jim's leadership, has kept a close eye on each of these aspects of the city's life and heritage.

In recent years, Jim has taken a leading role in crafting the Sun's editorial page, a page of his paper I rarely miss. I have especially enjoyed each of my opportunities to meet with the paper's editorial board to discuss the issues most vital to Paducah's future. By presenting a fair and even-handed opinion to his audience, Jim and the Sun's staff have made themselves a central feature of the day for many western Kentuckians.

When Jim leaves his post at the end of this month, he does so after a career filled with distinction and one he can be proud of. Whatever the future may hold for Jim and his family, I send them my sincere best wishes. Families throughout Paducah and across the Commonwealth have benefited from Jim's diligence and thoughtfulness, and I would like to express my profound gratitude to him. I ask my Senate colleagues to join me in congratulating Jim Paxton, the gold standard for a professional newsman, on a successful career and wishing him a happy retirement.

CAIRO HOUSING CRISIS

Mr. DURBIN. Mr. President, today I would like to bring attention to the southernmost city in my State, Cairo, IL.

Sitting at the confluence of the Ohio and Mississippi Rivers, Cairo was once a booming port town and was home to

Fort Defiance during the Civil War. In the 1960s, Civil Rights icon Representative JOHN LEWIS even spent a summer there to help integrate a number of businesses and public spaces.

However, in recent years, this southern city has faced a new challenge, as uninhabitable living conditions have forced hundreds of public housing residents to relocate from their homes—and in many cases from their beloved community. Public housing in the city suffered years of neglect at the hands of local officials who are now accused of misusing Federal funds to bankroll lavish personal expenses, including multiple trips to Las Vegas and steak dinners.

And how was life for residents? By the time residents were forced to relocate, 185 families—including roughly 200 children—were living in housing overrun with rodents, bedbugs, roaches, crime, mold, asbestos, and lead. I am talking about rats in the couch, maggots in the freezer, and plumbing and heating that simply refused to work.

It was local officials who failed to provide its residents with safe and healthy housing; yet these families were the ones whose lives were uprooted as a result. Today, all 185 families have relocated, and the vacant housing complexes are set to be demolished. While the strength and resilience of these residents and their community in the face of this situation is inspiring, there is no question they deserved far more from their government.

It has been more than 2 years since the HUD Inspector General's Office began investigating alleged misuse of Federal funds by local officials, and it is beyond time for that investigation to be finalized and for the results to be made public.

Today I am calling—once again—for the HUD inspector general to do just that, but more remains to be done to restore the faith and confidence of public housing residents in our government. Transparent accountability must be had at all levels of government where mismanagement played a role in creating this crisis.

This is why, in May of last year, Senator DUCKWORTH and I called for the HUD inspector general to also look into HUD's oversight of Alexander County Housing Authority. This July, the IG released its report that found that despite having early knowledge of bad conditions at Alexander County, HUD hesitated to intervene, while residents suffered.

This is unacceptable, and it cannot be repeated. HUD is responsible for ensuring public housing authorities meet their responsibility to provide safe and affordable housing, and it must be capable of performing this vital oversight. Senator DUCKWORTH and I have urged HUD to quickly implement the recommendations included in the report to more effectively oversee public housing authorities, to which HUD has agreed.

I look forward to continuing to work with HUD to improve its oversight of public housing authorities. We cannot allow the local and Federal mismanagement that jeopardized living conditions in Cairo to be repeated in any other community.

TRIBUTE TO JUDY DESHARNAIS

Ms. HEITKAMP. Mr. President, I want to recognize a Federal employee I have had the privilege of working with for the past 5 and a half years, Judy DesHarnais, deputy for programs and project management with the St. Paul District of the U.S. Army Corps of Engineers. Quite simply put, she is one of the finest and most dedicated public servants I have had the opportunity to work with in my time in the Senate.

Judy joined the district in 1985 as one of the first female engineers. In 2001, she was promoted to be the district's and the Corps' first female deputy district engineer for programs and project management. Throughout her time with the St. Paul District, Judy has stood out as an individual who could tackle complex, sensitive water resource issues. With top leadership in the district changing every 3 years, Judy has been the one steady hand that has remained constant, guiding the district through preparation and response to historic floods to helping communities secure permanent flood protection.

To community leaders in North Dakota, Judy is a trusted public servant and an important partner. She has been on the frontlines with us on so many flood fights, helping to coordinate emergency response measures to protect families and businesses. She has also led efforts to help communities get critical flood protection projects that have saved lives and prevented more than a billion dollars in property damage. No matter what the challenge, Judy has always been able to meet or exceed it, and the positive impact of her work can be seen across the State in Grand Forks, Wahpeton, Devils Lake, Minot, and so many other communities.

Judy's contributions to the Corps of Engineers are numerous, but one that will always be recognized is her efforts to make the agency truly responsive to the needs of the communities it serves. After a distinguished career in public service that has spanned more than 30 years, I want to thank Judy for her service to the Corps of Engineers and the State of North Dakota. She will be greatly missed, remembered for her professionalism, and honored for the positive change she brought to the Corps, and I wish her all the best in her retirement.

TRIBUTE TO JACK SALZMAN

Mr. TILLIS. Mr. President, today I would like to honor a constituent of mine who was recently awarded one of the highest honors in his industry.

Jack Salzman, owner of Lake Norman Chrysler-Dodge-Jeep-RAM in Cornelius, NC, was named 2018 TIME Magazine Dealer of the Year, a national award that recognizes new-car dealers who exhibit exceptional performance in their dealerships and perform distinguished community service.

The TIME Magazine Dealer of the Year award is held in partnership with Ally Financial and the National Automobile Dealers Association, NADA. Representatives from TIME and Ally Financial presented the award at the 2018 NADA Show in Las Vegas, NV. He dedicated his award to his wife, Robin Smith-Salzman.

Mr. Salzman was recognized for his exceptional commitment to giving back to his community focusing his philanthropic time and attention in three areas: animals in need, children in need, and women in need.

To this end, he is a contributor to the Humane Society of Charlotte, NC, as well as a founding board member of Lake Norman Humane Society. He also supports Lake Norman Lucky Cats, which provides trap-neuter-return services, as well as Holly's Hope, an organization that helps unchain dogs by building fences for homeowners in need.

To assist women and children in need, Mr. Salzman is a longtime supporter of the Dove House Children's Advocacy Center in Statesville, NC, Pat's Place Child Advocacy Center in Charlotte, NC, Amy's House in Lincolnton, NC, and the Shelter of Gaston County in Gastonia, NC. Mr. Salzman has stated, "We believe these organizations serve a critical need in our community."

Other national groups Mr. Salzman contributes to include Make-A-Wish, Big Brothers Big Sisters, Habitat for Humanity, Susan G. Komen, and the American Cancer Society.

Mr. Salzman is also an accomplished swimmer in the 200-meter backstroke and competed in the U.S. Olympic trials for the summer games in Moscow.

He was nominated for the TIME Magazine Dealer of the Year award by Robert Glaser, president of the North Carolina Automobile Dealers Association.

On behalf of all the constituents of North Carolina, please join me in congratulating Mr. Salzman on being named the 2018 TIME Magazine Dealer of the Year. I wish him and his family continued success and a prosperous future.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE CONNECTICUT CHIROPRACTIC ASSOCIATION

• Mr. BLUMENTHAL. Mr. President, today I wish to recognize the Connecticut Chiropractic Association, Inc., CTChiro, as it celebrates 100 years of extraordinary and exemplary advocacy

on behalf of chiropractic doctors in Connecticut.

Since its formation in 1918, CTChiro has demonstrated tireless dedication to the advancement of the chiropractic profession. The association seeks to support these doctors and their practices throughout Connecticut in order to improve public health policies and provide their patients with the best treatment possible.

Endeavoring to raise awareness of the profession and make chiropractic care more accessible to the people of Connecticut, CTChiro diligently monitors healthcare legislation to ensure chiropractic services are a viable health option for residents. To meet the need for such medical care throughout the State, CTChiro strives to improve patient awareness of chiropractic services, while advocating for greater insurance coverage.

Continuously seeking to raise the standard for doctors in the field and the treatment they provide to their patients, CTChiro also offers opportunities for its member doctors to access resources and continue with higher education. Thanks to the association's longstanding, consistent efforts, institutions, representatives, agencies, and Connecticut residents are able to see the importance and availability of chiropractic medicine. Additionally, they can feel secure in the services offered to them as a result of CTChiro's dedication to developing a more comprehensive and knowledgeable set of doctors.

Since its establishment, CTChiro routinely prioritizes the creation of thorough, economical, and beneficial chiropractic care, supported by experienced, well-rounded professional doctors. I applaud their numerous achievements and hope my colleagues will join me in congratulating the Connecticut Chiropractic Association, Inc., on 100 years of service and commitment to Connecticut chiropractic doctors and patients.●

TRIBUTE TO LENNIS "RED" ARNDT

• Ms. KLOBUCHAR. Mr. President, today I wish to recognize Red Arndt for his many years of service to the Lewis & Clark Regional Water System, as well as his lifetime commitment to bringing safe and reliable water to the rural corners of this country.

