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## Senate

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

### PRAYER

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

Let us pray.

Lord, through all generations You have been the source of our hope and strength. We are astounded by the majesty of Your sovereignty, for a thousand years for You are like a few hours. Today, inspire our lawmakers to think Your thoughts and follow Your precepts, seeking always to be receptive to Your guidance. May they strive to reach agreement on critical issues rather than simply to win debates. As they march to the drumbeat of Your leading, strengthen them with Your powerful presence. May they trust You to bring unity within their diversity.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### RECOGNITION OF THE MAJORITY LEADER

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

### BUSINESS BEFORE THE SENATE

Mr. McCONNELL. Madam President, this week, the Senate has taken important steps to fulfill our advise-and-consent responsibility on the President's nominees. We have ended unnecessary delays that kept well-qualified individuals from filling important posts at the Departments of Agriculture and Commerce and confirmed both of them.

### TRIBUTE TO DEAN HELLER

Mr. McCONNELL. Now, on an entirely different matter, I am sorry to say it is time to begin offering thanks and farewells to Members whose Senate service will conclude at the end of the 115th Congress.

Today, I would like to begin with our friend, the senior Senator from Nevada. It doesn't feel like much of an exaggeration to say that DEAN HELLER may have been destined for public service. I don't just mean his eagerness to serve or his outgoing personality. There were other signs. For example, one of the stops on his childhood paper route in Carson City was the Governor's mansion itself. Talk about early civic involvement.

At every step of the way, from successful businessman to his local and statewide races, all the way here to the Capitol, DEAN earned the respect of his neighbors and constituents by following the hard-working example set by his parents. His mother worked as a cook in a school cafeteria. His father was an auto mechanic who raced stock cars on the side. Their son grew up to be the only sitting Senator I would trust to replace my transmission.

When most politicians use phrases like "rolling up their sleeves" and "getting their hands dirty," they are usually referring to things like late-night negotiating or taking tough votes—in other words, more talking. Not DEAN HELLER, he means it literally. As DEAN likes to say, here in Washington, during the week, he works for the people of Nevada, but at home, on the weekends, there he works for his wife Lynne on the ranch they keep up together.

But let it not be said that even in the midst of hard labor, DEAN isn't capable of multitasking. After all, sometimes official duties just can't wait. I have it on good authority that on one occasion Dean had to field a surprise phone call from President Obama on his cell while standing right in the middle of a ditch.

Another time, he took a call from President Trump and talked business right there in the aisle of a home improvement store. Something about this image seems just right—not talking, not posturing, doing. That is DEAN HELLER; isn't it?

He didn't come to Washington to court praise for lofty rhetoric or to become a TV star. He came here to do. In just 7 years, DEAN has authored or helped to introduce 100 pieces of legislation that are now law.

Perhaps first and foremost, he has built a reputation as one of the Senate's chief advocates for our veterans. DEAN shares his home State with more than 200,000 men and women who have served our Nation, including one he calls "Dad."

Keeping the promise of top-notch VA services across Nevada's widespread rural communities is no small task. The facilities in Reno, in particular, weren't always up to the job, but day in and day out, DEAN has made it his mission to right the ship. As a member of the Veterans' Affairs Committee, he has fought to expand access to care, contributing key provisions to the VA MISSION Act and spearheading the 21st Century Veterans Benefits Delivery Act. It is a legacy that is already making a difference for our veterans.

But these are hardly the only victories DEAN won for Nevada and for our Nation. He came to the Senate in 2011, representing a State that had been hit hard by the great recession and was trying hard to regain its footing. Nevada communities faced ballooning foreclosure rates and persistent unemployment. Fortunately, their new Senator was intent on hooking up the economic jumper cables and getting things humming once more.

DEAN has seized opportunities to champion an economic agenda that puts workers and job creators back in the driver's seat. He was a driving force behind the once-in-a-generation tax reform passed last December to put more

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



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money in the pockets of working families. It is pouring a new 21st century foundation for American businesses to compete, win, and create more jobs right here at home.

Today, Nevada is doing better, our Nation is flourishing, and DEAN HELLER was there every step of the way. He was especially instrumental in making sure that tax reform increased the child tax credit. DEAN knew that working parents need that money more than the IRS does.

Nevada veterans, Nevada workers, Nevada families—DEAN never lost sight of the reason he came here to Washington. He has been a happy warrior here in the trenches, with a ready grin and an iron determination to do right by his friends and his neighbors.

I also have it on good authority that seeing DEAN in action back home in his natural habitat is truly a sight to behold. His joy at every conversation and every handshake around Carson City are palpable. Nevadans are DEAN's people. They always have been, and he has always been theirs too.

According to some of the staff who travel around the State with him, it is practically impossible to make any brief stops anywhere. At a fast-food restaurant, or a sporting goods store, or even a gas station, DEAN would inevitably run into friends and set about swapping stories or Carson City inside jokes. On the rare occasions when DEAN didn't know the proprietor or fellow customers—no trouble, no trouble—he would have a room full of new friends in about 3 minutes flat.

I am told it never got old for the people around DEAN to witness the energy he drew from his friends, neighbors, and constituents. He was delighted to be one of them and honored to be their employee—"a man of the people"—not a cliché, in this case, a reality.

You don't need to take my word for it. I hear there is objective evidence out there, photographs from the Nevada Day Parade in Carson City. Suffice it to say it takes a certain kind of person to steal the show, riding horseback, dressed head to toe in full western regalia, something like John Wayne. It is no wonder his grandkids—Brielle, Zachary, and Ava—know him as "Duke."

Now, his boss, Lynne, might very well have put him up to it. I hear she rides right there alongside him. But DEAN is no newcomer to the parade. In fact, it is the very same parade he marched in as a Scout years ago.

If you read that story in a book, you would think it was almost too earnest and too all-American to be true, but that is DEAN HELLER. He is the paper boy who started out delivering the headlines and wound up making the headlines, the Senator who still saddles up for the same parade from his childhood memories, one of Nevada's favorite sons and a dedicated servant of the entire Silver State.

DEAN's colleagues are really sorry to see him go. For a leader with this

much heart and this much talent, any departure would feel premature. This one certainly does, but I doubt DEAN will have trouble finding good uses for a little more spare time. I know he and Lynne must be looking forward to saddling up their horses and setting out for the Sierras a little more often than they have been able to lately, and I hear he could use a little bit of rehearsal time before he leads the Heller family band through its repertoire of Christmas carols this year—lead trombone. Lead trombone is no laughing matter. Maybe he will even find time to get back in the driver's seat for a race or two.

So whatever it is that DEAN does next—whatever it is—he should take with him great pride in all he has accomplished here in a policy legacy that will continue lifting up our Nation's veterans, workers, and middle-class families literally for years and years to come, and the sincere best wishes of the friends he has made here in this Chamber for health, happiness, and every future success for himself, for Lynne, and for their entire lovely family.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### NOMINATION OF THOMAS FARR

Mr. SCHUMER. Madam President, later this afternoon, the Senate is scheduled to vote on the confirmation of Mr. Thomas Farr for the Eastern District of North Carolina. I have made my opposition to this nominee clear on a daily basis, but allow me to remind my colleagues, to recap, before this vote just what we are dealing with here. We are being asked to confirm the go-to guy in North Carolina if you need a lawyer to defend voter suppression. Some might think that is hyperbolic, but I sincerely ask my colleagues not to go for hyperbole but to look at the evidence.

Mr. Farr was the lead lawyer in defending North Carolina's discriminatory congressional maps drawn by the State's Republicans, which were struck down by the Supreme Court as unconstitutional. This is a very conservative Supreme Court, which has been mostly unsympathetic to arguments of disenfranchisement—as evidenced by the Shelby County case—but in this instance, they could not help but overturn the map for racial discrimination, despite the evidence provided by Mr. Farr.

Mr. Farr was also the lead lawyer in defense of North Carolina's insidious voter ID law, which the Supreme Court ruled "targeted African Americans with almost surgical precision"—targeted African Americans with almost surgical precision.

North Carolina's Republicans designed the law after asking for and receiving data sorted by race on voting practices. Mr. Farr not only defended the law, he described the voting restrictions, which forbade the use of government employee IDs, student IDs, and IDs used for public assistance, as "a minor inconvenience."

That is only Mr. Farr's recent history involving voting suppression. If we go back and look at the campaign of Senator Jesse Helms in 1990, Mr. Farr represented the Helms campaign and defended it against accusations that it sent over 120,000 postcards, almost exclusively to Black voters, that falsely warned them they could be charged with a crime if they tried to vote—falsely—falsely warned them. The mailers were sent after statistics emerged that African-American registration was outpacing White voter registration.

The sordid history of Mr. Farr's efforts to suppress voting goes back even further. Mr. Farr was a member of Senator Jesse Helms' 1984 campaign. In that campaign, he wasn't merely a hired gun; he was a close legal associate of Senator Helms, a man David Broder of the Washington Post called "the last prominent unabashed White racist politician in this country."

In that 1984 campaign, according to memoranda by the Voting Rights section of the Department of Justice, Mr. Farr was involved in the so-called "ballot security" program run by the Helms campaign and the North Carolina Republican Party. The so-called ballot security program included sending postcards to minority voters in an effort to suppress voting.

In 2006, Mr. Farr's association with these noxious voter suppression attempts by Helms' campaign was enough to deny him confirmation to this very seat. In the intervening years, he has not repented or even moved on to different issues. He is still defending attempts to disenfranchise African-American voters.

I am not from North Carolina, but if I were, I would be embarrassed to have this man nominated and placed on the Federal bench. It takes but an ounce of principle to say: No, I am not defending discrimination and voter suppression. Yet, time and time and time again, not just 1984, not just 1990 but 2013 and 2015, Mr. Thomas Farr has stepped up to the plate to represent and defend voter suppression in a court of law, and we are being asked to reward him—reward him for these activities—with a lifetime appointment as a Federal judge in a district that is 27 percent African American, where he will have the power to make decisions on voting rights and civil rights for a generation.

I prevail upon the conscience of my Republican colleagues, who I know want to be fair to this man, look at the body of evidence impartially. There is simply a preponderance of evidence that Mr. Farr was involved, often intimately, in decades of voter suppression in North Carolina. The standard for this vote is not whether or how Mr. Farr should be punished or excoriated for what he did but a much higher one: whether a man with this history deserves to be elevated to a lifetime appointment on the Federal bench.

Whether you are Republican or Democratic, a liberal or conservative, that has to be—has to be—disqualifying for a seat on the Federal bench.

#### SPECIAL COUNSEL INVESTIGATION

Mr. SCHUMER. Madam President, now, on another matter, the special counsel investigation.

To date, the special counsel's investigation has produced no less than 35 indictments or plea deals—35—and that does not include two additional guilty pleas of people initially investigated by Mueller but were handed off to other branches of the Justice Department.

Just this morning, Michael Cohen has pled guilty to lying to Congress about projects in Russia.

It is a reminder that there has been a remarkable volume of criminal activity uncovered by the special counsel's investigation. No one, especially not the President, can credibly claim that the investigation is a fishing expedition. Calling Mueller's investigation a witch hunt is just a lie—plain and simple, a lie.

The President's actions clearly show he has a lot to hide, that he is afraid of the truth, and doesn't want Mueller or anyone else to uncover it, but it hasn't stopped the President from repeating these lies. In fact, in recent days, President Trump has escalated his attack on Special Counsel Mueller. Almost daily, the President's Twitter feed is littered with baseless accusations about the investigation. President Trump retweeted an image of several of his political opponents, including Deputy Attorney General Rosenstein, behind bars. Can you believe that? The Deputy Attorney General behind bars? And this is the man—the President—our Republican colleagues refuse to call out against?

Just yesterday, President Trump said this about a potential pardon for Paul Manafort, now accused of lying to prosecutors and violating his plea agreement. He said:

I wouldn't take it off the table. . . . Why would I take it off the table?

That is a pardon.

Let's not forget, President Trump has already fired the Attorney General and replaced him with a lackey without Senate approval. The nominee's only qualification seems to be that he has a history of criticizing the special counsel.

So this idea that we don't need to pass legislation to protect the special

counsel because there is no way President Trump will interfere with the investigation is flatout absurd.

I once again call on my friend the majority leader to schedule a vote on the bipartisan bill to protect the special counsel. If he continues to refuse, we will push for the bill in the yearend spending agreement.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Thomas Alvin Farr, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

The PRESIDING OFFICER. The majority whip.

##### BORDER SECURITY

Mr. CORNYN. Madam President, the clock is ticking and the days are passing us by, but we know we have a deadline to meet on December 7, and if we don't meet that deadline, then there will be a lot of lives disrupted and a lot of people will say: There they go again. Congress is unable to work together to try to solve problems, just creating more distrust and undermining confidence in our ability to actually do our job to govern.

What I want to talk about specifically is this fight over border funding because that is what the deadline is on December 7. Our Democratic friends have said: We are not going to fund President Trump's wall. On the other hand, we see caravans of people coming from Central America, coming through Mexico, closing down the ports of entry at the San Ysidro bridge between Tijuana and San Diego. What I fear is, we have made a parody out of what the problem is. We have thought about the challenge of border security and immigration in too small a way and not given the complete picture of what the challenges really are.

I just have to believe that if we were willing to acknowledge the facts, that we would be more inclined to work together to solve the problem, and I feel like we are looking at these problems like we are looking through a soda straw.

I have heard people talk about the humanitarian crisis at the border there at Tijuana caused by this huge caravan of Central Americans who want to storm the barriers and enter the United States illegally, and people question why would we stop them, why would they use nonlethal means like tear gas and pepper spray like President Obama did during his administration and which now Customs and Border Protection is doing again in order to protect the sovereignty of our country and to protect our borders from those who would enter it illegally.

So let's not look at this through a soda straw. Let's open up the aperture and look at the larger problem because it is a very serious problem, and it affects many lives, both here, in Mexico, and in Central America.

Our Democratic colleagues have offered a lot of criticism of the Trump administration when it comes to border security, but anytime you ask them, well, what is your solution, what are you offering as an alternative, it is crickets—complete silence. In other words, they are not offering any constructive solutions, just criticism. Our constituents deserve more than just for us to criticize one another. They deserve our working together to try to come up with solutions.

This is a crisis that has arisen as a result of our inability to acknowledge that this is a failure to enforce our immigration laws, a failure to fix our broken immigration system, and a failure to secure our borders.

Coming from Texas, representing 28 million constituents in a State which has a 1,200-mile common border with Mexico, this affects my constituents in my State directly. We are at ground zero, and I have tried my best to get educated about the problem and potential solutions. My trips to the border, talking to people in border communities who live and work in those communities, talking to our heroic Border Patrol agents, and visiting our ports of entry where millions and even billions of dollars of commerce flow legally between the United States and Mexico—that is important not only to our border communities but to jobs in the United States.

The border communities that rely on the flow of legal commerce through our ports know that without border security, legitimate trade can easily be brought to a standstill. In fact, that is exactly what has happened at San Ysidro, the port of entry between Tijuana and San Diego. They had to shut down the port of entry. So people whose jobs depend on those ports of entry and the trade and commerce that goes on between our countries, they are the ones who are being hurt by the uncontrolled disruption of legal immigration. Any disruption of legitimate trade has an immediate impact on the businesses and the employees and affects the livelihoods of our border residents.

An unsecured border creates avenues for the entry of drug cartels and

transnational criminal gangs to exploit because they are the same people who are facilitating the passage of migrants from Central America to our borders. Those are the same people who are transiting the heroin, 90 percent of which comes from Mexico, which contributes to our opioid crisis in the United States.

As I mentioned before, last year the Centers for Disease Control estimates 72,000 Americans died of a drug overdose—about 50,000 of those from some form of opioid, either prescription drug, synthetic fentanyl, or heroin coming across the same borders these migrants are attempting to storm across.

The people who are organizing that, as I said, are the same people. They are the drug cartels that are getting rich because we have not found a way to come together to fix our border, to reform our laws, and come together to try to protect the people we represent in the process. We know that the gangs, the cartels, and the transnational criminal organizations are ever evolving. They are always adapting. They spread terror, they prey on the weak, and they have taken control of large swaths of Mexico and Central America. They are, as I have said before, commodity-agnostic—they don't really care whether they are trafficking children for sex or heroin that will cause an overdose in the United States or a migrant who just wants a better life in the United States, because they do want a better life. The same people facilitate that for money.

On average, I have read that a migrant from Central America has to pay about \$8,000. You multiply that \$8,000 times thousands and thousands. Last year, in 2017, there were almost 400,000 migrants detained at our southwestern border. Just multiply that number by \$8,000, and you get just a glimpse of what we are talking about in the huge criminal enterprise. We are continuing to enrich these cartels and transnational criminal organizations when we fail to do our job when it comes to securing our border and fixing our broken immigration system.

This is more than just about whether President Trump gets his money for the wall. As a matter of fact, many of our Democratic colleagues voted in—I think it was 2006 for the Secure Fence Act, which called for 700 miles of secure fencing along the southwestern border. So they have already voted for tactical infrastructure that is part of the piece of the puzzle of securing our border; yet they stand intransigent against our effort to try to improve border security now even though they have supported similar funding in the past.

As I said, we know that the cartels are very shrewd, adaptive, and are always evolving. They know that if they can tie up the Border Patrol with processing children and family units, those same Border Patrol agents aren't available to stop the drugs that come across

the border. So it is a method of distracting the Border Patrol and law enforcement in order to exploit that vulnerability for the purposes of bringing those drugs into the United States.

When I want to learn more about what is happening at the border, I talk to my constituents in the Customs and Border Protection business, such as Chief Manny Padilla, who is the Chief of the Rio Grande Valley Sector of the Border Patrol, and Border Patrol Chief Carla Provost. Customs and Border Protection does all it can do with the tools available to it to stop flows of illegal immigration and to stop illegal contraband, including drugs, from making it across the border, but they need our help. We basically have not given them the tools they need in order to do the job we have asked them to do. Shame on us.

We know the cartels are cunning. I have seen produce that appears to be watermelons or other vegetables that basically contain heroin or fentanyl or some other illegal drug. The creativity of the cartels is amazing. I have seen them put human beings, migrants, into the upholstery of a seat in a car so they are obscured or pack them into a truck or put them in an 18-wheeler—unfortunately sometimes leaving them to die as a result of exposure to heat and other conditions. We also know that these same organizations traffic women and children through Central America and enslave them, essentially, here in the United States. They traffic them for sex—again, to generate money because that is all they care about.

The operations of these cartels are increasingly sophisticated, and they are always diversifying their income streams to avoid detection and defeat our efforts to stop it. They are strategic about when and how they cross the border, and they have developed this strategy over many years.

To put it simply, they are taking advantage of and exploiting our inability to deal with our porous border, and a lot of innocent people are getting hurt in the process.

Again, this is about more than just funding President Trump's border wall; this is about our pulling back and looking at the complexity of this problem and using our very best efforts in order to stop it. But somehow it becomes trivialized over a fight over tactical infrastructure that our Democratic colleagues have already voted for in the past under the Secure Fence Act.

Well, the instability and violence created by the criminal organizations in Central America and Mexico over the last few years are part of the strategy. Violence, unfortunately, is at an alltime high in Mexico. That is one of the reasons President Lopez Obrador was elected. He said he wanted to decrease the violence in Mexico. I learned recently that more people have died in Mexico since 2007 than have died in the wars in Afghanistan and Iraq combined. It is terrible, and we need to

work together to try to stop it. We know that gangs control much of El Salvador, and as a result, many Central Americans have their lives and safety threatened daily. It is no wonder they try to flee.

But the United States cannot bear the burden of this crisis alone. I believe the United States is the most generous country in the world when it comes to legal immigration. We have always considered ourselves a nation of immigrants, but we are also a nation of laws, and we see what happens when the law is ignored and when Congress fails to fix the problem to the best of our ability.

We have seen uncontrolled illegal immigration. We see thousands of people banding together in caravans trying to storm our ports of entry into the country, overrun our Customs and Border Protection personnel. Until we deal with this problem, new caravans will continue to arrive on a daily basis. In fact, they have. It is just now in the news because it is so large. We have had literally many caravans show up on a daily basis, but that doesn't make a lot of news. As I said, 400,000 people were detained on the southwestern border in 2017 alone.

What is frustrating is that the tools we need to address these problems are at hand and available to us. We can begin to work together to fight these gang cartels and organizations and secure our border by partnering with the governments of Central America and Mexico because our War on Drugs, our effort to provide safety and security to our constituents, is part of their war too. It is a fact that border security doesn't begin at our southern border; it ends at our southern border. It starts in Central America and Mexico.

I know it is sometimes difficult to grasp the complexity of these problems, and that is why it is so tough to resolve them. There are social, political, historical, and moral aspects to all of them. Many people and facets of our society are implicated.

Because of corruption and powerful criminal organizations in Mexico and Central America, a genuine rule of law is missing in many parts of these countries, and it has been for a long time. That is why it is so important for us to work together with these countries in Central America and with Mexico to help them stabilize their governments, root out the corruption, and stop the violence, which will benefit them and their economy, as well as the United States. These countries can in turn restore the relationship between their government, their law enforcement, and their people. When their people begin to see opportunity and safety in their home countries, making the long haul from Central America to the United States becomes less of an imperative and less of a necessity for them. They would probably be happier staying at home if they could do so safely and enjoy some modest prosperity.

We have already had some successes in partnering with our closest neighbor in the crisis; that is, the Government of Mexico. I believe we can and should continue to build on some of the things we have already put in place.

We have already partnered with Mexico in recent years through programs like the Merida Initiative to combat drug trafficking, organized crime, and money laundering.

We have directed funds toward strengthening communities and empowering the Mexican criminal justice system and judicial system to combat the rampant culture of impunity.

We have collaborated on intelligence matters and cooperated on providing various forms of security.

The Bureau of International Narcotics Control and Law Enforcement Affairs continues to work to develop programs to combat international narcotics and crime, especially in Central America, but U.S. funding for this program in Mexico has stagnated. Why? Because we somehow fixed the problem? No. It is because we have taken our eye off the ball once again.

Additional aid for these programs would help not only improve drug interdiction and train Mexican law enforcement and judicial personnel, it would help them help us work together to combat the threats of these transnational criminal organizations. We should begin to look at the effectiveness of these programs so we can take full advantage of the work they do and make sure they are modernized and are more efficient and more effective.

I was encouraged to see that the State Department, the Department of Homeland Security, and the Trump administration have already begun to negotiate new partnerships with Mexico to implement a new strategy to address some of the migrant flows from Central America. I appreciate Secretary Nielsen's and Secretary Pompeo's work with Mexican officials—primarily those associated with the incoming administration of President Lopez Obrador—toward an arrangement where migrants can seek asylum in the United States but wait in Mexico while their claims are being processed.

I look forward to attending the inauguration of Mexico's incoming President this Saturday with Vice President PENCE and other Members of Congress. I think this is—hopefully—a gesture that will be appreciated and reciprocated when it comes to our desire to work closely with this new administration to address many of the problems that I have talked about this morning.

Ignoring this problem is not going to make it better; it is only going to get worse. Working together—not just here in Congress but with the administration and our partners to the south—to secure our borders is the only path forward. Solving this crisis takes a whole-government strategy and one that looks at all pieces of the puzzle.

Instead of shutting down the government by refusing the President's re-

quest for border security measures, we need to get to work and fix our broken immigration system. I hope our friends across the aisle are ready to leave their criticism behind and join us in solving the problem.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Madam President, on another matter, I ask unanimous consent that the order with respect to the vote on Executive Calendar No. 626 be vitiated; that notwithstanding rule XXII, it be in order to proceed to the nomination the week of December 3; and that if the motion is agreed to, the Senate vote on confirmation with no intervening action or debate. I further ask that if confirmed, the motion to reconsider be considered made and laid upon the table and that the President be notified immediately of the Senate's action. I further ask unanimous consent that the pending cloture vote on the Kobes nomination occur at 12 noon today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

YEMEN

Mr. RUBIO. Madam President, we saw yesterday that the vote on the Yemen War Powers Resolution has brought to light the broader issue of our alliance with Saudi Arabia. This is an issue that people have heard a lot about, obviously, in the last few weeks with the murder of a journalist, and the Yemen resolution vote has become a proxy over that matter.

I have been outspoken in the past about why it matters that we speak out strongly about and against the murder of this journalist, Khashoggi, but also that we talk more broadly about what we need to do about it and how it applies to our alliance with Saudi Arabia.

I want to tailor my comments today by briefly talking about exactly what the implications are based on the questions I get from people. Why does the murder of Khashoggi matter, and why should we care about it?

First, this is part of a pattern. The Crown Prince, who is effectively governing Saudi Arabia now, has been continually testing the limits of the world's patience and also the limits of our alliance. There is a pattern here. We have seen it. He kidnapped, over 2 weeks, the Prime Minister of Lebanon. He has fractured an alliance that once existed with the Gulf Kingdoms. All of it has implications on U.S. national security. So this is just one more escalation in a pattern of testing the limits of our alliance.

Then there are human rights. Why do human rights matter? For a practical reason, human rights matter. From a practical perspective, when human rights are violated, the result is a humanitarian crisis, as we have seen often around the world, which often leads to mass migration.

Let me tell you something else: a violation of human rights leads to radicalization. When you violate a group of people, you mistreat them and abuse them; you leave them ripe for radicalization—for a radical group to come in and basically pull them in and say: We are the ones with the power, the weapons, and willingness to fight. Join us to go after your oppressors.

In fact, if you look at what is happening in Yemen, much of it and the Houthis comes from years of abuses against the Shia. It doesn't justify the radicalization, but it explains that, as it does what we have seen in Iraq and in Syria.

Here is one other thing that happens with human rights abuses. The abusers often get overthrown. Here is the problem. When an abusive government that violates human rights gets overthrown, the people who take over hate us because we have been supporting their abusers. These are practical reasons why human rights matter.

And there is a moral one. Perhaps in the ranking and order, that is the most important one—the moral one. It is because that is what makes us different from China and Russia and other countries around the world. This is what makes America different. In fact, I would say that the murder of Mr. Khashoggi is more about us. When it comes to our debate, it is about us. It is not just about him. It is about us and who we are and about whether we, as a nation, are prepared to excuse, overlook, or sort of brush away this horrifying incident because somebody buys a lot of things from us or produces a lot of oil.

Assuming we can mostly agree on that, the question is, What do we do about it? There is this false choice that has been presented to us. This false choice is that there are only two choices: Either ignore it or abandon and fracture the Saudi alliance. That is not true. There are other choices. It is not just either-or, those two. That is a false choice.

What I do believe is the wrong thing to do about it is to pull and yank away our support for Saudi operations in Yemen. Let me explain why. The first is, right now, the only hope of ending that is not winning an armed conflict; it is a peace negotiation. And the people who have to be at that table aren't just the Houthis but the deposed Yemeni President, who is in Saudi Arabia. If we yank our support, the chances of that peace happening diminish significantly. In fact, the Houthis probably say: The Saudis no longer have U.S. support; they are not as strong as they used to be; I think we can beat them; we don't need a peace deal. So it actually makes peace less likely.

The second thing, from a practical perspective, is that we will have less influence how the Saudis conduct the war, meaning that we will have no standing to have any influence whatsoever who they bomb, how often they bomb, and who they target. Some people argue that they will not have the

weapons to do it with. That is not true. If you don't think you can buy weapons from immoral and amoral regimes around the world, you are wrong; they can. If you think that somehow this will end their engagement, you are wrong. The reason they are involved in Yemen is that they feel it is an effort by Iran—and, rightfully, they feel this way—to encircle them.

If you look at it today, Iran is their enemy. Iran now controls large parts of Syria and is probably the closest government in the world to the Syrian regime to their northwest. Iraq is closer to Iran than it has ever been in the last 20 years to the north. Iran is to their east. Yemen would be to the south with the Houthis operating from there. They feel that they are being encircled by Iran. They are going to fight, whether we help them or not. We could lose our influence over how they do it.

I want to tell you one more thing that will happen. If we pull our support, the chances of a broader, catastrophic conflict increases dramatically. I will lay one scenario out for you. If we pull our support, the Houthis get confident, and they start launching rockets into Saudi Arabia, targeting civilian populations and members of the royal family and killing people.

The Saudis respond with disproportionate force or the same level of force, and we begin to escalate. They will not just respond against the Houthis. They may respond against the Iranian interests elsewhere. Suddenly, you have a real live shooting war that extends beyond this proxy fight. In response to that, the Houthis and Iranians use their presence on the coast and that port city to close off an important chokepoint, the Bab el-Mandeb, that choke point in the Red Sea that connects the Mediterranean to the Indian Ocean, where over 4.8 million barrels of oil a day go through. They start bombing oil tankers. They start hitting those, and all of a sudden, the world has to get engaged to open that up. This holds the real potential for a rapid escalation that could involve a much broader conflict than what we are seeing right now.

I know that many of my colleagues yesterday voted for this resolution out of deep frustration. It was a message to the administration that the way they handled this Khashoggi incident is unacceptable. I hope that message has been received. But this is the wrong way to do the right thing, and that is to ensure that we recalibrate our alliance with Saudi Arabia into one where they understand they can't just do whatever they want. The Crown Prince cannot do whatever he wants.

We have leverage in that regard. There is legislation that the Senator from New Jersey, Senator MENENDEZ, and others offered. In addition to that, there are things we can do. The leadership of the Foreign Relations Committee asked for the imposition of Magnitsky sanctions. That is a powerful tool. I assure you, there are people

in Saudi Arabia around the royal family, around the government, who deeply enjoy being able to invest and spend their wealth in the United States and around the world. They are going to care a lot if, as a result of this murder, they lose access to their money, to their property, to their visas. That is a real leverage point that we have.

We have additional tools: religious freedom sanctions and visa bans against other individuals who may not have been involved in the Khashoggi incident but, again, another leverage point.

We have leverage points in restricting U.S. investment. One of the biggest proposals the Crown Prince is making is that he wants to diversify their economy and encourage U.S. and Western investment into their economy. Placing restrictions on that investment is a significant leverage point.

We should use this opportunity to use those leverage points to achieve real changes in our alliance and real changes in their behavior. For example, the release of Mr. Badawi, an activist in Saudi Arabia who has been repeatedly flogged in the past and unjustly held in prison—he should be released. The release of Saudi women activists who have been tortured and sexually harassed while in custody—they should be released. Education reforms—Saudi Arabia should finally stop publishing these textbooks encouraging and teaching anti-Semitism and radicalization and dangerous religious notions and theologies that encourage violence against others. We should require them to restore the Gulf alliance and restore their relationship with Qatar. If they don't, we will. We should force them to stop funding these Wahhabi schools around the world, in which they are exporting radicalization.

All of these things need to happen. There may be other conditions we haven't thought of. These are real consequences that will begin to realign this alliance and make very clear that this is an important alliance, but it is not one that is unlimited or without restrictions or expectations on our part.

If we fail to do this, the Crown Prince will take further escalatory and outrageous actions in the future. He will keep pushing the envelope. This is a young man who has never lived anywhere else in the world. He is a Crown Prince, which tells you, not only is he wealthy, he has rarely faced disappointment in his life or ever not had something he wanted. He has never lived abroad. I think he is largely naive about foreign policy and thinks he can get away with whatever he wants because at home, he can. We have to make clear that with us, he can't.

You don't have to blow up the alliance to make that message clear. If we don't make that message clear, he will do more of this in the future, and one day, he may pull us into a war. One day, he may fracture the alliance him-

self because he goes too far. He needs to be stopped now. He needs to understand that there are limits or he will keep testing those limits. If we fail to do that at this moment, we will live to regret it, and its implications will be extraordinary, and it will be a gift to Iran.

That is my last point. What happened here has been a gift to Iran. What they have done has been a gift. Instead of weakening their enemy, they have empowered them. We do need to take positive action on this. We do need to take things that change and recalibrate this relationship, but yanking support at this moment from the Yemen campaign is the wrong way to do the right thing.

I hope that many of my colleagues, who yesterday voted to discharge this bill to the floor to send a clear message to the administration that they are unhappy with the response so far—I hope they will reconsider an alternative way forward that doesn't lead to these consequences I have outlined but allows us in the Senate to lead the way with the administration to reset this relationship in a way that avoids these problems in the future and lives up to our heritage as a nation whose foreign policy is infused with and supports the defense of human rights all over the world.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from New Jersey.

NOMINATION OF THOMAS FARR

Mr. MENENDEZ. Mr. President, I rise today in opposition to the nomination of Thomas Farr to the Eastern District of North Carolina. Those who sit on the Federal bench are bound to uphold the Constitution for all Americans, regardless of race, gender, ethnicity, or political leaning, but Mr. Farr cannot be trusted to defend equal justice under the law.

Working to disenfranchise voters with a particular hostility toward African-American voters has been his lifelong passion. Consider his work for Jesse Helms' 1990 Senate campaign. We all know Helms' record on race.

When the Justice Department brought a lawsuit against the Helms campaign for sending over 100,000 postcards to mostly African-American voters, falsely warning them that they were ineligible to vote and could be prosecuted for casting a ballot, it was Mr. Farr who defended the scheme. Yet, despite having served as the Helms' campaign attorney, Farr denied having any involvement with the postcards in his Senate questionnaire.

Mr. Farr claimed he did not "participate in any meetings in which the postcards were discussed before they were sent," but according to the former head of the Justice Department's Civil Rights Division, Gerald Hebert, "the answers in [Farr's] questionnaire are contrary to the facts."

Mr. Hebert took contemporaneous notes while investigating the Helms campaign—notes that place Mr. Farr at

a meeting on the postcard scheme just 3 weeks before they were sent.

Years later, Farr led a 3-year legal battle to defend North Carolina law that disgracefully shortened early voting, instituted onerous government ID requirements, and eliminated same-day voter registration and out-of-precinct voting, all of which are known to disproportionately suppress minority, elderly, and disabled voters.

Federal courts ruled the law unconstitutional for targeting African-American voters “with almost surgical precision—purposeful, surgical precision—calling it the most restrictive law since the era of Jim Crow.

I know Republicans want to confirm as many judges as possible, but why this judge when there are so many other qualified jurists to choose from? I think it is because they know the GOP agenda of enriching big corporations at the expense of everyday working families is incredibly unpopular with the American people.

Consider that while the Republicans held onto the Senate this year, they lost by 16 million votes nationwide. Democracy is supposed to be a battle of ideas, but when it comes to healthcare or student loan debt or climate change, they don't have any. When you can't win a fair fight, what do you do? You tilt the playing field in your favor.

Republicans want to stack the court with judges who will do their bidding—grossly out of step with the American people on everything from voting rights and redistricting to healthcare and climate change, to the constitutionality of Whitaker's appointment to lead the Justice Department. That is what Leader McCONNELL meant about nominations being Republicans' best chance of having a long-term impact on the Nation's future. It is their best chance at denying minorities from voting and forcing their bad ideas on the American people.

The Republicans are so intent on confirming judges with shameful records on voter suppression that they have shredded the blue-slip process here in the Senate, which allows the Senators to green-light or to prevent hearings on nominees from their home States. It is a process—Senator HATCH once called the blue-slip process the last remaining check on the President's judicial appointment power.

Ironically, back in 2013, when President Obama nominated an African-American assistant U.S. attorney named Jennifer May-Parker to this very seat, the Democrats respected Senator BURR's decision not to return a blue slip, and then-Chairman PAT LEAHY chose not to hold a Judiciary Committee hearing. Then, in 2016, President Obama nominated Patricia Timmons-Goodson, the first African-American woman on the North Carolina Supreme Court, to this same seat. If confirmed, either of these trail-blazing women would have become the first African American to serve in the Eastern District of North Carolina—a

district that is 27-percent African American. Yet neither Senator BURR nor Senator TILLIS returned a blue slip for Ms. Timmons-Goodson; thus, Chairman GRASSLEY did not act on her nomination.