Born Lennis Arndt, but nicknamed "Red," he started working in 1989 as the public utilities director in Luverne, MN. Shortly after beginning his new position, Red heard about a proposal to bring water from the Missouri River in South Dakota to the surrounding States. Although it was a major undertaking with more people doubting the idea than supporting it, Red saw the potential and recommended to the mayor and city council that Luverne join the project as one of the first members of the corporation that would later become the Lewis & Clark Regional Water System.

Seeing Lewis & Clark develop from conception to construction was a labor of love for Red and a mission he fought hard to achieve. He has worked tirelessly on behalf of the project, serving as the vice chairman of the board beginning in 1994, until becoming the board chairman in 2006, a position he still holds. Under Red's leadership, over \$470 million in funding was directed to Lewis & Clark, and over 200 miles of pipeline have been laid in the ground that currently deliver much-needed water to 14 member communities and rural water projects, reaching over 300,000 people across South Dakota, Minnesota, and Iowa.

In May 2016, Luverne, MN, was finally able to celebrate its connection to Lewis & Clark, with Red reveling in taking the first swig of water. It was at this ceremony that the meter building in Luverne was dedicated in Red's honor. Red will be the first to acknowledge that this endeavor, benefiting generations to come in the tristate area, was a team effort. There is no question Red's vision for the future, as well as his dedication and strong leadership have been a driving force through the years. That is why he was a recipient in 2012 of the Lewis & Clark Trailblazer Award, which is the organization's highest honor.

I am grateful for his commitment to public service, his hard work on behalf of Lewis & Clark, and, more importantly, I am proud to call him a friend. I commend Red Arndt for his many great contributions to Lewis & Clark, the community of Luverne, and the entire State of Minnesota.

Thank you.●

REMEMBERING BRUCE MACINTYRE

● Mr. TESTER. Mr. President, today I wish to honor the memory of a great Montanan who left his mark on countless lives.

Bruce MacIntyre devoted his life to the betterment of Billings, MT. Bruce's service to his community started at his father's car dealership. After returning from the University of Notre Dame, Bruce took over the family business, successfully running it with integrity and passion.

It didn't take long for Bruce to expand his horizons by serving in community leadership positions. He eventually sold the dealership to devote his time to others. Bruce quickly began consulting for businesses around Billings, helping them evolve and grow, creating jobs and opportunities along the way.

Bruce eventually joined the Billings Chamber of Commerce as director of government affairs, fostering relationships between businesses and local officials to expand the economy and establish lifelong connections. Bruce was well-known in Billings and across the State as a humble, generous mentor who always had time to give advice or lend a hand or even simply to listen to someone who needed it.

His other passion was ensuring students got a quality education. Bruce was instrumental in passing numerous levies to benefit students and teachers, and in 2017, he was elected to serve as a trustee for Billings SD2, where he lent his insight and expertise to creating a better future for all students.

I rise to remember this great man, who selflessly dedicated his life to his community. Montana is a better place because of Bruce.●

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 2:16 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore (Mr. DENHAM) has signed the following enrolled bill:

H.R. 698. An act to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes.

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

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-6537. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in States of Massachusetts, et al.; Establishment of 2018-19 Seasonal Volume Regulation" ((7 CFR Part 929) (Docket No. AMS-SC-18-0012; SC18-929-2 FR)) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6538. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Beauveria bassiana strain PPRI 5339; Exemption from the Requirement of a Tolerance" (FRL No. 9983-67) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6539. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic acid, 2-methyl-, polymer with butyl 2-methyl-2-propenoate, butyl 2-propenoate, N-(1,1-dimethyl-3-oxobutyl)-2-propenamide, ethenylbenzene, 2-ethylhexyl 2-propenoate and methyl 2-methyl-2-propenoate; Tolerance Exemption" (FRL No. 9983-23) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6540. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic acid, polymer with butyl 2-propenoate, ethenylbenzene and (1-methylethenyl) benzene, ammonium salt;

Tolerance Exemption" (FRL No. 9983-22) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6541. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Maltodextrin-vinyl pyrrolidinone copolymer; Exemption from the Requirement of a Tolerance" (FRL No. 9983-05) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6542. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Jack Weinstein, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6543. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral John N. Christenson, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-6544. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Kenneth R. Dahl, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6545. A communication from the Acting Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received in the Office of the President of the Senate on September 18, 2018; to the Committee on Armed Services.

EC-6546. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was established in Executive Order 13224 on September 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-6547. A communication from the Acting Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Summaries of Rights under the Fair Credit Reporting Act (Regulation V)" (RIN3170-AA82) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6548. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2018-0002)) received during adjournment of the Senate in the Office of the President of the Senate on September 19, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6549. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Liquidity Coverage Ratio Rule: Treatment of Certain Municipal Obligations as High-Quality Liquid Assets" (RIN1557-AE36) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6550. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled “Revisions to the Requirements for Submissions of Exclusion Requests and Objections to Submitted Requests for Steel and Aluminum” (RIN0694-AH55) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-6551. A communication from the Acting Deputy Chief, National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the final map and perimeter boundary for the Black Butte Wild and Scenic River, in California, added to the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

EC-6552. A communication from the Principal Deputy Assistant Secretary for Water and Science, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Special Regulations, Areas of the National Park System, Pea Ridge National Military Park; Bicycles” (RIN1024-AE41) received during adjournment of the Senate in the Office of the President of the Senate on September 19, 2018; to the Committee on Energy and Natural Resources.

EC-6553. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the St. Lucie County, Florida Coastal Storm Risk Management Project; to the Committee on Environment and Public Works.

EC-6554. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Ala Wai Canal Flood Risk Management Study, Oahu, Hawaii; to the Committee on Environment and Public Works.

EC-6555. 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; Idaho; Interstate Transport Requirements for the 2012 PM2.5 NAAQS” (FRL No. 9984-29-Region 10) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6556. 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; Missouri; Regional Haze Plan and Prong 4 (Visibility) for the 2012 PM2.5, 2010 NO2, 2010 SO2, and 2008 Ozone NAAQS” (FRL No. 9984-22-Region 7) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6557. 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; North Carolina; Inspection and Maintenance Program” (FRL No. 9984-23-Region 4) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6558. 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; SC and TN; Regional Haze Plans and Prong 4 (Visibility) for the 2012 PM2.5, 2010 NO2, 2010 SO2, and 2008 Ozone NAAQS” (FRL No. 9984-20-Region 4) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6559. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled “Air Plan Approval; TN: Revisions to New Source Review” (FRL No. 9984-10-Region 4) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6560. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Quality State Implementation Plans; Approvals and Promulgations; Infrastructure Monitoring Requirements for the 2008 Pb, 2010 SO2, 2010 NO2 and 2012 PM2.5 National Ambient Air Quality Standards; Utah” (FRL No. 9983-73-Region 8) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6561. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Incorporation by Reference Updates” (FRL No. 9984-50-Region 8) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6562. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans; Arkansas; Interstate Transport Requirements for the 2012 PM2.5 NAAQS and Definition Update” (FRL No. 9984-35-Region 6) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6563. 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 Missouri Air Quality Implementation Plans; Redesignation of the Missouri Portion of the St. Louis-St. Charles-Farmington, MO-IL 2008 Ozone Area to Attainment” (FRL No. 9983-68-Region 7) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6564. 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: Deletion of the Dorney Road Landfill Superfund Site” (FRL No. 9984-24-Region 3) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6565. 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: Deletion of the Union Chemical Co., Inc. Superfund Site” (FRL No. 9983-87-Region 1) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6566. 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: Deletion of the Whitehouse Oil Pits Superfund Site” (FRL No. 9984-02-Region 4) received in the Office of the

President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6567. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Regional Haze Plan and Visibility Requirements for the 2010 Sulfur Dioxide and the 2012 Fine Particulate Matter Standards” (FRL No. 9984-30-Region 3) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6568. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Withdrawal of Direct Final Rule; Removal of EPA Mentor Protege Program” (FRL No. 9984-39-OARM) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Environment and Public Works.

EC-6569. 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; AL, FL, GA, KY, MS, NC, SC, TN; Interstate Transport for the 2012 PM2.5 NAAQS” (FRL No. 9984-36-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6570. 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; New Hampshire; Updates to Enhanced Motor Vehicle Inspection and Maintenance Program Regulation” (FRL No. 9983-99-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6571. 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; Tennessee; Volatile Organic Compounds” (FRL No. 9984-50-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6572. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality” (FRL No. 9984-48-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6573. 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 the Clean Air Act Section 112(l), Authority for Hazardous Air Pollutants: Asbestos Management and Control; Clerical Corrections to Incorporation by Reference of Inactive Waste Disposal Rules; State of New Hampshire Department of Environmental Services” (FRL No. 9979-67-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6574. 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: Deletion of the Davis Timber Company Superfund Site" (FRL No. 9984-45-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6575. 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: Deletion of the Eureka Mills Superfund Site" (FRL No. 9984-46-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6576. 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: Deletion of the Reasor Chemical Company Superfund Site" (FRL No. 9984-44-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6577. 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; Withdrawal" (FRL No. 9983-72) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Environment and Public Works.

EC-6578. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "2017 Actuarial Report on the Financial Outlook for Medicaid"; to the Committee on Finance.

EC-6579. 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 "REIT Foreign Income Inclusions" (Rev. Proc. 2018-48) received during adjournment of the Senate in the Office of the President of the Senate on September 19, 2018; to the Committee on Finance.

EC-6580. 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 "Safe Harbor Explanations - Eligible Rollover Distributions" (Notice 2018-74) received during adjournment of the Senate in the Office of the President of the Senate on September 19, 2018; to the Committee on Finance.

EC-6581. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Final FY 2016 and Preliminary FY 2018 Disproportionate Share Hospital Allotments, and Final FY 2016 and Preliminary FY 2018 Institutions for Mental Diseases Disproportionate Share Hospital Limits" ((RIN0938-ZB48) (CMS-2414-N)) received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2018; to the Committee on Finance.

EC-6582. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Extension of Import Restrictions Imposed on Archaeological Material from Cambodia" (RIN1515-AE40) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Finance.

EC-6583. 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 firearms abroad controlled under Category I of the U.S. Munitions List of 9mm semi-automatic pistols to the Philippines in the amount of \$1,000,000 or more (Transmittal No. DDTC 18-019); to the Committee on Foreign Relations.

EC-6584. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Nurse Corps Loan Repayment and Scholarship Programs Report to Congress for Fiscal Year 2017"; to the Committee on Health, Education, Labor, and Pensions.

EC-6585. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Health Service Corps Report to Congress for the Year 2017"; to the Committee on Health, Education, Labor, and Pensions.

EC-6586. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Mergers and Transfers Between Multiemployer Plans" (RIN1212-AB31) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-6587. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-6588. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food" (21 CFR Part 110) (Docket No. FDA-2011-N-0920) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-6589. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting proposed legislation entitled "National Priorities Security Grant Program Act"; to the Committee on Homeland Security and Governmental Affairs.

EC-6590. A communication from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General, Central Intelligence Agency, received during adjournment of the Senate in the Office of the President of the Senate on September 19, 2018; to the Select Committee on Intelligence.

EC-6591. 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 "Defense Logistics Agency Freedom of Information Act Program" (RIN0790-AJ71) received during adjournment of the Senate in the Office of the President of the Senate on September 20, 2018; to the Committee on the Judiciary.

EC-6592. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation; to the Committee on Veterans' Affairs.

EC-6593. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Swim Around Charleston; Charleston, SC" ((RIN1625-AA00) (Docket No. USCG-2018-0598)) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6594. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Boston Harbor's Improvement Dredging Project, Boston, MA" ((RIN1625-AA00) (Docket No. USCG-2018-0575)) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6595. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Neches River, Beaumont, TX" ((RIN1625-AA00) (Docket No. USCG-2018-0376)) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6596. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Upper Mississippi River Mile Markers 824 to 832, St. Paul, MN" ((RIN1625-AA00) (Docket No. USCG-2018-0813)) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6597. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Indian River Bay, Long Neck, DE" ((RIN1625-AA00) (Docket No. USCG-2018-0737)) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6598. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Upper Mississippi River, St. Paul, MN" ((RIN1625-AA08) (Docket No. USCG-2018-0821)) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6599. A communication from the Director of the Policy, training, and Pricing Division, Office of Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Federal Acquisition Regulation Supplement: Removal of Reference to the Shared Savings Policy and Associated Clause" (RIN2700-AE44) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6600. A communication from the Director of the Policy, Training, and Pricing Division, Office of Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Federal Acquisition Regulation Supplement: Removal of Reference to the Supplemental Rights in Data Special Works Policy and Associated Clause" (RIN2700-AE45) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EC-6601. A communication from the Director of the Policy, Training, and Pricing Division, Office of Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Federal Acquisition Regulation Supplement: Removal of Definitions" (RIN2700-AE46) received in the Office of the President of the Senate on September 18, 2018; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. INHOFE for the Committee on Armed Services.

*Casey Wardynski, of Alabama, to be an Assistant Secretary of the Army.

*Veronica Daigle, of Virginia, to be an Assistant Secretary of Defense.

*Alex A. Beehler, of Maryland, to be an Assistant Secretary of the Army.

*Robert H. McMahon, of Georgia, to be an Assistant Secretary of Defense.

*Alan Ray Shaffer, of Virginia, to be Deputy Under Secretary of Defense for Acquisition and Sustainment.

Air Force nomination of Col. Jeffrey H. Hurlbert, to be Brigadier General.

Navy nomination of Rear Adm. Michael J. Dumont, to be Vice Admiral.

Navy nomination of Capt. Robert D. Katz, to be Rear Admiral (lower half).

Air Force nomination of Maj. Gen. Michael T. Plehn, to be Lieutenant General.

Navy nomination of Rear Adm. Timothy G. Szymanski, to be Vice Admiral.

Army nomination of Maj. Gen. James E. Rainey, to be Lieutenant General.

Air Force nomination of Maj. Gen. Thomas J. Sharpy, to be Lieutenant General.

Air Force nomination of Col. David P. Garfield, to be Brigadier General.

Air Force nomination of Maj. Gen. Timothy G. Fay, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. George W. Smith, Jr., to be Lieutenant General.

Mr. INHOFE. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Ryan J. Garlow, to be Lieutenant Colonel.

Air Force nomination of Thomas T. Swaim, to be Colonel.

Air Force nominations beginning with Dann S. Carlson and ending with Jose I. Ruiz Quinones, which nominations were received by the Senate and appeared in the Congressional Record on September 17, 2018.

Army nomination of Mac B. Carter, to be Colonel.

Army nominations beginning with Michael T. Anders and ending with D014641, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nominations beginning with Michael J. Adamski and ending with G010241, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nominations beginning with Courtney L. Abraham and ending with D014311, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2018.

Army nomination of Timothy D. Vincent, to be Colonel.

Army nomination of Mark J. Stanalajczco, to be Colonel.

Army nomination of Eric D. Barger, to be major.

Army nominations beginning with Joseph V. Dermenjian and ending with Michael J. Trofinoff, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Army nomination of Christopher G. Hossfeld, to be Colonel.

Army nomination of Dejuan E. Gilbert, to be Lieutenant Colonel.

Army nominations beginning with John H. Barkemeyer and ending with D014328, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Army nomination of John T. Winkler, to be Colonel.

Army nominations beginning with Pedro O. Agapay III and ending with Mark A. White, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Army nomination of Jaime D. Birmingham, to be lieutenant Colonel.

Army nominations beginning with Jeff A. Blackard and ending with Matthew J. Songe, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Army nominations beginning with Brian J. Burton and ending with Christopher S. Wooten, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Army nominations beginning with Hugo I. Ehuan and ending with Michael K. Flury, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Army nomination of Kurt J. Cyr, to be Lieutenant Colonel.

Army nomination of Brian D. McManus, to be Colonel.

Army nomination of Edward J. Maloney, to be Major.

Army nomination of Craig S. Gatzemeyer, to be Colonel.

Army nomination of Michael A. Collins, to be Major.

Army nomination of Robert J. Bernard, to be Lieutenant Colonel.

Army nominations beginning with Dexter M. Berry and ending with Agnita M. Williams, which nominations were received by the Senate and appeared in the Congressional Record on September 17, 2018.

Marine Corps nomination of Shawn A. Rickrode, to be Lieutenant Colonel.

Navy nominations beginning with James K. Short and ending with Nicholas A. Midzak, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2018.

Navy nominations beginning with Andrew P. Bessette and ending with Stanley R. Worthington, which nominations were received

by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nominations beginning with Mark A. A. Abadilla and ending with John S. Yohannan, which nominations were received by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nominations beginning with Adam C. Aliano and ending with Sharlena Y. Williams, which nominations were received by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nominations beginning with William A. Agbo and ending with Gregory A. Wolfley, which nominations were received by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nominations beginning with Benjamin P. Archer and ending with Michael K. Yang, which nominations were received by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nominations beginning with Jacob A. Adams and ending with Kenneth E. Zitnik, which nominations were received by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nominations beginning with Albetro Alshabazz and ending with Brian M. Wood, which nominations were received by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nominations beginning with Nicholas L. Alander and ending with Patrick D. Williams, which nominations were received by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nominations beginning with Mark Adjei and ending with Darian J. Wilder, which nominations were received by the Senate and appeared in the Congressional Record on August 27, 2018.

Navy nomination of Julio L. Mattos, Jr., to be Lieutenant Commander.

Navy nominations beginning with Darin M. Andrews and ending with Ryan D. Zachar, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Francis G. Coyle and ending with Christopher J. Wright, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Richard E. Arthur II and ending with Barry J. Wutzke, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Claudia I. Alday and ending with Toshi L. Williams, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Kyle J. Abner and ending with Thomas W. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Scott B. Aaron and ending with Shannon M. Zoch, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Jessica L. Alexander and ending with Seng F. Yee, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Michael K. Beall and ending with William N. Zinicolalapin, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Rachel M. Althouse and ending with Jason P. Tabanan, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Sean A. Brophy and ending with Jesus A. Uranga, Jr., which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Christopher M. Andrews and ending with Jacob W. Zercher, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

Navy nominations beginning with Emily L. Adams and ending with Jacob C. Wille, which nominations were received by the Senate and appeared in the Congressional Record on September 6, 2018.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. JOHNSON:

S. 3487. A bill to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself and Mr. LEAHY):

S. 3488. A bill to amend title 17, United States Code, to secure the rights of visual artists to copyright, to provide for resale royalties, and for other purposes; to the Committee on the Judiciary.