Yet, today, President Trump's nominees are being confirmed despite objections from home State Senators. Paul Matey, a nominee from New Jersey, will likely become another example. Neither I nor Senator BOOKER were meaningfully consulted by the White House regarding New Jersey's open seat on the Third Circuit. For several reasons, we haven't returned blue slips for Paul Matey; yet they moved ahead with the hearing for him. So it has been eviscerated—totally, totally.

It has gone little by little. First, if one of the two Senators turned in a blue slip, that was enough. Now it doesn't matter that neither Senator turns in a blue slip; they go ahead with the hearing and probably with a vote. So the precious check and balance that Senator HATCH talked about as the last vestige of a check and balance on judicial nominations has largely been lost.

The Republicans claim to be the party of conservatism. Yet I see nothing conservative in their willingness to sweep aside century-old procedures for policy gain. They put their party before their country and show no fidelity to the institutions that have truly made this country great. Something is wrong with any political party that makes the suppression of voters its chief electoral strategy. Mr. Farr is just one more card in their deliberate effort to stack the deck against our democracy, to disenfranchise voters and force their unpopular, bad ideas on our country.

For the sake of our democracy, I urge my colleagues, in this case particularly, to do the decent thing, to do the right thing—to stand up for the voting rights of all Americans and reject this nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

Mrs. FEINSTEIN. Is there a time limit?

The PRESIDING OFFICER. There is no time limit.

Mrs. FEINSTEIN. Thank you. I know there are others waiting, so I don't estimate I will take more than 10 or 12 minutes.

I rise in opposition to the nomination of Tom Farr to the Eastern District of North Carolina. I do so as the ranking member of the Judiciary Committee.

The vote for Mr. Farr's nomination, as Members know, had been scheduled for today, but it has been postponed. Mr. Farr's long career indicates that his history raises serious questions about his ability to safeguard voting rights for all Americans. In fact, he has

a history involving voter suppression efforts, which leads me to question his qualifications to even be a Federal judge.

Farr's hostility toward voting rights can be traced back to the 1980s and 1990s when he worked as a lead attorney for Senator Jesse Helms' reelection campaign. Media reports indicate that he was not truthful in his responses to questions for the record about his involvement in voter suppression efforts that were orchestrated by the Helms campaign and by the Republican Party of North Carolina.

Here are the facts:

In 1990, Helms was in a tight race with the mayor of Charlotte, Harvey Gantt, and the campaign implemented a strategy to suppress and confuse African-American voters. The Helms campaign and the North Carolina GOP implemented a so-called ballot security program. That program included sending more than 120,000 postcards almost exclusively to African-American voters, saying they were required to live in a precinct for at least 30 days prior to election day and could be subjected to criminal prosecution.

This information was, in fact, false. In fact, one African-American voter in the State who received a postcard that informed him that he could not vote if he had not lived in his voting precinct for at least 30 days had lived at the same address for more than 30 years and had been registered to vote that entire time. So clearly these postcards were designed to intimidate African-American voters.

In committee, I asked Mr. Farr about this program and his participation in it. He told me that he did not provide any counsel and was not aware of the postcards until after they were sent. Former Federal prosecutor Gerald Hebert, who had worked on voting rights issues at the time, contradicted these statements.

To get to the bottom of it, the Democrats on the Judiciary Committee requested a copy of a Justice Department memo that reportedly detailed Farr's role in this voter suppression incident, but the Department would not provide a copy of the memo. The Washington Post has now obtained the memo, which clearly shows that Farr was, in fact, involved in these voter intimidation efforts.

I ask unanimous consent that the appropriate parts of the Washington Post article and a memorandum be printed in the RECORD.

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

[From the Washington Post, Nov. 27, 2018]

FATE OF DIVISIVE JUDICIAL NOMINEE FROM NORTH CAROLINA UNCERTAIN AMID CRITICISM

(By Seung Min Kim and John Wagner)

The fate of President Trump's divisive judicial nominee hung in the balance Tuesday as a Republican senator remained undecided on whether to confirm Thomas Farr, who previously worked to defend North Carolina voting laws ruled to have been discriminatory against African Americans.

Senate Democrats have been particularly critical of Farr, an attorney in Raleigh who backed a law that the courts called “the most restrictive voting law North Carolina has seen since the era of Jim Crow.” All 49 Democrats oppose the nomination.

Andrew Gillum and Stacey Abrams, two black candidates who fell short in high-profile gubernatorial races this month, criticized the nomination in a new statement Tuesday, underscoring the national fight over Farr’s nomination to a seat on the U.S. District Court for the Eastern District of North Carolina.

“Thomas Farr’s record of hostility and disregard for fundamental civil rights disqualifies him for a lifetime appointment that will allow him to codify his discriminatory ideology into law,” Gillum and Abrams said in a joint statement. “North Carolina’s Eastern District—where most of the state’s African Americans live—should be represented by a Bench that represents its diversity, not one that actively works to disenfranchise them.”

Senate Republican leaders have been publicly confident that they will have the votes to confirm Farr, although they will almost certainly need to summon Vice President Pence to break a 50-50 tie.

Sen. Jeff Flake (R-Ariz.) has vowed to oppose all judicial nominations until the chamber votes on legislation that he is seeking that would protect special counsel Robert S. Mueller III. Sen. Tim Scott (R-S.C.) said Tuesday that he had made no decision on the nomination.

Farr worked on the 1990 campaign of Sen. Jesse Helms (R-N.C.), which came under scrutiny for distributing postcards that the Justice Department later said were sent to intimidate black voters from heading to the polls.

The postcard issue has become one factor in the unusually bitter nomination fight. In response to questions from Democrats, Farr has denied any role in drafting the postcards and said he did not know about them until after the mailers were sent, saying he was “appalled” when he found out about them.

A 1991 Justice Department document newly obtained by The Washington Post sheds some light on Helms’s campaign and the state Republican Party’s broader “ballot security” program, of which the postcards were one component. Farr served as a lead lawyer for Helms.

The DOJ document, called a justification memo, elaborates on a meeting disclosed by Farr in a letter to Sen. Cory Booker (D-N.J.) last year. In that five-page letter, Farr said he participated in a “ballot security” meeting of the Helms campaign in October 1990 in which he said there was no need to do a card mailing because returned cards could no longer be used to challenge voter legitimacy.

The DOJ document obtained by The Post outlined the basis for the DOJ complaint against the Helms campaign and the North Carolina Republican Party for the more than 120,000 postcards sent primarily to black voters that officials said were an attempt to dissuade them from voting.

At the meeting, Farr told others that there were a limited number of ballot security initiatives that the groups could undertake at that point in the race, according to the memo. He also said because the current Republican governor could tap a majority of county election officials statewide, the need for a ballot security program that year was lessened because “they would ensure a fair election process for Republican candidates.”

During the meeting, participants also reviewed the Helms campaign’s 1984 ballot security effort Farr had coordinated “with an eye toward the activities that should be undertaken in 1990,” the DOJ wrote in the memo. The document did not say directly

whether the controversial postcards were discussed as part of that effort, and Farr has repeatedly denied any prior knowledge of those mailers.

Farr was not named in the DOJ complaint against the Republican entities, and he also signed a consent decree that effectively settled the issue in early 1992.

Sen. Thom Tillis (R-N.C.), one of Farr’s most vocal supporters, had asked a former prosecutor to investigate the claims that Farr was directly involved with the controversial postcards. That investigation has turned up no evidence.

“I’d ask them one simple question: When in the history of the DOJ have they allowed somebody who was subject to the investigation negotiate the consent agreement and sign it?” Tillis said Tuesday. “Never happens, which is exactly why these are baseless claims.”

Booker had requested DOJ release the justification memo, but it declined, citing confidentiality issues. A Justice Department spokesman declined to comment Tuesday on the memo. Farr did not return an email requesting a comment; nor did the White House.

The Senate Judiciary Committee advanced Farr’s confirmation with a party-line vote in January. Republicans in control of the North Carolina General Assembly hired Farr and others in his law firm to defend congressional boundaries it approved in 2011. In 2016, a federal court struck down the map as a racial gerrymander.

Farr also helped defend a 2013 voter ID law that was considered one of the strictest in the nation. In addition to requiring residents to show identification before they could cast a ballot, the law also eliminated same-day voter registration, got rid of seven days of early voting and ended out-of-precinct voting.

A federal court ruled in 2016 that the primary purpose of North Carolina’s law wasn’t to stop voter fraud but rather to disenfranchise minority voters. The judges wrote that the law targeted African Americans “with almost surgical precision,” in part because the only acceptable forms of voter identification were ones disproportionately used by white people.

Farr has a “well qualified” rating from the American Bar Association and was previously nominated to the same post by President George W. Bush.

Senate Minority Leader Charles E. Schumer (D-N.Y.) said he spoke to Gillum and Abrams earlier in the day and that they “were hurt by attempts to limit voting rights.” During a floor speech, Schumer called Farr the “chief cook and bottle washer” for the contested laws in North Carolina.

“I don’t care what your party is, and I don’t care what your political ideology is,” Schumer said. “How can you have this man in the court?”

The history of the seat Farr would fill also has contributed to the acrimony over his nomination. President Barack Obama nominated two African American women for the post during his tenure, but neither was granted a hearing. This is the longest current court vacancy nationwide.

Sen. Marco Rubio (R-Fla.) has been considered a potential “no” voted on Farr because he was prepared earlier this year to join Scott in voting against another judicial nominee with a history of racially charged writing. That nomination was withdrawn.

On Tuesday, however, Rubio—who was briefed by his staff on the nomination Tuesday evening—was prepared to vote for Farr barring any new information that may come out about him, according to a Senate official familiar with his thinking.

Sen. Susan Collins (R-Maine), another potential swing vote, also backs Farr.

ACTION MEMORANDUM—RECOMMENDED LAWSUIT AGAINST NORTH CAROLINA REPUBLICAN PARTY, HELMS CAMPAIGN FOR SENATE COMMITTEE, ET AL. UNDER 42 U.S.C. 1971(b) AND 42 U.S.C. 1973(b)

(June 19, 1991)

From John P. Dunne, Assistant Attorney General, Civil Rights Division.

Lee H. Rubin, Attorney, Voting Section, Civil Rights Division.

[EXCERPT: PAGE 8-9]

#### D. The Investigation

Our investigation began on November 1, 1990, the day we obtained reliable information that the postcards at issue had been sent primarily to black voters throughout the State. On that day, we requested that the FBI contact Jack Hawke, Chairman of the North Carolina Republican Party, and ask Mr. Hawke, among other things, the method used to select the voters who were sent postcards and all plans regarding the use of the returned postcards. Mr. Hawke refused to return FBI Agent George Dyer’s phone calls, and eventually referred Dyer to his attorney, Thomas Farr, an attorney with Maupin, Taylor, Ellis and Adams, in Raleigh, who was immediately advised by Mr. Dyer of the information we sought from the North Carolina Republican Party.

On Monday, November 5, 1990, after receiving no information responsive to our request, you contacted Mr. Farr and insisted that he provide us with the information we requested by that afternoon. During this conversation, Farr assured you that no information obtained from the returned cards would be used as a basis to challenge voters on election day. Late in the afternoon on November 5, Farr telefaxed to us a list of precincts, which he orally represented to be the precincts in which the voters selected to receive the postcards resided. Although Farr also advised us that Hawke would be made available that day for an interview with Dyer and myself, Hawke in fact did not submit to a voluntary interview that day.

The lack of cooperation which marked the initial stages of the investigation has persisted during the course of our investigation. Soon after the election, we contacted the North Carolina Republican Party, the Jefferson Marketing Companies, Mr. Ed Locke, and Mr. Doug Davidson, and requested that they provide us with all information relevant to our investigation. Mr. Hawke and Ms. Effie Pernell, the Executive Director of the North Carolina Republican Party, voluntarily spoke with Dyer on November 9, 1990. In late November, we received a request from Mr. Michael Carvin, one of the attorneys representing the North Carolina Republican Party, for a meeting with Department attorneys to discuss our investigation. At the time we received this request, we were on the verge of obtaining voluntary statements from individuals associated with Jefferson Marketing and from Doug Davidson. However, the respective counsel chose to delay the scheduling of any interviews until we responded to Mr. Carvin’s request. Asserting that the requested meeting would be “premature,” we declined the invitation to meet with Carvin on December 21.

[EXCERPT: PAGE 11-14]

#### D. The 1990 “Ballot Security” Program

The postcard mailing was one component of the 1990 “ballot security” program financed by the NCGOP. The wheels for the 1990 “ballot security” program were set in motion long before the actual mailing of the postcards. According to Doug Davidson, of Campaign Management, Inc., “ballot security” was discussed at several meetings held during the summer months of 1990. These meetings were attended by Davidson, Carter

Wrenn, a consultant to the Helms Committee, Peter Moore, the campaign manager for the Helms committee, Jack Hawke, Chairman of the NCGOP, and Effie Pernel, Executive Director of the NCGOP. During these meetings, in addition to discussing general campaign strategy, Davidson recalls that a consensus was reached that some type of “ballot security” effort needed to be undertaken prior to the 1990 general election. Peter Moore confirmed Davidson’s recollections, as he recalls meetings in which discussions focused upon the need for a “ballot security” program in connection with the November, 1990 election. At one of these meetings involving the leadership of the Helms Committee and the NCGOP, the decision was made to budget \$25,000 for the 1990 “ballot security” program and to finance the “ballot security” program with NCGOP funds.

In early September, 1990, Ed Locke, a political consultant from Charlotte who had played a major role in organizing the 1984 “ballot security” program for the NCGOP and the 1984 Helms Committee, contacted Tom Farr to offer his services for coordinating the 1990 “ballot security” program.

On October 16th, Davidson and possibly Tom Farr, who had worked with Ed Locke on the 1984 “ballot security” program for the NCGOP and the Helms Committee, contacted Locke by telephone in Charlotte and asked Locke if he would be willing to meet in Raleigh to discuss the 1990 “ballot security” program. Apparently Peter Moore and Carter Wrenn had been consulted concerning contacting Locke for discussions on the “ballot security” program and had given their assent to pursue such discussions. Locke agreed to meet with the Helms Committee representatives and flew to Raleigh the next day.

In Raleigh, he met initially with Moore, Davidson, and Farr. This meeting was held at Farr’s law firm, Maupin, Taylor, Ellis & Adams. At the meeting, the participants apparently reviewed the 1984 “ballot security” program with an eye toward the activities that should be undertaken in 1990. Davidson stated that by the end of the meeting they had formulated a tentative outline for the 1990 “ballot security” effort. Davidson recalls that a mailing targeted at voters who no longer resided in the precinct in which they are registered was one of the projects suggested for 1990. They also discussed who would be best suited to coordinate the “ballot security” effort.

According to Farr, he told the attendees of the meeting that there was only a limited number of “ballot security” programs that could be undertaken with only about three weeks left in the election. Farr also stated that the need for a “ballot security” program was not as compelling as in 1984, since, unlike in 1984, the state had a Republican governor. Since the Governor has power to appoint two out of the three members of each county’s board of elections, Farr explained that the Republican-controlled county election boards throughout the state would serve effectively as a statewide “ballot security” program, as they would ensure a fair election process for Republican candidates. He suggested that contact be made with a Republican board of elections member in every county to ensure that they will be working on election day. He also suggested that, to the extent that any “ballot security” programs are undertaken, they should focus on those precincts with little or no Republican presence at the polls. To this end, he advised that the Helms Committee/ NCGOP should hire observers to watch the opening and closing of the polls in such precincts. He suggested that it may also be helpful to publicize the fact that a “ballot security” program is going to be undertaken.

When the idea of a card mailing was raised, Farr told us that he explained to Locke and the others that while during the 1984 election, state law provided that returned postcards may serve as prima facie evidence that a voter was not properly registered to vote in that precinct, such procedures had been altered subsequent to that election so that a returned mailing could no longer serve to support an election day challenge of voters. He told the others that in light of this change, a postcard mailing like the mailing conducted in 1984 would not be particularly useful, except for use as evidence in post-election challenges.

Mrs. FEINSTEIN. The memo includes Farr’s own retelling of meetings in which sending postcards to voters was discussed. In fact, Farr told colleagues that postcards might not be as effective in kicking voters off the rolls as they had been in 1984. It is impossible, though, to square this memo with Farr’s denial to the Judiciary Committee that he had any knowledge of these actions.

In addition, since that time, Mr. Farr has remained active in efforts to depress and dilute African-American voting. In several cases, Farr defended North Carolina’s congressional and legislative districts that were drawn after the 2010 Census against allegations that the State legislature drew them to dilute the vote of African Americans. Farr has defended these districts before North Carolina’s State courts, Federal courts, and the Supreme Court. However, in each instance, his arguments have been rejected.

In *North Carolina v. Covington*, a three-judge panel in the Middle District of North Carolina found that “race was the predominant factor motivating the drawing of all challenged [state legislative] districts.”

In *Harris v. McCrory*, two of the three Federal judges on a panel held that the State’s congressional redistricting plan violated the 14th Amendment’s equal protection clause.

In 2016, Farr also defended North Carolina’s restrictive voter ID law in the North Carolina State Conference of the NAACP v. McCrory. He had served as an adviser to the State legislature as it was considering that legislation. In arguing before the Fourth Circuit, Farr strongly denied that racial animus toward African Americans was the motivation for the voter ID law. The court, however, strongly disagreed. In striking down the law, the court strongly rejected Farr’s arguments, noting that the law’s requirements “target African Americans with almost surgical precision.” That is the Fourth Circuit’s confirming that racial animus was part of this.

The Congressional Black Caucus Foundation expressed its strong opposition to Farr’s nomination, writing that “Farr has amassed a record that puts him at the forefront of an extended fight to disenfranchise African-American voters.”

Opposition to Farr’s nomination has been compounded by the history of this particular vacancy, which has been

open for a long time—actually, since 2006. President Obama nominated two highly qualified African-American women to fill the vacancy. Either would have been the first African American to serve on the court—a long-overdue milestone in a district in which more than 25 percent of the population is African American.

The first nominee, Jennifer May-Parker, served as chief of the Appellate Division at the U.S. Attorney’s Office in the Eastern District of North Carolina. By that time, she had served in the U.S. Attorney’s Office for 14 years. Her nomination did not move forward because she didn’t receive a blue slip from the State’s Republican Senator even though he had initially recommended her to the White House as a potential nominee.

The second nominee, Patricia Timmons-Goodson, served as the vice chair of the U.S. Commission on Civil Rights. She had previously served as an associate justice on the North Carolina Supreme Court and as an associate judge for the North Carolina Court of Appeals. Again, Republicans did not allow her nomination to move forward.

While the Republicans have undermined the blue-slip policy to confirm President Trump’s judicial nominees, it is important to know that the only reason Tom Farr’s nomination is under consideration today is that Republican blue slips were honored by the Democrats during the Obama administration. In short, the Republicans blocked two highly qualified African-American women from filling the vacancy in order to hold the seat open for a White nominee with a history of disenfranchising Black Americans. I am sorry to say that, but that is the way it was.

It is impossible to see how the people Tom Farr would serve in the Eastern District of North Carolina would ever believe they would be getting a fair shot in his courtroom. The Senate should reject this nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### IMMIGRATION

Mr. LANKFORD. Mr. President, on May 5 of this year, NASA launched the InSight rocket. That probe, the InSight probe, has traveled 300 million miles since May of this year and has touched down safely on Mars. It is a remarkable achievement. The United States is the only country in the world that has any probes on Mars. We have several now that are moving around and are stable. The technology behind that—the thought, the design, the engineering, the work—is a remarkable achievement for the science community.

The 300 million-plus miles that it has traveled since May and to be able to land safely is a remarkable achievement. I compared that 300-mile journey of the InSight probe and safely landing on Mars to our now two-decades-long conversation trying to solve immigration.

As Americans, we have figured out how to travel 300 million miles, but we have not been able to figure out how to manage our own immigration policy. This is the 10th time I have come to this floor to talk about immigration in just the last 3 years.

Earlier this year in February, we had a tremendous amount of work that was happening here in the Senate to try to come to a set of agreements about how we can manage the immigration policy in the United States, and those agreements failed. While InSight was traveling 300 million miles, the Senate still did nothing to solve the issue of immigration.

We watched today several thousand people in Tijuana living in a soccer stadium after they left from Honduras. They traveled into Guatemala. The Guatemalans deported several thousands of them and said: You didn't cross legally from Honduras into Guatemala.

Then they approached the border between Guatemala and Mexico, and Mexico put their law enforcement and their military on the border and said: You can't just cross the border illegally from Guatemala to Mexico. Then they charged the bridge, overran the law enforcement and the military of the Mexican police, went around into the river, and then regrouped again and continued to move forward to Mexico.

Mexico offered them asylum, which I thought was incredibly gracious, based on the way they crossed into Mexico. Mexico offered them asylum and the ability to stay in Mexico. They offered them assistance all along the way. They did arrest some troublemakers along the way.

Now they have made their way all the way through Mexico, and they are just outside San Diego. A few days ago, the same group rushed our border to see if our border would cave the same way the southern border of Mexico did. Yet we did not.

Interestingly enough, that group of several thousand people who rushed the border, who are now parked on that border, are literally living within a few 100 yards of the largest legal border crossing in the world—the San Diego crossing. There are 100,000 people a day who legally cross the border from Mexico into the United States, within feet of where they charged the border and demanded to get entry into the United States. Let me just set that for you again side by side. There are 100,000 people every single day who legally cross the border from Mexico into the United States at the Tijuana-San Diego crossing. Yet the attention is not on the 100,000 who are legally crossing the border. The cameras are turned toward the few thousand who are trying to rush the border illegally. Our perspective is out of whack.

We are not a closed country to immigration. We are an open country to immigration. There are 1.1 million people who last year became citizens of the United States—1.1 million—but we are a Nation that has order and structure.

We have 1 million people every single day who leave the United States, coming in legally either through Canada or through Mexico or based on flights. Our law enforcement folks who handle all the issues there—Border Patrol, customs, and all of the different folks from ICE—do a tremendous job every single day.

I think Secretary Nielsen and her leadership has been stellar in their leadership to help manage through a PR nightmare that has been created because the cameras want to focus on a few people crossing illegally and refuse to turn the cameras just 15 degrees and focus on 100,000 people coming across the border legally.

We do have to do something about our immigration policy. We are a Nation that has been open to immigrants our entire history as a nation, and we remain so and should remain so.

But the question seems to get spun up on this one issue: What do we do about someone who intentionally breaks the law to come into our country? How do we treat them versus the person who has gone through the process and who is legally coming into the country? Are they to be treated the same if they illegally cross the border at San Diego as someone who legally crosses the border at San Diego, or do we treat them differently?

Last year, there were 400,000 people who were arrested for illegally crossing our southern border—400,000. Again, that may seem like an incredibly large number, but let me put that back in perspective. Half a million people—that would be 500,000 people—legally cross our border on the south every day. So we had 400,000 people arrested crossing our southern border illegally—400,000—but yet over the total of an entire year, there are 400,000 people arrested, but every single day 500,000 people legally cross our entire southern border. As I mentioned, 100,000 of those are just at San Diego.

We, as Americans, need to make decisions about how we are going to handle immigration. I think we have to get some numbers and some perspective in place because all of the attention seems to be distracting us from the actual facts and numbers. So let me run through some things.

There has been a lot of conversation about family units, about what it means for family units to be able to come in and whether family units should be separated. Let me make it very clear. I have been very outspoken to say that family units need to stay together whenever possible.

We are Americans. We are very passionate about families. If a family unit crosses the border illegally, as much as possible, we need to keep that family unit together. That may mean we need to have them in a spot in a detention unit or someplace where they can actually stay together as a family as much as possible, but, for whatever reason, the courts have not allowed us to go through that system. I think that is

something that this Congress needs to respond to and needs to step up to, but this Congress has been unwilling to have the votes that it takes to make sure family units stay together because the drama of tearing families apart looks so much better on TV.

What has been the result of that? The result is a massive increase in the number of children who are coming to our border. This may sound familiar to you, and it should. In 2014, under the time of President Obama, he announced the DACA proposal, or Deferred Action for Childhood Arrivals, President Obama looked at those individuals who were living in the country here, who had been here for a long time, who came as children. Their parents broke the law by crossing the border, but they were children.

In American law, we do not punish children for the actions of their parents. We don't do that. So President Obama looked at these kids and said: You have grown up in our country. Your parents violated the law, but you did not. We are going to give you deferred action. We are going to give you the opportunity to be able to work and to be able to live here. It wasn't citizenship, but it is an opportunity to stay here and to work.

As soon as that was announced, within months, the American border started being flooded with unaccompanied minors—kids 17 years old and younger who would cross the border. They showed up in the thousands. They were brought by human smugglers from Central America who make their living moving people from Central America to the United States. That business started traveling all through Central America saying: President Obama is going to allow you to be able to stay in the country. He has just announced this program, and if you will go now with me, you will get to stay in America.

So parents were literally surrendering their teenagers, most of them boys, and saying to their boys: Go to America and go find a job and work and send money back. They would send their kids with human smugglers.

President Obama then said: Time out. That is not what I said. President Obama was very clear to say: You had to have been here years ago. You are not eligible if you cross the border now. Do not come.

Our State Department actively worked to get the message out in Central America, saying: Do not come. You will not be able to stay.

But the human smugglers were telling them: They are just kidding. I am going to take you, and we will show you that we can get you in.

What happened is that they started bringing kids by the thousands up to the border. When they got there, they were introduced to the border folks. They would go in, and they would get an opportunity to all stay. They would get a piece of paper that said they can't be deported while they go through their paperwork.

Those kids then were taking a picture of that piece of paper, saying: I got in, I am legal.

They were snapping that picture and sending it back on social media to their friends in Central America. It just accelerated, and it blew up into huge numbers.

In my State of Oklahoma, President Obama used one of the military bases there in Watonga, OK. He converted one of the dorms and was moving unaccompanied minors into this military base around a big giant fence in the middle of the base, just as he used other military bases to house unaccompanied minors because they were coming in such large numbers that they couldn't be managed. That was under President Obama's time.

It took a long time—several years—to get the message back out to Central America: Stop sending your unaccompanied minors because it is not just an automatic entry.

Then the conversation started about family units, saying: If you come as a family unit, you are going to be able to get in.

Now, that is not what everybody was saying here, but that is what the smugglers said back in Central America. They said: Hey, the Americans allow you to come in if you come in as a family unit. So bring a child with you, and you can get in.

Over the last year, we have watched the number of adults showing up with a child on our southern border dramatically increase by the tens of thousands—an unintended consequence.

It is interesting. Some may be noted over the weekend a Washington Post story that was titled: "For Central Americans, children open a path to the U.S.—and bring a discount." The Washington Post story was a story about research they are doing in Central America on these human smugglers and what they are doing now in their business. In the story they detailed that it will cost \$10,000 if you travel as an adult, but if you bring a child with you, you and the child can come for \$4,500. So it is half price if you bring a kid, and families are so desperate in that area to get some kind of assistance that, literally, adult males, mostly, are going to families and saying: Let me take your child with me. I will get a discount, and then I will send you some cash back, and I will try to enroll this child in an American school or find somebody to take care of them.

We have individuals who are now showing up at our southern border who are bringing a child they are not related to because they get a discount on their human smuggling time, and they get more expedited process to be able to actually get across the border to request asylum. Although, they are not actually requesting asylum. They are just getting across the border and trying to find a job. It is economics.

Do we not see what is happening? We are encouraging the human trafficking of children from Central America, from

unrelated adults, to come here. It has a nickname in Central America now, which the Washington Post story highlighted. It is called "adoptions." That is the new nickname—that I am going to take my child and adopt them out to some unrelated adult so they can get into America cheaper and faster, and, hopefully, things turn out for that kid as well. Our broken immigration system is encouraging this, and we need to address it.

Over the last 2 years, Congress has appropriated about \$1.7 billion to build 124 miles of new or replacement fencing along the border. This funding is not some tall, concrete tapeworm running along the southern border. It is a fence.

In 2006, it wasn't controversial for the Secure Fence Act. The Secure Fence Act built 650 miles of wall—fence—along the southern border. That fence was very effective.

For instance, earlier this year, Congress provided funding to replace 14 miles of fencing along the border between San Diego and Tijuana, Mexico. For the last 20 years, the border between Tijuana and San Diego has been actually old metal sheets from the Vietnam era that were used in Vietnam to lay out on the jungle floor to land helicopters on. They took that old sheet metal decades ago when they brought it back, and then they used it as the fencing between San Diego and Tijuana. That fencing is being replaced.

Congress provided the funding, and DHS has done 18-foot-high, bollard-style fencing, open fencing that you can see through, not the solid sheet metal that is up there. Although the actual final results haven't been released on it yet, the border agents on the ground have said they used to have 10 illegal crossings a day through that old-style fencing. Now they have one illegal crossing a month through that new fencing.

For all of the whining and all of the conversation I hear, which is that if you build a fence, it is just a ladder, it has dropped from 10 a day to 1 a month, just when the fencing changed. It also allows our agents to see a danger or a risk on the other side and respond to it.

By the end of the next fiscal year, DHS will have completed about 120 miles of new fencing in California, Nevada, and Texas. They have also installed 100 different video towers because it is not about fencing, it is also about technology and the ability to see what is happening at the border. We don't need fencing in every area of a 2,000-mile border.

Just since January 2017 until now, DHS has put up 31 different fixed surveillance towers along the southern border. They have put in 74 different remote video surveillance systems all along our southern border and 7 command and control facilities on the southern border. They put up a tunnel threat program. They have put in what is called a linear ground detection sys-

tem and a fiber optic detection system across our southern border in many areas to detect the tunnels that are being dug to move illegal narcotics, mostly, in those tunnels, rather than people. They put up mobile surveillance systems.

This is not just about fencing, it is also about technology. DHS has done both, and it is making a difference.

While the cameras are focused on children coughing from tear gas at our southern border, we need to ask ourselves a question: What are we doing in the policy that is encouraging people to bring children to the border thinking they are going to get faster access if they can illegally cross? Why is this happening? How do we stop it with our policy?

This Nation should continue to be open. We should continue to receive immigrants from around the world, including from Central America and from Mexico. I have neighbors and friends all through my community who are from Central America and from Mexico. They are welcome citizens of our country. They are part of the fabric of who we are—people from all over the world—but I have a very difficult time saying that 100,000 people at the San Diego crossing who are crossing legally should be ignored every single day for the sake of a few thousand who want to crash the fence, who crashed the barriers in Southern Mexico and who are working to crash the barriers here. We need to have a more reasoned response to this.

Listen, if you have never been to a naturalization service, you ought to go. I have a staff member whom I completely agree with who says: I can't ever go to a naturalization service and not cry. So far, I have never been to a naturalization service where I don't cry. They are exceptionally moving events, to watch a large group of people from all backgrounds, from all languages, standing and raising their right hand and pledging allegiance to a brandnew country. People who have set aside their old path to realize—for many of them this was years in the process, to legally go through all of the right checks and get to that point. For those 1.1 million people who do that every year, we honor those individuals and welcome them openly.

Let's honor people who are doing it the right way. Let's fix broken areas of the system that are encouraging people to bring children because they get a discount if they travel with children illegally across our border. Let's find a way to work out work visas. Let's deal with issues like temporary protective status that need to be resolved. Let's deal with the issues of our immigration, but let's not continue to stall.

If the Mars InSight probe can travel 300 million miles in 5 months, surely this Congress can sit down and resolve the immigration issue in a few months. I look forward to that in the next Congress and in the days ahead to finally getting this resolved.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

NOMINATION OF THOMAS FARR

Mr. VAN HOLLEN. Mr. President, there has been a lot of activity in the Senate today, and I wish to cover a couple of topics, starting with the nomination of Thomas Farr to be a U.S. District Court judge for the Eastern District of North Carolina. I understand we will not be voting on that nomination today.

I hope our colleagues will take the time between now and whenever we may cast a final vote on that nomination to take another look at the record because a number of very informative things have come out in recent days about Mr. Farr's record.

I want to take us back to a moment where this Senate Chamber was back in 2006. Back in 2006, the U.S. Senate passed the Voting Rights Reauthorization Act by a vote of 98 to 0. Ninety-eight Senators in favor of the Voting Rights Act Reauthorization—none opposed. The House passed the same bill by a vote of 390 to 33. President Bush signed that bill into law.

Fast forward to 2013, we have a case in the Supreme Court, *Shelby County v. Holder*. The Supreme Court, by a vote of 5 to 4, took a big bite out of the enforcement provisions of the Voting Rights Act. They eliminated the preclearance provisions. What we saw within a matter of weeks and months were States around the country that had previously been subject to the preclearance provisions beginning to enact laws putting up barriers to people's ability to vote, especially minority voters. Texas enacted legislation and North Carolina enacted legislation, among others.

I want to focus for a moment on what happened in North Carolina because in North Carolina the State legislature passed a bill that put up all sorts of obstacles that made it much harder—for African Americans especially—to cast their vote, to exercise their right to vote. When that bill was appealed to the Fourth Circuit, the Fourth Circuit found that North Carolina State legislation had targeted African-American voters with almost "surgical precision," and they threw out that North Carolina law.

Well, just a few days ago, this Senate confirmed a nominee to be legal counsel at the Department of Agriculture, Stephen Vaden, who was one of the people who filed and coauthored an amicus brief in support of the North Carolina law that was overturned. The Senate acted, and we did that.

It turns out that just a few days later, we have a nomination not for the general counsel for the Department of Agriculture but for somebody to be on the U.S. courts who was the architect and the defender of these North Carolina laws, Thomas Farr. That same law which the Court said targeted African Americans with almost surgical precision, trying to deny them their right to

vote, was also found by the Court to be "the most restrictive voting law North Carolina has seen since the era of Jim Crowe."

Thomas Farr wasn't just a key player in that case in defending North Carolina's discriminatory law, he was also a key player in passing other North Carolina laws that have been thrown out because of their discriminatory impact. He was in the middle of North Carolina's effort to redraw State legislative lines for both State House districts and State Senate districts that the U.S. Supreme Court threw out on the grounds that it was racially discriminatory, but his history in trying to put up barriers to minority voting rights goes back even further.

I have in my hand a memorandum, dated June 19, 1991, from within the Justice Department. It was during the administration of George Herbert Walker Bush. It is a memo recommending that the United States bring a lawsuit against the North Carolina Republican Party and the Helms for Senate Committee—that would be Jesse Helms, former Senator—for conducting a postcard mailing program designed to intimidate and threaten Black voters throughout the State of North Carolina in order to discourage them from participating in the November 6, 1990, general election.

I urge all of my colleagues to read this memorandum from the Justice Department during the time George Bush was President. I especially direct them to page 12. There is a footnote on page 12 that talks about Thomas Farr's work in this area of trying to put up barriers to voting, going way back to not just the 1990 election but back to the 1984 election of Senator Jesse Helms.

In fact, this Department of Justice memorandum states that Farr was the primary coordinator of the 1984 "ballot security" program conducted by the North Carolina GOP and the 1984 Helms for Senate Committee. He—referring to Thomas Farr—coordinated several "ballot security" activities in 1984, including a postcard mailing to voters in predominantly Black precincts which was designed to serve as a basis to challenge voters on Election Day.

I don't know what has happened to the Senate between 2006, when it unanimously voted to extend the Voting Rights Act, and today, when we have on the floor the nomination of Thomas Farr, who has a history of being the point person in trying to limit the ability of Americans to exercise their right to vote and, according to the Fourth Circuit of the United States, did so with "surgical precision" in denying African-American voters.

How can we in good conscience put someone on the Federal Court of the United States who has that history? How can people who come before that court have the confidence that the person—that judge—is really going to uphold their rights?

I urge my colleagues to oppose this nomination.

CLIMATE CHANGE

Mr. President, I also want to take us back to 2006 for another reason. Back in 2006, we had many of our Republican Senate colleagues recognizing the dangers of doing nothing about the mounting costs of climate change. Back in 2006, there was a bill in the U.S. Senate by Senators McCain and Lieberman, a bipartisan group, designed to finally take action. Here we are so many years later from 2006 and, my goodness, have we regressed.