By Mrs. ERNST:

S. 3489. A bill to amend title XVIII of the Social Security Act to require Medicare Advantage plans offered under part C of the Medicare program and prescription drug plans offered under part D of such program to provide information relating to the safe disposal of prescription drugs that are controlled substances to certain individuals enrolled under such plans; to the Committee on Finance.

By Mr. CASEY:

S. 3490. A bill to protect State and local witnesses from tampering and retaliation, to empower law enforcement agencies to keep America safe from organized crime and gang-related violence, to authorize grants for the purchase of personal protective equipment and detection devices for first responders assisting at the scene of an opioid overdose or investigating opioid trafficking or distribution, and for other purposes; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself, Mrs. ERNST, Mr. HATCH, and Mr. MARKEY):

S. 3491. A bill to require the Secretary of Transportation to carry out a pilot program to develop and provide to States and transportation planning organizations accessibility data sets, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself, Mr. YOUNG, and Mr. DURBIN):

S. 3492. A bill to improve the removal of lead from drinking water in public housing; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself, Mr. GRASSLEY, and Mr. NELSON):

S. 3493. A bill to amend title XVIII of the Social Security Act to improve quality measurement and development; to the Committee on Finance.

By Mr. BOOKER (for himself, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. CARDIN, Mr. BLUMENTHAL, and Ms. HARRIS):

S. 3494. A bill to amend titles XIX and XXI of the Social Security Act to improve Medicaid and the Children's Health Insurance Program for low-income mothers; to the Committee on Finance.

By Mr. BARRASSO:

S. 3495. A bill to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DAINES (for himself and Mr. KING):

S. 3496. A bill to direct the Secretary of Health and Human Services to conduct a study and submit a report on the effects of the inclusion of quality increases in the determination of blended benchmark amounts under part C of the Medicare program; to the Committee on Finance.

By Mr. DAINES (for himself and Mr. KING):

S. 3497. A bill to amend title XVIII of the Social Security Act to eliminate a provision under the Medicare Advantage program that inadvertently penalizes Medicare Advantage plans for providing high quality care to Medicare beneficiaries; to the Committee on Finance.

By Mr. SANDERS:

S. 3498. A bill to designate Federal election day as a public holiday; to the Committee on the Judiciary.

By Ms. HARRIS:

S. 3499. A bill to provide grants for projects to acquire land and water for parks and other outdoor recreation purposes and to develop new or renovate existing outdoor recreation facilities; to the Committee on Energy and Natural Resources.

By Ms. WARREN:

S. 3500. A bill to authorize the Secretary of Health and Human Services to conduct programs to address the usage of illicit drugs, particularly fentanyl, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. WARREN (for herself and Mr. MARKEY):

S. Res. 646. A resolution recognizing the Lawyers' Committee for Civil Rights and Economic Justice on its 50th anniversary; to the Committee on the Judiciary.

By Mr. LANKFORD (for himself and Mr. COONS):

S. Res. 647. A resolution calling for the global repeal of blasphemy, heresy, and apostasy laws; to the Committee on Foreign Relations.

By Mr. COONS (for himself, Mr. CRAPO, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. MURPHY, Ms. WARREN, Mr. HATCH, Ms. SMITH, Mr. KING, and Mr. RISCH):

S. Res. 648. A resolution designating September 2018 as "Pulmonary Fibrosis Awareness Month"; considered and agreed to.

By Mr. BLUNT (for himself, Mr. MERKLEY, and Mr. WYDEN):

S. Res. 649. A resolution recognizing the contributions of American Viticultural

Areas and winegrowing regions; considered and agreed to.

By Mr. CRUZ (for himself, Mr. CORNYN, Mr. CASSIDY, and Mr. KENNEDY):

S. Res. 650. A resolution recognizing the 1-year anniversary of Hurricane Harvey; considered and agreed to.

By Mr. NELSON (for himself, Mr. RUBIO, Mr. MENENDEZ, Mr. CASEY, Ms. CORTEZ MASTO, Mrs. GILLIBRAND, Mr. WYDEN, Mr. DURBIN, Ms. WARREN, Ms. HARRIS, Mr. SANDERS, Mr. SCHUMER, Mr. PETERS, Mr. BOOKER, and Mr. BLUMENTHAL):

S. Res. 651. A resolution marking 1 year since the landfall of Hurricane Maria in Puerto Rico and the United States Virgin Islands; considered and agreed to.

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

S. Res. 652. A resolution remembering the 1-year anniversary of the landfall of Hurricane Irma in Florida; considered and agreed to.

By Mr. HATCH (for himself and Mr. WHITEHOUSE):

S. Con. Res. 48. A concurrent resolution directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1551; considered and agreed to.

ADDITIONAL COSPONSORS

S. 281

At the request of Mr. LEE, the name of the Senator from Wisconsin (Ms. BALDWIN) 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. 322

At the request of Mr. PETERS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 352

At the request of Mr. CORKER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 352, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick "Roddie" Edmonds in recognition of his heroic actions during World War II.

S. 384

At the request of Mr. BLUNT, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of

whether therapeutic intervention is required during the screening.

S. 817

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 817, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 928

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 928, a bill to prohibit, as an unfair or deceptive act or practice, commercial sexual orientation conversion therapy, and for other purposes.

S. 1301

At the request of Mr. NELSON, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1301, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 2127

At the request of Ms. MURKOWSKI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2127, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 2553

At the request of Ms. STABENOW, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 2553, 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.

S. 2568

At the request of Mr. BROWN, the name of the Senator from Arkansas (Mr. BOOZMAN) 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. 2821

At the request of Ms. SMITH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2821, a bill to amend title 38, United States Code, to provide for the treatment of veterans who participated in the cleanup of Enewetak Atoll as radiation exposed veterans for purposes of the presumption of service-connection of certain disabilities by the Secretary of Veterans Affairs, and for other purposes.

S. 2934

At the request of Mr. NELSON, the name of the Senator from Oregon (Mr. WYDEN) 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. 2971

At the request of Mr. BOOKER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2971, a bill to amend the Animal Welfare Act to prohibit animal fighting in the United States territories.

S. 3020

At the request of Mr. MARKEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3020, a bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBTI Peoples, and for other purposes.

S. 3049

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3049, a bill to amend the Help America Vote Act of 2002 to require paper ballots and risk-limiting audits in all Federal elections, and for other purposes.

S. 3050

At the request of Mr. PORTMAN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 3050, a bill to improve executive agency digital services, and for other purposes.

S. 3166

At the request of Mrs. ERNST, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3166, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 3178

At the request of Ms. HARRIS, the names of the Senator from Florida (Mr. RUBIO) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 3178, a bill to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes.

S. 3257

At the request of Mr. CRUZ, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 3257, a bill to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes.

S. 3270

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 3270, a bill to address the need for pilot development and encourage more individuals to enter the field of aviation, and for other purposes.

S. 3321

At the request of Mr. COONS, the names of the Senator from Indiana

(Mr. YOUNG), the Senator from Montana (Mr. TESTER), the Senator from Colorado (Mr. GARDNER), the Senator from New Mexico (Mr. HEINRICH), the Senator from Hawaii (Mr. SCHATZ), the Senator from Maryland (Mr. CARDIN) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors 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. 3332

At the request of Mr. LANKFORD, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 3332, a bill to amend the Internal Revenue Code of 1986 to repeal the inclusion of certain fringe benefit expenses for which a deduction is disallowed in unrelated business taxable income.

S. 3337

At the request of Ms. SMITH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3337, a bill to amend the Public Health Service Act to revise and extend projects relating to children and to provide access to school-based comprehensive mental health programs.

S. 3388

At the request of Mr. TILLIS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3388, a bill to amend the Health Insurance Portability and Accountability Act.

S. 3435

At the request of Mr. SCHATZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 3435, a bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to issue guidance and recommendations for institutions of higher education on removing criminal and juvenile justice questions from their application for admissions process.

S. 3437

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 3437, a bill to establish a Federal rotational cyber workforce program for the Federal cyber workforce.

S. 3455

At the request of Mr. RUBIO, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 3455, a bill to require the Secretary of Commerce to ensure that ZTE Corporation complies with all probationary conditions set forth in the settlement agreement entered into between ZTE Corporation and the Bureau of Industry and Security of the Department of Commerce.

S. 3467

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

MERKLEY) was added as a cosponsor of S. 3467, a bill to permanently reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions.

S. 3476

At the request of Mr. CORKER, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Florida (Mr. RUBIO), the Senator from Georgia (Mr. ISAKSON), the Senator from Indiana (Mr. YOUNG), the Senator from New Mexico (Mr. UDALL) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 3476, a bill to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes.

S. RES. 61

At the request of Mr. PERDUE, his name was added as a cosponsor of S. Res. 61, a resolution calling on the Department of Defense, other elements of the Federal Government, and foreign governments to intensify efforts to investigate, recover, and identify all missing and unaccounted-for personnel of the United States.

S. RES. 168

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 168, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 481

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. Res. 481, a resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, and for other purposes.

S. RES. 527

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

S. RES. 631

At the request of Ms. KLOBUCHAR, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 631, a resolution recognizing the 50th anniversary of the Indian Civil Rights Act and voting rights for American Indian and Alaska Native communities across the country.

S. RES. 632

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Washington (Ms. CANTWELL), the Senator from Indiana (Mr. DONNELLY), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Illinois (Mr. DURBIN), the Senator from California (Ms. HARRIS), the Senator from Washington

(Mrs. MURRAY) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. Res. 632, a resolution designating September 2018 as "National Workforce Development Month".

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from West Virginia (Mrs. CAPITO), the Senator from Idaho (Mr. CRAPO), the Senator from Wyoming (Mr. BARRASSO), the Senator from South Dakota (Mr. ROUNDS) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. Res. 632, supra.

S. RES. 633

At the request of Mrs. MCCASKILL, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Oregon (Mr. WYDEN), the Senator from California (Mrs. FEINSTEIN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. Res. 633, a resolution expressing the sense of the Senate that Congress should take all appropriate measures to ensure that the United States Postal Service remains an independent establishment of the Federal Government and is not subject to privatization.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself and Mr. KING):

S. 3497. A bill to amend title XVIII of the Social Security Act to eliminate a provision under the Medicare Advantage program that inadvertently penalizes Medicare Advantage plans for providing high quality care to Medicare beneficiaries; to the Committee on Finance.

Mr. DAINES. Mr. President, the Medicare Advantage Quality Payment Relief Act will protect and enhance Medicare benefits by reversing a damaging policy created by the Affordable Care Act, or Obamacare.

Obamacare attempted to provide better benefits for seniors and people with disabilities who are enrolled in the highest rated Medicare Advantage plans. But Obamacare also inadvertently limited these bonus payments from ever reaching beneficiaries by putting a cap on the payments, or benchmarks, that these Medicare plans receive. Now, 17,000 Montanans, and millions of Americans across the country—are being denied the full scope of the Medicare benefits that they should be receiving.

I'm glad to join with Senator Angus King of Maine to introduce legislation that reverses this ill-advised policy. Our bill protects Medicare benefits by removing the damaging limitation on payments to Medicare Advantage plans with a 4-star rating or higher. This legislation is crucial to ensuring that these top-rated Medicare Advantage plans are offered throughout Montana and our country. Nearly 20% of Medicare beneficiaries in Montana, and one-

third of Medicare enrollees nationwide, receive their Medicare coverage through Medicare Advantage plans.

I'm pleased that our legislation enjoys strong support from diverse stakeholders, and I will continue to champion this issue on behalf of seniors and people with disabilities in Montana who rely on Medicare Advantage for their Medicare coverage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 646—RECOGNIZING THE LAWYERS' COMMITTEE FOR CIVIL RIGHTS AND ECONOMIC JUSTICE ON ITS 50TH ANNIVERSARY

Ms. WARREN (for herself and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 646

Whereas the Senate recognizes the invaluable contributions to the advancement of civil rights made by the Lawyers' Committee for Civil Rights and Economic Justice on the occasion of its 50th anniversary;

Whereas the Boston, Massachusetts-based Lawyers' Committee for Civil Rights and Economic Justice was the first of 8 affiliated local committees of the national Lawyers' Committee for Civil Rights Under Law (referred to in this resolution as the "Lawyers' Committee") and was followed by local affiliates in the cities of Chicago, Illinois, Denver Colorado, Jackson, Mississippi, Los Angeles, California, Philadelphia, Pennsylvania, San Francisco, California, and Washington, District of Columbia;

Whereas the Lawyers' Committee was founded in 1963 at the request of President John F. Kennedy to enlist the leadership and resources of private bars in combating racial discrimination and the resulting inequality of opportunity;

Whereas Senator Robert F. Kennedy, assassinated 50 years ago as of June 2018, was also critical and central to the launch of the Lawyers' Committee;

Whereas the Lawyers' Committee and its local affiliates organize pro bono services from private law firms to fight for numerous causes, including voting rights, criminal justice, economic justice, environmental justice, educational opportunities, fair housing and community development, and other civil rights matters;

Whereas the Lawyers' Committee and its local affiliates form the largest pro bono civil rights network in the world, working with over 150 national, regional, statewide, and local grassroots organizations and over 150 law firms;

Whereas over the past 5 decades, the Lawyers' Committee and its local affiliates have been on the front lines of the struggle for equal justice in the United States and around the world, with notable contributions including—

(1) advancing the cause of the civil rights movement by pursuing cases involving voting rights, racial segregation, education, economic justice, fair housing, criminal justice, hate crimes, and more;

(2) contributing to the enactment of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) and the authorization of its subsequent extensions;

(3) leading Election Protection, the Nation's oldest and largest nonpartisan voter protection program to ensure greater access

to the ballot box for all people of the United States;

(4) contributing to the enactment and enforcement of the Fair Housing Act (42 U.S.C. 3601 et seq.);

(5) working to combat the scourge of hate crimes and racially motivated violence impacting communities;

(6) joining the movement to end apartheid in the Republic of South Africa by fighting against human rights abuses and representing political dissidents in the courts for more than 30 years and through the open elections in 1994;

(7) working to develop and enact the Civil Rights Act of 1991 (Public Law 102-166; 105 Stat. 1071), which advanced the rights of workers in employment discrimination claims; and

(8) joining relief efforts during the humanitarian crisis caused by Hurricane Katrina in 2005 by helping survivors navigate legal matters, including government disaster assistance and insurance claims; and

Whereas the Lawyers' Committee for Civil Rights Under Law, in collaboration with its 8 local affiliates across the country, continues to spearhead the struggle against hatred and oppression and pursue equal justice for all through the rule of law, particularly disenfranchised communities that are disproportionately comprised of the economically disadvantaged and people of color: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 50th anniversary of the founding of the Boston, Massachusetts-based Lawyers' Committee for Civil Rights and Economic Justice; and

(2) expresses gratitude to the Lawyers' Committee for Civil Rights Under Law and all of its 8 local affiliates for their work to advance civil rights and their dedication to the pursuit of equal justice under the law.

SENATE RESOLUTION 647—CALLING FOR THE GLOBAL REPEAL OF BLASPHEMY, HERESY, AND APOSTASY LAWS

Mr. LANKFORD (for himself and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 647

Whereas Article 18 of the International Declaration of Human Rights states that “[e]veryone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”;

Whereas many countries continue to have criminal blasphemy laws and punish people who engage in expression deemed by the government to be blasphemous, heretical, apostate, defamatory of religion, or insulting to religion or to religious symbols, figures, or feelings, and such punishment can include fines, imprisonment, and capital punishment including by beheading;

Whereas blasphemy laws have affected Christians, Muslims, Hindus, Baha'i, secularists, and many other groups, and are inconsistent with international human rights standards because they establish and promote official religious orthodox and dogma over individual liberty, and often result in violations of the freedoms of religion, thought, and expression that are protected under international instruments, including Articles 18 and 19 of the International Covenant on Civil and Political Rights (ICCPR);

Whereas the United Nations Human Rights Committee stated in General Comment 34 that “[p]rohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the [ICCPR]”;

Whereas the United States Commission on International Religious Freedom (USCIRF) has found that blasphemy charges are often based on false accusations, are used for sectarian or political purposes, and foster religious intolerance, discrimination, and violence;

Whereas the Pew Research Center has found that 44 countries had blasphemy laws as of 2012;

Whereas these laws were present in 14 Middle East and North African countries, 11 countries in the Americas, 9 Asia-Pacific countries, 7 European countries, and 3 Sub-Saharan African countries;

Whereas the Pew Research Center also found that countries with laws against blasphemy, apostasy, or defamation of religion were more likely to have severe governmental restrictions on religion, and to experience social hostilities based on religion, than countries that did not have such laws;

Whereas an international group of experts convened by the Office of the United Nations High Commissioner for Human Rights recommended in 2012 that “[s]tates that have blasphemy laws should repeal the[m] as such laws have a stifling impact on the enjoyment of freedom of religion or belief and healthy dialogue and debate about religion”;

Whereas blasphemy laws are inconsistent with United Nations resolutions adopted by consensus since 2011 recognizing that religious intolerance is best fought through positive measures, such as education, outreach, and counter-speech, and that criminalization of speech is warranted only for the prevention of imminent violence;

Whereas, according to the annual religious freedom report published by the Department of State in 2015, attackers in Bangladesh killed five allegedly anti-Islamic or secularist writers and publishers, and injured three others;

Whereas, in response to these killings, the Home Minister of Bangladesh, rather than condemning the murders, called on bloggers and others to refrain from writings that could hurt the religious feelings of others and added that violators of the warning would be subject to prosecution under the restrictive religious freedom laws of Bangladesh;

Whereas a 2016 report by USCIRF on Bangladesh found that religious and civil society groups fear that increasing religious extremism will result in more criminal attacks and threats;

Whereas restrictive religious freedom laws validate and promote social violence targeted at religious minorities and dissenters, whether Christian, Muslim, secularist, or other;

Whereas USCIRF has found that in Pakistan, blasphemy laws have been used to prosecute and persecute Muslims, Christians, secularists, and others;