We now have a President of the United States, in response to a report that came out from 300 scientists in the U.S. Government about the dangers of climate change, who says: Well, I don't believe it. They tried to bury this report, releasing it the day after Thanksgiving, but it backfired because it was a slow news day and people realized what was up. They realized this was a deliberate attempt by the administration to deep-six something that is important to all Americans and something all Americans can see with their own eyes, which is the escalating impact of doing nothing about climate change, whether it is forest fires or floods or rising sea levels.

If you look at the report, if you live in the Chesapeake Bay area, you have to be really worried: increasing precipitation, increasing storm events. We already have flooding in Annapolis, the home of the U.S. Naval Academy. If you talk to the Superintendent there, he is already worried about the impact. This report makes clear that we are going to have rising sea levels, a rising Chesapeake Bay, and we are going to see islands in the Chesapeake Bay disappearing, all because this body refuses to take any action and decides to instead kowtow to the President of the United States.

I would like to quote the President very quickly. When asked about this the other day, he said the following. When he was asked why he doesn't believe in climate change—this is the President of the United States: "One of the problems that a lot of people like myself—we have very high levels of intelligence, but we're not necessarily such believers."

He goes on to say:

And when you're talking about an atmosphere, oceans are very small. And it blows over and it sails over. I mean, we take thousands of tons of garbage off our beaches all the time that comes over from Asia. It just flows right down the Pacific, it flows, and we say where does this come from. And it takes many people to start off with.

Then he goes on in this bizarre answer. This is the President of the United States responding to a question about the reality of climate change.

I hope we will get back to where we were on climate change in this body in 2006 and work on a bipartisan basis to do something, because the cost of doing nothing is rising every day and hitting Americans and people across the world.

Finally, when it comes to denying the facts, including the facts presented

by his own administration, we have a President of the United States who apparently doesn't believe his intelligence community. This is just another rewind-the-tape moment. We remember after Helsinki, when the President sided with President Putin and said: No, the Russians were not involved in the 2016 elections—despite the unanimous conclusions of all the U.S. intelligence agencies.

Now we know from reports that the CIA has determined with a high level of confidence that the Crown Prince of Saudi Arabia was involved and helped orchestrate the assassination of Jamal Khashoggi in the Saudi consulate in Istanbul. Instead of accepting the conclusions of the CIA, the President instead has become the mouthpiece for the Saudi regime. Early on, he played into all their cover stories.

Just yesterday, we had a briefing of the Senate. We had the Secretary of State and the Secretary of Defense. Guess who did not show up. The Director of the CIA. It is pretty clear that the administration did not want the Director of the CIA telling Senators from both parties what her findings are, but they have been reported in our newspapers.

When you have the Secretary of State write in the Wall Street Journal complaining about what he calls "caterwauling" in the U.S. Congress about what happened, you bet people in the Senate are upset about the fact that an American resident—a writer for a major American newspaper—got murdered in the Saudi consulate in Istanbul, and the President of the United States wants to not only just look the other way but is actually complicit in providing the cover story for the Crown Prince of Saudi Arabia. So there is a lot of caterwauling going on.

The President made another bizarre statement that began with the sentence "The world is a dangerous place" and then went on to somehow justify ignoring Saudi's conduct and the murder. Yes, the world is a dangerous place, and it is made a lot more dangerous when the President of the United States looks the other way when one of our so-called allies—and they have been an important ally in some respects—is actually complicit in the murder of an American resident overseas. That makes the world much more dangerous for all Americans and all people around the world.

It is important that the United States act to hold the Crown Prince accountable. It is also important that we stop giving Saudi Arabia a green light on all sorts of other conduct. This is a Crown Prince who kidnapped the Prime Minister of Lebanon. This is a Crown Prince who blockaded Qatar against our best interests. This is a Crown Prince who essentially threw out the Canadian Ambassador because she had the temerity to tweet about Saudi human rights abuses against women in Saudi Arabia. The reason the Crown

Prince thought he could get away with killing an American resident in Istanbul is because this President has given him a blank check to do whatever he wants, and that includes Yemen.

#### YEMEN

Mr. President, I will close by making a few remarks about Yemen because what we have seen is an administration that has essentially given a blank check to the Saudi war in Yemen, and it has backfired and has actually strengthened the hand of Iran. The Houthis are an indigenous movement in Yemen. Saudi's conduct has given Iran an opening in a way it did not have before.

The best way is to get all the parties to the peace table to have a negotiation, and we are not going to get the Saudis to the peace table if the President of the United States continues to look the other way for all their bad conduct. That is why it is important that next week the Senate pass the resolution that was discharged here to the floor yesterday and send a clear message about what we stand for.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator's time has expired.

The Senator from Massachusetts.

Ms. WARREN. Madam President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. GARDNER. Reserving the right to object, we have a standing order.

The PRESIDING OFFICER. Is there objection?

Mr. GARDNER. I object.

The PRESIDING OFFICER. Objection is heard.

Ms. WARREN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Ms. WARREN. Madam President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### NOMINATION OF KATHY KRANINGER

Ms. WARREN. Madam President, 10 years ago, greedy financial institutes crashed our economy and crushed working families all across this country. Millions of Americans lost their jobs, millions lost their homes, and millions lost their life savings. That crisis was no accident, and it was no act of God. It was caused because Washington looked the other way while greedy Wall Street bankers scammed hard-working American families. It can happen again if we let it.

If we learned anything from the financial crisis that nearly drove our

economy over a cliff, it is that American families desperately need a strong consumer watchdog. Before the crisis, financial institutions sold consumers predatory loans that were like grenades with their pins pulled out. When they exploded, they wiped out trillions of dollars of wealth and caused millions of people to lose their jobs, their savings, or their homes.

The Consumer Financial Protection Bureau was created to level the playing field for consumers and make sure that Washington never again looks the other way while millions of families get squeezed.

On June 18, 2018, President Donald Trump announced his intent to nominate Kathleen Kraninger as Director of the CFPB. Ms. Kraninger is a political appointee at OMB who has spent more than a decade working on homeland security policy in the executive branch and on Capitol Hill. She has never—I repeat, never—worked on consumer protection issues either in public service or in the private sector. She has zero track record of standing up for consumers.

The White House championed Ms. Kraninger's experience as a manager when announcing her nomination. A White House official stated that Ms. Kraninger "will bring . . . much-needed management experience [to the CFPB]." A quick search on Google shows that is bogus.

Ms. Kraninger's tenure at OMB has been marred by systemic management failures. As an OMB official with primary responsibility over the Departments of Justice and Homeland Security, Ms. Kraninger was one of the officials responsible for managing and implementing President Trump's zero-tolerance policy. The policy resulted in a humanitarian catastrophe in which thousands of children were ripped from the arms of their mamas and daddies and thrown into cages.

Ms. Kraninger bungled the response to the three catastrophic hurricanes of 2017. Under Ms. Kraninger's leadership, OMB's budget requests in the wake of Hurricanes Irma, Maria, and Harvey were too little, too late.

Ms. Kraninger oversaw a budget that, if enacted, would have exacerbated, rather than alleviated, the Nation's affordable housing crisis.

No, it isn't Ms. Kraninger's management experience that got her a giant promotion; it is her enthusiasm for Mick Mulvaney's anti-consumer agenda that earned her this reward from President Trump. How do I know that? I asked Ms. Kraninger if she disagreed with one single action that Mr. Mulvaney took during the year he controlled the CFPB. She said: "I cannot identify any actions that Acting Director Mulvaney has taken with which I disagree." Not a single one. That means she agrees with Mick Mulvaney's decision to drop a lawsuit against payday lenders who were charging vulnerable buyers 900 percent interest. She agrees with Mick

Mulvaney's decision to gut CFPB's office that fights lending discrimination, which was designed to make sure communities of color aren't targeted with the most abusive loans, as they were before the financial crisis. She agrees with Mick Mulvaney's decision to stop checks that ensure that banks don't charge our military sky-high interest rates. She agrees with Mick Mulvaney's decision to censor reports to Congress and give student loan companies a free pass when they rip off students. She agrees with Mick Mulvaney's decision to load up the CFPB with more than a dozen political appointees to muzzle the CFPB's professional staff and keep them from doing their job. It is hard to imagine a stronger indication that Ms. Kraninger intends to continue Mr. Mulvaney's harmful trajectory of weakening CFPB to benefit big financial institutions at the expense of consumers.

Ms. Kraninger has absolutely no experience in consumer finance whatsoever, but she has been nominated to head up the Consumer Financial Protection Bureau because she is passionately committed to keeping it from leveling the playing field for working families. No thanks.

We have a lot of hard decisions to make in this body, but this one is a no-brainer. Hard-working American families deserve a fighter as the Director of the CFPB. When the CFPB fights for consumers, students can manage their loans. When the CFPB fights for consumers, servicemembers can serve their country without worrying that their families will be crushed by debt. When the CFPB fights for consumers, seniors can retire with dignity. When the CFPB fights for consumers, 29 million families get checks for over \$12 billion from financial institutions that cheated them—and that happened in just 6 years.

Working families need a CFPB Director who is a fighter with a proven track record of making the consumer marketplace safe and aggressively pursuing companies that cheat their customers. Kathleen Kraninger is not that person. Let's do our job. Let's reject this nominee.

#### CLOTURE MOTION

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

The senior assistant bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Jonathan A. Kobes, of South Dakota, to be United States Circuit Judge for the Eighth Circuit.

Mitch McConnell, Jerry Moran, Mike Crapo, Steve Daines, Richard Burr, James E. Risch, Thom Tillis, John Thune, Roger F. Wicker, John Hoeven, David Perdue, Pat Roberts, John Bar-

rosso, Mike Rounds, Lamar Alexander, John Boozman, John Cornyn.

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 Jonathan A. Kobes, of South Dakota, to be United States Circuit Judge for the Eighth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "yea."

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

[Rollcall Vote No. 251 Ex.]

#### YEAS—49

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

#### NAYS—49

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

#### PRESENT AND GIVING A LIVE PAIR

Flake, against

#### NOT VOTING—1

Inhofe

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Madam President, on this vote, I have a pair with the Senator from Oklahoma, Mr. INHOFE. If he were present and voting, he would vote "yea". He is absent due to a family emergency. If I were permitted to vote, I would vote "nay". I therefore withdraw my vote.

The PRESIDING OFFICER. The Senator has that right.

The VICE PRESIDENT. On this vote the yeas are 49, the nays are 49. The Senate being equally divided, the Vice President votes in the affirmative, and the motion is agreed to.

The clerk will report the nomination.

#### EXECUTIVE CALENDAR

The senior assistant legislative clerk read the nomination of Jonathan A. Kobes, of South Dakota, to be United States Circuit Judge for the Eighth Circuit.

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

#### LAND AND WATER CONSERVATION FUND

Mr. GARDNER. Thank you, Madam President. I come to the floor today to talk about a very important conservation program—the Land and Water Conservation Fund. This is one of the crown jewels of our Nation's conservation effort. The preservation, protection, and conservation of our public lands is something we take great pride in in the western part of our country and, in fact, all four corners of our State, and this great country takes great pride in the Land and Water Conservation Fund and the efforts that it pursues to maintain our public lands, to show our public lands, to allow the exploration and use of our public lands for generations to come.

The Land and Water Conservation Fund has had over 40,000 projects in its existence, billions of dollars in consumer spending driven by the outdoors—\$2 billion in State and local tax revenue driven by our love of the outdoors. Hiking, hunting, fishing, skiing in the winter, rafting in the spring are all tied to the incredible conservation work we do in these incredible programs through the Land and Water Conservation Fund.

Colorado's outdoor recreation activities have made it the destination, not just part of the year but all of the year, for people looking for adventure opportunities in our great outdoors. As I mentioned, we generate \$28 billion in consumer spending just in the State of Colorado for our outdoors economy.

The Land and Water Conservation Fund isn't just about preserving land because we want to conserve the land; it is about our economy—our recreation economy—and those \$2 billion in State and local tax revenues generated by that. It employs over 200,000 people in an outdoors economy. The Land and Water Conservation Fund is a critical part of that. We have this economy because of our public lands—the extensive efforts we have undertaken to conserve them in a condition that the next generation will also get to enjoy.

One of those tools, the Land and Water Conservation Fund has lapsed. It has been 60 days since the Land and Water Conservation Fund expired. Those who would permanently reauthorize the Land and Water Conservation Fund cleared the committees of jurisdiction in both the House and the Senate. The Land and Water Conservation Fund authorization of full funding has bipartisan support—Democrat and Republican support, House and Senate support. It is a program to sustain access to land that would otherwise be cut off—public land held and owned by the American people that we don't

have access to. We can't get to that land, even though we own the land—the American people own that land—because it is closed off. The Land and Water Conservation Fund allows us to get to that land, to recreate on that land, and to hunt on that land.

In the days leading up to the Land and Water Conservation Fund expiration, a report was published by the Theodore Roosevelt Conservation Partnership. It published some figures on public land acreage that talked about the inaccessible number of acres in the American public land system. It identified over 9.5 million acres in the United States that was inaccessible to the public because of surrounding private land. In Colorado alone, there are over 250,000 acres of public lands that are closed off to the public. That translates to just shy of 400 square miles of public land in Colorado. There are 400 square miles of public land in Colorado—almost the size of Rocky Mountain National Park—that can't be used to hike, hunt, and fish because we can't access it. We can't access it to explore, to hope, to think, to dream—all of those things our public lands represent. The Land and Water Conservation Fund can be used to help access that land, to find ways to utilize that land. The 400 square miles of property that the public owns can be utilized by the public through programs like the Land and Water Conservation Fund.

I want to talk about this picture right here. This is the Superintendent of the Black Canyon of the Gunnison National Park.

The Black Canyon of the Gunnison National Park had a Land and Water Conservation Fund-purchased acquisition. You can see it here on the rim of the canyon. This was at risk of being sold to a developer. The park is right here. This is the park. Imagine if this rim of the canyon had been developed what that would have meant. It would have prevented this national park from meeting the ideals and aspirations of what we believe it should be and what it means to be a national park. Imagine the 2,500 acres on the rim of this canyon inside the boundary of the national park being sold and what it could have done to this public land that surrounds it.

The land acquired provides access to Gold Medal fly fishing on the Gunnison River, creates potential opportunities for the National Park Service to provide more family-friendly hiking near the visitor center, and serves as a potential source of water to the South Rim, which will reduce the operational costs of hauling water like they do now to meet visitor and staff needs. It is a win for all involved. You can see right there what it means.

In the next picture, we have the Great Sand Dunes National Park. Near it is a 12,000-acre ranch, the Medano Zapata Ranch, which borders the Sand Dunes on three sides. It has been 60 days since the Land and Water Conservation Fund has expired, but this

program, this chunk of land, this 12,000 acres was bought by the Nature Conservancy, one of our great conservation partners, and is going through the process to be incorporated into the park using LWCF dollars.

This is an important purchase for our access to existing public lands—12,000 acres to our existing public lands. You can see the Great Sand Dunes in the background there. This preserves access to these public lands and keeps beautiful lands conserved for healthy wildlife habitat.

Inholding purchases are not the only way the Land and Water Conservation Fund benefits the outdoors, however. The National Park Service, through the LWCF State and Local Assistance Program, provides matching grants for State and local park projects that aren't just inside national park boundaries.

Just last week, three State parks in Colorado were awarded funding through the LWCF. Funds awarded to Crawford State Park will be used to complete a trail between the east and west sides of the park, including the construction of two prefabricated pedestrian bridges.

Road improvements will be funded at Chatfield State Park, one of the most heavily used State parks in Colorado, to include resurfacing damaged asphalt, adding asphalt surface to a gravel access road, and adding bicycle lanes.

Finally, funding awarded through the LWCF to Cherry Creek State Park will allow them to resurface one-third of a mile on the Parker Trail.

The Land and Water Conservation Fund isn't just about the West. It is about the East as well. It is not just about our national forests or BLM land or national parks, local parks, bike trails, and playgrounds. It is about those little slices of heaven among the concrete and chaos of our urban corridors, as well.

I urge my colleagues to come together to find ways to permanently authorize and fully fund the Land and Water Conservation Fund.

Think about what our public lands mean to this country, and go back to the words of Enos Mills, who was one of the founding fathers of Rocky Mountain National Park, who said this: "Within National Parks is room—glorious room—room in which to find ourselves, in which to think and hope, to dream and plan, to rest and resolve.

These are our public lands. We have a chance to act before this Congress closes to reauthorize and to fully fund the Land and Water Conservation Fund. I am going to fight tooth and nail to make sure that we get that job done.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Ohio.

NOMINATION OF KATHLEEN L. KRANINGER

Mr. BROWN. Mr. President, our job in this body, in public service, is to fight for the people we serve. If you are

taking a government salary, your job is to fight for the people who make this country work.

Wall Street, the big banks, and corporate special interests have their own army of lobbyists that go in and out of the majority leader's office. They are at their beck and call.

Our job is to fight for everyday Americans. That is why we created the Consumer Financial Protection Bureau. The Bureau's job is to crack down on Wall Street predators and people who cheat the system and shady lenders who prey on hard-working families.

The people in this town may have collective amnesia about what happened a decade ago. They may have forgotten the financial crisis. They may have forgotten the housing crisis, but families who lost their homes, lost their retirement savings, lost their jobs, and lost their college funds haven't forgotten.

My wife and I live in Cleveland, OH, in ZIP Code 44105. My ZIP Code, a decade ago, in the first half of that year, had more foreclosures than any ZIP Code in the United States of America. I see every day the blight and the damage that the foreclosure crisis brought to us, mostly by Wall Street.

The Consumer Financial Protection Bureau is supposed to look out for danger before it crashes down on these hard-working families and robs them of their homes, jobs, and savings. The first 6 years on the job, that is what public servants at the Consumer Financial Protection Bureau did. They returned \$12 billion to 29 million Americans who had been scammed, cheated, and ripped off.

The Consumer Financial Protection Bureau follows in this country's proud tradition of progressive achievements: workers safety laws, overtime protections, collective bargaining rights, Social Security, Medicare, safe drinking water laws—all of those things that helped our country grow, that helped build a middle class, that helped to enhance people's quality of life.

Over the last year, Mick Mulvaney turned an agency meant to stand on the side of the American people into yet another outlet for the financial industry to push its agenda. The same people who line up outside the majority leader's office down the hall and the same lobbyists line up at the Consumer Financial Protection Bureau and push that same Wall Street agenda.

Mick Mulvaney said to the workers and servicemembers who are served by the Consumer Financial Protection Bureau, to students and seniors who are served by the Bureau: You are on your own now. Don't expect any protection from us.

It is not just an attack on consumers. It is the Americans who work hard, whether they swipe a badge or punch a clock, whether they work for salary, whether they work for tips, whether they are raising children or taking care of an aging parent. Americans work

hard to earn a paycheck, buy a home, send their kids to college, and save for retirement. Every day they find themselves under attack from scam debt collectors and predatory payday lenders, or they see their pensions being raided by hedge fund billionaires.

When we let financial predators strip away at the people in ZIP Code 44105—strip away Americans' hard-earned dollars through fees and scams—we undermine that dignity of work, undermine the dignity people should have when they retire, and undermine the dignity of work that makes this country great.

How do you look Americans in the eye who are working that second or third shift or starting a small business if their government is going to stand by and line up with criminals who fleece people, line up with Wall Street, line up with shady lenders?

It comes down to whose side you are on.

We know that Mick Mulvaney, who has been running the Consumer Financial Protection Bureau—sort of moonlighting because he has another Federal job—has been on the side of Wall Street.

Now we have to ask ourselves about the nominee for this job, Kathy Kraninger: Whose side has she been on?

We tried to get answers from Ms. Kraninger. In her job at the Office and Management Budget, she oversaw the agencies that ripped children from their parents at the border. She was involved in that.

We asked Ms. Kraninger to show us what her role was in that policy. She didn't defend it. She just refused to respond. She came in front of the committee. She wanted this nomination. She wanted to be confirmed. She wanted this promotion, and she would not even answer questions. She wouldn't respond to letters about her involvement.

We asked Ms. Kraninger whose side she was on after a devastating hurricane left millions of American citizens—American citizens, don't forget—in Puerto Rico without power, without water, without hospital, without shelter. We asked her to show us who she was fighting for when the government failed to find relief. She didn't deny anything. She refused to answer.

She wants a promotion. She wants this job. She refused to answer questions that we asked, that Senator WHITEHOUSE or I or others asked on behalf of the American people.

Then we asked whose side she would be on if she were head of the Consumer Financial Protection Bureau. Would she be on the side of all the lobbyists that lined up outside Majority Leader MCCONNELL's office or on the side of those who have been harmed? Would she be on Mick Mulvaney's side or fight for workers and servicemembers and students and seniors? It is one of the questions she did answer.

She said: "I cannot identify any actions that Acting Director Mulvaney has taken with which I disagree."

We know exactly whose side Ms. Kraninger will be on. She is with Mick Mulvaney, which means she is with Wall Street, with the payday lenders, with the shady special interests. She is not on the side of millions of Americans—the 29 million Americans who have saved \$12 billion because the Consumer Financial Protection Bureau existed. She is not on their side. She is not on the side of her neighbors and my neighbors—her neighbors in her home State and in my home State of Ohio who lost their homes, their jobs, and their retirement savings to Wall Street greed.

She is not on the side of people who work for a living. She is on the side of big corporations like GM, which is shutting down its operations in Lordstown, presumably, costing 5,000 people their jobs, and moving some of those jobs overseas. She is on their side.

She has no experience in banking, finance, or consumer protection. Her one and only qualification is that she will be a rubberstamp for special interests.

I call on everybody in this body—I call on the President: Let's find somebody who will take this job seriously, who will fight for the people who make this country work.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CRAPO. Mr. President, I rise to speak in support of the nomination of Kathy Kraninger to be Director of the Consumer Financial Protection Bureau.

Ms. Kraninger has had a distinguished career in public service, with exposure to a diverse set of Federal agencies. She brings significant leadership experience at Federal agencies on Capitol Hill, with particular expertise in the budget and appropriations processes.

She has served as Associate Director for General Government at the Office of Management and Budget since March 2017. In that capacity, she oversees nearly \$250 billion in the budgetary resources for seven Cabinet Departments, and 30 other Federal Agencies, including the Bureau.

In addition, she serves as OMB's principal policy official for issues related to the Treasury Department, the Department of Housing and Urban Affairs, and Federal financial regulators.

Prior to her time at OMB, Ms. Kraninger served in leadership positions at the Department of Transportation and the Department of Homeland Security, as well as having served on the staff of several congressional committees, including on the Senate Appropriations Committee.

As Director of the Bureau, Ms. Kraninger would be charged with over-

seeing the market for consumer financial products and services, enforcing many Federal consumer financial laws, and protecting consumers. The Bureau's supervision, regulation, and enforcement decisions have an immense impact on consumers' access to critical financial products and services.

At her nomination hearing, Ms. Kraninger reiterated her dedication to fulfilling the Bureau's congressional mandate of ensuring all consumers have access to markets for consumer financial products and services that are fair, transparent, and competitive.

At her hearing, Ms. Kraninger identified what her first four priorities would be if she were to be confirmed: ensuring the Bureau is fair and transparent, including the use of robust cost-benefit analysis, notice and comment rule-making, and tailoring regulations to ensure that consumers are not unnecessarily and smaller companies are not disproportionately harmed; improving collaboration with other financial regulators in the States on supervision and enforcement; limiting data collection to only what is necessary and strengthening its protection; and making sure the Bureau is held accountable.

She was also forceful in saying:

Nothing is more destructive to competitive markets and consumer choice than fraudulent behavior. Under my stewardship, the Bureau will take aggressive action against bad actors who break the rules by engaging in fraud and other illegal activity.

It is good that Ms. Kraninger plans to prioritize limiting data collection and strengthening the protection of consumers' sensitive, personal financial information.

I have long been critical of big data collection activities by private organizations and Federal agencies, particularly that of the Bureau and its encroachment into the private financial lives of Americans across this country. The Bureau's data collection is especially concerning in light of the number of high-profile cyber attacks in recent years and news about how outside groups have collected private information from Facebook users.

It is important that the Bureau, other Federal agencies, and private organizations comprehensively review their data collection processes and narrow and enhance those processes to better protect consumers' personal information.

Big data and privacy issues will be a major priority for the Banking Committee in this next Congress. There is growing support to give people the necessary tools to protect their privacy and opt out of certain data collection.

I am confident that Ms. Kraninger is well prepared to lead the Bureau in enforcing Federal consumer financial laws, in protecting consumers' sensitive personal financial information, and in increasing its transparency and accountability. In fact, many of these issues were key points of discussion during Ms. Kraninger's nomination hearing.

Senator TILLIS asked Ms. Kraninger about the Bureau's immense power and level of accountability. Ms. Kraninger told the Banking Committee: "I have noted that my focus is on running the agency as Congress established it, but, certainly, working with Members of Congress, I'm very open to changes in the structure that will make the agency more accountable and transparent."

In responding to a question that Senator TOOMEY posed about the Bureau's potential impact on small businesses, Ms. Kraninger said:

I absolutely believe that there is a limited intent for the Bureau to be engaged in small business oversight or engagement there. So that's something that should be limited.

Senator MORAN asked Ms. Kraninger about providing greater clarity to companies that are overseen by the Bureau, to which she responded:

I completely agree that it is critical to have clear rules so that lenders, creditors, and consumers themselves know what the rules are, that they are not, somehow, told after the fact that they broke a rule they weren't even aware of or that it had, somehow, changed without any proper notice and comment process, to really understand the impacts and the opportunity to tailor.

In addition, numerous key stakeholders have written to the Banking Committee in support of Ms. Kraninger's nomination and to emphasize the positive attributes that prepare her to lead the Bureau. Ms. Kraninger has received widespread support from community banks and credit unions, consumer bankers, housing organizations and Realtors, taxpayer advocacy groups, and auto dealers.

Rebeca Romero Rainey, the president and CEO of the Independent Community Bankers of America, said:

I believe she understands the critical role played by community banks in creating access to consumer and small business credit and supporting prosperity in American communities. This perspective will strengthen the Bureau's rulemaking. I also believe she has a strong commitment to making the Bureau accountable, effective and efficient.

Following Ms. Kraninger's being reported favorably from the Banking Committee, Rob Nichols, the president and CEO of the American Bankers Association, said:

Ms. Kraninger detailed her substantial government and management experience that would help her lead the Bureau, and she committed to satisfying the Bureau's mandate of ensuring consumers have access to financial products and services that are "fair, transparent and competitive." We welcome that commitment and her pledge to maintain transparency and accountability if confirmed.

Jim Nussle, the president and CEO of the Credit Union National Association, said that until the Bureau's structure moves from a single Director to a bipartisan commission, "consumers and regulated entities will be best served by a Senate-confirmed, permanent Director leading the Bureau."

Dan Berger, the president and CEO of the National Association of Federally-Insured Credit Unions, said: "A Senate-confirmed, full-time Director of the

Bureau will help provide regulatory certainty and clarity while providing important leadership and long-term focus that will allow credit unions to continue to meet the needs of their members."

Neil Bradley, the executive vice president and chief policy officer of the U.S. Chamber of Commerce, said: "Ms. Kraninger's experience will serve her well as the Director of the Bureau, especially as it aims to be a more transparent and accountable agency."

Richard Hunt, the president and CEO of the Consumer Bankers Association, said that until the Bureau moves from a single Director to a bipartisan commission, "it is imperative the Bureau have a permanent and full-time Director to fulfill its mission, and we look forward to working with Ms. Kraninger on commonsense regulations that protect consumers while also allowing a well-regulated banking system to serve families, small businesses, and local communities. CBA is grateful to Acting Director Mick Mulvaney for his leadership at the agency and for his willingness to listen to the opinions of all stakeholders."

The Bureau was the most polarizing part of Dodd-Frank, and it is not surprising that the confirmation votes of then-nominee Richard Cordray and now Kathy Kraninger are contentious. Some of Ms. Kraninger's opponents have raised questions about her potential involvement with respect to the administration's zero-tolerance policy and the administration's response to Hurricane Maria.

During her nomination hearing, I asked Ms. Kraninger to what extent, if any, she was involved in the development of the administration's zero-tolerance policy or the administration's response to Hurricane Maria. She responded: "I had no role in setting the zero-tolerance policy."

She also said, with respect to Hurricane Maria, that in the Office of Management and Budget, including herself, "we have a role in reviewing disaster declaration recommendations that go to the President. So we are involved from that point. We also put together, at the Office of Management and Budget, the supplemental requests that the administration puts forward to the Hill when they are necessary. Clearly, additional resources were needed [last fall], and the Office of Management and Budget supported the President in putting forward those requests that Congress considered and obviously responded to in providing the resources necessary."

Since Director Cordray's departure, I know some of my colleagues on the other side of the aisle have been frustrated by the Bureau under Acting Director Mulvaney's leadership. Given changes at the Agency over the last year and frustration felt on both sides of the aisle, now is an appropriate time to reconsider the fundamental structure of the Bureau to increase its accountability and transparency.

I continue to support a bipartisan commission instead of a single Director, a congressional funding mechanism, and a safety and soundness check. It would also be appropriate to give the Bureau its own inspector general.

For the past year, the Bureau has been led by an Acting Director. It is time for the Senate to confirm a permanent Director. I support Ms. Kraninger, and I urge my colleagues to join me in voting yes on her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent that the vote scheduled for 1:45 p.m. commence now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### 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 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 Kathleen Laura Kraninger, of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years.

Mitch McConnell, Jerry Moran, Mike Crapo, Steve Daines, Richard Burr, James E. Risch, Thom Tillis, John Thune, Roger F. Wicker, John Hoeven, David Perdue, Pat Roberts, John Barrasso, Mike Rounds, Lamar Alexander, John Boozman, John Cornyn.

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 Kathleen Laura Kraninger, of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. INNOFE).

The PRESIDING OFFICER (Mr. PERDUE). 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. 252 Ex.]

#### YEAS—50

Alexander	Daines	Johnson
Barrasso	Enzi	Kennedy
Blunt	Ernst	Kyl
Boozman	Fischer	Lankford
Burr	Flake	Lee
Capito	Gardner	McConnell
Cassidy	Graham	Moran
Collins	Grassley	Murkowski
Corker	Hatch	Paul
Cornyn	Heller	Perdue
Cotton	Hoeven	Portman
Crapo	Hyde-Smith	Risch
Cruz	Isakson	Roberts

Rounds	Shelby	Toomey
Rubio	Sullivan	Wicker
Sasse	Thune	Young
Scott	Tillis	

## NAYS—49

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

## NOT VOTING—1

Inhofe

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 bill clerk read the nomination of Kathleen Laura Kraninger, of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years.

The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I rise to speak out in opposition to the nomination of Kathy Kraninger to serve as the Director of the Consumer Financial Protection Bureau.

The CFPB is a consumer's watchdog on Wall Street and the big banks. It was created in the aftermath of the financial crisis to protect Americans from predatory and abusive practices and ensure that financial institutions play by the rules.

Since 2010, the CFPB has investigated and held accountable abusive student loan companies, predatory payday lenders, and fraudulent multinational corporations—just to name a few. It has also protected our Nation's veterans and Active-Duty servicemembers from targeted scams and illegal debt collection practices.

The CFPB has secured over \$12 billion in relief for Americans. Just this past April, the Consumer Financial Protection Bureau sued Wells Fargo for creating millions of fake accounts, destroying credit scores, and forcing millions of customers to pay phony penalties and fees.

The people at the CFPB work every single day to make the financial system safe and fair for hard-working families. We can't go back to the way things were before the CFPB was created. We can't go back to a time when there was no strong consumer advocates at the Federal level.

I remember this time all too well. I was Nevada's attorney general when the markets crashed in 2008. The subprime mortgage crisis hit Nevada harder than any State in the country. We had the highest foreclosure rate in the Nation for 62 months straight.

I worked to hold the big banks accountable for the damage they did to our State and to help people stay in their homes. Meanwhile, the Federal regulators were asleep at the wheel. They were letting the big banks write their own rules and defraud consumers until the markets came crashing down.

The CFPB was designed to close the leadership gap at the Federal level, to stand up to predators like Wells Fargo, and protect the rights of American people. To ensure the CFPB continues its mission of looking out for consumers' best interests, we need strong leadership at the Agency. We need someone with the right experience, the right qualifications, and the right mindset. We need someone willing to stand up not only to bad actors in the financial industry but also to President Trump.

The administration has already stripped critical enforcement powers away from the CFPB. It has repealed rules that govern predatory payday lenders and shut down an office that focuses on protecting students from abusive student loans. We can't afford to go any further down this path.

President Trump's nominee for CFPB Director, Kathy Kraninger, is unqualified to lead this Agency. In her testimony before the Senate Banking Committee, on which I sit, she failed to demonstrate an understanding of the CFPB's core functions or even a willingness to uphold its central mission.

Like many of President Trump's nominees, Kraninger seems handpicked to undermine the Agency's mission. She testified to this, and it appeared at the hearing that her main goal was to be a faithful disciple to Mick Mulvaney—the architect behind this administration's plan to destroy the CFPB from the inside out, and she will continue crippling its power that is essential to protecting American consumers.

The next Director of the CFPB will be called upon to make a choice, to stand aside and allow powerful special interests to call the shots in our country's financial system or to fight for families who want a fair and affordable loan to buy a car, a home, or college education for their children or a bank account and credit card without costly fees or who are simply trying to make ends meet.

Kathy Kraninger can't be relied upon to make the right choice, and she does not have my vote. I encourage my colleagues to vote against this nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

## FARM BILL

Ms. KLOBUCHAR. Mr. President, I first wanted to comment on the impor-

tance of an agreement on the farm bill. This is something that has been long in coming. I want to thank Chairman ROBERTS and Ranking Member STABENOW for their work, as well as the Members in the House, including my colleague from Minnesota, Republican leader COLLIN PETERSON. He will be taking over the Ag Committee in the House next year. This is a bill that is so important to rural America and in my State.

We have seen low commodity prices for too long. As a member of the Ag Committee, I know the last farm bill—the one we are operating under currently—has some things for a strong safety net, but this farm bill—the new tentative agreement—will allow us to make some changes to the way the data is collected, which will be helpful for our farmers with crop insurance. We have some improvements in dairy. We have some good work that is going on with regard to conservation and some changes there.

As you know, our Senate bill got 86 votes. We don't even get that for a volleyball resolution around here. It was a bipartisan bill, and much of that bill, I know, will be contained in this tentative agreement. "Tentative" is with a small "t," and the only reason we are saying that is because we have to get the printed version out, and my hope is, we can get this done in the next week. We do not want to go into next year without a farm bill, with what we are seeing with the tailwinds from these tariffs, with what we are seeing with diseases lurking out there. In Minnesota and in other States in the Midwest, we just got through avian flu a few years back, and every so often we have seen some outbreaks of that. We lived through H1N1. We have a really good provision in here that I authored with Senator CORNYN for a vaccine bank.

So there is a lot of important, steady policy in the farm bill to show rural America we have their backs and really to show the world that at a time of great global competitiveness and with issues for our farmers with everything from weather to prices, to global competition, we want to make sure America stands by our farmers, and this farm bill is a sure way to do it.

I am very excited, as a member of the Ag Committee, that we are close to releasing some language here and look forward to getting this done immediately.

We have all litigated these issues over the last year. It is not like some new idea had been airlifted into this bill. Literally, every single issue—from the nutrition discussions to the conservation issues, to what we have seen on the farm programs, to rural economic development, to rural broadband—has been discussed at length, and we are ready to go. Let's get this bill done.

## CLIMATE CHANGE

Mr. President, the second reason I am here is to talk about the urgency of

addressing climate change. This does fit into the farm bill because I am glad the farm bill is a source of so many of our conservation programs for our country. Also, the farm bill is part of economic development across our country.

Climate change is going to be a challenge for everyone. Certainly, from the last report we just received on the Friday of the holiday weekend—and I have a feeling some people thought that was a good day to bury it. Well, it didn't exactly work. Given that it was a slow news day, and it ended up on the front page of every major newspaper and leading every major newscast, people noticed. They noticed because this report wasn't just about numbers and percentages and all those kinds of things that our scientists have long agreed on when it comes to global warming; this was about the impact.

The reason it is good to talk about the farm bill and then this is, one of the major impacts contained in that report was the impact on farmers in the Midwest where—as predicted in this report, issued by this administration with Agencies across the board—you would see acres and acres and acres of land, with billions of dollars in losses, that wouldn't be able to be farmed for corn and for other important crops in America unless we act.

This was yet another dire warning about the cost of inaction on climate change, and it was in the form, of course, of the fourth National Climate Assessment. This report is simply the latest in a line of recent studies, including the U.N. report—what was released last October. The administration released this new report, as I noted, the day after Thanksgiving, just hoping Americans were too busy with their families out shopping, but no one could not notice this report—1,700 pages produced by 13 Federal Agencies. It was the product of 1,000 people, including 300 leading scientists, including officials from Federal, State, and local government, Tribes, national laboratories, universities, and the private sector.

These 300 scientists concluded that, consistent with previous reports—and by the way, I remember hearing NASA telling us what would happen. I remember our military leaders telling us what would happen—predicting to us that we would see rampant wildfires in the West. That is what we are seeing. Predicting to us 10 years ago that we would see a warming of the ocean that would result in tougher and bigger and more damaging hurricanes—exactly what we are seeing.

These scientists concluded that, consistent with all of these predictions over the last decades, that we must drastically reduce our greenhouse gas emissions to ensure the health of the American public, the livelihood of our farmers and ranchers, and the strength of our economy.

The report states that climate change will have serious health consequences for the American people.

Remember, this report is not something that came out of some think tank. It is not a report that came out of some congressional committee. It is not a report that came out of some university. No, no. This is a report that came out of the Trump administration. All 11 Agencies were involved in this report.

The Midwest alone in this report by the Trump administration is predicted to have the largest increase in extreme temperature, will see an additional 2,000 premature deaths per year by the year 2090, mosquito and tickborne diseases—which was already seen in my State—will spread, and food and water safety will be affected.

As I noted, we should also be expecting worsening disasters. Anyone who watched that horrific tape of those parents trying to get their kids out of that wildfire in Northern California, when it suddenly came up faster than could be expected, trying to calm—a dad trying to calm his child down as he drove through a raging fire—watch that tape. Go home and watch that tape because that tape will remind you of what we are dealing with: wildfires, flooding, hurricanes.

Wildfire seasons, already longer and more destructive than before, could burn up to six times more forest area annually by 2050 in parts of the United States. These wildfires will have a drastic effect on air quality and health, particularly on the elderly, pregnant women, children, and those already suffering from heart and lung diseases.

The report also makes it clear that our farmers will face extremely tough times. Crops will decline across the country due to higher temperatures, drought, and flooding. Agricultural yields could fall to 1980 levels within a few decades. That is despite all the science and work we have done to increase those yields.

In parts of the Midwest, farms will be able to produce less than 75 percent of the corn they produce today, and the southern part of the Midwestern region could lose more than 25 percent of its soybean yield.

This is not a report that came out of my looking at some books. No, no, no. This is a report that came out of 1,000 people who work for the Trump administration. This is an administration report.

The report also emphasizes that our economy could lose hundreds of billions of dollars—or more than 10 percent of our GDP—by the turn of the next century. That is more than double the loss of the great recession a decade ago.

Everyone knows someone who lost their job during that recession. Everyone knows someone who lost their house or went into debt, right? Well, think about that doubled—more than 10 percent of our GDP. Again, not a report by a liberal think tank, not a report by a congressional subcommittee; this is the report and prediction of the Trump administration.

We cannot ignore the dire warnings of the report, and I appreciate that the administration put out this report. I wish they had not done it on a Friday afternoon, but it kind of backfired on them.

We cannot ignore the climate changes already happening around us or that devastating consequences for our country exist, and we are going to see more of them in the years ahead. We must seize this opportunity to ensure the health of the American public, to support our businesses and farmers, and to make our economy more resilient.

We must act. The American people know that. I hear about climate wherever I go in my State, from hunters who are concerned about tickborne illnesses, who are concerned with what we are seeing with things we have never seen go into our deer population, to business leaders at the Port of Duluth, to students at the University of Minnesota.

Increasingly warmer temperatures are having effects in Minnesota. Lyme disease has spread farther north. I bet everyone in my State knows someone who got Lyme disease. Sometimes they catch it right away, and it goes away; sometimes it causes a lifetime of troubles. Lyme disease has been spreading farther north. Aspen forests are shrinking. Moose range in my State is declining. Thirty-seven percent more rain falls as a result of mega-rainstorms than we had ever seen just 50 years ago. The ragweed pollen season has extended 3 weeks in the Twin Cities in just the past 20 years, making people who suffer from allergies notice it first.

This is in stark contrast to comments made by some who still have suggested that climate change should be debated.

Well, even in this Chamber, 98 to 1 or 97 to 1, we voted a few years ago that, in fact, climate change is occurring. We even acknowledged it finally, but guess what. We are a little behind the people who already notice it happening.

Over the past week, unfortunately, the President has repeatedly cast doubt on his own administration's report on climate change. These are people who work for him. These are Agencies headed up by his own Commissioners who issued this report.

I am a former prosecutor, and I believe in evidence. As this report shows us, the facts and the science can't be more clear. This report, put out by the President's Agencies, notes that the United States is already 1.8 degrees warmer than it was 100 years ago and that the seas—the oceans that surround the country—are an average 9 inches higher and climbing. The recent U.N. report warned that the atmosphere will warm up by as much as 2.7 degrees by 2040 and describes a world we already see of worsening wildfires and natural disasters.

As the NASA website has said, most of the warming occurred in the past 35

years, with the 5 warmest years on record taking place since 2010.

Every week brings fresh evidence of the damage. My State of Minnesota may be miles away from rising oceans, but the impacts in my State and in the Midwest are not less of a real threat. Climate change isn't just about melting glaciers and rising ocean levels, and we have certainly seen that with the hurricanes, but we have also seen flooding like we have never seen before in Duluth and places across Minnesota.

So we know it is happening. The question is, What do we do about it? Now that the President's own Agencies have said it is happening, what do we do about it?

Well, what I would like to hear, acknowledging this new report about the impacts of climate change, not just the nerdy numbers of climate change—now that we know the impacts, let's do something about it.

No. 1, the clean power rules. When those were first put out a few years ago, I think the business community at first thought they were going to be worse than they were. They were a reasonable path forward, giving some exceptions and more time to small power companies. I know in my State, Minnesota Power, Xcel Energy—in our State, our major power companies were ready to work with those rules. While our small power companies were concerned, we were working with them to make sure there were exceptions and that they had a path forward to make sure they could meet the goals by working with the big power companies.

We already had businesses in my State, like Cargill, that were out front on this, that saw the risk to their consumers and their business if we do nothing about climate change internationally. So we were ready to roll with those clean power rules, but they got reversed by this administration. I call on them to go back at it and put those rules out again. Let's get them done.

Secondly, gas mileage standards. That is something else we should be going back to. We had an agreement with the auto companies just a few years ago to get that done, but instead, once again, they went backward.

Third, the international climate change agreement. Every other country in the world has pledged to be in that agreement. We had pledged to be in the agreement, and then the administration said we were going out of that agreement. At the time they did that, the only two countries that weren't in the agreement were Nicaragua and Syria, and now they have joined the agreement.

I remember a time when the United States was a leader in innovation and a leader in responding to the challenges, not just in our country but our world. We should be leading because otherwise other countries are going to get ahead of us when it gets to innovative technology to meet these climate change and energy challenges of our time.

That is what this is about, and that is what we need to do to move forward.

My State has been a leader on this. With a Republican Governor, a few years back, and a Democratic legislature, we were able to pass a renewable electricity standard that was ahead of its time. Already today, 7 years ahead of schedule, 25 percent of Minnesota's electricity generation comes from renewable sources. That is clearly part of our way forward but not the only way forward.

Guess what. We did it in conjunction with our farming communities with an agreement, as well, on biofuel, and we did it across the aisle on a bipartisan basis. We can do that in this Chamber right now if we have the will to get it done.

As last week's report makes clear, inaction is not an option—not for our economy, not for our farmers, not for our environment and our country, and certainly not for the American people. Military and security experts have reminded us that climate change is a threat to our national security, increasing the risk of conflict, humanitarian crisis, and damage to critical infrastructure.

As you look at some of the refugees that have been moving in places such as Europe and the people coming up from Africa, a lot of that is because they used to engage in subsistence farming and they can't do it anymore.

Yes, we need to adapt with science, and we need to adapt with cutting-edge speeds in farming, but we also need to adapt by putting into place policies that bring down our greenhouse gas numbers so we have a fighting chance of leaving this Earth to our kids and our grandkids in a way that they can live a life like we have enjoyed.

Despite more severe weather, heat waves that can reduce our water supply, and extreme rainfall that can damage critical infrastructure, this country has always gotten ahead of challenges. I ask my friends on the other side of the aisle to remember the Republican Party of Teddy Roosevelt, the Republican Party of conservation, the Republican Party that sought to conserve our resources and not use them all ourselves so that they can leave something to other people. That is what we have to find to get this done.

I will end by quoting Pope Francis. His visit to this Congress and to Washington was something that I will never forget. One of the things he said is this: "What kind of world do we want to leave to those who come after us, to children who are now growing up?"

That is a pretty good standard. Think in your life of those kids whom you love or your neighbor's kids or your grandkids, and ask yourself what kind of world you want to leave them. This is no longer just some hypothetical thing. It is right there in the report by the Trump administration. It is right before our eyes in the videos we see online of that dad driving his kid through a wildfire in Northern

California. It is right there as we see the damage the hurricanes are doing to the east coast. It is right there in the Midwest, when we see rampant flooding, ticks, Lyme disease, and things that we never used to see in Minnesota. The evidence is right before our eyes. Let's believe it and do something about it.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

DEPARTMENT OF VETERANS AFFAIRS

Mr. MORAN. Mr. President, I rise this afternoon to discuss the Department of Veterans Affairs and this Department's continued challenges with properly implementing the letter of the law.

As we know, the VA has faced significant difficulties and change over the past 5 years—issues that have spurred Congress to act. In this Congress we have passed multiple pieces of legislation designed to reform numerous policies, from accountability to education under the GI bill to transforming healthcare.

Recent news has put a spotlight on the VA struggles to implement the Forever GI Bill Act, which has resulted in delays or improper accounting of veterans' earned educational benefits. Financial problems with their earned benefits is unacceptable and causes an unnecessary strain on veterans as they pursue higher education. It is critical that the VA fix this problem. This should not be a matter of "if" but "when" the VA fixes this issue and provides accurate earned benefits to deserving veterans. Based upon these struggles of implementing the Forever GI Bill Act, I have concerns that similar challenges will occur in the implementation of the VA MISSION Act, which was signed into law in June of this year and is the most transformative legislation for the VA healthcare system in over 30 years.

We are closing in on a 6-month mark before the VA MISSION Act must be implemented. June 6, 2019, will be when the new community care program under this act takes effect. This law requires several major critical reforms to the VA healthcare system. I want to quickly outline some of the biggest changes that the VA is required by law to implement.

First, the VA must establish new eligibility criteria for veterans to receive care in the community, and that criteria must be based on clearly defined, easy-to-understand access standards. The VA must establish and apply quality standards to make certain that all VA and community care facilities are providing our veterans with the highest level of care—the care they deserve.

The VA must create thorough and reliable processes for the VA and community care partners to coordinate care for a veteran who is receiving care in the community to make certain that the burden is no longer on the veteran and accountability is instead on those

who are charged with providing the care.

The VA must start to plan and properly project their healthcare expenses. This requires the VA to establish a well-vetted strategic planning document that better forecasts healthcare demands and what the VA and the community can supply to our Nation's veterans.

I certainly understand how large of an undertaking this is. Implementation of the MISSION Act, while it is important, is also a challenge. There are many within the VA who share our desire to transform the VA's healthcare system so it can continue to provide care for veterans for generations to come. There are many at the VA who want to see this done well and done right, but I do know it will take time. Change is not something that occurs in a day or a month or even a year, and the changes required here are fraught with difficulty if not done the correct way.

The key to making certain that change is taking place is how you respond to those difficulties. The VA leadership can learn from the past and change the culture and complacency and excuses. We no longer should be asking why but why not.

The VA will be testifying next week on the status of the VA MISSION Act implementation before the House and Senate Veterans' Affairs Committees, and I will be there. I urge them to hold nothing back, to tell us clearly where they anticipate struggles, and that they in no way sweep anything under the rug so they make certain we know the challenges they are facing and so that we then can help them in the solutions.

Without real change within the VA, we cannot hope for real change for our veterans. We cannot afford to fail them any longer or in any additional circumstance.

The American people, Congress, and the President have charged the VA with a daunting mission, but it is a mission that is so worthy—to provide our veterans, those who have served our Nation, with a VA that is worthy of those veterans' service.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

HONORING OUR ARMED FORCES

CORPORAL MATT HENDERSON

Mrs. FISCHER. Mr. President, I rise today to continue my tributes to the current generation of Nebraska men and women who have lost their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a special story to tell.

Today I will recall the life and service of Cpl Matt Henderson of Lincoln, NE.

Matt was born on May 15, 1979, in Columbia, MO, to Owen and Rebecca Henderson. At the time Matt came into the world, his dad, Owen, was attending veterinary school. After Owen finished veterinary school, the Henderson fam-

ily moved to "The Good Life" to raise both Matt and his newly born sister Kellie.

As Matt grew, he made many friends, loved to play outside, and enjoyed hunting and fishing. Many times Matt could be found by his dad's side on his equine veterinary visits.

His favorite furry companion was his curly-haired golden retriever Rocket, with which he spent a lot of time and which he taught to play fetch.

Matt loved sports and participated in many sports growing up, including baseball, basketball, wrestling, track, and football, but his favorite of all was football. He was a devout Nebraska Husker and Chicago Bears fan.

Matt and his wife Jaimie began dating while they attended Palmyra Junior-Senior High School in Otoe County. Jaimie remembers Matt wearing his football jersey on game days and their dates at the movies, the mall, and homecoming dances before they were even old enough to drive.

After graduating high school in 1998, Matt attended Nebraska Wesleyan University where he studied athletic training and criminal justice. He also played on the football team and was an avid weightlifter.

In 2000, Matt joined the U.S. Marine Corps because he was attracted to the discipline and direction that it offered. He completed boot camp at Marine Corps Recruit Depot San Diego before attending and completing infantry training at Camp Pendleton. Due to his strong interest in the construction field, Matt also finished combat engineer school at Camp Lejeune.

After engineer school, he was assigned to the 1st Combat Engineer Battalion at Camp Pendleton.

On August 4, 2001, Matt proposed to Jaimie on Mission Beach in San Diego, just after sunset. They were so excited to finally get married and begin planning their wedding in Nebraska, which was scheduled for April 12, 2003.

In January of 2003, however, Matt's unit was informed that they would be among the first forces to invade Iraq. Jaimie postponed the wedding, which was supposed to take place in just a few months, and instead she and Matt were married in a civil ceremony in San Diego. The two of them couldn't imagine something happening during Matt's deployment and never being able to marry one another.

In February of 2003, Matt deployed to Iraq. He joined other U.S.-led forces in the invasion of Iraq and Kuwait in order to oust Saddam Hussein. During his deployment, Matt was chosen to be a squad leader due to his leadership abilities, technical skills, and the respect of other marines. Matt's family had no communication with him during this time and were glued to the TV, watching the news every evening with the hopes of catching a glimpse of Matt.

Upon Matt's return home in May of 2003, he and Jaimie finally had their big church wedding in Lincoln, NE,

where they renewed their vows in front of their family and friends. Following the wedding, Jaimie moved to California to live at Camp Pendleton with Matt. Without the distance, she and Matt had more time to spend together, and they enjoyed socializing with their other friends in the Marine Corps.

In February of 2004, Matt deployed to Iraq for the second time and Jaimie moved back to Nebraska to be closer to their families.

As a squad leader, Matt was very aware of and concerned about the dangers of his second deployment. On May 26, 2004, Matt was leading his squad of several other marines and sweeping an area in the Al Anbar Province of Iraq for explosive devices and repairing major roads. This particular area had seen a dramatic increase in violence and demonstrations at the time, and the Province was in full-scale revolt. During the sweep, Matt and two of his men, including Shelton, NE, native Kyle Codner, were killed when an IED was detonated.

Matt warned his squad to get back and take cover but was unable to get out of range himself. The remainder of his squad survived, with one person suffering shrapnel wounds.

Cpl Matt Henderson's memorial service was held at the First Plymouth Church in Lincoln on June 3, 2004. Hundreds of family, friends, and fellow soldiers attended the ceremony to honor Matt and pay their respects. In what seems an impossible task, Matt's father gave the eulogy that day. Matt was laid to rest at the Lincoln Memorial Park Cemetery.

For his ultimate sacrifice, Cpl Matt Henderson received the Naval Achievement Medal with cluster, a Purple Heart, and numerous unit citations and campaign ribbons. He was the first to receive the prestigious Noncommissioned Officer Combat Engineer of the Year Award posthumously.

Matt was a consistent source of inspiration for his fellow marines. He was the kind of young man people were just drawn to. He was a tough, yet selfless marine.

Cpl Matt Henderson lived life to the fullest, and he is missed dearly by his family and friends. I join all Nebraskans and Americans across the country in saluting Matt's bravery and his sacrifice.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Florida.

Mr. NELSON. Mr. President, I say to the Senator from Nebraska, this Senator has had too many opportunities to give the same kind of speech in remembrance of fallen Floridians just like her constituent who gave the ultimate sacrifice in protection of his country, and I thank the Senator from Nebraska.

CLIMATE CHANGE

Mr. NELSON. Mr. President, 30 years ago, a gentleman by the name of Dr. James Hansen was the Director of the NASA Goddard Institute for Space

Studies. He testified to the Senate Energy and Natural Resources Committee that he was 99 percent certain that the year's record temperatures were not the result of natural variation. That was 30 years ago. It was the first time a lead scientist drew a connection between human activities, the growing concentration of atmosphere pollutants, and a warming climate.

This Senator was a young congressman at the time representing East Central Florida and Florida's Space Coast. Just 2 years prior, I had flown for 6 days on the 24th mission of the space shuttle. In this case, our orbiter was the Space Shuttle *Columbia*.

Growing up on the Indian River on Florida's Atlantic coast, it is easy to think that nature's bounty is endless, that the sand beaches, the crystal clear water, the blue sky, and the warm Sun will continue forever. It would be like Camelot. But peering out the window back at the planet from the window of a spacecraft, when I looked, all of the Earth suddenly took on a new meaning. I realized how thin the line was between our protected shared home—the planet—and uninhabitable space.

When Dr. Hansen testified about the greenhouse effect and how that thin layer of atmosphere was becoming polluted, it got my attention because I remembered looking at the rim of the Earth and seeing that thin film as we orbited the Earth every 90 minutes. Since his 1988 warning, the evidence has unfortunately confirmed Dr. Hansen's 1988 prediction.

Extreme events in 2017 and 2018 alone included back-to-back, record Atlantic and gulf hurricanes and unprecedented and devastating wildfires. Global temperatures are rising, and so are the seas. Why? The extra heat is absorbed by the oceans, which cover two-thirds of the Earth. That extra heat, when absorbed in water, causes water to expand. Also, 2016 and 2017 had two of the highest global temperatures ever recorded since we began measuring in 1880, and 2018 is on track to be the fourth hottest year on record.

Warmer air and water make the environment more hospitable to toxic algae blooms, mosquitos that carry deadly diseases, and things like poison ivy. These are three things that I think we can all agree that we need less of, not more.

The oceans are warming, and they are fueling the intensification of hurricanes—as we saw recently with Irma and Michael—and that warming water is creating the conditions that bleach coral reefs and feed toxic algae blooms.

My beautiful home State of Florida, which I have had the great privilege of serving, is ground zero for these impacts. According to the fourth National Climate Assessment report released by the administration just last week—the day after Thanksgiving—climate change is expected to make South Florida more vulnerable to diseases like the Zika virus. Florida could see more than \$346 billion in lost property

value over the course of this century. But this stretches beyond property values. A Florida Department of Health assessment determined that almost 600,000 people in South Florida are going to face extreme or high risk from sea level rise. Warming water, nutrient enrichment, overfishing, and coastal development are all contributing to the dire situation of one of our Nation's crown jewels—the coral reefs of the Florida Keys.

The real question is, What are we going to do about it? I think there are three things we ought to consider.

First, we truly cannot afford to politicize the air we breathe. The science is not up for debate. The greenhouse gas emissions are heating the atmosphere, which in turn heat our oceans, supercharging the hurricanes, leaving us vulnerable to drought and threatening the water we drink and the food we eat. Reports of political censorship or political interference with science—that is unacceptable and foolish. If we ignore the science, we do so at our peril.

Second, I think we are going to have to stop putting so many greenhouse gases into the atmosphere so fast. This is called climate mitigation. It means that we must invest in new technology, in the economy of the future, things like wind and solar, electric vehicles, and more efficient buildings. Each one of them would have a huge impact in lessening the amount of derivatives of carbon that we put into the atmosphere.

Third, I think we should consider that we are going to have to make our communities more resilient to the impacts of climate change—climate change that is already upon us and climate change that, in the future, we are not going to be able to avoid. You can't just cut off the greenhouse gases going into the atmosphere and the warming that results therefrom that is already in the system.

You talk to the scientists. There is something just beyond about 4 degrees Fahrenheit more than the average annual global temperature—that if it rises beyond that, there is no return.

We have a chance, but time is of the essence. We ought to consider climate change adaptation. You don't have to agree with climate science to know that it makes sense to do that.

I want to urge our colleagues on both sides of this aisle that separates Republicans from Democrats. You need to take this seriously. For the sake of your States and mine, for the good of our planet, for the good of our children, for the good of future generations, take climate change seriously. Listen to the experts, and come together to work on solutions. Instead of saying "I am not a scientist," listen to the scientists. Don't try to censor their warnings or hide from the truth. Instead of saying that making changes could cost money, think about the cost to our economy and our society if we don't act.

Coastal communities inundated with catastrophic flooding, midwestern droughts that raise food prices, and soaring health costs—these are some of the costs that are coming to our country—indeed, to our society—indeed, to the civilization of planet Earth. We must act, and we must do it now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, first, I am going to commend the senior Senator from Florida for what he said. Throughout my career, I have been so impressed and so grateful for his strong voice on the environment. He is the only Member of this body who has seen Earth from space.

#### FREEDOM OF THE PRESS

Mr. President, I thank my dear friend, the senior Senator from Iowa, Senator GRASSLEY, who is going to speak but said I could go ahead, and I will. I will be brief.

In the 44 years I have served in the Senate, I have never been so concerned about the state of press freedom around the world, including, I deeply regret to say, in our own country.

I was brought up in a family that owned a weekly newspaper and owned a printing business. The First Amendment was the most important part of our Constitution because it promised the freedom of speech and it promised the diversity of religion, and that Amendment was the foundation of our democracy.

Yet the premeditated murder and dismemberment of Jamal Khashoggi by Saudi authorities and then their ridiculous, transparent attempt to cover it up have shocked the consciences of people everywhere. Yesterday, by voting to discharge S.J. Res. 54, the Senate demonstrated that the Saudi royal family needs to hold accountable all those who are responsible for that horrific crime if it wants to salvage relations with the United States.

Look at what happens if we don't speak out in defense of a free press. Just a few days after Mr. Khashoggi's murder, the body of Bulgarian journalist Viktoria Marinova was discovered. The investigation suggests that she was raped, beaten, and strangled. I think the motive is undeniable. She had spent the previous year reporting on corruption.

According to the Committee to Protect Journalists, so far, in 2018, at least 43 journalists have been killed for their work while 15 other journalists have also been killed, although their deaths have not yet, at least, been officially linked to their work. According to data compiled by Freedom House, the muzzling of journalists and independent news media is at its worst point in over a decade. Similarly, according to the Committee to Protect Journalists, the number of reporters who have been jailed for their work—who have been jailed for being reporters doing their

job—is at a level that has not been seen since the 1990s. Strongmen around the world are cracking down with impunity. Frankly, this son of a printer, this son of a newspaper owner, is not surprised.

At home, President Trump regularly demonizes the news media. He calls the news media the enemy of the people and hopes that his acidic outbursts and threats will dissuade journalists from accurately reporting on his administration. With the eyes of the world upon him, he makes a mockery of the entire notion of an independent press. It is something that has been guaranteed in our Constitution since the beginning of our country, yet the President makes a mockery of it.

He brands anybody who challenges him as either a liar or worse, while he holds hands with those who are willing to sing his praises. He even went so far as to rescind the credentials of one reporter who persisted in asking questions the President didn't like. I have been here with eight different Presidents, and I have never seen that done before, not even with Watergate.

A few days ago, he publicly denigrated the decorated, retired U.S. admiral who led the raid that killed Osama bin Laden and who had dared to criticize the President's attacks against the press as being a grave threat to our democracy, which it is. So this President who avoided the draft five times demeans the Admiral who was in charge of the raid that killed Osama bin Laden.

As Americans who cherish the First Amendment and who rely on a free press for sustaining our democratic form of government, we should be appalled. The words of a President matter. They always have. Yet this President's rhetoric gives comfort to autocrats the world over who are emboldened to clamp down on dissent, as they are confident they have a powerful defender in the United States as they censor and jail journalists.

We have seen despots quote our President. Can you imagine? We Americans see autocrats in other countries quote our President about this. We see them pass laws outlawing so-called fake news, which their leaders use to justify dismissing and castigating reporting with whom they disagree in order to persecute their political opponents.

We should fear the day when a free press is seen as unimportant or as a luxury—as something no longer synonymous with our country and its values. We must always recommit ourselves to defending press freedom and to elevating and celebrating a free press as one of the cornerstones of our democracy.

Americans should not be silenced just because our President, for the first time in history, demeans and tries to intimidate the press. We must stand up, as the Founders of this country and as every leader in this country up to now has done, and defend a free press.

In this challenging time for press freedom around the world, the Committee to Protect Journalists honored four exceptional journalists at the 2018 International Press Freedom Awards in New York City.

One is Amal Khalifa, who is the co-founder of the Sudanese Journalists Network, which has covered protests of official wrongdoing in Sudan, whose leader, President al-Bashir, has been indicted by the International Criminal Court. Because of her reporting, she has been harassed, detained, and physically abused by Sudanese authorities, but she still does her job at great personal peril.

Anastasiya Stanko is an independent broadcast journalist who was taken hostage by an armed group while she reported on the conflict in eastern Ukraine. Since her release, she has continued to risk her safety and her life by reporting on the war and on other human rights violations in conflict-torn areas by Ukraine's Security Service.

Luz Mely Reyes is an investigative reporter who founded an independent news website to bring attention to the political situation in her country of Venezuela. In 2017, while she covered protests against Venezuela's President Nicolas Maduro, members of her team were attacked and threatened, but she courageously continued her work. She has since emerged as one of Venezuela's most recognized champions of independent journalism.

Lastly, Nguyen Ngoc Nhu Quynh, one of Vietnam's most prominent independent bloggers, has devoted her life to calling attention to human rights violations in Vietnam. In October 2016, she was sentenced to 10 years in prison on charges of propagandizing against the state. After her health began to deteriorate she was released from prison, but only on the condition of exile.

We often speak about the abuses of repressive governments around the world. We must also speak out against the increasing attempts to demean and intimidate the press here at home. The President may continue to do that as the leaders of some other countries do, but we should not stand for it.

Our democracy depends on a free press. The lives of these four brave individuals remind us of what is at stake. We must stand up for what is right even when our President does not.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

#### APPROPRIATIONS

Mr. SCHUMER. Mr. President, next Friday, appropriations expire for 7 of the 12 appropriations bills for fiscal year 2019, and we are in good faith negotiations with our Republican counterparts here in the Congress to get them enacted. The good news is that because of the bipartisan work in the Senate, approximately 75 percent of the Federal Government is funded for 2019. The bad news is that the 7 bipartisan appropriations bills are hanging

in the balance for one reason and one reason only—President Trump.

President Trump has said that he wants to shut down the government unless he gets \$5 billion from the American taxpayers for an unnecessary border wall. The President hasn't even tried to get Mexico to pay for it, as he promised in his campaign over and over and over. He hasn't outlined a plan to deal with eminent domain concerns or even a plan as to how it would be built. He hasn't even spent the \$1.3 billion Congress allocated last year in the fiscal year 2018 budget for border security—fences, drones, technology—which actually makes sense. Now he is asking, having not spent that money, for more. So this isn't actually about border security. This is the President's way of trying to manufacture a shutdown to fire up his base.

Make no mistake. The President is the only person who holds the ultimate responsibility for a government shutdown. He can decide if we are going to have one or not have one. He, certainly, has the power to shut down the government, but he has two very reasonable ways to avoid one.

First, he could agree to sign the bipartisan DHS appropriations bill that the Senate Democrats and Republicans have already agreed to, which includes \$1.6 billion for border security on top of the \$1.3 billion that President Trump still hasn't spent from last year. It is just what we have done in previous years—funding for fencing on the border where the experts say it makes the most sense. It would protect our border far more effectively and far more quickly than any wall.

Leader MCCONNELL voted for that bill. Chairman SHELBY voted for it, as did Senator RUBIO. Even Senator GRAHAM, the President's strongest supporter and closest ally in the Senate, voted for that bill. Now, all of a sudden, it seems that the Republicans, afraid to buck the President even when they know he is wrong, want to renege on that agreement to go along with the President's shutdown plan. But it doesn't have to be that way. This bipartisan negotiated deal remains on the table and would, certainly, receive more than 60 votes in the Senate.

Second, if the President doesn't want to agree to that bipartisan bill, we could avoid a shutdown by passing a continuing resolution for the Department of Homeland Security. We think it should be for a whole year. It would keep the government open and still provide another \$1.3 billion for border security on top of the \$1.3 billion the President has not yet spent. Again, this option would, certainly, receive more than 60 votes in the Senate.

So President Trump has a simple choice of two good bipartisan options. If he decides to support either the bipartisan DHS bill or a continuing resolution, I am confident that both would pass by comfortable margins. The only position that cannot garner 60 votes is the President's position. He is adamant

about having a partial shutdown. He keeps repeating over and over that he wants a shutdown. Make no mistake about it. He is the only reason there would be a shutdown.

If President Trump wants to throw a temper tantrum and shut down some Departments and Agencies over Christmas, that is, certainly, within his power, but he has two more sensible options available to him. It would be a shame if the country suffered because of a Trump temper tantrum. It is the President's choice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### LOWERING DRUG PRICES

Mr. GRASSLEY. Mr. President, millions of Americans woke up this morning and started the day with their doses of prescription medications. Their daily regimens are prescribed by their healthcare providers to treat illnesses and to improve the quality of their lives, and for many Americans, prescription medicine extends and saves their lives. Without their prescription medication, millions of Americans would not survive.

For so many of our loved ones who have diabetes, high blood pressure, cystic fibrosis, epilepsy, or other chronic healthcare conditions, prescription drugs are a basic necessity for their living. Without pharmaceutical treatment or cures, too many family gatherings at Thanksgiving, which has just passed, arguably, would have had fewer plates at the table this holiday season.

As a nation, we are incredibly blessed to live in a country where investment and innovation unlocks cures and treatments. Yet the escalating price of prescription drugs are a consuming concern for too many millions of Americans, even including Iowans who bring up this subject regularly at my county meetings.

I have come to the floor of the Senate to address the sticker shock that greets consumers when they pick up their medicine at the pharmacy or open their medical bills after a hospital visit. Rising drug prices that Americans pay out of pocket are gobbling up a bigger share of income.

For some people on a fixed income, sky-high drug prices are eating up every spare penny they can scrape together to pay for their prescriptions. It is time we talk turkey to our friends at Big Pharma. I don't make fun of our friends at Big Pharma. I use the word "friends" because we all enjoy a longer life and better quality of life because of miracle drugs.

As a fiscal conservative who wholeheartedly believes in free enterprise, I don't want the government intruding unnecessarily in the marketplace. The reason millions of Americans benefit from lifesaving drugs in the first place is due largely to capitalism and the entrepreneurial spirit that drives innovation and opens new frontiers of modern medicine.

I also believe strong intellectual property rights help incentivize compa-

nies to invest in research and development so new cures are found for our loved ones. However, government does have a responsibility to keep a check on unfair business practices and to actually rein in anti-competitive behavior that harms consumers and fleeces taxpayers.

There is a general agreement that these are constitutional as well as legitimate roles for government. Of course, if you are going to protect the consumers and not fleece taxpayers, this can happen in a number of ways.

It happens when brand-name and generic drugmakers game the system to pad their profits at the expense of taxpayers and consumers. It happens when hospitals, middlemen, and providers determine which drugs to prescribe based on its reimbursement and markup from insurers, including public health programs for the military and veterans or the big ones like Medicare and Medicaid.

Throughout my public service in the U.S. Senate, I have established a fundamental commitment to transparency. Remember that transparency, particularly in government, brings accountability, but transparency in the private sector will also bring accountability.

From whistleblower protections to the public's right to know, sunlight sweeps away wrongdoing, strengthens good government, and helps consumers and taxpayers get the most bang for the buck. I have worked across the aisle to apply this standard to help lower drug prices. It is an issue that resonates loudly and very clearly in every household of America.

In fact, Iowans contacted my office a couple of years ago regarding real sticker shock for their EpiPens. The escalating price they were paying for lifesaving anti-allergy medication jumped \$600 for a two-pack. On their behalf, I started digging for answers.

It turned out that Mylan, the EpiPen distributor, had jacked up the price for over a decade during the Obama administration. In fact, from 2006 through 2016, it rose more than 400 percent.

EpiPen is the most widely prescribed epinephrine autoinjector in the United States. Parents, grandparents, daycare providers, and teachers across the country keep their homes, their cars, and their classrooms stocked in case of an emergency.

A 400-percent increase—how was Mylan able to accomplish this? It classified EpiPen as a generic drug instead of a brand-name drug in the Medicaid Drug Rebate Program. Simply, that incorrect classification cost the U.S. Treasury and States big time by allowing Mylan to pay lower rebates.

The watchdog at the Department of Health and Human Services, at my request, found the misclassification may have resulted in the taxpayers and the States overpaying for the drug by as much as \$1.3 billion.

What is more, a competing pharmaceutical company sued Mylan using the False Claims Act—a whistleblower law

I have updated over the years. This anti-fraud tool encourages people to report and expose wrongdoing against the government. In this specific case, this whistleblower exposed fraud against the taxpayers for misusing the Medicaid Drug Rebate Program to the tune of \$456 million.

I would like to share a time-tested lesson I have learned throughout my 30 years of oversight work in the U.S. Senate: When you smell smoke, there is a fire.

The EpiPen misclassification may be the tip of the iceberg. As part of my EpiPen oversight, I requested additional misclassification data from the Office of Inspector General at HHS.

As of early 2018, the Office of Inspector General identified the names of 10 drugs that accounted for 68 percent of Medicaid reimbursements for potentially misclassified drugs just in the year 2016. The EpiPen and some of its variants are included within the group of 10 drugs, as well as a commonly prescribed antibiotic and a commonly prescribed drug for an underactive thyroid condition.

In a nutshell, it appears the same drug companies may be undermining the rebate program by misclassifying commonly prescribed drugs that can be found in medicine cabinets in households all across the United States. That is simply wrong, and I am going to do whatever I can to fix that issue.