Whereas, according to a Pew Center report on religion and public life, Pakistan stands out for having one of the highest levels of restrictions on religion when both government restrictions and social hostilities are taken into account;

Whereas USCIRF has found egregious examples of the enforcement of blasphemy laws and vigilante violence connected to blasphemy allegations in Pakistan, where blasphemy charges are common and numerous individuals are in prison, with a high percentage sentenced to death or to life in prison;

Whereas, as of February 2015, USCIRF is aware of 18 individuals on death row for blasphemy in Pakistan and 20 serving life sentences;

Whereas Asia Bibi was sentenced to death for blasphemy in 2010, and the Lahore High Court upheld the conviction in late 2014, and her case is on appeal to the Supreme Court of Pakistan;

Whereas blasphemy laws in Pakistan have fostered a climate of impunity, as those who falsify evidence go unpunished and allegations often result in violent mob attacks or assassinations, with little to no police response;

Whereas, in 2017, the Christian Governor of Jakarta, Indonesia, was convicted for blasphemy of Islam and sentenced to two years in jail;

Whereas the application of blasphemy laws is on the rise in Europe;

Whereas blasphemy laws in the United States were invalidated by the adoption of the First Amendment to the Constitution, which protects the freedoms of thought, conscience, expression, and religious exercise; and

Whereas the United States has become a beacon of religious freedom and tolerance around the world: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that blasphemy, heresy, and apostasy laws inappropriately position governments as arbiters of religious truth and empower officials to impose religious dogma on individuals or minorities through the power of the government or through violence sanctioned by the government;

(2) calls on the President and the Secretary of State to make the repeal of blasphemy, heresy, and apostasy laws a priority in the bilateral relationships of the United States with all countries that have such laws, through direct interventions in bilateral and multilateral fora;

(3) encourages the President and the Secretary of State to oppose—

(A) any efforts, by the United Nations or by other international or multilateral fora, to create an international anti-blasphemy norm, such as the “defamation of religions” resolutions introduced in the United Nations between 1999 and 2010; and

(B) any attempts to expand the international norm on incitement to include blasphemy or defamation of religions;

(4) supports efforts by the United Nations to combat intolerance, discrimination, or violence against persons based on religion or belief without restricting expression, including United Nations Human Rights Council Resolution 16/18 (2011) and the Istanbul Process meetings pursuant to such resolution, that are consistent with the First Amendment to the Constitution;

(5) calls on the President and the Secretary of State to designate countries that enforce blasphemy, heresy, or apostasy laws as “countries of particular concern for religious freedom” under section 402(b)(1)(A)(ii) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)(A)(ii)) for engaging in or tolerating severe violations of religious freedom, as a result of the abuses flowing from the enforcement of such laws and from unpunished vigilante violence often generated by blasphemy allegations;

(6) urges the governments of countries that enforce blasphemy, heresy, or apostasy laws to amend or repeal such laws, as they provide pretext and impunity for vigilante violence against religious minorities; and

(7) urges the governments of countries that have prosecuted, imprisoned, and persecuted people on charges of blasphemy, heresy, or apostasy to release such people unconditionally and, once released, to ensure their safety and that of their families.

SENATE RESOLUTION 648—DESIGNATING SEPTEMBER 2018 AS “PULMONARY FIBROSIS AWARENESS MONTH”

Mr. COONS (for himself, Mr. CRAPO, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. MURPHY, Ms. WARREN, Mr. HATCH, Ms. SMITH, Mr. KING, and Mr. RISCH) submitted the following resolution; which was considered and agreed to:

S. RES. 648

Whereas pulmonary fibrosis is a debilitating and ultimately fatal lung condition that causes progressive scarring in the lungs and has no definitive cause;

Whereas as many as 200,000 individuals in the United States are known to suffer from pulmonary fibrosis, the majority of whom are aged 50 and older;

Whereas the average life expectancy from the diagnosis of the idiopathic form of pulmonary fibrosis is just 2.8 years, and as many as 80 percent of idiopathic pulmonary fibrosis patients die within 5 years of diagnosis;

Whereas pulmonary fibrosis takes the lives of 40,000 or more individuals in the United States each year—approximately 1 individual every 13 minutes;

Whereas many patients afflicted with pulmonary fibrosis are misdiagnosed for 1 year or longer after the patients are presenting with pulmonary fibrosis symptoms;

Whereas, as of July 2018, there are no confirmed biomarkers for screening and testing for pulmonary fibrosis;

Whereas a cure, treatment, or drug to halt the fibrotic process in pulmonary fibrosis does not yet exist;

Whereas the symptoms of pulmonary fibrosis vary from person to person and include shortness of breath, a dry cough, fatigue, weight loss, and aching muscles and joints;

Whereas volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life for individuals with pulmonary fibrosis and for the families of those individuals; and

Whereas developing more effective treatments for pulmonary fibrosis and providing access to quality care to individuals with pulmonary fibrosis requires increased research, education, and community support services: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2018 as “Pulmonary Fibrosis Awareness Month”;

(2) supports the goals and ideals of Pulmonary Fibrosis Awareness Month;

(3) continues to support more robust and accelerated research to develop more effective treatments for pulmonary fibrosis and to ultimately find a cure for the disease;

(4) recognizes the courage and contributions of individuals with pulmonary fibrosis who participate in vital clinical trials to advance the knowledge of the disease; and

(5) commends the dedication of organizations, volunteers, researchers, and millions of individuals in the United States and abroad working to improve the quality of life for individuals with pulmonary fibrosis and the families of those individuals.

SENATE RESOLUTION 649—RECOGNIZING THE CONTRIBUTIONS OF AMERICAN VITICULTURAL AREAS AND WINEGROWING REGIONS

Mr. BLUNT (for himself, Mr. MERKLEY, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 649

Whereas wineries and vintners in the United States contribute to the economic and cultural life of the United States;

Whereas the economic contributions of wineries and vintners in the United States are significant and expansive, and are attributable to the activities of growers, suppliers, researchers, marketers, wholesalers, distributors, retailers, and others;

Whereas the wine industry in the United States is estimated to have directly and indirectly generated more than \$219,000,000,000 for the economy of the United States in 2017;

Whereas there are more than 10,000 wineries operating in all 50 States;

Whereas many of those wineries are small businesses and family owned;

Whereas the wine industry directly employs nearly 1,000,000 people in the United States and supports nearly 300,000 jobs in industries that supply goods and services to winegrowers and wineries;

Whereas the wages earned by people directly employed by wineries and the wine industry totaled more than \$33,000,000,000 in 2017;

Whereas wineries and wine regions drive economic activity through the production, distribution, and sale of wine, and attract substantial tourism-related interest and spending;

Whereas wine regions in the United States host more than 43,000,000 tourists and generate nearly \$18,000,000,000 in tourism expenditures each year;

Whereas wine tourism supported 375,000 jobs that paid more than \$10,000,000,000 in wages in 2017;

Whereas an American Viticultural Area (referred to in this preamble as an “AVA”) is a designated wine-growing region in the United States that has distinguishing features that affect viticulture, including climate, geology, soil, physical features, and elevation;

Whereas 2018 marks the 40th anniversary of the publication of the Decision of the Department of the Treasury to establish the AVA designation system;

Whereas the first AVA was approved on June 20, 1980, in Augusta, Missouri;

Whereas the State of Missouri—

(1) has a history of wine production that dates back to the first half of the 19th century; and

(2) is part of 5 AVAs, including the Hermann, Loess Hills District, Ozark Highlands, and Ozark Mountain areas;

Whereas the first AVA in the State of Oregon was approved on December 1, 1983, as the Willamette Valley AVA;

Whereas the State of Oregon—

(1) has a history of growing wine grapes that dates back to 1847; and

(2) is part of the following 18 AVAs: the Applegate Valley, Chehalem Mountains, Columbia Gorge, Columbia Valley, Dundee Hills, Elkton Oregon, Eola-Amity Hills, McMinnville, Red Hill Douglas County, Ribbon Ridge, the Rocks District of Milton-Freewater, Rogue Valley, Snake River Valley, Southern Oregon, Umpqua Valley, Walla Walla Valley, Willamette Valley, and Yamhill-Carlton District areas;

Whereas, as of August 15, 2018, there are 242 AVAs in the United States, which are located in the following 33 States: Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Missouri, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, Washington, West Virginia, and Wisconsin;

Whereas at least 85 percent of a wine must be derived from grapes grown within the boundaries of an AVA in order to use the AVA name on the label for that wine;

Whereas an AVA designation—

(1) allows vintners to describe more accurately the origin of the wine;

(2) helps vintners build and enhance the reputation and value of the wine produced;

(3) allows consumers to attribute a given quality, reputation, or other characteristic to a wine made from grapes grown in an AVA; and

(4) helps consumers identify wines to purchase;

Whereas an appellation of origin, such as an AVA designation, can assist wine producers in the United States in establishing distinctive names of places in the United States in global markets and create valuable export opportunities;

Whereas wine exports generated more than \$1,600,000,000 for producers in the United States in 2017, which is a 4-fold increase over the past 20 years;

Whereas the protection of an AVA term, or other appellation of origin, in a foreign country helps vintners effectively promote products and increases awareness of the region of origin;

Whereas the wine industry of the United States is growing and accounts for 10 percent of global wine production;

Whereas wine-growing regions and wine growers in the United States—

(1) contribute to the economic prosperity of the United States; and

(2) enhance the cultural prestige of the United States by developing and sharing wines that are recognized throughout the world;

Whereas consumers in the United States have benefited from the rich diversity and extraordinary quality of wines and wine-growing regions in the United States; and

Whereas responsibly enjoying wine often serves to enhance the richness of life and brings family and friends closer together: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significant contributions made by wines and distinctive wine-growing regions in the United States to the economic and cultural life of the United States;

(2) recognizes the value created in domestic and foreign markets by promoting wines from distinctive wine-growing regions in the United States, including wines protected by an American Viticultural Area designation or other appellation of origin; and

(3) supports efforts to promote awareness of and appreciation for distinctive wine-growing regions in the United States both in the United States and abroad.