Recently, the FDA approved the first EpiPen generic. Of course, that is a good step in the right direction.

As a senior member of the Senate Finance Committee and also the last 4 years as chairman of the Senate Judiciary Committee, my sights are set squarely on lowering drug prices without compromising access for innovative cures and treatments delivered by the American pharmaceutical industry.

Through oversight and even legislation, I am working to set things right. That includes putting a stop to the shenanigans that manipulate regulatory loopholes and unfairly extend monopolies over certain drugs. This happens when a brand name and a generic drugmaker work in cahoots to delay the lower priced generic's entry into the market.

For starters, a bipartisan bill I have with Senator AMY KLOBUCHAR of Minnesota would inject a healthy dose of Midwestern commonsense medicine into Big Pharma with a bill we have that would do away with what we call the pay-for-delay shenanigans. This bill, called Preserve Access to Affordable Generics Act, would end sweetheart deals between brand-name and generic drugmakers that end up costing the American consumer and at the same time the U.S. taxpayers an arm and a leg. It would increase access to more affordable generic drugs sooner rather than later because of the pay-for-delay scheme.

Specifically, our bill would crack down on anti-competitive payoff schemes that effectively rip off taxpayers and consumers. These so-called

reverse agreements delay consumer access to the cheaper generic drug.

I am 100 percent certain that our pay-for-delay bill would help lower drug prices for our consumers and save the taxpayers money through Medicare and Medicaid. That is because generic drugs can be up to 90 percent cheaper than brand-name drugs, and that happens to be a tremendous savings.

Ending these payoff agreements would gut artificially inflated prices consumers are paying for some prescription drugs. Putting an end to these payoff schemes will end the choke hold they put on the market. By doing so, we can restore timely access for affordable generics to reach the market, boost competition, expand consumer choice, and at the same time lower drug prices.

In addition to the pay-for-delay bill that Senator KLOBUCHAR and I have, I am also cosponsor of a bill led by my friend Senator PAT LEAHY that would inject another dose of bipartisan common sense into the pharmaceutical industry. We use the acronym CREATES for this legislation, the Creating and Restoring Equal Access to Equivalent Samples Act. It seeks to stop anti-competitive practices that block lower cost generic drugs from the pharmacy store's shelves. It would help generic companies get the samples they need to manufacture equivalent products.

Right now, a common practice by bad actors in the industry prevents potential generic competitors from obtaining the samples they need to test their drugs or blocks them from participating in shared safety protocols. This practice of deny and delay is fueling deficit spending. That is because the tax-paying public shells out a whole lot more money to fill brand name prescriptions for veterans, the elderly, and the disabled, when the cheaper generic drugs would do the same thing. This would save a tremendous amount of money. We have the scoring by the Congressional Budget Office saying that our bill—the CREATES bill—would result in a \$3.8 billion net decrease in the Federal deficit.

Improving access to lower cost generic drugs while preserving the incentives for innovation and intellectual property rights ought to be seen by my colleagues as a win-win solution.

I hope you will not just take my word for it. More than 80 organizations supported the final passage of the CREATES Act. They would go all the way from the AARP over to the Consumers Union, which tend to be liberal organizations, all the way over to Taxpayers for Common Sense, which I think generally tends to be more conservative.

Our CREATES bill was approved in June by the Senate Judiciary Committee, which I chair, and has 30 Senate cosponsors. In addition to this legislation, I am also keeping tabs on proposed buyouts and mergers in the pharmaceutical supply chain. Without a doubt, increased market integration will impact consumers and taxpayers.

For example, the mergers of Cigna Corporation with Express Scripts Holding Company and the CVS Health Corporation with Aetna may negatively impact consumer choice. According to the Kaiser Family Foundation, once completed, these two mergers would result in just four entities controlling 71 percent of all of Medicare Part D enrollees and 86 percent of stand-alone drug plan enrollees.

Notwithstanding the consumer benefits of business integration that can include more innovation and cost-saving efficiencies, we can't afford to turn a blind eye to potential negative consequences that consolidation in the U.S. pharmaceutical supply chain may have in the marketplace.

I will wrap up my remarks today with this message for the American people: President Trump made a promise to the people to lower drug prices. His administration is working to deliver on that promise. Most of the stuff that has gone on so far has been within what the law allows the President, through the Secretary of HHS, to do so that Congress doesn't have to be involved in everything. But Congress can surely give support to this program.

The President's blueprint for bringing down prescription drug prices lays out four principles: Boost competition, enhance negotiation, create incentives for lowering list prices, and, lastly, bring down out-of-pocket costs.

Last month, he signed the Patient Right to Know Act into law, so he has the help of some new legislation now. I cosponsored this bill by Senator SUSAN COLLINS to ban what are called "gag clauses," which keep pricing information from consumers every time they visit the pharmacy counter.

The new law prevents health insurance companies from prohibiting pharmacy providers from sharing pricing information with consumers. So now, under the Collins legislation, a pharmacist can alert a customer if their copayment would cost more than paying out-of-pocket, as just an example.

This puts a little bit of transparency into the whole process and lets your pharmacist help you as much as he can to save money. But there are rules that some companies have that you can't share that information.

So along the lines of also hoping to save the consumer some money—or at least to educate the consumer on pharmacy practices and to have more transparency—Senator DURBIN and I pushed for Senate passage of an amendment that supports existing Health and Human Services authority requiring drugmakers to disclose the list price of prescription drugs in direct-to-consumer advertising.

It happens that the House of Representatives rejected our amendment. Nonetheless, the Secretary of HHS is moving forward with our concept to improve transparency by requiring companies to include these same drug prices in their direct-to-consumer advertising.

Another example of where the President, through the Secretary of HHS, has, under present law, authority to move ahead—we wanted to let the Secretary know, through the Durbin-Grassley amendment, that we wanted to back him up in his efforts. Drug companies are already required to include possible side effects in their TV ads. So isn't it commonsense to add to that list price information to further improve consumer decision making? The more information patients and healthcare providers have to make decisions on costs and outcomes, it seems to me, the better off they are.

Finally, I would like to say a word about another commonsense solution to high drug prices. For over 20 years, I have advocated for the safe reimportation of drugs from countries such as Canada. The late Senator McCain, along with Senator KLOBUCHAR, introduced S. 92, the Safe and Affordable Drugs from Canada Act. I am a cosponsor of this bill, and I plan to work to get it enacted into law.

In today's marketplace, there is a giant disconnect between consumers and the prices they pay for their prescription medicines. To many of my constituents in Iowa, it is just plain baffling why this can't be done. Americans have come to expect the best medicine when they need it most. We need to improve the marketplace so that it functions properly to lower drug prices and raise the bar on outcomes.

Looking ahead, our Republican majority here in the U.S. Senate will keep up the momentum to deliver cost savings to the American people. On my watch, I will continue working across the aisle to lower drug prices, restore competition, and increase transparency in the pharmaceutical industry. I welcome the incoming Democratic House majority to join our efforts in behalf of the American taxpayers and consumers.

As Americans count our blessings during this season of Thanksgiving and going into Christmas, we give thanks for the gifts of friends and family who gather together around these celebration tables. I am thankful for good health and the opportunity to serve Iowans. Along these lines, I will do my best to restore competition in the pharmaceutical market and to stop the gravy train that is taking taxpayers for a ride.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, notwithstanding rule XXII, I move to proceed to legislative session.

The PRESIDING OFFICER. Without objection, the question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. McCONNELL. I move to proceed to executive session to consider Calendar No. 1153.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Bernard L. McNamee, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2020.

## CLOTURE MOTION

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

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

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Bernard L. McNamee, of Virginia, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2020.

Mitch McConnell, Johnny Isakson, Mike Rounds, Thom Tillis, Mike Crapo, Pat Roberts, John Hoeven, David Perdue, Tim Scott, John Cornyn, Roy Blunt, Cory Gardner, Tom Cotton, Jerry Moran, John Barrasso, Roger F. Wicker, John Boozman.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum call for the cloture motion be waived.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

## MICHIGAN VETERANS

Ms. STABENOW. Madam President, representing Michigan in the U.S. Senate is such an honor, and one of the best parts of this job is the work I am able to do on behalf of Michigan's over 600,000 veterans.

Our veterans have always been first in line to defend our democracy. That is why they should never be at the back of any line—for a job, for healthcare, for housing, or for education.

Our government has made our veterans promises—important promises—and those promises must be kept. That is true of the Trump administration, as well as every other administration. Unfortunately, many of our veterans are now finding that promises the govern-

ment made to them regarding their education are being broken.

For weeks now, student veterans have spoken out about their GI bill benefits being delayed or incorrect. One of those veterans is Brendan. He serves his country in the Michigan National Guard, and he is a student at Lake Superior State University in the beautiful Upper Peninsula of Michigan.

A few months ago, Brendan's GI bill benefits didn't go through even though he had done everything he was supposed to do. Brendan told his local station, WWTV:

I got emails saying, you need to pay your tuition. It stresses you out because you are wondering if you are going to get paid, and if I can't pay tuition, then I can't enroll in the next semester.

Bill, another student at Lake Superior State University, is a veteran of the U.S. Marine Corps. His housing stipend was 36 days late. "It upsets me," he told WWTV. He added: "When I was active duty, you are expected to be anywhere in the world within 24 hours, boots on the ground, ready to complete a mission. . . . When it comes time to pay veterans back for their service, it takes me 35 days to get a check in the mail."

That is simply outrageous.

What is even more outrageous is that this week, the Department of Veterans Affairs said it does not intend to reimburse veterans who were paid less than they were owed. That is after the Trump administration promised a House committee earlier this month that it would make sure veterans are reimbursed. The Department blames computer issues and says that going back to fix the mistakes would only delay further claims. That is completely unacceptable. You can bet that if Brendan or Bill or any other veteran tried to blame computer glitches for not paying their phone bill or failing to complete an assignment, it wouldn't work.

These veterans have done everything—everything—we have asked of them. It is our government's responsibility to provide them with everything they have been promised, and I am committed to doing everything in my power to make sure that happens. That is why earlier this month I called on the Secretary of Veterans Affairs to address this issue with the urgency it deserves—in other words, now. This isn't the first time the VA has faced backlogs, either, but it should be the last time—the very last time—our veterans are affected by them.

I heard about some of these issues during a series of 13 veterans roundtables I held around Michigan this year. I do this on a periodic basis to find out how things are going and what more I can do to help—as well as, of course, working with individual veterans who call our office every week.

In response to these roundtables, which I very much appreciate people from around the State participating in, I introduced the Student Veterans

Housing Act, which would help ensure that student veterans have a place to live as they are pursuing their education.

Currently, the end of the semester can mean the loss of housing benefits—when you are in between semesters and not in school—because the VA can't pay for housing in between semesters. My legislation would help ensure that student veterans don't have to reach into their own pockets to pay for a benefit they have already earned and would make sure they are not losing their housing between semesters. Our veterans should be able to focus on their studies, not worry about keeping a roof over their heads.

These veterans need to know their tuition payments will be there on time, just as they were promised. It is not enough to praise our veterans. We do that all the time, but praise doesn't pay the tuition bills or housing costs for student veterans. Instead, we must uphold each and every promise our country has made to them, including their GI bill benefits.

I was very pleased when we were able to strengthen the GI bill and was excited about the opportunities for new support for our veterans. Now we are hearing about technical issues and glitches that make no sense and undermine the ability of our veterans to fully benefit from the improved GI bill.

The Trump administration must address these technical issues immediately. The Senate must pass legislation, including my Student Veterans Housing Act, which will ensure that veterans are receiving all of the benefits they have earned. The VA must repay each and every dollar our veterans are owed, period. Veterans like Brendan and Bill and so many others have always been first in line to defend us. It is time for us to stand up for them and get this issue fixed.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## NATIONAL FLOOD INSURANCE PROGRAM

Mr. WHITEHOUSE. Madam President, this evening, the leader or someone standing in for the leader is going to come and close out the floor with a number of unanimous consents. One of them will be a unanimous consent to push consideration of the National Flood Insurance Program—to reauthorize it—a week down the road.

I will not object to that unanimous consent request, but I do want to speak to the predicament of the National Flood Insurance Program. For coastal States, this is a very big deal, and this is a program that is now completely out of step with the conditions that coastal States see before them, so we have to get this fixed.

The liability of the National Flood Insurance Program ran up to \$30 billion after Hurricane Harvey. It borrowed \$30 billion from the U.S. Treasury. That is its borrowing limit. It basically maxed itself out. In October, Congress forgave \$16 billion. We moved that from a liability of the National Flood Insurance Program to a liability of the United States, in effect putting it on our national credit card. That allowed NFIP to pay out claims for Harvey, Irma, and Maria. At this point, that leaves the program \$20 billion in debt. We are not sure, completely, because claims are still being processed from the 2018 hurricane season, but CRS says as of September, the NFIP has only \$9.9 billion of remaining borrowing authority.

CRS also points out that repetitive loss and severe repetitive loss properties over the history of NFIP have totaled about 30 percent of all claims—a grand total of around \$17 billion—which is almost a perfect match with the \$16 billion we had to forgive.

If you look at the properties NFIP now insures, the repetitive loss and severe repetitive loss properties are about 2 percent by number, but they account for about 16 percent of all claims. So it is a pretty big piece of our National Flood Insurance Program liability. It is about \$9 billion.

We can keep going forward and funding these repetitive losses time after time after time after time, but there are some real problems with doing that. One is that back in the old days, before sea levels were rising, when you expected the weather on the coast to revert to status quo after a big storm, they made then what seemed a sensible rule that you had to rebuild just what was there. We weren't going to fund improvements and modifications with Uncle Sam's dollars on a flooded house. You had to rebuild what was there. The problem is, maps are changing, sea levels are rising, storm vulnerabilities are pushing inland, and to rebuild in place now no longer makes sense. You have to at least be able to rebuild higher and out of the way of storm surge or you have to be able to relocate. To rebuild every couple of years and get wiped out by a new storm really makes no sense, but the NFIP encouraged people to do just that because it is hard to get paid out to relocate.

The relocation rules of the National Flood Insurance Program has to be triggered by a State or municipality doing its own buyout. If you are, let's say, a small Rhode Island municipality, you have a pretty strong interest in not doing a major buyout of flooded properties because as soon as that happens, they are torn down—it takes a long time to get there just for one thing, these are slow processes—but the property gets torn down, the property goes to public space, and the town loses tax revenue from the ownership of that property. So it is a shot to the municipal budget to go down that road, and it is not a decision made by the homeowner. The homeowner is

stuck waiting for the municipality in the State to make that decision.

So the NFIP program—we have to get it stood up again, we have to get it reauthorized, and we have to allow flexibility consistent with rising seas so homes can be lifted if necessary. If it makes no sense to rebuild in that place because it is just going to be washed out again, we have to help make sure this program allows homeowners the choice to simply take their final payout and go elsewhere rather than in order to stay in the program we have to rebuild and rebuild and rebuild a house the taxpayers continue to have to pay for.

For anybody who complains that there is a subsidy in here for coastal homeowners, let me say, the \$16 billion in forgiveness—this big, one-time forgiveness that we did—must be compared to \$44 billion in crop subsidies from the years 2015 through 2017. If we are going to help inland Midwestern and other farmers with \$44 billion in crop subsidies, there is no reason to deny coastal homeowners some protection as well. We can help a lot if we can change these rules in a sensible way.

The States that are being hit are getting hit pretty hard. Florida, it has been estimated by the Union of Concerned Scientists, has the most homes and property values at risk from sea level rise—64,000 homes may see flooding every other week by 2045. Those are going to be a lot of claims on national flood insurance. Half of those claims are in South Florida, so those counties and municipalities are going to take a heck of a hit.

In Georgia, king tide flooding regularly floods St. Mary's, Brunswick, and lower portions of Savannah, according to an article in Atlanta magazine. The road out to Tybee Island flooded a record 23 times in 2015, and it is expected that with just 1 foot of sea level rise, it will be underwater 100 times annually—again creating enormous risk.

(Mr. KENNEDY assumed the Chair.)

It is terrific to see the Senator from Louisiana taking the President's chair right now because the fourth National Climate Assessment highlights Louisiana as facing some of the highest land loss rates in the world.

"Between 1932 and 2016, Louisiana lost more than 2,000 square miles of land."

I am not even going to talk about what 2,000 square miles means in my small State of Rhode Island, but it is a big deal, and it is due in part to high rates of relative sea level rise.

Getting the National Flood Insurance Program right—getting it reauthorized and adapting it for people who are going to be swept off of their lands by sea level rise—is very important. I do want to commend Senator KENNEDY for his persistence and leadership in trying to solve this problem.

North Carolina—according to an article published by the Weather Channel, one beach near East Seagull Drive in Nags Head "has been eroding at about

six feet [back] per year." If a beach is eroding at 6 feet per year, a lot of homes are going to be wiped out. We have to get the Flood Insurance Program adapted to that.

North Carolina itself has predicted a rise of 1 meter of sea level rise by 2100. Data compiled and analyzed by NOAA shows the worst-case potential twice that at 2 meters.

According to the Fourth National Climate Assessment, flood events in Charleston, SC, have been increasing, and by 2045, Charleston, SC, is projected to face nearly 180 tidal floods per year—there are going to be a lot of properties making claims against this program—180 tidal floods per year compared to 11 in 2014. This is getting worse, and it is getting worse fast.

In Texas, Rice University and Texas A&M compared flood damage from the storms that hit Houston between 1999 to 2009, and they found that FEMA's flood risk maps only captured about 25 percent of the actual damage. So if you are a municipality, in addition to the problems that you have trying to deal with protecting your tax base and of having people flee valuable coastal property as sea levels rise, you also have the problem that when you look to the Federal Government to figure out what your risk is and which are the problem areas, the FEMA maps are wrong. The FEMA maps are misleading.

We saw this firsthand in Rhode Island as well. We had to do a lot of State-level work to get correct mapping so that our coastal municipalities could have a true assessment of their risk. Those homeowners need to know those facts. Homeowners who are now relying on FEMA maps are being misled. We have to fix that problem as we fix the NFIP problem.

More than half of the homes damaged by Hurricane Harvey were not listed in any flood risk areas, so they didn't have flood insurance. That is another problem. Not only is there going to be a big load of new claims on the National Flood Insurance Program because of sea level rise, not only are we going to have to adapt the way claimants can make their claim so they can raise their homes to survive the next storm or clear out because they can't survive the next storm, but we are also going to have to deal with this problem of homes that aren't covered by flood insurance because FEMA's maps are wrong, and homeowners are then left stuck without insurance.

For a lot of reasons, my patience is wearing out with this continued kicking down the road of the NFIP program. I have been working on this—I hope in a constructive way—and I intend to continue working on it—I hope in a constructive way—but, again, my patience is wearing out with our inability to agree and make these changes.

I yield the floor with, again, my compliments to the Senator from Louisiana, who has been a very constructive and very ardent proponent of finding a solution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

CHEMICAL FACILITY ANTI-TERRORISM  
STANDARDS PROGRAM

Mr. JOHNSON. Mr. President, I am here today to ask my colleagues to approve a bill to reform and reauthorize the Chemical Facility Anti-Terrorism Standards Program, commonly known as CFATS.

This CFATS Program regulates chemical facilities to help prevent terrorists from carrying out an attack with dangerous chemicals—a worthy goal. However, since 2006, watchdogs have identified significant problems with the program. In 2013, the Government Accountability Office found that CFATS had a 7- to 9-year backlog to review more than 3,000 security plans and a flawed methodology to assess security.

The inspector general and Congress have questioned whether the program successfully reduces risk, enhances security, and warned of serious management problems. That is why each time Congress has reauthorized the program, it has done so only for a limited duration. Coming from a manufacturing background, I agree with that approach. That is exactly how you help ensure continuous improvement.

In 2014, when the program was last set to expire, the Committee on Homeland Security and Governmental Affairs—under the chairmanship of Senator CARPER—and Congress did their job. They did oversight. They made reforms and extended the program for another 4 years, until January 2019.

Under my chairmanship, our committee also took its oversight and reauthorization responsibilities seriously. Over the last 2 years, we have conducted extensive oversight on CFATS to evaluate the program's effectiveness and develop a plan to make it better. We enlisted the help of GAO to conduct a nonpartisan review of the CFATS Program to help inform our work. We held a roundtable with DHS, GAO, a CFATS chemical inspector, and multiple companies and industry groups. We had an important, frank discussion about the program's strengths and weaknesses. The committee also held numerous briefings with chemical facility owners, trade groups, DHS, and other relevant agencies.

After gathering information and talking directly with stakeholders, here is what we have learned: DHS has made significant progress under the 2014 reforms by eliminating the backlog and improving management of the program, but more work is necessary.

It is still far from clear that CFATS actually reduces the risk of terrorist attack, and DHS does not measure whether it actually does so. The program forces some explosive material companies to spend hundreds of thousands of dollars complying with CFATS regulations that are duplicative of Justice Department regulations and sub-

ject companies to frequent, unnecessary site inspections. These practices are extremely costly and neither reduce risk nor enhance security.

The program fails to give credit to companies that already comply with other private sector-specific programs that require high standards of care. Recognizing these exceptional programs would significantly reduce the regulatory burden on companies without reducing security.

DHS needs to do more to make this expedited approval process available to reduce unnecessary costs on both the companies and the American taxpayers, and it needs to be more transparent about how it classifies facilities to help companies understand what rules to even follow.

After conducting this oversight, I introduced a bill to address these issues and reauthorize the program for 5 years. Representatives KATKO, MOOLENAAR, and CUELLAR introduced a similar, bipartisan bill in the House.

Our legislation brings much needed regulatory relief to U.S. businesses by exempting explosive materials that are also regulated by the Bureau of Alcohol, Tobacco, Firearms and Explosives, reducing the frequency of audits and inspections, and reducing the burden of compliance for companies that participate in CFATS' recognition program, all while ensuring safety and security. It improves transparency by requiring DHS to provide information to companies on why their regulatory tier changed. It requires more DHS and independent assessments of how successful the program is at reducing risk and enhancing security. It also reauthorizes the program for 5 years.

After going through a thorough process of discussion and compromise, our committee approved the bill unanimously by voice vote in September.

The bill is supported by a wide range of private sector stakeholders, including the U.S. Chamber of Commerce, the American Chemical Council, the National Association of Manufacturers, and numerous others.

Mr. President, I ask unanimous consent that their letters of support be printed in the RECORD.

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

SEPTEMBER 25, 2018.

Hon. RON JOHNSON,  
*Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN JOHNSON: The Chemical Facility Anti-Terrorism Standards (CFATS) Coalition comprises a diverse group of trade associations and companies impacted by CFATS regulations. Coalition members represent major sectors of the American economy, including chemical production, chemical distribution and storage, manufacturing, oil and gas refining, utilities, mining, and agricultural goods and services. The businesses we represent are an integral part of the American economy, making our modern society possible. Our members have no higher priority than ensuring the safety and security of our products, our people, and our communities.

We applaud your leadership on this important security issue by introducing the "Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2018" (S. 3405). This legislation is an important marker in the reauthorization process, and we look forward to working with you and your colleagues to develop legislation that will provide additional improvements and efficiencies to the CFATS program. By reauthorizing the program for five years, S. 3405 would provide needed certainty to the regulated community and enhance the security of our nation.

Since the inception of the CFATS program in 2007, our industries have invested millions of dollars and instituted thousands of new security measures at our facilities. The "Protecting and Securing Chemical Facilities from Terrorist Attacks Act" of 2014 (P.L. 113-254), which for the first time provided CFATS a multi-year authorization, further enhanced these efforts by establishing regulatory certainty to both industry and the Department of Homeland Security (DHS). This stability allowed DHS to increase efficiencies in the program while streamlining the information submission process for regulated facilities.

On January 19, 2019, the current authorization will expire. The CFATS Coalition wants to ensure the continued viability of the CFATS program without interruption and the introduction of S. 3405 is a significant first step in this process. Thank you for your leadership on this issue and we look forward to working with you towards a successful CFATS reauthorization.

Sincerely,

Agricultural Retailers Association, American Fuel & Petrochemical Manufacturers, American Petroleum Institute, Institute of Makers of Explosives, International Warehouse Logistics Association, National Association of Chemical Distributors, Society of Chemical Manufacturers & Affiliates, U S Chamber of Commerce, American Chemistry Council, American Gas Association, Edison Electric Institute, International Liquid Terminals Association, Interstate Natural Gas Association of America, National Association of Manufacturers, National Mining Association, The Fertilizer Institute.

SEPTEMBER 21, 2018.

Re ARA and TFI Support for Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2018 (S. 3405).

Hon. RON JOHNSON,  
*Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.*

Hon. CLAIRE McCASKILL,  
*Ranking Member, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN JOHNSON AND RANKING MEMBER McCASKILL: The Agricultural Retailers Association (ARA) and The Fertilizer Institute (TFI) strongly support the "Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2018" (S. 3405).

Thousands of ARA and TFI member facilities are subject to the Chemical Facility Anti-Terrorism Standards (CFATS) program administered by the Department of Homeland Security (DHS) because they store, handle, and sell certain CFATS chemicals of interest (COI), such as anhydrous ammonia and ammonium nitrate.

Safety and security of facilities—to protect workers and the surrounding communities—is paramount to ARA and TFI members. That is why ARA, TFI, and our members created the ResponsibleAg stewardship program. ResponsibleAg is a voluntary, industry-led initiative committed to helping

agribusinesses properly store and handle farm input supplies. The program helps members ensure they are compliant with federal environmental, health, safety, security, and transportation regulations, including CFATS, to keep employees, customers and communities safe.

The CFATS program provides an important framework to ensure facilities are taking appropriate steps to be safe and secure. The current Congressional authorization for CFATS is set to expire in January of 2019. Any lapse in authorization of the CFATS program would subject our members to uncertainty in an already volatile agricultural market and environment.

S. 3405 makes several improvements to the CFATS program. We are pleased to see the legislation requires DHS to conduct notice and comment rulemakings to make changes to Appendix A. This requirement will ensure a thorough exchange of information is done so the most informed decisions can be made.

ARA and TFI also appreciate the inclusion of Section 7, which would make the Personnel Surety Program requirements of CFATS optional for tier 3 and 4 facilities. Tiers 3 and 4 facilities do not face the same insider threat possibility as tiers 1 and 2. This provision gives industry the flexibility to find a personnel surety solution that best fits their facility and security needs.

ARA and TFI also strongly support Section 5, entitled, "CFATS Recognition Program." This portion of the legislation will allow DHS to utilize and focus limited resources, while incentivizing other facilities to voluntarily come into compliance through stewardship programs. Stewardship programs, like ResponsibleAg, are already working to identify gaps in CFATS compliance at agricultural retail facilities. When gaps in compliance are identified, ResponsibleAg works with the facility on a timely and thorough corrective action plan to bring that facility into compliance. A "CFATS Recognition Program" would be a great "win-win" and strengthen the collaborative partnership between industry and government.

Finally, thank you for your leadership regarding reauthorization of the CFATS program. We appreciate all of you and your staffs' efforts to make a good government program better.

Should you have any questions, please reach out to our staff, Kyle Liske at ARA.

Sincerely,

DAREN COPPOCK,  
President and CEO,  
Agricultural Retailers  
Association.

CHRIS JAHN,  
President and CEO,  
The Fertilizer Institute.

INSTITUTE OF MAKERS OF EXPLOSIVES,  
Washington, DC, September 12, 2018.

Hon. RON JOHNSON,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR JOHNSON: Yesterday our nation marked another somber milestone, the 17th anniversary of the terrorist attacks of September 11, 2001. That tragedy led to great changes in our government, including the establishment of the Department of Homeland Security (DHS). As directed by Congress, DHS focuses on securing high-risk chemical plants through the Chemical Facility Anti-Terrorism Standards (CFATS) program. The members of the Institute of Makers of Explosives (IME) fully support your legislation that reauthorizes this important program, the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2018 (S. 3405), and we urge the Senate to approve the legislation.

Founded in 1913, IME is the safety and security institute for the commercial explosives industry, a charge we do not take lightly, as evidenced by the industry's excellent security track record and work with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, among other agencies. IME represents manufacturers of commercial explosives and other companies that distribute explosives or provide related services. Commercial explosives are used in every state and are distributed worldwide. The ability to manufacture and distribute these products safely and securely is critical to this industry and to the mining, construction, and oil & gas industries that use our products. IME takes an active role in promoting responsible practices through the full life cycle of commercial explosives and regularly publishes, updates, and distributes free of charge, our series of Safety Library Publications (SLPs), including SLP 27, Security in Manufacturing, Transportation, Storage and Use of Commercial Explosives, to the benefit of our workers and the general public.

Your leadership, as demonstrated by including improvements identified during the June CFATS roundtable oversight hearing which you chaired, is greatly appreciated. The commercial explosives industry looks forward to work with you and the Committee to reauthorize the CFATS program. We believe that S. 3405 enhances national security while reducing blatantly duplicative regulations; clearing the path for government to focus resources on highest priority threats to our national security while allowing industry to invest their time and resources in a regulatory system that has proven to be effective.

IME fully endorses S. 3405 and urge the Senate to pass this common-sense solution without delay. We welcome the opportunity to work with you to advance this important legislation.

Respectfully,

JOHN BOLING,

Vice President of Government Affairs.

Mr. JOHNSON. Having gone through all this work, all this oversight, taking that responsibility seriously, I recently have been asked to support a 1-year reauthorization of the program without any reforms. Without any consultation, Secretary Nielsen just sent me a letter completely ignoring the work our committee has done and informing of her support for a "short-term" extension.

Today, I was told the House plans to pass not a 1-year but a 2-year extension with no reforms. The House is claiming they cannot possibly consider reforms because there is simply not enough time, because they haven't done any oversight, because they didn't mark up a bill in this Congress. Yet the House Committee on Homeland Security has had years to act.

My committee did the work. We did act. Now I am being threatened with a false choice: Either reauthorize the program as is, without much needed reforms, or let it die. In fact, there is a much better third choice: Pass S. 3405, the bill our committee passed unanimously, the bill that provides unanimous reforms that strike the right balance between security and efficiency.

Again, our committee did the work. We did act. And I have to tell all my colleagues here, this is the only option I will support.

UNANIMOUS CONSENT REQUEST—  
CALENDAR NO. 670, S. 3405

Mr. JOHNSON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 670, S. 3405. I further ask that the committee-reported substitute amendment be withdrawn; the Johnson substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Delaware.

Mr. CARPER. Thank you, Mr. President.

In the wake of 9/11, Congress took a fresh—I want us to walk back in time a little bit to how we actually got here today.

In the wake of 9/11, Congress took a fresh look at some of our Nation's vulnerabilities and realized that our country's chemical facilities—part of our industry that our Presiding Officer knows a lot about—realized that our country's chemical facilities could be potential targets for terrorist attacks. So we created the Chemical Facility Anti-Terrorism Standards Program, known as CFATS, to better protect high-risk chemical facilities from those looking to do us harm.

My recollection is not perfect, but my recollection is that among the people who were the prime authors of that were, I believe, Senator COLLINS from Maine and possibly Senator Lieberman from Connecticut, the senior Democrat and senior Republican on the Homeland Security Committee at that time. The program that was created—I believe, and I hope I am not mistaken, with their guidance and leadership at that time, roughly 10 years ago—started out with some stumbles out of the gate, as some of you may recall. The Department of Homeland Security—then a younger organization—lacked the trust of industry. The program also lacked a long-term authorization. There was a fair amount of concern about predictability, and we know how businesses like predictability and certainty, which is understandable.

In 2014, Senator Coburn and I, the chairman of the committee at the time—and he was the ranking member—we had what turned out to be a great partnership on a lot of issues, including this one. We worked with industry stakeholders, the Department of Homeland Security, their folks, labor groups, and others in order to provide CFATS with a clear statutory authorization laying out the roles and responsibilities of chemical facility owners in securing their sites against attack.

What was first created when CFATS was a brandnew bill becoming a brandnew law was obviously not perfect. That is why we came back roughly 5 years later to perfect it. What we did in 2014—I think that is the right year—what we did then was not perfect

either. I think he knew that, and I knew that as well.

Having said that, it appears, for the most part, that the reauthorization that we worked on is working. It is not perfect, but it is working a whole lot better than what has been replaced. The GAO, for example, has reported that the Department eliminated the inspections backlog. We had a very long inspections backlog—huge. We have worked through that, and the Department has worked through that. I think we are seeing, over time, improved trust and a sense of cooperation between the Department and the stakeholders, including those in the industry.

The authorization that Senator Coburn and I worked on, which was almost 5 years ago, is set to expire in January. If it does, this important anti-terrorism program will, most likely, go back to a year-to-year authorization. Industry and labor groups and the Department deserve, I think, more certainty than that this time.

To his credit, Chairman RON JOHNSON and his staff have worked cooperatively with mine this week to address a number of outstanding issues with the bill that was reported out of committee. It was one of those bills that was reported out of the committee—and we have all been there with, I think, an implicit understanding, a tacit understanding, that some work would be done on the bill on the way to the floor. With that in mind, at least this week, there has been an effort to do that from his staff and, I think, from my staff.

I thank him for his willingness to reinsert the enhancement to whistleblower protections that our ranking member of the Homeland Security Committee, CLAIRE MCCASKILL, and her staff worked hard to try to enshrine. However, the bill still contains a number of concerning provisions.

Most importantly, the bill would exempt facilities that store and manufacture some of the most dangerous materials—chemical explosives—from regulation under CFATS if they are subject to a separate regulatory program. This change, as far as I know, has not been studied adequately, as a number of folks have suggested, and if enacted, it could expose our communities to significant harm.

Earlier today, I was surprised to receive a copy of a letter that I hold here from the Secretary of Homeland Security. I think the chairman alluded to it already. This letter from Secretary Nielsen basically urges caution in making the kinds of changes that our chairman's bill would provide. She has urged the House and the Senate to pass a clean reauthorization of the program in order to ensure that it does not elapse. So I was surprised to get this today and, I think, anticipating I would have this opportunity to have a back-and-forth with our chairman on a unanimous consent request.

I was also surprised to hear this morning that the chairs and the rank-

ing members of the House's Homeland Security Committee and the Energy and Commerce Committee—committees that have shared jurisdiction over the CFATS Program—basically answered the administration's Secretary of Homeland Security's call by introducing a bipartisan bill to reauthorize the program for 2 years. Their bill—although, not perfect—would provide a 2-year extension—not perfect—or a 1-year extension—not perfect. Their bill would provide industry and stakeholders with the certainty they need but, maybe, not without some of the changes that should be made in the program as we know it.

I am trying to remember the name of a Paul Newman movie. Maybe the chairman can help me. I think it was "Cool Hand Luke." Maybe the Presiding Officer can help me with the movie Newman was in when he was captured and was a prisoner and an inmate. He escaped, and he was hard to catch. Before he escaped, he was always at odds with the warden, who was a short, stout guy. It was cast in the South, so this guy had a real southern accent—the warden. They tracked him down. They had dogs, and they were doing everything they could to track down the character who was played by Paul Newman.

I see the Presiding Officer smile. He remembers this movie.

They finally captured Paul Newman, and the warden was really happy that they had their guy. He looked at Paul Newman, and I will never forget what he said: "What we've got here is failure to communicate." Yet I cannot do justice to his accent.

I think, really, what we have here is a failure to communicate. Senator RON JOHNSON and I get along pretty well, I hope. Until, actually, today or yesterday, we haven't had the kind of communication on this issue that we ought to have been having on something this important. I can object, and he can object to anything I might try to do with a 1- or a 2-year straight extension, but I think what we really need to do is kind of like lay down our arms—not literally our arms—and go back not necessarily to our respective corners but to a negotiating table and, maybe, even invite some of our House colleagues and the Department—which, obviously, has a clear interest in doing this—and some other stakeholders to join us as well.

We are going to be in session. What is today? Today is the 29th of November. We could be here for a couple more weeks. I think there is probably time to, maybe, hammer something out. At the end of the day, if we are not successful in doing that, then we come back out here and go through all of this machination and object and counter object and so forth.

I think the folks who care about this and the communities that care about this—the folks who are in the chemicals business and the folks who make explosives—as well as the Department,

which has jurisdiction, would like to see us try to work it out. As the chairman knows and as the Presiding Officer knows, we are working on a number of things together, and it is always my inclination to try to work things out. I think there is a win-win here. We just need to work a little harder to, as we say in Delaware, seize the day. I don't know much Latin, but I do know "carpe diem." In Delaware, we say "car-pa dee-um." We need to seize the day before time expires in a couple of weeks. That would be my thought.

I yield to the chairman for any thoughts that he has. He may want to pour water on what I just said. I hope not.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. I am happy to respond.

The Senator from Delaware is well aware that we have been working. We have already agreed on three improvements from your standpoint. We increase the frequency of inspections for companies participating in CFATS recognition programs. We have added a third-party study to look at how workers can be made more aware of the fact that their facilities are covered by CFATS. We had a future GAO study to look back at how our provision exempting explosive materials covered by both CFATS and ATF is affecting the program.

We are already making movement. If you want to discuss this for a few more days, fine. Time is, obviously, running out.

I do want to make everybody aware of the fact that because we have done this work, because we have passed this out of our committee unanimously, I am not in any way, shape or form, accepting some of the typifications in terms of the fact that we have not communicated. We have been trying for months to work with the House. There has just been no yield whatsoever. There has been no give whatsoever. There has been very little desire on its part to do anything other than to have a "take it or leave it," a "let's extend this," a "no reforms." That is, simply, unacceptable to me.

I have great respect for President Ronald Reagan. I don't want to prove him wrong. I, actually, want to reauthorize this thing. Yet if we can't come to an agreement with a reformed, reauthorized CFATS Program, I am more than willing to prove Ronald Reagan wrong when he said, to paraphrase, that the closest thing to eternal life on this Earth is a government program. I will let the program expire because I really do not think it really enhances the security of our Nation. It, certainly, has not been proven in that way, and without reforms, I am happy to let this program go by the way of the dinosaur.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I am trying to think of a really quick comeback to this, but

my memory fails me. I have a pretty good one from JOHN KENNEDY, who once said to never negotiate out of fear but always be ready to negotiate. That is the preference—to never negotiate out of fear but be willing to negotiate.

I would just suggest that we kind of withdraw from what we are trying to do here in a parliamentary way and get back to negotiating. If, in the end, we come back here in a week or two, we come back, but I would like to give it the old college try.

Mr. JOHNSON. Will the Senator yield?

Mr. CARPER. I yield to the Senator.

Mr. JOHNSON. Again, I am happy to do that, but we have not had that kind of engagement. Right now, there is, basically, a gun to my head, threatening me to take it or leave it. That is not collegial, and that is not a very high-integrity approach. I am happy to sit down. Let's continue working on this thing. This program needs reforms. We have done the work, and I think that work needs to be recognized and respected. Again, let's sit down and get our staffs together on this, and let's reauthorize and reform the CFATS Program.

Mr. CARPER. I welcome your words.

I used to be a House Member. I think we need to respect their views as well. Obviously, they have some views that need to be taken into account. This is not something I have discussed with the Secretary. I don't even know how much she has thought about it, given everything else that is on her plate. Yet, clearly, she has people who work for her who have thought about it a lot, and I would very much welcome the chance to reengage with our chairman, his staff, and our staff but with some of the other stakeholders we have talked about here being engaged as well. We need to put some pedal to the metal and get something done.

Mr. JOHNSON. Will the Senator please yield?

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Had the House put an ounce of effort—of work—into this, I would have something to respect, but they have done nothing other than, basically, just to threaten me with these types of tactics. So, again, let's work together. Let's provide a product that we can present to the House and that they can pass.

The PRESIDING OFFICER. There is before the Senate a pending unanimous consent request.

Is there objection?

Mr. CARPER. Mr. President, I was prepared to ask the Senator to modify his request to the Senate and, instead, take up a bill that I have introduced that basically reflects what the Secretary has done and what the House has done and is at the desk.

Help me on this, Mr. President. I think the chairman of the committee is willing to withdraw his unanimous consent request. I think that is a good way to go.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I am not withdrawing my unanimous consent request. He can object to it, and we will work with him, but I will not consider that the final say. We will work in very good faith to come up with something better and come back to the floor, hopefully, with a bill that we have agreed to.

Mr. CARPER. I don't get to object to unanimous consent requests every day. I think I will do that in this case just to see what it feels like, but do it in the spirit of trying to get something done.

The PRESIDING OFFICER. There is an objection to the unanimous consent request.

Mr. JOHNSON. The objection is taken in that spirit.

Mr. CARPER. Good. All right. Thank you.

Democracy. What did Churchill say? Democracy is the worst form of government devised by way of man, except for all the rest. He also said that you can always count on America to do the right thing in the end, after trying everything else. Hopefully, in the end, we will get a lot closer to perfection. So let's give it a shot.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

#### TRIBUTE TO RON TRAVIS

Mr. SULLIVAN. Mr. President, it is Thursday, and that means it is typically time for me to recognize somebody in my State who has made a big difference for Alaska, sometimes someone who has made a big difference for America. We like to call that person the Alaskan of the Week.

For the pages, I know this is your favorite time of the week because these are usually great stories about great Alaskans, great Americans. Today, I guarantee you I am not going to disappoint you talking about another great Alaskan.

I like to brag about Alaska—its beauty, its mystique, its great people, its vastness, its welcoming communities, its tough people, and its tough environment. Everybody should visit.

If you are watching, come on up, and come on up in winter, by the way, not just the summer. The northern lights are out. You can see them. They are beautiful. We actually get a lot of tourists in the winter, believe it or not.

There is something else that is very unique about my State, very special, and it is this: It is one of the most patriotic States in the entire country. There are more veterans per capita than any State in America. We like to brag about that. I certainly like to brag about my constituents who serve in the military and their families' sacrifice. So many of these veterans—like they do throughout the country, so many of our Alaskan veterans devote time, energy, and resources to giving back to the community but to also helping with other veterans.

We all know that a few weeks ago we celebrated Veterans Day. As part of that celebration and as part of our "Alaskan of the Week" series, I want to recognize today's Alaskan of the Week, Mr. Ron Travis, along with his wife Linda, and what they have done in terms of spending years making a difference for American veterans—Alaskan veterans—hundreds, if not thousands.

Let me tell you a little bit about Ron. He came from a patriotic family. His father fought in World War II. His mother was a member of the VFW Auxiliary. In 1961, Ron joined the Navy, where he served from 1960 to 1964 as a machinist's mate, third class, on the USS *Providence*. This was a guided-missile cruiser and was the first U.S. Navy ship to travel up the Saigon River and park in front of Saigon during the Vietnam war. So he is a Vietnam vet. We love our Vietnam vets.

After he got out of the military, he used the GI bill to go to college at what was then Eastern Washington College in 1967. There was a lot of turmoil during that time in our country, particularly on college campuses. This was during the height of the Vietnam war. There were a lot of protests.

When he was in college, like so many Vietnam veterans, he was certainly upset to see a lot of the protests. He was particularly infuriated to see his professors canceling class so they could join the protestors. He said: "A lot of the teachers we had didn't even know what Vietnam was," but they went out and protested.

However, there was a rule on campus that even if one student showed up for class, the professor couldn't cancel the class to join the protestors. So Ron and other veterans formed a club. They organized a club at their university to make sure there was a veteran in every classroom. It was a pretty good idea—keep the professors doing what they were supposed to be doing, teaching.

They also helped veterans pay for books they needed and got them help with their classes. Again, veterans helping veterans is what Ron has been doing his whole life. It turned into the biggest club on campus.

There was another club on campus—it is kind of infamous—the Students for a Democratic Society, better known as the SDS. It was not necessarily the most pro-military group in the country at the time, to say the least. At one point, they tried to take over the veterans club's canteen, but that didn't work. As Ron said, "They forgot one thing. We would fight for what we believe in." We had already done that.

Now, fortunately, it never came to blows. He is quick to point that out, but the SDS certainly backed down to Ron's veterans club.

Eventually, Ron made his way up to the great State of Alaska to work on the Trans-Alaska Pipeline. Like so many people who come up to our State, he fell in love with it. He brought his

wife Linda to Alaska to settle. They settled in a wonderful community called Big Lake—it is about an hour's drive from Anchorage—and they made a wonderful life for themselves. They built a cabin off the grid. They raised their kids in Alaska.

Ron worked as a mechanic all across the State, then as a parole officer. Eventually, he realized he had health issues associated with the service in Vietnam—exposure to Agent Orange.

The American Legion advocated for him to get help, so he joined the American Legion—Post 35, in particular—in Wasilla, AK, and began to get more and more involved in veterans' issues, eventually becoming the commander of the post.

Then, again, duty called another time for Ron to help with regard to our veterans.

I say to the Presiding Officer, no doubt you and most other people watching have heard about this great network of Americans called the Honor Flight Network. This network has chapters in individual States that bring veterans to Washington, DC, at no cost to the veteran so they can visit the memorials that, in many ways, they have dedicated their lives to—the World War II Memorial, the Korean War Memorial, the Vietnam Memorial.

It is an outstanding program that started with bringing World War II veterans here who haven't seen the wonderful World War II Memorial on the Mall that was built for them and finished in 2004.

Because of Alaska's distance—literally thousands of miles from DC—we did not have a program. Despite having all of these veterans, we did not have an Honor Flight Program. Well, guess who changed that. Ron and his wife Linda.

They were at a veterans facility when they were down in Washington State visiting Ron's mother in a rest home. At that facility, they met another veteran. He told him all about the Honor Flight Program and showed him pictures of a recent trip. He said: Do you know what? Alaska needs to do this. Alaska needs to do this. Ron said: Someone should start one. Someone should start one of these programs. He looked at his wife, and they realized they were going to start it, and the Last Frontier Honor Flight Program was born.

Two times every year, since 2013, they organize a trip for up to 25 veterans, their escorts, a photographer, a doctor, and two staff members. They come to Washington, DC, to visit the different memorials for our veterans living in Alaska—World War II, Korea, and Vietnam. All told, they have organized trips for 286 veterans. One hundred fifty-five of them fought in World War II just from Alaska.

It is not an easy flight, especially for some of our older veterans, but they are all doing it through Ron's and Linda's love and care and dedication.

His goal is to try to reach out to as many World War II veterans as they

can while they are still with us. Of course, it is a trip of a lifetime for so many of these veterans. A "wonderful gift," one veteran called it. Others have referred to it as their "final mission."

Ron says, the veterans often shed tears in front of the World War II Memorial. "It takes them by surprise," he said. "They often don't realize how much they feel" until they see it. It is a healing mission and trip for them. They do a lot of things during these trips. "It's an honor to be part of it."

I try to see Ron and his team every time they come to Washington, DC. We usually greet them with a couple dozen doughnuts when they are out looking at these wonderful memorials.

Ron recalls one particularly wonderful moment with one of the World War II veterans he brought from Alaska when he was in front of the World War II Memorial. He was approached by a woman who was also visiting the memorial. He saw them talking. Then they hugged. Then they cried—total strangers. What was going on there?

This woman's parents had been at the concentration camp, Dachau. The veteran—the World War II veteran, the Alaskan veteran—had been part of the unit that liberated the camp. Her parents, she said, were in some ways alive because of what he and his unit did to liberate them. That happened right here on the Mall—powerful.

Ron credits the community in Alaska for making these trips possible. Of course, he and Linda are being humble. There has been great community involvement. Alaska Airlines pays for the flights for the veterans and offers discounts for the escorts. Various community organizations and veterans groups and businesses help pay for the hotel rooms and all of the food. Volunteers and board members come together to raise money.

The community that helps with these trips includes our Active-Duty and Reserve Forces in Alaska. Back home, when they come home—many of whom are in wheelchairs—hundreds of Alaskans come out to greet them in the airport. It is great. It is wonderful.

It is the community of my State and really the community of this great country coming together, but it needs leaders. It needs leaders, and Ron and Linda have been those leaders, founding the Alaska Last Frontier Honor Flight.

I thank Ron and Linda for their great service to Alaska, great service to their country, great service to our veterans, for all they have done, and congratulate them on being our Alaskans of the Week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### EMPOWERING OUR LOCAL COMMUNITIES

Mr. NELSON. Mr. President, I want to talk about trickle-down economics and give my colleagues an example of why it doesn't work, particularly in parts of the country that have long

been neglected by the power structures in those communities.

Let's take, for example, South St. Petersburg, FL. St. Petersburg is a part of Pinellas County. It is one of our major cities in Florida. It is at the tip of a peninsula that wraps around Tampa Bay. South St. Pete is riddled with poverty. According to the Census Bureau, 16.4 percent of the people who live there live below the Federal poverty line, 6.7 percent of which have jobs, but they still live in poverty. Now, there is something wrong with that. If you have a job, you shouldn't be living in poverty.

What we know, as a result of a survey by the United Way, is that 44 percent of people in Florida, according to this survey taken in 2016—44 percent of the people in Florida, almost half—do not earn enough money to make ends meet. That means they don't have enough money for food, for housing, for healthcare, for transportation, and for child care—essentials for someone who is working to be able to have enough to live day to day. So there is something wrong with this.

We find people living in pockets of poverty all across this country, but I want to give an example of it in South St. Petersburg, FL. Many people there don't make enough to make ends meet and, of course, that means that you have to have both spouses working. Forty-four percent of the people do not have an economic situation that enables them to make ends meet. So what do they do to compensate? They work two, three jobs in order to compensate.

So in South St. Petersburg there are a lot of people who don't even have a job. It is not because they don't want jobs. It is because a lot of the established financial power—including banks, corporations, and big investors—in areas that are depressed like this one see it as a lost cause. They don't believe it has the economic potential to support new business.

I want to tell you a great success story about what a husband and wife team, Elihu and Carolyn Brayboys, found out when they tried to open a restaurant on 22nd Street in South St. Pete, an economically depressed part of the town that was long overlooked by those at the top of the economic ladder. I want to show my colleagues a picture of them. This is the Brayboys.

In fact, the building the Brayboys wanted to use for their restaurant sat idle for the previous 35 years. It was basically wasting away. When the Brayboys went looking for a loan to buy the building, every lender they went to said: No, it is too depressed. It sat vacant for 35 years.

Everywhere they went, they heard the same thing: The community will not be able to bring in enough business, and you will not be able to get enough customers from outside the community to visit that area.

Most people would have given up after receiving so many noes or given

in to the pressure to put the restaurant in a more acceptable part of town, but like most people in South St. Pete, the Brayboys are a different cut because they are not easily deterred. If there is one thing my colleagues should know about the people of South St. Pete, it is this: Don't test their resolve, because you are in for a surprise.

Undeterred, Mr. and Mrs. Brayboys took money out of their 401(k) accounts and poured all of their life savings into buying that hulk of a building on 22nd Street. After gutting the inside and pouring in their blood, sweat, and tears into remodeling the property, Chief's Creole Cafe opened in November of 2014 and has been going strong ever since, creating jobs and changing the way people think about South St. Pete. This is a picture of how the restaurant looks today.

Despite the warnings of all of those doubtful lenders, they have been able to sustain the business by attracting both locals and customers from outside of the area of South St. Pete. Does that not look like something that is a well-run, growing, successful business?

So the old saying stands: If you build it, and if you really try, they will come.

Now, this is a great story of stubborn determination triumphing over fear and adversity and rejection after rejection, but this type of story is few and far between in too many parts of Florida and across the country.

So let me show you another picture. This is the Three Oaks Plaza. The Three Oaks Plaza used to be the location of a Dollar Tree store, but the store closed last year. This is how it used to look, and this is how it looks now. The closing of the Dollar Tree store came on the heels of the closing of the local Walmart nearby.

Unfortunately, this is all too common in South St. Pete and too many other parts of Florida. The problem isn't new, but we need a new way to think about it. We need economic policies that rely less on outside investors and outside companies to come in and remake the image of the area and rely more, instead, on empowering local residents to create their own businesses. They are more likely to keep profits in the community, creating a more sustainable loop of economic activity.

That is what I want to recommend that this Senate and future Senates do with legislation. Consider the example of legislation that I introduced earlier this year called the Economic Modernization Act. That bill does a lot of things, but one key thing it does is to create a new tax break for local businesses that move into buildings that have long sat idle and vacant. Under a piece of legislation such as that, if a business moves into a building that has been vacant for 2 or more years and renovates the property, the business would be able to get a tax deduction worth many more times than what it put into it. Any profits earned at the

property, for the first 3 years in that building, would be a tax deduction. The deduction would be capped. It could be, in legislation, at 50 percent of the business's wages to make sure that the employees are also getting a benefit, and the more the business pays its employees, the more the business saves with that tax deduction and, therefore, saves in taxes.

Simply put, the bill, or legislation like it, will make it easier for local entrepreneurs to rebuild their community, helping to turn more places like this first photo into places like Chief's Creole Cafe.

Now, that is what we ought to be doing, not digging out old policies from the 1980s and calling it something new like our colleagues here in the Congress did last year with the tax bill. The tax bill added trillions to the national debt and made it easier for big corporations to game the tax system and put Social Security, Medicare, Medicaid, our infrastructure, and all other sorts of priorities at risk because the entire national debt is run up \$2 trillion over a 10-year period.

Where is the money to do all of these other priorities—Medicaid, Medicare, infrastructure, Social Security?

When big corporations see places like South St. Pete, they don't necessarily see the financial opportunity that Mr. and Mrs. Brayboy saw and turn it into a going concern. They don't necessarily want to empower places. Sometimes it just goes over their heads, and they miss the opportunity.

We need to incentivize local people to revitalize a community and, in the process, to be economically successful. We need to create more stories like the successful story of the Brayboys. We need to make it easier for locals to take old, abandoned buildings and turn them into new, thriving businesses that value their people and employ local residents. We need to encourage local communities, which understand their own needs, to be financially successful and have an opportunity to do that.

Despite what others say, instead of a tax bill that raises the national debt by \$2 trillion, wouldn't you believe that if we could do this all over America, it would help so much of the economic underpinnings of our country?

Let's think of a way that it should be, and this is one way. We need to do more to lift up those at the bottom and help them help themselves. I hope our colleagues will agree, and I hope our colleagues will consider legislation like this in the future.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. In my capacity as the Senator from Louisiana, the Senate stands in recess until 7:20 p.m.

Thereupon, the Senate, at 7:07 p.m., recessed until 7:20 p.m. and reassembled when called to order by the Presiding Officer (Mr. KENNEDY).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senate will come to order, please.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. KENNEDY. 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.

#### S.J. RES. 54

Mr. LEAHY. Mr. President, I hope the Saudi royal family was paying attention to yesterday's debate in the U.S. Senate. The bipartisan vote on S.J. Res. 54, of which I am a cosponsor, was significant for multiple reasons, but most of all for what it says about the potency of the outrage and disgust in this country and in the Congress about the conduct of Mohammed bin Salman, the Saudi Crown Prince.

That outrage has been building over time, as the number of civilian casualties since Saudi Arabia's intervention and ongoing aerial bombardment of Yemen—one of the world's poorest countries—has swollen into the thousands. We have all seen the photographs of the dead and dying and of children who are just skin and bones. It is said that 85,000 children already have starved to death. The UN warns that 13 million Yemeni civilians could starve to death by the end of this year, if the war does not end.

Of course, the Houthis and their Iranian benefactors share much of the blame for the death and destruction in Yemen, but we are not supporting them. Rather, until recently, we were providing aerial refueling for Saudi warplanes, and we continue to provide the Saudis with intelligence and targeting assistance.

As if the kidnapping of Lebanese Prime Minister Hariri, the blockade of Qatar, the imprisonment of women's rights activists, and the carnage in Yemen were not enough, the outrage toward the Crown Prince finally boiled over with the horrific, premeditated murder of Jamal Khashoggi, a respected journalist, Saudi citizen, and American resident, who had criticized the royal family.

Mr. Khashoggi's murder and dismemberment by Saudi Government agents at the Saudi consulate in Istanbul triggered an international outcry, and it exposed the depth of depravity of the Saudi royal family. That an ally of the United States would so brazenly commit such a crime and then so blatantly attempt to cover it up, speaks volumes.

After a string of lies by the Saudi authorities, it is only due to the Turkish

Government and independent investigative journalists that we know that Mr. Khashoggi was murdered, a crime punishable by death in Saudi Arabia and many other countries. In fact, far lesser crimes—even some nonviolent crimes—are punishable by death in Saudi Arabia.

While we owe thanks to the Turkish Government for exposing the facts about Mr. Khashoggi's case, we cannot ignore that Turkey's President Erdogan is also responsible for widespread repression, including the arbitrary arrests and imprisonment of journalists, civil servants, and thousands of other critics who have been convicted and locked away after unfair trials. Torture is rampant in Turkey's jails, as it is in Saudi Arabia.

We know that multiple Saudi officials, including the Foreign Minister, Minister of Interior, Ambassador to the United States, and others—all members of the royal family—lied to the world, including on international television, repeatedly changing their story about what happened to Mr. Khashoggi. Perhaps most revealing was how cavalierly and shamelessly they lied, clearly assuming that their lies would be accepted at face value.

According to press reports the impulsive Crown Prince, while disclaiming any involvement in or knowledge of the crime, shortly after Mr. Khashoggi's disappearance referred to him as a "dangerous jihadist," which was also false.

The Saudis have yet to say what happened to Khashoggi's remains, except that they were turned over to a "local collaborator." Who and where is that person? What more are they hiding?

Reports indicate that the Saudis sent a team to Istanbul to destroy evidence of the crime, during the very period when the White House and State Department were insisting that the Saudi Government deserved more time to determine the facts. Instead, the Saudis were trying to cover their tracks.

There is every reason to believe that the Saudi royal family is still lying about who was involved.

We also know that, before murdering Mr. Khashoggi, the Saudi Government has had a long history of abducting, imprisoning, and executing dissidents and others after sham trials in violation of international law.

In the United States, the media's attention, for a time, was diverted by President Trump's racist rants about a so-called migrant invasion, his made-up claims of voter fraud, his partisan lies about Democrats, his steady stream of vitriolic and divisive rhetoric that has incited others to violence here and abroad, premeditated election frenzy, and now its aftermath.

I mention this because, for the past few weeks, the murder of Mr. Khashoggi had been eclipsed by other headlines. No longer. The vote on S.J. Res. 54 is the Senate's initial answer to the Saudi royal family and to the Trump administration.

This crime, on top of everything else, was so wicked, so repulsive, that no amount of money, no amount of oil, and no amount of lies can obscure it.

The Trump administration lobbied hard against the resolution, warning that, despite the Saudi royal family's many transgressions the U.S.-Saudi relationship is too important to risk. No one is seeking to sever relations with Saudi Arabia. But far more important is that the United States stands for the truth, for justice, for the laws of war, and that we don't stand by when top officials of another government, whether ally or adversary, conspire to murder a journalist or dissident and lie about it.

As of today, the Saudi authorities continue to ignore appeals to reveal what happened to Khashoggi's remains. After so many lies, they insist that the 18 men under arrest are the only ones involved in Mr. Khashoggi's murder. No one who knows anything about the Saudi royal family, which controls the Saudi Government with an iron fist, believes that.

President Trump, who has been loath to say anything that might implicate the Saudi royal family, at one point said there would be "very severe" consequences if investigations conclude that the Saudis are responsible. Since then, even as it has become obvious that the Saudis, including the Crown Prince, are responsible, he has said nothing further about what those consequences would be. To the contrary, he said "maybe he was, maybe he wasn't," but either way, it doesn't matter to President Trump.

Secretary Pompeo has said that Saudi Arabia has made a "serious commitment" to hold senior leaders and officials accountable for the murder of Mr. Khashoggi; yet so far, no senior Saudi leader or official has been arrested, and the Saudis appear to have rejected the Turkish Government's demand that the 18 individuals who have been arrested be turned over to face justice where the crime occurred.

According to press reports, the conclusion of U.S. intelligence experts is that such a heinous, premeditated crime by Saudi agents inside the Saudi consulate could not have taken place without the Crown Prince's knowledge and support. Does anyone seriously believe otherwise? Yet yesterday, the CIA Director was barred by the White House from meeting with Senators to answer questions about this. Knowing what we do about this White House, the inescapable conclusion is that whatever she would have told us would have contradicted the President's defense of the Saudi Government.

Despite all the Saudis' phony denials, the President appears disposed to ignore his own intelligence experts and rely instead on the Saudi royal family to investigate itself. Why? To protect billions of dollars in contracts for U.S. weapons purchased by the Saudis for use in Yemen. The White House has apparently concluded that Crown Prince Mohammed bin Salman will ride out

this storm and remain in power for years to come.

Journalists the world over face unprecedented dangers. Those who criticize corrupt, repressive governments do so at great risk to their own safety and the safety of their families. They are regularly the targets of harassment, threats, and assassination for nothing more than doing their job. If the Saudi royal family can escape punishment for the premeditated murder of a Washington Post journalist, what does that say to journalists everywhere? What does it say about the United States, if we are willing to accept that?

Yesterday, the vote to discharge S.J. Res. 54 showed that we do not and will not accept it. If the Saudi royal family hopes to salvage its tattered reputation and relations with the United States, it will need to take far more decisive action to end the mayhem in Yemen and bring to justice all those responsible for murdering Jamal Khashoggi.

#### REMEMBERING LUIGI TELARA

Mr. LEAHY. Mr. President, I would like to take a moment to pay tribute to Luigi Telara, who passed away earlier this year on April 1. An Italian sculptor who hailed from the marble quarries of Carrara, Italy, Luigi's life was one of hard work, dedication, and beauty. While he spent a majority of his life in Italy, Luigi lived in Proctor, VT, where he worked for the Vermont Marble Company for 6 years. Although his time in America was short, the impact of his work can still be seen today in Vermont, New York, North Carolina, Pennsylvania, and even right here in the U.S. Capitol.

Although fostered and honed in his home country, Luigi's love for the art of sculpting spread far beyond his European roots. After attending Professional Institute for Marble, Industry, and Crafts—l'Istituto Professionale per l'Industria e l'Artigianato del Marmo—and later on Magistero d'Arte in Florence, the State of Vermont was lucky enough to become a second home and a source of inspiration for Luigi's grand marblework and refined artistry. He joined the Vermont Marble Company in 1955, where he was able to sculpt pieces we continue to feature here today, on the steps of our Capitol.

It was during his 6 years at the Vermont Marble Company that Luigi Telara made his mark on our great democratic institution with his assistance in the creation of the plaster models of the god of war and goddess of peace statues that stand atop the Capitol steps. "War" is a male figure with his head slightly titled and his gaze fixed ahead, ready to conquer what is ahead of him. To the right of "War" is "Peace," standing in a contrapposto pose, holding a fruit-bearing olive branch in her left hand, extending it towards "War."

Luigi's work should serve as a subtle reminder of what is at stake when you

are a Member of the Senate, the Nation's conscience. An important message that is too often overlooked. Next time you are running up the steps to make it for a vote, take a second to appreciate the dedication to detail that was put into the statues by Luigi, by Francesco Tonelli, by Franco Marchini, and by Geno Fregosi at the Vermont Marble Company.

Following his tenure at the Vermont Marble Company, Luigi went back to his hometown of Carrara where he became a teacher at the Instituto d'Arte Felice Palama di Massa and held the position of chair for 30 years. He never lost his passion for the art of sculpting, as he would continue to carve as a private practice.

Although not a citizen on paper, Luigi exemplified what it means to be an American. The United States is a country of immigrants after all, a great melting pot of cultures, and as Luigi's life and work demonstrated, our democratic institutions are the better for their service. Legacies like Luigi's serve as a reminder of what we as a nation lose when we put up walls and close our doors to those seeking to do what our ancestors did before us. We must not turn inward. We must continue to shine our great light and be the beacon of hope for the rest of the world.

#### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 19-07 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Poland for defense articles and services estimated to cost \$655 million. After this letter is delivered to your office, we plan to

issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(For Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 19-07

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Poland.

(ii) Total Estimated Value:

Major Defense Equipment\* \$335 million.

Other \$320 million.

Total \$655 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Twenty (20) High Mobility Artillery Rocket System (HIMARS) M142 Launchers.

Thirty-six (36) Guided Multiple Launch Rocket System (GMLRS) M31A1 Unitary.

Nine (9) Guided Multiple Launch Rocket System (GMLRS) M30A1 Alternative Warhead.

Thirty (30) Army Tactical Missile System (ATACMS) M57 Unitary.

Twenty-four (24) Advanced Field Artillery Tactical Data Systems (AFATDS).

Twenty (20) Multiple Launcher Pod Assembly M68A2 Trainers.

Twenty-four (24) M1151A1 High Mobility Multi-purpose Wheeled Vehicles (HMMWVs).

Nine (9) M1151A1 High Mobility Multi-purpose Wheel Vehicles (HMMWVs).

Non-MDE: Also included are twenty (20) Low Cost Reduced Range (LCRR) practice rockets, support equipment, communications equipment, spare and repair parts, test sets, batteries, laptop computers, publications and technical data, facility design, personnel training and equipment, systems integration support, Quality Assurance Teams and a Technical Assistance Fielding Team, United States Government and contractor engineering and logistics personnel services, and other related elements of logistics support, training, sensors, and other related elements of logistics and program support.

(iv) Military Department: Army (PL-B-UDJ).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Service Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: November 29, 2018.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

Poland—High Mobility Artillery Rocket System (HIMARS) and Related Support and Equipment

Poland has requested to buy twenty (20) High Mobility Artillery Rocket System (HIMARS) M142 Launchers, thirty-six (36) Guided Multiple Launch Rocket System (GMLRS) M31 Unitary, nine (9) Guided Multiple Launch Rocket System (GMLRS) M30A1 Alternative Warheads, thirty (30) Army Tactical Missile System (ATACMS) M57 Unitary, twenty-four (24) Advanced Field Artillery Tactical Data Systems (AFATDS), twenty (20) Multiple Launcher Pod Assembly M68A2 Trainers, twenty-four (24) M1151A1 High Mobility Multi-purpose Wheeled Vehicles (HMMWVs), and nine (9) M1151A1 High Mobility Multi-purpose Wheel Vehicles (HMMWVs). Also included are twenty (20) Low Cost Reduced Range (LCRR) practice rockets, support equipment, com-

munications equipment, spare and repair parts, test sets, batteries, laptop computers, publications and technical data, facility design, personnel training and equipment, systems integration support, Quality Assurance Teams and a Technical Assistance Fielding Team, United States Government and contractor engineering and logistics personnel services, and other related elements of logistics support, training, sensors, and other related elements of logistics and program support. The estimated cost is \$655 million.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO ally which is an important force for political stability and economic progress in Europe. This sale is consistent with U.S. initiatives to provide key allies in the region with modern systems that will enhance interoperability with U.S. forces and increase security.

Poland intends to use these defense articles and services to modernize its armed forces and expand its capability to strengthen its homeland defense and deter regional threats. This will contribute to Poland's interoperability with the United States and other allies. Poland will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment will not alter the basic military balance in the region.

The principal contractor will be Lockheed Martin, Grand Prairie, TX. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require U.S. Government or contractor representatives to travel to Poland for program management reviews to support the program. Travel is expected to occur approximately twice per year as needed to support equipment fielding and training.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 19-07

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The High Mobility Artillery Rocket Systems (HIMARS) is a highly mobile, all-weather indirect area fire artillery system. The HIMARS mission is to supplement cannon artillery to deliver a large volume of firepower within a short time against critical time-sensitive targets. At shorter ranges, HIMARS complements tube artillery with heavy barrages against assaulting forces as well as in the counter-fire, or defense suppression roles. The highest level of classified information that could be disclosed by a proposed sale, production, or by testing of the end item is SECRET; the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL. Reverse engineering could reveal SECRET information. Launcher platform software, weapon operational software, command and control special application software, and command and control loadable munitions module software are considered UNCLASSIFIED. The system specifications and limitations are classified SECRET. Vulnerability data is classified up to SECRET. Countermeasures, counter-countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified SECRET.

2. Guided Multiple Launch Rocket System (GMLRS) Unitary M31A1 uses a Unitary High Explosive (HE) 200 pound class warhead along with GPS aided Inertial Measurement Unit (IMU) based guidance and control for

ground-to-ground precision point targeting. The GMLRS Unitary uses an Electronic Safe and Arm Fuze (ESAF) along with a nose mounted proximity sensor to give enhanced effectiveness to the GMLRS Unitary rocket by providing tri-mode warhead functionality with point detonate, point detonate with programmable delay, or Height of Burst proximity function. GMLRS Unitary M31A1 end-item is comprised of a Rocket Pod Container (RPC) and six GMLRS Unitary Rocket(s). The RPC is capable of holding six (6) GMLRS Unitary Rockets and can be loaded in a M270A1 launcher (tracked), HIMARS M142 launcher, or European M270 (203 configuration that meets the GMLRS interface requirements) launcher from which the GMLRS rocket can be launched. The highest classification level for release of the GMLRS Unitary is SECRET, based upon the software, sale or testing of the end item. The highest level of classification that must be disclosed for production, maintenance, or training is CONFIDENTIAL.

3. Guided Multiple Launch Rocket System Alternative Warhead (GMLRS-AW) M30A1. The GMLRS-AW, M30A1, is the next design increment of the GMLRS rocket. The GMLRS-AW M30A1 hardware is over 90% common with the M31A1 GMLRS Unitary hardware. The operational range is between 15-70 kilometers, with an accuracy of less than 15 meters Circular Error Probability at all ranges, when using inertial guidance with Global Positioning System (GPS) augmentation. The system uses a proximity sensor fuze mode with a 10 meter height of burst.

The Alternative Warhead carries a 200 pound fragmentation assembly filled with high explosives which, upon detonation, accelerates two layers of pre-formed tungsten fragments optimized for effectiveness against large area and imprecisely located targets. The GMLRS-AW provides an area target attack capability that is treaty compliant (no un-exploded ordnance). It provides a 24 hour, all weather, long range attack capability against personnel, soft and lightly armored targets, and air defense targets. The GMLRS-AW uses the same motor, guidance and control systems fuze mechanisms, and proximity sensors as the M31A1 GMLRS Unitary. The highest classification level for release of the GMLRS-AW is SECRET, based upon the software, sale or testing of the end item. The highest level of classification that must be disclosed for production, maintenance, or training is CONFIDENTIAL.

4. The highest classification level for release of the ATACMS Unitary M57 FMS Variant is SECRET, based upon the software. The highest level of classified information that could be disclosed by a sale or by testing of the end item is SECRET; the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL. Reverse engineering could reveal CONFIDENTIAL information. Fire Direction System, Data Processing Unit, and special Application software is classified SECRET. Communications Distribution Unit software is classified CONFIDENTIAL. The system specifications and limitations are classified CONFIDENTIAL. Vulnerability Data, countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified SECRET or CONFIDENTIAL.

5. The GPS Precise Positioning Service (PPS) component of the HIMARS munitions (GMLRS Unitary, Alternative Warhead, and ATACMS Unitary) is also contained in the launcher Fire Direction System, is classified SECRET, and is considered SENSITIVE. The GMLRS M30A1, M31A1, ATACMS M57 and HIMARS M142 launchers employ an inertial navigational system that is aided by a Selective Availability Anti-Spoofing Module (SAASM) equipped GPS receiver. To that

end, this system requires encryption keys controlled by, and issued by, the National Security Agency. No GPS PPS design information, including GPS software algorithms, will be disclosed in the course of this sale to country. Susceptibility of GMLRS to diversion or exploitation is considered low risk.

6. AFATDS is a multi-service (U.S. Army and U.S. Marine Corp) automated, expert decision support system used for Command, Control, Communications and integration and synchronization of fires on ground targets during all phases of military conflict. AFATDS provides the automated tools that significantly augment the capability of fire support coordinators, fire support asset commanders, and their respective staffs at every echelon during the planning and execution of fire support on the dynamic battlefields in support of the Maneuver Commander and his plans.

7. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

8. A determination has been made that the Government of Poland can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

9. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Poland.

#### TRIBUTE TO DEAN HELLER

Mr. ENZI. Mr. President, as a Congress ends, it is a tradition for the Senate to pause for a moment to acknowledge and express our appreciation for the service of Senators who will not be returning for the next Congress. Today, I would like to pause in appreciation of the service of my friend and colleague Senator DEAN HELLER.

DEAN will be leaving the Senate after 30 years of dedicated public service at both the State and Federal level. During his time in Congress, he always demonstrated a willingness to consider all viewpoints, while remaining true to the principles that guided his career in public service. It is safe to say that DEAN's commitment to Nevada is as strong as ever, and his unique perspective in areas critical to his State will surely be missed in the next Congress.

Growing up in Carson City, NV, DEAN earned a bachelor of business administration from the University of Southern California in 1985. After working as a stockbroker in California, DEAN moved back to Nevada and brought the skills he gained in the business realm to the public sector when he became the deputy State treasurer for Nevada.

Learning about DEAN's time as a Nevada assemblyman was something I appreciated because of my time in the Wyoming Legislature. DEAN's hard work led him to become Nevada's secretary of State for 11 years, then to the House of Representatives in 2006, and finally he joined the Senate in 2012.

His background in both the financial sector and public service was invaluable as a colleague on the Senate Finance Committee. As a former small business owner, I appreciated his expertise and business acumen as the committee considered complex and important issues like tax reform. DEAN's insightful perspectives and willingness to work with people on different sides on key issues will surely be missed by the committee moving forward.

It was a pleasure to work with a Senator representing a State that shares so much with Wyoming. From the prominence of public lands, to welcoming visitors year-round to world class destinations, Nevada and Wyoming's similarities afforded us the opportunity to collaborate on key issues important to the people of both States.

DEAN's dedication to Nevada ensured he was a strong voice for the people who lived there. I am sure he will continue to use that voice to help others.

Diana joins in sending our best wishes and appreciation to DEAN, his wife Lynne, and his four children for his dedication to this country and the State of Nevada. His effect on the Senate was profound, and he certainly made a difference. We will always appreciate his service to the Senate and wish him the very best in whatever the future holds.

#### TRIBUTE TO HEIDI HEITKAMP

Mr. ENZI. Mr. President, at the end of each session of Congress, it is a tradition for the Senate to pause for a moment to acknowledge and express our appreciation for the service of each Senator who will not be returning in the next Congress. With that in mind, I would like to take a moment to express my gratitude to U.S. Senator HEIDI HEITKAMP of North Dakota.

During the past 6 years, those of us who had a chance to come to know and work with Senator HEITKAMP have been impressed with her dedication to the people of her home State, her involvement with tax issues, and her willingness to work with members on both sides of the aisle to find solutions to the problems and concerns of the people of North Dakota.

I share a connection with Senator HEITKAMP, who is a Senator from a smaller rural State. Because of this shared background, we have had the opportunity to work on various issues. But beyond our work together, I have enjoyed knowing Senator HEITKAMP. HEIDI is a remarkable person. She is the first female Senator elected from North Dakota and a survivor of breast cancer. She would feel comfortable in my home State of Wyoming, the Equality State, where we know what it is like to have women trailblazers. She may be leaving us after this Congress, but she does so knowing that during her time she has made a significant difference in the lives of North Dakotans and in our country.

She joined the U.S. Senate in 2013 and has served in a Congress often divided by partisan views. She has been willing to work with President Trump and to work across the aisle on many issues, all for the good of the people of North Dakota. I have been one of those she has worked with, and I am happy to call her a friend.

The accomplishments that brought her to the Senate are substantial. Before serving in the U.S. Senate, Senator HEITKAMP served as North Dakota's tax commissioner and, later, attorney general.

I have had the privilege of working with Senator HEITKAMP on many issues. Notably, we worked together on an issue that has long been important to Wyoming, forging parity between brick-and-mortar stores and e-commerce. During her time as tax commissioner, North Dakota sought to make an out-of-State mail order retailer, which had no physical presence in the State, collect and pay use taxes on sales into the State. After entering Congress, HEIDI cosponsored my bill, the Marketplace Fairness Act, seeking to level the playing field for brick-and-mortar retail stores and out-of-State online sellers. Later, we worked on amicus briefs with several of our colleagues, and our efforts to create this level playing fields went all the way to the Supreme Court in the case *South Dakota v. Wayfair, Inc.*, a case in which the U.S. Supreme Court sided with our position. These efforts have been such an important part of my time in the Senate, and I thank Senator HEITKAMP for her work on this issue.

HEIDI has consistently and tirelessly fought for the people of North Dakota. She has worked in the best interests of small businesses and contributed in a significant way to culture of the Senate and the Nation as a whole.

If her past is any indication of her future, I think it is clear that she will be closing the door on this great chapter of her life and moving on to something new. Whatever that may prove to be I am certain it will make good use of her abilities, background, and experience.

My best wishes to HEIDI, her husband Darwin, and their children as they enter the next chapter in their lives. I thank her for her willingness to serve the people of North Dakota and the people of the United States. There are countless ways of saying farewell, one of my favorites is: Happy Trails. Until we meet again.

#### WOMEN'S ENTREPRENEURSHIP AND ECONOMIC EMPOWERMENT BILL

Mr. CARDIN. Mr. President, today I wish to discuss the Women's Entrepreneurship and Economic Empowerment Act, WEEE Act, which the Senate Foreign Relations Committee reported yesterday afternoon. It has been my honor to work with Senator BOOZMAN on this legislation, which House For-

eign Affairs Committee Chairman ED ROYCE and Representative LOIS FRANKEL originally introduced. The House passed the measure on July 17, 2018. Yesterday, the Senate took a big step toward passing this important bill into law.

Both here in the U.S. and abroad, how a country treats its women is a barometer of its success. I believe that, when women succeed, so do our communities, especially economically. The WEEE Act is critical in achieving this goal. It brings attention to helping women entrepreneurs, including those living in poverty, to access the tools they need to start and grow their businesses and invest in themselves, their families, and their communities. It recognizes that women are not always on a level playing field, particularly when they face discrimination, gender-based violence and harassment, and restrictions on their opportunities.

Roughly 1 billion women around the world are currently left out of the formal financial system, which causes many to rely on informal means of saving and borrowing that are riskier and less reliable. In many countries, because men are considered legal heads of household, married women are required to receive permission from their husbands just to open a bank account. As a result, we have observed the propagation of savings groups, primarily composed of women, recognized as a vital entry point, especially for poor and very poor women, to formal financial services. There is a high demand for such groups to protect and grow the savings of women with formal financial institutions. Evidence shows that, once a savings group is linked to a bank, the average savings per member increases between 40 to 100 percent, and the average profit per member doubles. Investing in financial literacy, business leadership training, and mentorship are key elements to these outcomes.

By requiring that 50 percent of the U.S. Agency for International Development's—USAID—micro, small, and medium-sized enterprise resources are targeted to activities that reach the very poor, as well as enterprises owned, managed, and controlled by women, the WEEE Act will help break down the barriers preventing women from participating in their local economies. It will help diminish the estimated 70 percent of women-owned small and medium-sized enterprises in the formal sector that are unserved or underserved in terms of access to financial services, resulting in a financing gap of \$300 trillion for women-owned small businesses. Furthermore, the WEEE Act will modernize USAID's development assistance toolkit to include innovative credit scoring models, financial technology, financial literacy, insurance, and actions to improve property and inheritance rights.

We know that women's economic advancement can lead to greater security and resilience, as well as stronger investments in health and nutrition, edu-

cation, and safety—not only for women but for their families and communities too. According to the World Bank, for each additional year of schooling, a woman's labor earnings increase by nearly 12 percent. CARE reports that participation in village savings groups increased spending on children's school fees by 76 percent in Tanzania and nearly doubled the health spending for families in Rwanda, along with increases in their spending on food and nutrition. This is exactly the evidence-driven development work that the U.S. should be supporting.

We are making enormous strides, but there is still much to be done. Enacting the Women's Entrepreneurship and Economic Empowerment Act into law will help equip women to overcome the critical barriers they face when seeking economic opportunity and will open doors for children, families, and communities to benefit as well. A McKinsey Global Institute report estimates that achieving global gender parity in economic activity could add as much as \$28 trillion to annual global gross domestic product by 2025. These stark statistics serve both as a beacon of hope and a reminder of the great challenges that still must be overcome. The WEEE Act will help advance us towards this goal, and we must not stop fighting until such parity is reached.

#### THE ISRAEL ANTI-BOYCOTT ACT

Mr. BOOKER. Mr. President, today I wish to add myself as a cosponsor of S. 720, the Israel Anti-Boycott Act, and urge my colleagues to support this important legislation in its modified form. I have long and staunchly opposed the BDS movement and associated efforts to unfairly isolate Israel in international forums. This legislation will prevent international entities from imposing their will on U.S. businesses with regards to their decisions, consistent with U.S. law, to conduct commerce with our close ally Israel and its citizens.

After carefully examining the proposed changes to the legislation, I support the amended version of this bill put forward by my colleagues, Senator CARDIN and Senator PORTMAN. This revised version of the legislation makes meaningful revisions to the original language to clarify and improve First Amendment protections. Initial concerns that this bill unintentionally infringed on individuals' First Amendment rights have now been addressed by these changes, agreed upon earlier this year, and I feel confident that these modifications safeguard Americans' constitutional right to free speech.

#### CAMEROON

Mr. MENENDEZ. Mr. President, today I wish to raise the alarm about the escalating violence in the Anglophone regions of Cameroon and to urge the administration to develop

and execute a meaningful strategy to help prevent additional bloodshed.

For several years, Cameroon, a historically stable country bridging west and central Africa, has faced a significant security threat in its far north. Boko Haram combatants, originating from Nigeria, have crossed the border into Cameroon and carried out hundreds of attacks on local residents. Reports indicate Boko Haram killed more than 900 people in 2017 in Nigeria and the Lake Chad Basin subregion, which includes northern Cameroon. Boko Haram's Islamic State-aligned splinter faction, ISIS-West Africa, also poses a threat to the country. With U.S. help, Cameroon has been responding to the challenge, although some of these efforts have prompted concerns about its military's respect for human rights.

Now, Cameroon faces another challenge, one that some observers fear has already burgeoned into a civil war. A budding separatist insurgency emerged in Cameroon's Anglophone regions in 2017. Insurgent attacks and a brutal military crackdown have caused significant internal displacement and given rise to credible allegations of serious human rights abuses by both separatists and government security forces. The separatist movement grew out of longstanding grievances among Anglophones over their perceived political and economic marginalization. These tensions worsened in 2016 due to the central government's appointments of French-speakers to local schools and courts in Cameroon's Anglophone majority western provinces in 2016. The government violently suppressed a largely peaceful protest movement that arose in response, quashing demonstrations by force, arresting prominent civil society activists on what appear to be trumped up terrorism charges, cutting internet access to the region, and banning some civil society organizations.

On October 1, 2017, secessionists symbolically declared the independence of "Ambazonia." According to Amnesty International, security forces responded by killing at least 20 protestors and arresting over 500. Cameroonian soldiers have reportedly killed civilians, used excessive force against peaceful demonstrators, tortured and mistreated suspected separatists and detainees, and burned hundreds of homes in several villages as violence has escalated. Some extremist Anglophone separatists, meanwhile, have burned down schools; kidnapped traditional leaders, police, and government administrators; and killed civilians. More than 220 civilians have lost their lives, according to the International Crisis Group, including an American missionary killed in October when he was caught in crossfire between armed groups. As of May, at least 160,000 people were internally displaced, 80 percent of whom are reportedly hiding in forests. At least 25,000 Cameroonians have sought refuge in Nigeria since late 2017, according to UN

agencies, although some observers on the ground assess the number of refugees and internally displaced to be higher.

The separatist insurgency and the heavy handed government response has put thousands of innocent lives at risk, destabilizing an already fragile region.

There is no military solution to this problem. Immediate, strategic action by the government, the diaspora, separatist leaders, as well as the U.S. and other international partners could bring peace, but the window of opportunity to prevent widespread civil conflict is quickly closing. I therefore call on each of the aforementioned actors to take steps right away to avert the worst case scenario.

The Trump administration must develop a comprehensive strategy to prevent widespread conflict and violence. This strategy must go beyond military support. The State and Defense Departments have administered training and equipment in support of the Cameroonian military's counterterrorism efforts, as well as its peace-keeping deployment to the Central African Republic. However, disturbing reports of security force abuses in the far north and Anglophone regions merit serious attention. I trust and expect that the administration is conducting Leahy vetting on all of the individual and units with whom it is working. But we must do more. Given that security force abuses have been shown to be a major driver of extremist recruitment in Africa, the State Department should conduct a thorough policy review of our decision to partner with Cameroon on counterterrorism and in security assistance more broadly.

A critical element of the administration's approach must be support for building democratic practices, assistance aimed at opening political space, and activities to combat corruption in Cameroon. While this administration may fail to understand that democratic values, human rights, and good governance promote long-term sustainable peace, Members of this body understand that these values are and must remain a core component of U.S. foreign policy. I am pleased that the administration has finally seen fit to set aside money in Fiscal Year 2018 funds for such activities, after years of disappointing neglect for the sector. But \$1 million is far too modest an amount to have an appreciable impact. Our actions must match our rhetoric. Our Ambassador in Cameroon has been outspoken, forthright, and, as perhaps a predictable result, has been unfairly criticized by the government. State Department officials at the highest levels here in Washington must support him in speaking truth to power both publicly and in private messaging, and follow that messaging with actions that will have a tangible impact.

The government of Cameroon must take urgent steps as well. President Paul Biya's administration has applied a military solution to a political prob-

lem. It must now must take critical steps to forestall a worse-case scenario by committing to a political resolution. The highest levels of government—including President Biya—must rethink the wisdom of sending the Cameroonian military to make war upon its own citizens. It should publicly and unequivocally instruct security forces to stop targeting civilians, cease abuses and excesses, and hold those responsible for human rights abuses accountable—including through military prosecutions where appropriate—in a clear, transparent manner.

The government should facilitate access to the Anglophone regions by humanitarian organizations and independent human rights investigators. I urge the government to consider neutral third party mediation to engage organizations that represent Anglophones and facilitate a dialogue without preconditions to end the violence. In January 2018, Nigerian authorities forcibly returned 47 Anglophone activists, including reported asylum seekers, to Cameroon, where they were detained as "terrorists." To show its good faith support for a peaceful resolution, the government should release peaceful, moderate voices from the Anglophone region who represent those with legitimate political grievances. And the Biya administration must be willing to contemplate greater political decentralization to address legitimate grievances in peripheral regions—possibly including a return to federalism.

The government needs to open political space more broadly. In the wake of October's elections, President Biya, who has been in office since 1982, will serve a seventh term in office. October's elections are the latest in a string of elections marred by controversy, harassment of opposition, and other irregularities. A press conference broadcast on state-run television featuring people identified as international election observers from Transparency International—who in fact were in no way affiliated with that organization endorsing the conduct of elections, was a brazen attempt to provide a veneer of legitimacy to a process that was deeply flawed due to restricted political space.

It is time for President Biya to cement his legacy by laying the groundwork for meaningful political competition in Cameroon. As Benin's then-President Mathieu Kerekou said in 2009 when he decided not to change the constitution and run for a third term, "if you do not leave power, power will leave you." Future elections must take place on a level playing field. In this year's elections the field was heavily tilted in favor of the ruling party. Addressing meaningful barriers to political participation may go a long way towards addressing the root causes of discontent in the Anglophone regions.

I call upon separatist leaders and their supporters to commit to seeking a peaceful, negotiated solution to the

Anglophone crisis. The separatists too must support accountability for all actors engaged in hostilities who may have committed human rights abuses. Attacks on civilians are inexcusable. All armed and political actors must unequivocally condemn human rights abuses.

Finally, the diaspora has a critical role to play. I urge members of the diaspora to clearly and unambiguously condemn violence in the Anglophone regions of Cameroon. The inflammatory rhetoric on social media by some Cameroonians at home and abroad is unhelpful. All diaspora should scrupulously investigate the charities and organizations to which they are contributing funding, lest they unwittingly send money to organizations that have engaged in violence against the very people they are trying to help.

Mr. President, the U.S. and Cameroon have a long history of cordial relations. Peace Corps has been in Cameroon since 1962. State Department and USAID-administered bilateral funding amounted to \$83 million in FY2017. And for the past decade we have partnered with Cameroon to counter terrorism and maritime piracy, with U.S. security assistance rising substantially since 2014 in response to the Boko Haram crisis. Since 2015, Cameroon has hosted hundreds of U.S. military personnel who conduct regional intelligence, reconnaissance, and surveillance operations and otherwise support counterterrorism efforts. As conditions on the ground deteriorate, the U.S. is in a position where immediate concentrated action to support a resolution of the problem might disrupt the cycle of violence and help all parties work toward a negotiated solution. Our diplomatic intervention, if well thought out, could make a difference. I urge the administration to take swift, meaningful action.

I yield the floor.

#### TRIBUTE TO ELIAS THOMAS

Ms. COLLINS. Mr. President, each year, the 1.4 million members of the National Association of Realtors recognize five of their own with the Good Neighbor Award for their service to others, locally or globally. I am delighted to congratulate 2018 Good Neighbor Elias Thomas of Shapleigh, ME, for inspiring contributions from his hometown to some of the poorest villages in India.

Mr. Thomas, broker-owner of EXIT Key Real Estate in Shapleigh, has spent 40 years volunteering with Rotary International. His compassionate work started with his local chapter, where he helped to build meditation gardens for those with mental illness and developed job and housing assistance programs for newly released prison inmates. His international efforts began in the late 1990s, when he travelled to Cozumel, Mexico, for a project to prevent the island's garbage dump from polluting the water system.

In 2001, Mr. Thomas journeyed to India to assist in Rotary's signature project of preventing and eradicating polio. The deplorable living conditions and the gratitude of villagers for the Rotarians' assistance convinced him that India was where his energy and commitment were most needed.

Mr. Thomas has returned to India every year since then, leading teams of volunteers and personally immunizing about 500 children against polio. He has raised \$40,000 to help pay for the corrective surgeries of some 1,000 victims of the disease. Throughout his four decades as a Rotarian, Mr. Thomas has raised more than \$350,000 for Rotary International's charitable endeavors.

During a 2008 trip to India, he became aware of another dire situation there: the lack of safe drinking water in desert communities in the northern Indian state of Rajasthan, which can lead to illness and death due to dysentery.

Mr. Thomas assembled a team of 78 volunteers from eight countries and worked with village councils on a plan to build dams to capture the runoff from monsoons for drinking water and crop irrigation. Every year for the last 10 years, Mr. Thomas has led a total of 350 volunteers from around the world, and working with local residents and without mechanized equipment, they have hand-built nine dams that provide clean and safe water to more than 45,000 people.

A fellow Rotarian who has been part of that team describes Mr. Thomas this way: "Elias has deep faith that we can bring about change. He's a man that has dreams, and while most people talk about what they wish they could do to help others, he does it. To Elias, everyone in humanity is critically important."

Elias Thomas exemplifies the motto of Rotary International, "Service Above Self." His caring spirit and boundless energy are improving and even saving lives here at home and around the world.

#### TRIBUTE TO HANNAH ROSENTHAL

Ms. BALDWIN. Mr. President, today I wish to recognize Hannah Rosenthal's extraordinary career as she celebrates her retirement as President and CEO of the Milwaukee Jewish Federation. Hannah has had a long and distinguished career as an influential advocate of tolerance, and her mark on the Jewish community is indelible. She is best known for building bridges between disparate factions and believing that everyone, no matter their background or perspective, deserves a seat at the table.

Hannah transferred from Mount Holyoke College in Massachusetts to the University of Wisconsin-Madison after falling in love with the city and the university during a Hebrew class she attended the summer after her sophomore year. She received her bachelor of arts degree from UW-Madison and studied for the rabbinate in Jerusalem and California.

Hannah's father was a rabbi and Holocaust survivor who inspired her to lead a life shaped by her Jewish faith. Rabbi Franz Rosenthal's experiences as a prisoner at Buchenwald and a refugee in this country helped forge his daughter's identity as an avid champion of human rights.

Hannah's extensive career includes impressive experience at State, local, national, and international levels. She served as the founding executive director of the Wisconsin Women's Council and head of the Jewish Council for Public Affairs. In 1995, she was appointed by President Bill Clinton to serve as the midwest regional director of the U.S. Department of Health and Human Services.

Although I had the pleasure of working with Hannah at many points in her remarkable career, I am especially grateful for all she taught me about effective advocacy, particularly advocacy on behalf of women. Early in my career, I worked with Hannah in her role leading the Wisconsin Women's Council to organize support for State efforts to guarantee equal pay for equal work.

Hannah is perhaps best known for her role as the U.S. Special Envoy to Monitor and Combat Anti-Semitism. Appointed by President Barack Obama in 2009, she used her role to build coalitions of sometimes unlikely allies to denounce hatred around the world. She was not afraid to confront bigotry head on. She personally took those who denied the Holocaust on tours of concentration camps. In 2010, she switched her speech on anti-Semitism at an international conference on tolerance with the Special Representative to Muslim Communities so that she condemned Islamophobia in the strongest possible terms while her Muslim counterpart strongly denounced anti-Semitism. She summed up her philosophy succinctly in an interview with the U.S. Holocaust Memorial Museum by saying, "This isn't just about the Jews, this is about hatred, and that affects everyone."

Hannah is bold, resolute, and fearless. She believes there is no room in this world for intolerance toward others, and she has made it her mission in life to speak out against hatred and bigotry in all forms. It is the mindset that shaped her legacy at the Milwaukee Jewish Federation and led her to challenge young people to volunteer at organizations that serve people unlike them through the creation of the Hours Against Hate global campaign.

Hannah deserves to be proud of her many national and international accomplishments, but her heart remains rooted at home in Wisconsin with her friends, family, and community. Hannah has made many close friends along her journey who stuck by her through thick and thin. She also takes much pride and delight in her two daughters and young grandson.

Public servant, activist, icon, and pioneer are words that only begin to

describe the contributions Hannah has made in the fight for a more kind and just world. Although Hannah's retirement marks the end of a chapter, she will never stop fighting for what she believes to be right. I will forever be grateful for Hannah's loyal advocacy and forever honored to call her my friend.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO THOMPSON E. POTTER III

• Ms. HASSAN. Mr. President, this month, I am proud to recognize as our Granite Stater of the Month an individual who has gone to great lengths to serve his community, Portsmouth police officer Thompson E. Potter III of Epping. After filling in at Portsmouth Middle School as a school resource officer, he was inspired to launch a fundraising campaign to provide the funds for six boys from traditionally underserved backgrounds to attend summer camp.

Officer Potter said that he attributes the YMCA camp he attended as a boy with helping instill in him the values of respect and responsibility, and putting him on a path to success. He also credits the camp with raising his self-esteem, and he believes that other young men could benefit from that same type of experience.

His goal was to raise \$5,000 to send five boys to the YMCA camp, and donations immediately began coming in. As Officer Potter put it, the whole community worked to "help take care of these boys," with Portsmouth Middle School staff and parents, friends, businesses, and other community members supporting the effort.

Ultimately, Officer Potter raised \$13,000, which was enough to send six boys to camp and outfit them with all of the gear they would need.

Officer Potter intends to continue his efforts next summer, with the goal of sending five boys and five girls to camp. He says that he wants to give these students something to look forward to and give them a foundation to build upon.

For his commitment to his community, the young people of Portsmouth, and the better future that these young people will build, I am proud to recognize Officer Potter as the November 2018 Granite Stater of the Month.●

##### TRIBUTE TO LARRY COTTER

• Ms. MURKOWSKI. Mr. President, today I wish to give special recognition to Lawrence P. Cotter on the occasion of his retirement. Larry is a great friend and dedicated Alaskan whose contributions to our State are significant and lasting, benefiting our State's fisheries and rural communities to this day and into the future.

As a resident of Alaska for almost half a century, Larry's work has taken

him from fish processing plants to the halls of our State capitol and beyond. After arriving in Alaska in 1974, he spent over 4 years as a seafood processing worker in Juneau and 8 years as a labor organizer and representative for processing workers and longshoremen.

Larry shaped critical fisheries policy through his service on the advisory panel to the North Pacific Fishery Management Council, of which he was a member for 6 years. This service was followed by an additional 6 years as a voting member on the Council during a critical time in the development of our Nation's domestic fisheries. Larry worked to ensure that foreign fishing in our exclusive economic zone was phased out and that our domestic fishing and processing capabilities were stepping up to replace the foreign fleets.

This shift to an all-domestic fleet allowed the United States to finally harvest our fishery resources for the sole benefit of American fishermen and processors. It was also during this period that allocation issues among U.S. fisheries interests were first coming to the forefront. These were challenging and exciting times, during which Larry's leadership thrived. His legacy in Alaska fisheries cannot be overstated.

Most recently, until late this year, Larry served as the founding CEO of the Aleutian Pribilof Island Community Development Association, or APICDA. As one of six community development quota organizations in western Alaska, APICDA has used the benefits of Bering Sea and Aleutian fishery resources to support its member communities in some of the most rural and remote parts of Alaska.

In helping to develop, implement, and sustain the CDQ program, Larry did perhaps his best work, accomplishing goals that will have positive impacts on western Alaskan communities for generations to come. Larry's visionary work on the formation of Alaska's CDQ program has benefited all of the participating communities through workforce, infrastructure, and economic development.

Many observers, myself included, have correctly noted that Alaska has the best managed fisheries in the country, and I know we could not have achieved this hard-earned status without Larry's tireless dedication to making our seafood industry truly sustainable.

Thank you, Larry, for your tremendous contributions to sustainable fisheries and to the participation of our coastal communities in those fisheries. I wish you a restful retirement and the best of luck in your future endeavors.

##### RECOGNIZING CAXTON PRINTERS

• Mr. RISCH. Mr. President, today I wish to recognize an Idaho small business that has helped spread knowledge and information across the great State

of Idaho and the entire western United States. As chairman of the Senate Committee on Small Business and Entrepreneurship, it is my honor to recognize Caxton Printers as the Small Business of the Month for November 2018. Founded over 100 years ago, Caxton Printers provides high-quality printing and publication services to the greater Boise, ID, community.

Caxton Printers' roots can be traced back to 1895 when Albert E. Gipson moved his family from Colorado to Caldwell, ID, to establish a publishing house. In 1903, Gipson's publishing company, the Gemstate Rural Publishing Company, began printing a horticultural magazine for Idaho farmers named the Gemstate Rural. Following the success of the Gemstate Rural, Gipson reorganized the company and expanded his commercial printing business. As part of this reorganization, Gipson named the company Caxton, after the famous English printer, William Caxton.

In 1907, Albert Gipson's son, James Herrick Gipson, took the reins of the company from his father and continued the family business. Under J.H. Gipson's leadership, the company grew significantly and began printing school textbooks. The State of Idaho named Caxton the official Idaho State Textbook Depository in 1927. To this day, it continues to serve as a State distribution center for textbooks, technology, and education supplies for Idaho's public schools.

In addition to printing and school services, Caxton Printers is also known for publishing original materials. The company established its publishing division in 1925 with the publication of Fred E. Lukens' Idaho Citizen, which later became a textbook in Idaho's State education curriculum. By 1936, Caxton had published over 100 books of both fiction and nonfiction. Several of the authors published by Caxton went on to become known nationally and internationally for their work, including novelists Vardis Fisher and Ayn Rand. Caxton remains active in the publishing field today and continues to support the dreams of hopeful authors.

As Caxton has grown and prospered it has remained a family-owned and -operated business throughout its history. J.H. Gipson's two sons, Jim Jr. and Gordon, grew up working in the factory alongside their father. When J.H. Gipson passed away in 1965, Jim, Jr., became company president while his brother, Gordon, became vice president. In 1991, Gordon was named president and Jim, Jr.'s son David became vice president. Currently, the company is led by the fifth generation of Gipsons, with Jim, Jr.'s grandson Scott Gipson running day-to-day operations.

Caxton continues to focus on the core services on which the company has built its reputation. The company offers custom printing solutions for a variety of needs for each client. Printing services include promotional materials, brochures, calendars, booklets,

and newsletters, as well as more niche options for customers' specific requests. Caxton believes that printing is only one part of a finished product and works with customers throughout the process to deliver the highest quality product possible.

Caxton Printers is also known for its generous support of several Idaho charities and nonprofits, such as the Caldwell Foundation for Educational Opportunity, Buy Idaho, and the University of Idaho Vandal Scholarship Fund. Several of Caxton's employees also serve on the boards of various charitable organizations including the Caldwell Chamber of Commerce, the Caldwell Economic Development Council, and the College of Idaho. Caxton Printers' rich history, commitment to education and literature, and support for local philanthropic causes exemplify our Idahoan values. I would like to extend my sincere congratulations to the Gipson family and all Caxton employees for being named the Small Business of the Month for November 2018. I wish you the best of luck, and I look forward to watching your continued growth and success. ●

#### REMEMBERING PHILIP H. HOFF

● Mr. SANDERS. Mr. President, Philip H. Hoff, who passed away on April 26, 2018, was one of the great Governors of the State of Vermont and someone I respected enormously. On May 12, 2018, at a memorial service in Burlington, VT, a close friend and colleague of Governor Hoff's, Rich Cassidy, delivered a very moving eulogy which I enclose.

The material follows:

##### A TRIBUTE TO PHILIP HENDERSON HOFF

Theodore Roosevelt said:

"It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."

Philip Henderson Hoff did not shy away from the arena. He confronted the issues of the day, and often, the issues of the future.

He played high school football and tasted victory, scoring the winning touchdown in the longstanding rivalry between his hometown, Turners Falls, and arch-enemy Greenfield. He went to Williams College, but left early to do his bit in World War II. He signed up for training as a pilot, but after he damaged his third trainer, the Navy persuaded him that it was not to be. So, he volunteered for the submarine service.

He met Joan while he was training in Connecticut. On one date, he took a red kerosene lantern from a construction site and gave it to her as a gift.

Phil saw combat in the Pacific Theater aboard the USS Sea Dog, a submarine, where he earned two battle stars.

After the war, Phil returned to Williams College. Joan heard that he was back and had asked about her, so she boxed up the red lantern and sent it to him with a note: "Phil, it's your turn to polish it for a while." The lantern rekindled their romance and led on to almost 70 years of marriage.

Phil finished at Williams and went to Cornell University Law School.

In 1951, Phil accepted an invitation from another Cornell graduate, J. Boone Wilson, to come to Burlington, and join the respected law firm then known as Black and Wilson.

Phil developed a successful law practice with Boone. He was good with a jury and had the largest jury verdict in a personal injury case of the 1950s.

Phil and Joan settled in a lovely home on South Prospect Street, where they raised their 4 daughters, Susan, Dagny, Andrea, and Gretchen.

Phil is often given credit for making the Democratic Party dominant in Vermont, and for ushering Vermont into the American mainstream. He deserves a great deal of credit on both counts, but even he would not claim it all. Politics and government are team sports, and Phil would be the first to acknowledge that what was accomplished was not his alone, not by any means.

But to see how broad and deep his legacy is, it is important to put it in context. Vermont in those days was a sleepy state. Most Governors acted as caretakers. The real political power in the state rested with the towns. Vermont had more dairy cows than people.

And the Democratic Party was sleepier still. A Democrat had only held the Governorship only once in history. For many years a handful of Democratic cronies traded the nominations for statewide offices, not in hopes of getting elected, but to have a stake in distribution of political patronage from Washington.

How sleepy was it? In the 1946 election, Vermont's Democratic National Committeeman was asked who the party's candidate for Governor was. Unable to remember, he replied "Oh, some fellow from up north." "But we don't concede his defeat."

Change was in the wind. In 1950's two of Phil's friends, Bob Larrow and Bernard Leddy, ran between them, three serious campaigns for Governor. Leddy came within 719 votes of victory. In 1959, the Party hired its first full time executive director, Sam Miller, who is with us here today. We were poised for victory.

Phil ran for Burlington Board of Alderman in the winter of 1960. He lost, but politics was in his blood. That fall he was elected to the Vermont House of Representatives.

In the House, Phil helped bring together a group of young, well-educated and energetic legislators, Democrats and Republicans, who wanted to see government take a more active role in the development of the state. Its members included many who would play important roles in the days ahead. Together, among other things, they set out to end the poll tax. At the time they failed. But they started a political revolution that has not ended yet.

In 1962, Phil and Joan ran an energetic and charismatic campaign against the incumbent Governor. The Hoff's were everywhere, even at my mother's door in Rutland. With the help of about 5,000 votes on two independent party lines, Hoff prevailed. Phil told the crowd in Winooski that night: "100 years of bondage broken."

Winning is one thing; governing is another. Phil found that state government could neither forecast expenses nor revenue. Within weeks, he appointed a series of task forces made up of legislators, officials and citizens,

who reviewed the state's problems and inventoried its needs.

By the beginning of the 1964 legislative session, Hoff came forward with a substantial legislative program.

The accomplishments of his six years as Governor changed the face of Vermont: Hoff opened state government's first planning office, ended the Overseer of the Poor system of administering welfare benefits, and founded the Vermont District Court, and the Judicial Nominating Commission. He established the Governor's Commission on Women, the Vermont Council on the Arts, and the Vermont Student Assistance Corporation. He promoted regionalization in the delivery of government services, establishing regional airport and library systems. He presided over the reapportionment of the Vermont legislature to comply with the principle of one man, one vote.

And as important as those accomplishments were, the issues he took on dominated the political agenda for the rest of century and on to today.

Phil took on the cause of racial justice in Vermont. As freshman legislator he proposed prohibiting race discrimination in employment. The bill failed, but after his election as Governor, his bill was adopted and included a prohibition against discrimination based on sex. He established the Vermont Human Rights Commission with jurisdiction to prohibit discrimination in housing and public accommodations.

And then, in the aftermath of the assassination of Martin Luther King, Jr.—with more than 100 American cities still smoking from riots that followed—Phil worked with New York City Mayor John Lindsay to form the New York/Vermont Summer Youth Project, bringing hundreds of African-American and Hispanic high school students from New York City together with Vermont high school students to build understanding by working together on educational and recreational programs.

When an African-American minister's home in Irasburg was raked with shotgun fire—night rider style—some tried to blame the victim. Phil insisted on a fair investigation even in the face of stern opposition.

Phil fought to import and sell public hydroelectric power from Quebec. His plans were frustrated by the big power companies, who claimed that electricity from Vermont Yankee would be "too cheap to meter."

He sought to equalize the burden of the cost of public education and to bring efficiency to it through regionalization.

Phil had been befriended by President Lyndon Baines Johnson. In 1967, Johnson sent him to Vietnam to get a firsthand look at the "light at the end of the tunnel." But Phil knew an oncoming train when he saw one and was the first Democratic governor in the nation to split with Johnson over the Vietnam War.

Phil endorsed the antiwar candidacy of Bobby Kennedy and became an important spokesperson for him. After Kennedy's assassination, Phil laid aside his grief, and supported the campaign of Gene McCarthy. At the convention, Hubert Humphrey seriously considered offering Phil the vice-presidential spot on his ticket before settling on Phil's friend, Ed Muskie.

In 1970, Hoff challenged incumbent Senator Winston L. Prouty for a seat in the United States Senate. The war, gun control, and racial justice were dominant themes of the campaign. Although Phil mounted a vigorous effort, Prouty was reelected.

In the 1970s, Phil practiced law and in 1972 and 1973, served as chair of the Vermont Democratic Party. But most importantly, he took on his own personal demon, alcohol. He won the that battle but lived ever after with

an understanding and sympathy for the victims of addiction.