SENATE RESOLUTION 650—RECOGNIZING THE 1-YEAR ANNIVERSARY OF HURRICANE HARVEY

Mr. CRUZ (for himself, Mr. CORNYN, Mr. CASSIDY, and Mr. KENNEDY) submitted the following resolution; which was considered and agreed to:

S. RES. 650

Whereas, on August 25, 2017, Hurricane Harvey reached the shores of the United States and wreaked havoc on the States of Texas and Louisiana;

Whereas, because of Hurricane Harvey, the President issued a major disaster declaration with respect to Texas on August 25, 2017, and with respect to Louisiana on August 28, 2017;

Whereas Hurricane Harvey was directly responsible for the deaths of not less than 68 individuals in Texas;

Whereas, according to the National Oceanic and Atmospheric Administration, the

estimate of the damage caused by Hurricane Harvey is \$125,000,000,000;

Whereas, according to the National Hurricane Center, during Hurricane Harvey—

(1) Texas experienced as much as 60.58 inches of rain;

(2) Louisiana experienced as much as 23.71 inches of rain;

(3) more than 300,000 structures and as many as 500,000 cars flooded in southeastern Texas alone;

(4) an estimated 336,000 customers lost power during Hurricane Harvey in Texas and Louisiana; and

(5) an estimated 40,000 flood survivors were evacuated to, or took refuge in, shelters across Texas or Louisiana;

Whereas, according to the Federal Emergency Management Agency, as a result of Hurricane Harvey—

(1) 41,500 square miles of land mass in Texas were impacted;

(2) more than 100,000 search and rescue missions were conducted across Texas by Federal, State, and local partners;

(3) 12,000,000 cubic yards of storm debris were removed in Texas;

(4) more than 200,000 single-family homes were flooded across the State of Texas, many of which were not in high-risk areas;

(5) 294 shelters were opened in Texas, holding up to 42,399 survivors; and

(6) approximately 82 volunteer organizations with a total of 91,391 volunteers operated in Texas to provide assistance in response to the storm;

Whereas the Gulf Coast of Texas suffered sweeping economic losses due to closures of businesses and ports and interruptions in oil and gas production, trade, and tourism caused by Hurricane Harvey;

Whereas thousands of businesses were damaged due to Hurricane Harvey, which caused some businesses to close for a period of time and other businesses to close indefinitely;

Whereas Hurricane Harvey caused an estimated \$200,000,000 in crop and cattle loss in Texas;

Whereas Hurricane Harvey resulted in the closure of countless schools due to flooding, power outages, and dangerous conditions;

Whereas school closures caused by Hurricane Harvey disrupted the academic school year for thousands of students and forced teachers to relocate classrooms to less favorable learning environments;

Whereas doctors, nurses, and other medical personnel worked expeditiously to provide care and ensure that patients were safe under extreme circumstances;

Whereas volunteer organizations and charities continue to assist survivors of Hurricane Harvey with food, water, and shelter;

Whereas thousands of volunteers and Federal, State, and local government employees from across the United States continue to assist with long-term recovery needs and efforts; and

Whereas significant challenges remain in Texas and Louisiana as those States work to recover, rebuild, and prepare for potential future disasters: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 1-year anniversary of Hurricane Harvey, which reached the shores of the United States on August 25, 2017;

(2) expresses condolences to the victims of Hurricane Harvey;

(3) commends the resiliency and courage of the people of Texas and Louisiana;

(4) applauds the work and commitment of Federal, State, and local partners, law enforcement officers, active duty members of the Armed Forces, members of the National Guard and Reserves, first responders, and brave citizens who went into harm's way to save countless lives in the aftermath of Hurricane Harvey and who have provided support during the past year; and

(5) reaffirms the commitment of the Senate to stand by the people of Texas and Louisiana and to provide necessary resources as the people of Texas and Louisiana rebuild their communities.

SENATE RESOLUTION 651—MARKING 1 YEAR SINCE THE LANDFALL OF HURRICANE MARIA IN PUERTO RICO AND THE UNITED STATES VIRGIN ISLANDS

Mr. NELSON (for himself, Mr. RUBIO, Mr. MENENDEZ, Mr. CASEY, Ms. CORTEZ MASTO, Mrs. GILLIBRAND, Mr. WYDEN, Mr. DURBIN, Ms. WARREN, Ms. HARRIS, Mr. SANDERS, Mr. SCHUMER, Mr. PETERS, Mr. BOOKER, and Mr. BLUMENTHAL) submitted the following resolution; which was considered and agreed to:

S. RES. 651

Whereas, on September 20, 2017, Hurricane Maria passed through the United States Virgin Islands as a category 5 hurricane and made landfall in Puerto Rico as a category 4 hurricane, causing significant devastation across those islands;

Whereas the people of Puerto Rico and the United States Virgin Islands have shown an incredible and resilient spirit in rebuilding after their record losses;

Whereas Hurricane Maria contributed to an estimated 2,975 deaths in Puerto Rico;

Whereas the National Oceanic and Atmospheric Administration estimates that Hurricane Maria caused an estimated \$90,000,000,000 in damage to Puerto Rico and the United States Virgin Islands, making Hurricane Maria the third-costliest hurricane in United States history;

Whereas, as a result of Hurricane Maria—

(1) 3,300,000 residents of Puerto Rico were left without electrical power;

(2) 95 percent of cellular sites were knocked out;

(3) 80 percent of water service was inoperable; and

(4) thousands of Puerto Ricans were displaced from their homes and relocated to the mainland United States;

Whereas significant challenges remain in recovery and rebuilding efforts in Puerto Rico 1 year after Hurricane Maria hit;

Whereas Congress appropriated billions of dollars with the specific purpose of directly helping the citizens of Puerto Rico to rebuild their lives in the aftermath of the hurricane;

Whereas the electrical grid on the island of Puerto Rico remains unreliable and susceptible to intermittent brownouts and blackouts; and

Whereas many Puerto Ricans continue to be displaced without access to permanent housing both on the island of Puerto Rico and on the mainland: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that September 20, 2018, marks 1 year since the landfall of Hurricane Maria in Puerto Rico;

(2) honors the victims who lost their lives due to Hurricane Maria;

(3) commends the resiliency of those still rebuilding their lives after Hurricane Maria;

(4) recognizes the continued challenges facing Puerto Rico and the United States Virgin Islands in the wake of Hurricane Maria;

(5) commits to ensuring that survivors of Hurricane Maria have adequate resources to continue the recovery process;

(6) extols the work of first responders and citizens who contributed to saving countless lives in the aftermath of Hurricane Maria; and

(7) reaffirms the commitment of the Senate to support the people of Puerto Rico and

the United States Virgin Islands as they continue to rebuild and recover from the devastation of Hurricane Maria.

SENATE RESOLUTION 652—REMEMBERING THE 1-YEAR ANNIVERSARY OF THE LANDFALL OF HURRICANE IRMA IN FLORIDA

Mr. RUBIO (for himself and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 652

Whereas, on September 10, 2017, Hurricane Irma reached the shores of Florida and caused significant devastation across the State;

Whereas, due to Hurricane Irma, the President issued a major disaster declaration with respect to Florida on September 10, 2017;

Whereas Hurricane Irma contributed to the confirmed deaths of 84 individuals in Florida;

Whereas, as a result of Hurricane Irma—

(1) nearly 13,000,000 people in Florida were left without electrical power;

(2) an estimated 90 percent of the homes in the Florida Keys were damaged or destroyed;

(3) the citrus industry of Florida suffered significant crop and income losses, with some growers experiencing crop losses of 90 percent or more;

(4) the maritime culture of Florida has been severely impacted, including—

(A) the disruption of commercial fishing, trapping, and aquaculture;

(B) the loss of recreational fishing opportunities for residents and tourists;

(C) widespread marine debris limiting safe navigation in waterways and channels; and

(D) reports of more than 850 displaced or sunken vessels; and

(5) the total estimated insurance losses in Florida have exceeded \$10,000,000,000;

Whereas, according to the National Oceanic and Atmospheric Administration, the estimate of the damage caused by Hurricane Irma is \$50,000,000,000;

Whereas the Federal Emergency Management Agency has paid out more than \$950,000,000 in flood insurance claims as a result of Hurricane Irma; and

Whereas significant challenges still exist in Florida to recover, rebuild, and prepare for future storms: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 1-year anniversary of the landfall of Hurricane Irma in Florida;

(2) honors victims who lost their lives due to Hurricane Irma;

(3) commends the resiliency of those still rebuilding their lives after Hurricane Irma;

(4) commits to ensuring that survivors of Hurricane Irma have adequate resources to continue the recovery process;

(5) extols the work of Federal, State, and local partners, first responders, and citizens who contributed to saving countless lives in the aftermath of Hurricane Irma; and

(6) reaffirms the commitment of the Senate to support the people of Florida and provide resources as needed to assist communities striving to return to normalcy after Hurricane Irma.

SENATE CONCURRENT RESOLUTION 48—DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE CORRECTIONS IN THE ENROLLMENT OF H.R. 1551

Mr. HATCH (for himself and Mr. WHITEHOUSE) submitted the following

concurrent resolution; which was considered and agreed to:

S. CON. RES. 48

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill H.R. 1551, the Clerk of the House of Representatives shall make the following corrections:

(1) Amend the long title so as to read: "An Act to modernize copyright law, and for other purposes."

(2) In section 1(a), strike "Orrin G. Hatch" and insert "Orrin G. Hatch-Bob Goodlatte".

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator RON WYDEN, intend to object to proceeding to the nomination of Michael Faulkender, of Maryland, to be an Assistant Secretary of the Treasury, dated August 1, 2018.

AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, September 25, 2018, at 9:30 a.m., to conduct a hearing on the following nominations: General Robert B. Abrams, USA, to be General, and to be Commander, United Nations Command/Combined Forces Command/United States Forces Korea, and Vice Admiral Craig S. Faller, USN, to be Admiral, and to be Commander, United States Southern Command.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, September 25, 2018, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, September 25, 2018, at 3 p.m., to conduct a hearing on the following nominations: Bonnie Glick, of Maryland, to be Deputy Administrator, and Michael T. Harvey, of Texas, and Mark Montgomery, of Virginia, both to be an Assistant Administrator, all of the United States Agency for International Development.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, September 25, 2018, at 10 a.m., to conduct a hearing entitled "The Every Student Succeeds Act: States Leading the Way."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, September 25, 2018, at 3 p.m., to conduct a hearing entitled "Health Care in Rural America: Examining Experiences and Costs."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, August 01, 2018, at 2.30 p.m., to conduct a closed hearing.

REDESIGNATING A FACILITY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 3389 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3389) to redesignate a facility of the National Aeronautics and Space Administration.

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. Without objection, it is so ordered.

The bill (S. 3389) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3389

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

SECTION 1. REDESIGNATION OF NASA INDEPENDENT VERIFICATION AND VALIDATION FACILITY.

(a) REDESIGNATION.—The National Aeronautics and Space Administration Independent Verification and Validation Facility in Fairmont, West Virginia, is hereby redesignated as the "Katherine Johnson Independent Verification and Validation Facility".

(b) REFERENCES.—Any reference in any law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Katherine Johnson Independent Verification and Validation Facility".

TRANSIT RAIL INSPECTION PRACTICES ACT OF 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 3139 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3139) to require State safety oversight agencies to conduct safety inspections of public transportation systems that provide rail fixed guideway public transportation and to direct the Secretary of Transportation to develop risk-based inspection guidance for such agencies, and for other purposes.

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.

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

The bill 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 bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3139) was passed, as follows:

S. 3139

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 "Transit Rail Inspection Practices Act of 2018" or the "TRIP Act".

SEC. 2. PUBLIC TRANSPORTATION SAFETY INSPECTIONS.

(a) IN GENERAL.—Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (D), by striking "and" at the end;

(ii) in subparagraph (E), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(F) consideration, where appropriate, of performance-based and risk-based methodologies."; and

(B) by adding at the end the following:

"(3) PLAN UPDATES.—The Secretary shall update the national public transportation safety plan under paragraph (1) as necessary.";

(2) in subsection (e), by adding at the end the following:

"(11) EFFECTIVENESS OF ENFORCEMENT AUTHORITIES AND PRACTICES.—The Secretary shall develop and disseminate to State safety oversight agencies the process and methodology that the Secretary will use to monitor the effectiveness of the enforcement authorities and practices of State safety oversight agencies."; and

(3) by adding at the end the following:

"(1) INSPECTIONS.—

"(1) INSPECTION ACCESS.—

"(A) IN GENERAL.—A State safety oversight program shall provide the State safety oversight agency established by the program with the authority and capability to enter the facilities of each rail fixed guideway public transportation system that the State safety oversight agency oversees to inspect infrastructure, equipment, records, personnel, and data, including the data that the rail fixed guideway public transportation agency collects when identifying and evaluating safety risks.

“(B) POLICES AND PROCEDURES.—A State safety oversight agency, in consultation with each rail fixed guideway public transportation agency that the State safety oversight agency oversees, shall establish policies and procedures regarding the access of the State safety oversight agency to conduct inspections of the rail fixed guideway public transportation system, including access for inspections that occur without advance notice to the rail fixed guideway public transportation agency.

“(2) DATA COLLECTION.—

“(A) IN GENERAL.—A rail fixed guideway public transportation agency shall provide the applicable State safety oversight agency with the data that the rail fixed guideway public transportation agency collects when identifying and evaluating safety risks, in accordance with subparagraph (B).

“(B) POLICES AND PROCEDURES.—A State safety oversight agency shall establish policies and procedures for collecting data described in subparagraph (A) from a rail fixed guideway public transportation agency, including with respect to frequency of collection, that is commensurate with the size and complexity of the rail fixed guideway public transportation system.

“(3) INCORPORATION.—Policies and procedures established under this subsection shall be incorporated into—

“(A) the State safety oversight program standard adopted by a State safety oversight agency under section 674.27 of title 49, Code of Federal Regulations (or any successor regulation); and

“(B) the public transportation agency safety plan established by a rail fixed guideway public transportation agency under subsection (d).

“(4) ASSESSMENT BY SECRETARY.—In assessing the capability of a State safety oversight agency to conduct inspections as required under paragraph (1), the Secretary shall ensure that—

“(A) the inspection practices of the State safety oversight agency are commensurate with the number, size, and complexity of the rail fixed guideway public transportation systems that the State safety oversight agency oversees;

“(B) the inspection program of the State safety oversight agency is risk-based; and

“(C) the State safety oversight agency has sufficient resources to conduct the inspections.

“(5) SPECIAL DIRECTIVE.—The Secretary shall issue a special directive to each State safety oversight agency on the development and implementation of risk-based inspection programs under this subsection.

“(6) ENFORCEMENT.—The Secretary may use any authority under this section, including any enforcement action authorized under subsection (g), to ensure the compliance of a State safety oversight agency or State safety oversight program with this subsection.”.

(b) DEADLINE; EFFECTIVE DATE.—

(1) SPECIAL DIRECTIVE ON RISK-BASED INSPECTION PROGRAMS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue each special directive required under section 5329(1)(5) of title 49, United States Code, as added by subsection (a).

(2) INSPECTION REQUIREMENTS.—Section 5329(1) of title 49, United States Code, as added by subsection (a), shall apply with respect to a State safety oversight agency on and after the date that is 2 years after the date on which the Secretary issues the special directive to the State safety oversight agency under paragraph (5) of such section 5329(1).

(c) NO EFFECT ON INITIAL CERTIFICATION PROCESS.—Nothing in this section or the amendments made by this section shall be construed to affect the requirements for initial approval of a State safety oversight program, including the initial deadline, under section 5329(e)(3) of title 49, United States Code, as in effect on the day before the date of enactment of this Act.

SEC. 3. FUNDING FOR STATE SAFETY OVERSIGHT PROGRAM GRANTS.

(a) IN GENERAL.—Section 5336(h)(4) of title 49, United States Code, is amended by striking “0.5 percent” and inserting “0.75 percent”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to fiscal year 2020 and each fiscal year thereafter.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 4958 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (H.R. 4958) to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

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. Without objection, it is so ordered.

The bill (H.R. 4958) was ordered to a third reading, was read the third time, and passed.

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 648, 649, 650, 651, and 652.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I know of no further debate on the resolutions en bloc.

The PRESIDING OFFICER. If there is no further debate, the question is on adoption of the resolutions en bloc.

The resolutions were agreed to.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the preambles be agreed to and 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.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under “Submitted Resolutions.”)

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE CORRECTIONS IN THE ENROLLMENT OF H.R. 1551

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 48.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 48) directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1551.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 48) was agreed to.

(The concurrent resolution is printed in today's RECORD under “Submitted Resolutions.”)

ORDERS FOR WEDNESDAY, SEPTEMBER 26, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, September 26; 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 and resume consideration of the Feldman nomination under the previous order.

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

ADJOURNMENT UNTIL 9:30 A.M.
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 5:10 p.m., adjourned until Wednesday, September 26, 2018, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate September 25, 2018:

CONSUMER PRODUCT SAFETY COMMISSION

PETER A. FELDMAN, OF THE DISTRICT OF COLUMBIA,
TO BE A COMMISSIONER OF THE CONSUMER PRODUCT
SAFETY COMMISSION FOR THE REMAINDER OF THE
TERM EXPIRING OCTOBER 26, 2019.