In 1982, Hoff returned to elective politics, winning a seat in the Vermont Senate and serving three terms. In the Senate, he was instrumental in revitalizing the Vermont Human Rights Commission and promoting prevention of social and health problems. Hoff remained steadfastly committed to the cause of racial justice, serving for many years on the Vermont Advisory Commission to the United States Civil Rights Commission.

Phil's efforts in the world of politics overshadow his contributions to the practice of law. But they are not to be forgotten. In the early 1980s, he chaired a blue-ribbon commission that reorganized the Vermont Bar Examination and established the first mandatory continuing education requirement for Vermont lawyers. For many years he chaired the Vermont Judicial Nominating Commission. As a trustee at Vermont Law School from 1983 to 1999, and as its President from 1990 to 1995, he helped lead the school's continuous growth in clinical and experiential education, in building a strong faculty, and in adding a new library and classroom buildings.

Phil inspired and supported scores of young people to become involved in the political process. And he supported the political campaigns of virtually every successful Democrat candidate since 1962. Most notably, in May 1966, he called a young lawyer in his law firm and told him to meet him at the Chittenden Courthouse the next day. The young lawyer was Patrick J. Leahy, and Phil swore him in as Chittenden County States Attorney. The senator still claims it's the best job he's ever had!

Phil was the first mainstream politician to endorse Bernie Sanders during his historic independent run for congress in 1990.

With his friend and former state police driver, Representative Michael Vinton, Phil was an early supporter of the adoption of civil unions and same-sex marriage.

I think Phil's attitude towards public life was summed up by his answer to a question that his grandson, Nathaniel, asked him:

"Why is it that people won't stand up for the things they really believe in anymore?"

Phil told Nathaniel. "There's been a tendency for people who are in office to simply be involved with re-election as opposed to what they really should do. If you're only interested in holding the office, what's the sake of holding the office? It seems to me you ought to stand for what you believe. You may lose, but in the overall thrust of history, you will make a difference."

Phil Hoff made a difference. He tasted victory and defeat. If you're looking for his legacy you don't have to look far. The state we live in today reflects the courage with which he grappled with the issues.

The death of Philip Henderson Hoff came as no surprise to those of us who loved him. He had certainly lived a long and full life. Still, we grieve. I am reminded of Robert Kennedy speaking on the night of the death of Martin Luther King Jr. Kennedy quoted his favorite poet, Aeschylus. He said:

"He who learns must suffer. And even in our sleep pain, which cannot forget, falls drop by drop upon the heart, until, in our own despair, against our will, comes wisdom through the awful grace of God.

I finish, as Bobby Kennedy finished later that evening, and in the spirit of the life of Philip Hoff:

"Let us dedicate ourselves to what the Greeks wrote so many years ago: to tame the savageness of man and make gentle the life of this world."

RICHARD CASSIDY.●

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

## MESSAGES FROM THE HOUSE

At 10:17 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6032. An act to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the state of the internet-connected devices industry in the United States.

H.R. 6753. An act to amend title XI of the Social Security Act to direct the Secretary of Health and Human Services to establish a public-private partnership for purposes of identifying health care waste, fraud, and abuse.

H.R. 7164. An act to add Ireland to the E-3 nonimmigrant visa program.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 2422) to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and for other purposes.

## ENROLLED BILLS SIGNED

At 12:49 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 440. An act to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota.

S. 1768. An act to reauthorize and amend the National Earthquake Hazards Reduction Program, and for purposes.

S. 2074. An act to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes.

S. 3389. An act to redesignate a facility of the National Aeronautics and Space Administration.

H.R. 1074. An act to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation".

H.R. 2422. An act to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and for other purposes.

H.R. 5317. An act to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

At 7:19 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 7187. An act to extend the National Flood Insurance Program until December 7, 2018.

## MEASURES REFERRED

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

H.R. 6032. An act to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the state of the internet-connected devices industry in the United States; to the Committee on Commerce, Science, and Transportation.

H.R. 6753. An act to amend title XI of the Social Security Act to direct the Secretary of Health and Human Services to establish a public-private partnership for purposes of identifying health care waste, fraud, and abuse; to the Committee on Finance.

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, November 29, 2018, she had presented to the President of the United States the following enrolled bills:

S. 440. An act to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota.

S. 1768. An act to reauthorize and amend the National Earthquake Hazards Reduction Program, and for purposes.

S. 2074. An act to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes.

S. 3389. An act to redesignate a facility of the National Aeronautics and Space Administration.

## 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-7284. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants" (RIN3038-AE71) received in the Office of the President of the Senate on November 27, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7285. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to violations of the Antideficiency Act that involved fiscal years 2015-2017 Operation and Maintenance (O&M) Navy funds and was assigned case number 17-01; to the Committee on Appropriations.

EC-7286. 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 "Department of Defense Identity Management" (RIN0790-AJ36) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Armed Services.

EC-7287. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-7288. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to United States citizens detained in Iran and efforts to secure their release; to the Committees on Banking, Housing, and Urban Affairs; Finance; and Foreign Relations.

EC-7289. A communication from the Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Manufactured Home Procedural and Enforcement Regulations; Clarifying the Exemption for Manufacture of Recreational Vehicles" (RIN2502-AJ33) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-7290. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Business Practices of Interstate Natural Gas Pipelines; Final Rule" ((RIN1902-AF54) (Docket No. RM96-1-041)) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Energy and Natural Resources.

EC-7291. 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; California; South Coast Air Quality Management District" (FRL No. 9986-9-Region 9) received in the Office of the President of the Senate on November 27, 2018; to the Committee on Environment and Public Works.

EC-7292. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress: Evaluation of the Independence at Home Demonstration"; to the Committee on Finance.

EC-7293. 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 "Hurricane Michael Leave-Based Donation Programs" (Notice 2018-89) received in the Office of the President of the Senate on November 26, 2018; to the Committee on Finance.

EC-7294. 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 "Rev. Proc. on Section 471 Costs/Negative Additional Section 263A Costs" (Rev. Proc. 2018-56) received in the Office of the President of the Senate on November 20, 2018; to the Committee on Finance.

EC-7295. 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 "Extension of Transition Relief Under Rev. Rul. 2018-17 on

Withholding and Reporting with Respect to Payments from IRAs to State Unclaimed Property Funds" (Notice 2018-90) received in the Office of the President of the Senate on November 26, 2018; to the Committee on Finance.

EC-7296. 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 "Moral Exemptions and Accommodations for Coverage of Certain Preventative Services Under the Affordable Care Act" (RIN1545-BN91) received in the Office of the President of the Senate on November 26, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-7297. 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 "Religious Exemptions and Accommodations for Coverage of Certain Preventative Services Under the Affordable Care Act" (RIN1545-BN92) received in the Office of the President of the Senate on November 26, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-7298. A communication from the Secretary of Education, transmitting, pursuant to law, the Department's Semiannual Report of the Office of the Inspector General for the period from April 1, 2018 through September 30, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-7299. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General, Department of Homeland Security, received in the Office of the President of the Senate on November 28, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-7300. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, Department of Homeland Security, received in the Office of the President of the Senate on November 28, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-7301. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3399-EM in the State of Hawaii having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-7302. A communication from the Director, National Science Foundation, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Foundation's fiscal year 2018 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-7303. A communication from the Director of the National Gallery of Art, transmitting, pursuant to law, a report relative to the Gallery's compliance with the Inspector General Act of 1978; to the Committee on Homeland Security and Governmental Affairs.

EC-7304. A communication from the Treasurer, National Gallery of Art, transmitting, pursuant to law, the Gallery's Performance and Accountability Report for the year ended September 30, 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-7305. A communication from the Vice Chairman, Merit Systems Protection Board,

transmitting, pursuant to law, the Board's Agency Financial Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-7306. A communication from the Staff Director, U.S. Commission on Civil Rights, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-7307. A communication from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department's Agency Financial Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-7308. A communication from the Acting Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-7309. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Test Procedures and Labeling Standards for Recycled Oil" (RIN3084-AB48) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7310. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands" (RIN0648-XG509) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7311. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "'Other Rockfish' in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands" (RIN0648-XG510) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7312. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reopening of Federal Waters off Georgia to Penaeid Shrimp Fishing" (RIN0648-XG231) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7313. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "2018 Closure of the Northern Gulf of Maine Scallop Management Area" (RIN0648-XG202) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7314. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Dusty Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XG505) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7315. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

“Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska” (RIN0648-XG504) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7316. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Hook-and-Line Catcher/Processors in the Western Regulatory Area of the Gulf of Alaska” (RIN0648-XG501) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7317. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG398) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7318. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG508) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7319. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska” (RIN0648-XG529) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7320. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska” (RIN0648-XG528) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7321. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Fishery by Vessels Using Trawl Gear in the Gulf of Alaska” (RIN0648-XG225) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7322. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska” (RIN0648-XG285) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7323. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Greenland Turbot in the Aleutian Islands

Management Area of the Bering Sea and Aleutian Islands” (RIN0648-XG193) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7324. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Northern Rockfish in the Bering Sea and Aleutian Islands” (RIN0648-XG492) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7325. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Commercial Aggregated Large Coastal Shark and Hammerhead Shark Management Group Retention Limit Adjustment” (RIN0648-XG181) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7326. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Action 1” (RIN0648-XG222) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7327. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Inseason General Category Retention Limit Adjustment” (RIN0648-XG216) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7328. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Gulf of Maine Cod Trimester Total Allowable Catch Area Closure for the Common Pool Fishery” (RIN0648-XG175) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7329. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “2018 Closure of the Closed Area 1 Scallop Access Area for the Limited Access” (RIN0648-XG267) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7330. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the Angling Category Gulf of Mexico Trophy Fishery” (RIN0648-XG237) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7331. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Commercial Harvest Closure for Yellowtail Snapper in the South Atlantic” (RIN0648-XG253) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

EC-7332. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Commercial King Mackerel Gulf of Mexico Western Zone Closure” (RIN0648-XG523) received in the Office of the President of the Senate on November 28, 2018; to the Committee on Commerce, Science, and Transportation.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3277. A bill to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes (Rept. No. 115-397).

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

H.R. 2606. A bill to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes (Rept. No. 115-398).

H.R. 4032. A bill to confirm undocumented Federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community's Reservation, to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes (Rept. No. 115-399).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3119. A bill to allow for the taking of sea lions on the Columbia River and its tributaries to protect endangered and threatened species of salmon and other nonlisted fish species (Rept. No. 115-400).

By Mr. HOEVEN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 664. A bill to approve the settlement of the water rights claims of the Navajo in Utah, to authorize construction of projects in connection therewith, and for other purposes (Rept. No. 115-401).

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

S. 90. A bill to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

H.R. 3119. A bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 562. A resolution expressing the sense of the Senate that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) continues to make an invaluable contribution to United States and international security, 50 years after it opened for signature on July 1, 1968.

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

S. 941. A bill to withdraw certain National Forest System land in the Emigrant Crevice

area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1219. A bill to provide for stability of title to certain land in the State of Louisiana, and for other purposes.

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

S. 1787. A bill to reauthorize the National Geologic Mapping Act of 1992.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

H.R. 1872. To promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

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

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2076. A bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 2249. A bill to permanently reauthorize the Rio Puerco Management Committee and the Rio Puerco Watershed Management Program.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

H.R. 2646. A bill to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and for other purposes.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 3482. A bill to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children program.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 3657. A bill to reauthorize the Traumatic Brain Injury program.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

H.R. 4819. A bill to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of southern Africa.

H.R. 4989. A bill to require the Department of State to establish a policy regarding the use of location-tracking consumer devices by employees at diplomatic and consular facilities, and for other purposes.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 5655. A bill to establish the Camp Nelson Heritage National Monument in the

State of Kentucky as a unit of the National Park System, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

\*John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor.

\*Gordon Hartogensis, of Connecticut, to be Director of the Pension Benefit Guaranty Corporation for a term of five years.

\*Erhard R. Chorle, of Illinois, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2022.

\*Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education.

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

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

S. 3675. A bill to amend the Federal Assets Sale and Transfer Act of 2016 to ensure that the Public Buildings Reform Board has adequate time to carry out the responsibilities of the Board, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 3676. A bill to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement State energy security plans, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 3677. A bill to provide for certain programs and developments in the Department of Energy concerning the cybersecurity and vulnerabilities of, and physical threats to, the electric grid, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3678. A bill to amend the Federal Assets Sale and Transfer Act of 2016 to provide flexibility with respect to the leaseback of certain Federal real property, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CASEY (for himself, Ms. KLOBUCHAR, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mrs. MURRAY, and Ms. HASSAN):

S. 3679. A bill to ensure that older adults and individuals with disabilities are prepared for disasters, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY:

S. 3680. A bill to require the Secretary of Health and Human Services to establish references prices for prescription drugs for purposes of Federal health programs; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. CORNYN):

S. 3681. A bill to amend the Animal Health Protection Act to establish an Animal Disease and Disaster Prevention, Surveillance, and Rapid Response Program and a National Livestock Vaccine Bank, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PERDUE:

S. 3682. A bill to require the appropriate Federal banking agencies to recognize the exposure-reducing nature of client margin for cleared derivatives; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY:

S. 3683. A bill to require the Secretary of Veterans Affairs to conduct a study on the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATCH:

S. 3684. A bill to add Ireland to the E-3 nonimmigrant visa program; to the Committee on the Judiciary.

By Mr. YOUNG (for himself and Mr. JONES):

S. 3685. A bill to amend the Public Health Service Act to expand the authority of the Secretary of Health and Human Services to permit nurses to practice in health care facilities with critical shortages of nurses through programs for loan repayment and scholarships for nurses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN:

S. 3686. A bill to promote minimum State requirements for the prevention and treatment of concussions caused by participation in school sports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH:

S. 3687. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Finance.

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

S. 3688. A bill to amend title 18, United States Code, to make it a criminal offense for individuals to engage in sexual acts while acting under color of law or with individuals in their custody, to encourage States to adopt similar laws, and for other purposes; to the Committee on the Judiciary.

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

S. 3689. A bill to amend chapter 11 of title 11, United States Code, to address reorganization of small businesses, and for other purposes; to the Committee on the Judiciary.

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

S. 3690. A bill to designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation; to the Committee on Veterans' Affairs.

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

S. 3691. A bill to modernize the National Air Toxics Assessment, the Integrated Risk Information System, and the Agency for Toxic Substances and Disease Registry, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DAINES:

S. 3692. A bill to amend part A of title IV of the Social Security Act, and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 3693. A bill to amend title XVIII of the Social Security Act to provide for the treatment of certain cancer hospitals; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 3694. A bill to designate the Manhattan Campus of the New York Harbor Health Care System of the Department of Veterans Affairs as the "Margaret Cochran Corbin Campus of the New York Harbor Health Care System"; to the Committee on Veterans' Affairs.

By Ms. KLOBUCHAR (for herself and Mr. SULLIVAN):

S. 3695. A bill to promote international exchanges on best election practices, cultivate more secure democratic institutions around the world, and for other purposes; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Mr. YOUNG, Mr. MERKLEY, Mr. DURBIN, Mr. SCHATZ, Mr. VAN HOLLEN, Mr. BOOKER, Mr. MARKEY, Ms. COLLINS, Mr. COONS, Ms. CANTWELL, Mrs. SHAHEEN, Mr. WYDEN, Ms. HARRIS, Mr. CASEY, Mr. KAINE, and Mr. RUBIO):

S. 3696. A bill to promote democracy and human rights in Burma, and for other purposes; to the Committee on Foreign Relations.

By Mr. PETERS (for himself and Mrs. CAPITO):

S. 3697. A bill to amend the Internal Revenue Code of 1986 to exclude certain post graduation scholarship grants from gross income in the same manner as qualified scholarships to promote economic growth; to the Committee on Finance.

By Mr. PAUL:

S.J. Res. 66. A joint resolution relating to the disapproval of the proposed export to the Government of Qatar of certain defense articles and services; to the Committee on Foreign Relations.

By Mr. PAUL:

S.J. Res. 67. A joint resolution relating to the disapproval of the proposed export to the Government of Egypt of certain defense articles and services; to the Committee on Foreign Relations.

By Mr. PAUL:

S.J. Res. 68. A joint resolution relating to the disapproval of the proposed export to the Government of Egypt of certain defense articles and services; to the Committee on Foreign Relations.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. DUCKWORTH (for herself, Mr. HATCH, Mr. ROBERTS, Mrs. MURRAY, and Mr. REED):

S. Res. 711. A resolution designating November 2018 as "National Runaway Prevention Month"; to the Committee on the Judiciary.

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. Res. 712. A resolution authorizing the use of official office funds to purchase the pocket version of the Constitution of the United States; considered and agreed to.

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

S. Con. Res. 53. A concurrent resolution honoring the 75th anniversary of the All-American Girls Professional Baseball League; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. Con. Res. 54. A concurrent resolution authorizing the printing of the 26th edition of the pocket version of the Constitution of the United States; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 8

At the request of Mr. CASSIDY, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 8, a bill to amend the Department of Energy Organization Act to address insufficient compensation of employees and other personnel of the Federal Energy Regulatory Commission, and for other purposes.

S. 281

At the request of Mr. LEE, the name of the Senator from Colorado (Mr. BENNET) 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. 352

At the request of Mr. CORKER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor 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. 720

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 802

At the request of Mr. PORTMAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 802, a bill to award a Congressional Gold Medal in honor of Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II.

At the request of Mr. BROWN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Washington (Ms. CANTWELL), the Senator from New Mexico (Mr. UDALL) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 802, supra.

S. 998

At the request of Mr. DAINES, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 998, a bill to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes.

S. 1112

At the request of Ms. HEITKAMP, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1112, a bill to support States in their

work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1503

At the request of Ms. WARREN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Delaware (Mr. COONS), the Senator from Kansas (Mr. MORAN), the Senator from Louisiana (Mr. CASSIDY) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1713

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1713, a bill to require certain financial assistance under the State energy program and the Weatherization Assistance Program to be distributed without undue delay to support State and local high-impact energy efficiency and renewable energy initiatives.

S. 2076

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

S. 2127

At the request of Ms. MURKOWSKI, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Florida (Mr. RUBIO) were added as cosponsors 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. 2147

At the request of Mr. BROWN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 2147, a bill to amend the Internal Revenue Code of 1986 to create a Pension Rehabilitation Trust Fund to establish a Pension Rehabilitation Administration within the Department of the Treasury to make loans to multiemployer defined benefit plans, and for other purposes.

S. 2227

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2227, a bill to reauthorize the Money Follows the Person Demonstration Program.

S. 2459

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2459, a bill to amend the Internal Revenue Code of 1986 to provide for current year inclusion of net CFC tested income, and for other purposes.

S. 2572

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2572, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 2821

At the request of Ms. SMITH, the name of the Senator from New Jersey (Mr. BOOKER) 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. 2918

At the request of Ms. HARRIS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2918, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 3130

At the request of Ms. WARREN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3130, a bill to amend title 38, United States Code, to provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, and for other purposes.

S. 3247

At the request of Mr. CORKER, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 3247, a bill to improve programs and activities relating to women's entrepreneurship and economic empowerment that are carried out by the United States Agency for International Development, and for other purposes.

S. 3447

At the request of Mr. ROUNDS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3447, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to provide information about whether educational institutions allow individuals to stay enrolled in courses of education pending receipt of educational assistance from the Department of Veterans Affairs, and for other purposes.

S. 3638

At the request of Mr. KYL, the names of the Senator from Arkansas (Mr. COT-

TON) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3638, a bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax on estates, gifts, and generation-skipping transfers.

S. 3649

At the request of Mr. GRASSLEY, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 3649, a bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.

S. RES. 562

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

S. RES. 708

At the request of Mr. MERKLEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 708, a resolution expressing the need for bold climate action in response to the release of the United Nations report entitled "Global Warming of 1.5 C, an IPCC special report on the impacts of global warming of 1.5 C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty" and the Fourth National Climate Assessment report entitled "Volume II: Impacts, Risks, and Adaptation in the United States" by the United States Global Change Research Program.

S. RES. 709

At the request of Mr. JOHNSON, the names of the Senator from Tennessee (Mr. CORKER), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), the Senator from Montana (Mr. DAINES), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Rhode Island (Mr. REED), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Indiana (Mr. YOUNG), the Senator from Maryland (Mr. CARDIN), the Senator from Massachusetts (Ms. WARREN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. PERDUE), the Senator from South Dakota (Mr. ROUNDS), the Senator from Virginia (Mr. KAINE), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Oregon (Mr. WYDEN), the Senator from Wyoming (Mr. ENZI), the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from Pennsylvania (Mr. CASEY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. Res. 709, a resolution condemning Russia's provocative actions in the Kerch Strait against the Ukrainian navy.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 3686. A bill to promote minimum State requirements for the prevention and treatment of concussions caused by participation in school sports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

Mr. DURBIN. Mr. President, when we encourage our students to be active and play school sports, it's because we want to promote healthy habits and team-building skills. Yet every year, more than 140,000 student athletes sustain a concussion—and that's just the reported count. We can be sure that many more go unreported and untreated.

The benefits of competing in school sports are undermined if students are staying out on the field after an injury—especially concussions. And there is more evidence than ever about the detrimental long term effects of concussions.

That's why I'm reintroducing the Protecting Student Athletes from Concussions Act. My bill would direct States to develop concussion safety plans for public schools that include a concussion safety awareness component. Certain States like Illinois already have such procedures in place, but it's high time we make this true for all States. By equipping our schools and communities with evidence-based guidance for responding to concussions; we can keep our students, and their futures safe.

The bill would also require States to adopt a "when in doubt, sit it out" policy. If there is even the possibility that a student athlete has suffered a concussion, their health and safety ought to be the number one priority. That means, if an athlete is suspected of having sustained a concussion, they should sit out and not be allowed to return to play the same day and, after that, only once evaluated and cleared by a qualified health care professional.

Unfortunately, many student athletes return to play prematurely—to the detriment of both their health and academic performance.

Let's be clear: a concussion is a traumatic brain injury that affects brain function. It is, by no means, something we can simply shake or walk off. The still-developing brains of students make them more susceptible to injury, making concussions all the more dangerous.

A "when in doubt, sit it out" policy, endorsed by the American College of Sports Medicine and the American Academy of Neurology, will take the decision to return to the game out of the hands of a coach or an injured athlete who may not want to look "weak"

to their teammates. It will prevent students from experiencing successive injuries by staying in the game when they are not fit. It will give injured athletes the time to heal to help ensure that short term symptoms do not become long term effects.

For school sports to be a safe option, we have to put the necessary, common-sense procedures for preventing, detecting, responding to, and treating concussions in place. This bill would help do that.

It's why my bill is endorsed by the American College of Sports Medicine, the American Academy of Neurology, the National Collegiate Athletic Association, the National Football League, the National Basketball Association, Major League Baseball, the National Hockey League, the National Parent Teacher Association, the National Association of Secondary School Principals, the Sports & Fitness Industry Association, the Korey Stringer Institute, and Safe Kids World Wide.

I hope my colleagues will join me in this common-sense, evidence-based approach to protecting student athletes. Thank you.

S. 3686

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Student Athletes from Concussions Act of 2018".

#### SEC. 2. MINIMUM STATE REQUIREMENTS.

(a) MINIMUM REQUIREMENTS.—Each State that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and does not meet the requirements described in this section, as of the date of enactment of this Act, shall, not later than the last day of the fifth full fiscal year after the date of enactment of this Act (referred to in this Act as the "compliance deadline"), enact legislation or issue regulations establishing the following minimum requirements:

(1) LOCAL EDUCATIONAL AGENCY CONCUSSION SAFETY AND MANAGEMENT PLAN.—Each local educational agency in the State, in consultation with members of the community in which such agency is located, shall develop and implement a standard plan for concussion safety and management that—

(A) educates students, parents, and school personnel about concussions, through activities such as—

(i) training school personnel, including coaches, teachers, athletic trainers, related services personnel, and school nurses, on concussion safety and management, including training on the prevention, recognition, and academic consequences of concussions and response to concussions; and

(ii) using, maintaining, and disseminating to students and parents—

(I) release forms and other appropriate forms for reporting and record keeping;

(II) treatment plans; and

(III) prevention and post-injury observation and monitoring fact sheets about concussion;

(B) encourages supports, where feasible, for a student recovering from a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), such as—

(i) guiding the student in resuming participation in athletic activity and academic ac-

tivities with the help of a multi-disciplinary concussion management team, which may include—

(I) a health care professional, the parents of such student, a school nurse, relevant related services personnel, and other relevant school personnel; and

(II) an individual who is assigned by a public school to oversee and manage the recovery of such student; and

(ii) providing appropriate academic accommodations aimed at progressively reintroducing cognitive demands on the student; and

(C) encourages the use of best practices designed to ensure, with respect to concussions, the uniformity of safety standards, treatment, and management, such as—

(i) disseminating information on concussion safety and management to the public; and

(ii) applying uniform best practice standards for concussion safety and management to all students enrolled in public schools.

(2) POSTING OF INFORMATION ON CONCUSSIONS.—Each public elementary school and each public secondary school shall post on school grounds, in a manner that is visible to students and school personnel, and make publicly available on the school website, information on concussions that—

(A) is based on peer-reviewed scientific evidence (such as information made available by the Centers for Disease Control and Prevention);

(B) shall include information on—

(i) the risks posed by sustaining a concussion;

(ii) the actions a student should take in response to sustaining a concussion, including the notification of school personnel; and

(iii) the signs and symptoms of a concussion; and

(C) may include information on—

(i) the definition of a concussion;

(ii) the means available to the student to reduce the incidence or recurrence of a concussion; and

(iii) the effects of a concussion on academic learning and performance.

(3) RESPONSE TO CONCUSSION.—If an individual designated from among school personnel for purposes of this Act, one of whom must be in attendance at every school-sponsored activity, suspects that a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity)—

(A) the student shall be—

(i) immediately removed from participation in a school-sponsored athletic activity; and

(ii) prohibited from returning to participate in a school-sponsored athletic activity on the day that student is removed from such participation; and

(B) the designated individual shall report to the parent or guardian of such student—

(i) any information that the designated school employee is aware of regarding the date, time, and type of the injury suffered by such student (regardless of where, when, or how a concussion may have occurred); and

(ii) any actions taken to treat such student.

(4) RETURN TO ATHLETICS.—If a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), before such student resumes participation in school-sponsored athletic activities, the school shall receive a written release from a health care professional, that—

(A) states that the student is capable of resuming participation in such activities; and

(B) may require the student to follow a plan designed to aid the student in recovering and resuming participation in such activities in a manner that—

(i) is coordinated, as appropriate, with periods of cognitive and physical rest while symptoms of a concussion persist; and

(ii) reintroduces cognitive and physical demands on such student on a progressive basis only as such increases in exertion do not cause the reemergence or worsening of symptoms of a concussion.

(b) NONCOMPLIANCE.—

(1) FIRST YEAR.—If a State described in subsection (a) fails to comply with subsection (a) by the compliance deadline, the Secretary of Education shall reduce by 5 percent the amount of funds the State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the first fiscal year following the compliance deadline.

(2) SUCCEEDING YEARS.—If the State fails to so comply by the last day of any fiscal year following the compliance deadline, the Secretary of Education shall reduce by 10 percent the amount of funds the State receives under that Act for the following fiscal year.

(3) NOTIFICATION OF NONCOMPLIANCE.—Prior to reducing any funds that a State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in accordance with this subsection, the Secretary of Education shall provide a written notification of the intended reduction of funds to the State and to the appropriate committees of Congress.

#### SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to affect civil or criminal liability under Federal or State law.

#### SEC. 4. DEFINITIONS.

In this Act:

(1) CONCUSSION.—The term "concussion" means a type of mild traumatic brain injury that—

(A) is caused by a blow, jolt, or motion to the head or body that causes the brain to move rapidly in the skull;

(B) disrupts normal brain functioning and alters the mental state of the individual, causing the individual to experience—

(i) any period of observed or self-reported—

(I) transient confusion, disorientation, or impaired consciousness;

(II) dysfunction of memory around the time of injury; or

(III) loss of consciousness lasting less than 30 minutes; or

(ii) any 1 of 4 types of symptoms, including—

(I) physical symptoms, such as headache, fatigue, or dizziness;

(II) cognitive symptoms, such as memory disturbance or slowed thinking;

(III) emotional symptoms, such as irritability or sadness; or

(IV) difficulty sleeping; and

(C) can occur—

(i) with or without the loss of consciousness; and

(ii) during participation in any organized sport or recreational activity.

(2) HEALTH CARE PROFESSIONAL.—The term "health care professional"—

(A) means an individual who has been trained in diagnosis and management of traumatic brain injury in a pediatric population; and

(B) includes a physician (M.D. or D.O.) or certified athletic trainer who is registered, licensed, certified, or otherwise statutorily recognized by the State to provide such diagnosis and management.

(3) LOCAL EDUCATIONAL AGENCY; STATE.—The terms "local educational agency" and

“State” have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) RELATED SERVICES PERSONNEL.—The term “related services personnel” means individuals who provide related services, as defined under section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

(5) SCHOOL-SPONSORED ATHLETIC ACTIVITY.—The term “school-sponsored athletic activity” means—

(A) any physical education class or program of a school;

(B) any athletic activity authorized during the school day on school grounds that is not an instructional activity;

(C) any extra-curricular sports team, club, or league organized by a school on or off school grounds; and

(D) any recess activity.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 711—DESIGNATING NOVEMBER 2018 AS “NATIONAL RUNAWAY PREVENTION MONTH”

Ms. DUCKWORTH (for herself, Mr. HATCH, Mr. ROBERTS, Mrs. MURRAY, and Mr. REED) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 711

Whereas results from the Voices of Youth Count national survey, as published by Chapin Hall at the University of Chicago in “Missed Opportunities: Youth Homelessness in America”, indicates that an estimated 4,200,000 youth and young adults between 13 and 24 years of age experienced homelessness during a 12-month period ending in 2017, including—

(1) an estimated 700,000 children between 13 and 17 years of age who experienced unaccompanied homelessness; and

(2) an estimated 3,500,000 young adults between 18 and 24 years of age;

Whereas the rates of youth experiencing homelessness are similar in rural and nonrural areas;

Whereas runaway youth often have been expelled from their homes by their families, have experienced abuse and trauma, are involved in the foster care system, are too poor to secure their own basic needs, and may be ineligible or unable to access medical or mental health resources;

Whereas runaway and homeless youth are at an increased risk for exploitation and becoming victims of sex and labor trafficking, and between 19 percent and 49 percent of young people who experience homelessness will become victims of trafficking;

Whereas youth who run away from home or from foster care are more likely to be coerced into participating in criminal activity, joining a gang, or using illegal drugs, which lead to a higher likelihood of involvement in the criminal justice system;

Whereas preventing youth from running away from home or from foster care and supporting youth in high-risk situations is a family, community, and national responsibility;

Whereas the future well-being of the Nation is dependent on the value placed on youth and the opportunities provided for youth to acquire the knowledge, skills, and abilities necessary to help youth successfully develop into safe, healthy, and productive adults;

Whereas effective programs supporting runaway youth and assisting youth and their

families in providing safe and stable homes succeed because of partnerships created among families, youth-based advocacy organizations, community-based human service agencies, law enforcement, schools, faith-based organizations, and businesses; and

Whereas the National Runaway Safeline and the National Network for Youth are leading the promotion of National Runaway Prevention Month in November 2018—

(1) to raise awareness of the runaway and homeless youth crisis and the issues these young people face; and

(2) to educate the public about solutions and the role they can play in ending youth homelessness: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates November 2018 as “National Runaway Prevention Month”; and

(2) recognizes and supports the goals and ideals of National Runaway Prevention Month.

##### SENATE RESOLUTION 712—AUTHORIZING THE USE OF OFFICIAL OFFICE FUNDS TO PURCHASE THE POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES

Mr. BLUNT (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 712

*Resolved*,

##### SECTION 1. POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES.

Section 2(3) of Senate Resolution 294 (96th Congress), agreed to April 29, 1980, is amended—

(1) by striking “and copies” and inserting “copies”; and

(2) by inserting “, and copies of the pocket version of the Constitution of the United States published by the Government Publishing Office” after “Historical Society”.

##### SENATE CONCURRENT RESOLUTION 53—HONORING THE 75TH ANNIVERSARY OF THE ALL-AMERICAN GIRLS PROFESSIONAL BASEBALL LEAGUE

Ms. WARREN (for herself and Mr. MARKEY) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 53

Whereas the manpower demands of World War II forced many minor league baseball teams to disband as players were drafted, resulting in a dearth of minor league teams by late 1942;

Whereas, in late 1942, the Federal Government warned major league baseball teams that increased manpower mobilization could result in cancellation of the 1943 baseball season, which threatened to shutter Major League Baseball parks across the country;

Whereas the All-American Girls Professional Baseball League (AAGPBL) was established, and spring training for the League started on May 17, 1943, to address the shortage of baseball players;

Whereas, from 1943 to 1954, the League provided more than 600 women the chance to play professional baseball, an opportunity never before afforded to female athletes in the United States;

Whereas Penny Marshall’s film, “A League of Their Own,” familiarized millions of peo-

ple in the United States with the history of the League; and

Whereas at least 29 women from the Commonwealth of Massachusetts played in the League, including Noella Leduc Alverson, Rita Briggs, Patricia Brown, Jean Buckley, Cynthia Esposito Normine Capritta, Joan Tysver Chiancola, Clara Chiano, Patricia Courtney, Mary Dailey, Alice DeCambrá, Madeline English, Annie Gosbee, Dorothy Green, Josephine Hasham, Lillian DeCambrá Kelley, Marie Mansfield Kelley, Helen Ketola LaCamera, Rhoda Leonard Linehan, Marie Eileen Albright Lockhart, Georgette Vincent Mooney, Helen Nordquist, Beatrice Arbour Parrott, Katherine Pechulis, Lucille Stone Richards, Grace Rogato, Mary Sheehan, Barbara Parks Young, Sue Parsons Zipay, and Mary Pratt of Quincy, who is celebrating her 100th birthday this year: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress honors the 75th anniversary of the All-American Girls Professional Baseball League.

##### SENATE CONCURRENT RESOLUTION 54—AUTHORIZING THE PRINTING OF THE 26TH EDITION OF THE POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES

Mr. BLUNT (for himself and Ms. KLOBUCHAR) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 54

*Resolved by the Senate (the House of Representatives concurring)*,

##### SECTION 1. POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES.

(a) IN GENERAL.—The 26th edition of the pocket version of the Constitution of the United States shall be printed as a Senate document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 480,500 copies of the document, of which 255,500 copies shall be for the use of the House of Representatives, 200,000 copies shall be for the use of the Senate, and 25,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$226,250, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

(c) DISTRIBUTION.—The copies of the document printed for the use of the House of Representatives and the Senate under subsection (a) shall be distributed in accordance with—

(1) a distribution plan approved by the chair and ranking minority member of the Committee on House Administration of the House of Representatives, in the case of the copies printed for the use of the House of Representatives; and

(2) a distribution plan approved by the chair and ranking minority member of the Committee on Rules and Administration of the Senate, in the case of the copies printed for the use of the Senate.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4067. Mr. CORKER submitted an amendment intended to be proposed by him to the

bill H.R. 600, to promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 4067.** Mr. CORKER submitted an amendment intended to be proposed by him to the bill H.R. 600, to promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### SEC. 5. COST LIMITATION.

No additional funds are authorized to be appropriated to carry out the provisions of this Act.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. KENNEDY. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

#### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, November 29, 2018, at 9:30 a.m., to conduct a hearing on the following nominations: Thomas McCaffery, of California, to be an Assistant Secretary of Defense, and William Bookless, of California, to be Principal Deputy Administrator, National Nuclear Security Administration, Department of Energy.

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, November 29, 2018, at 10 a.m., to conduct a hearing entitled "Combating Money Laundering and other forms of illicit finance: Regulator and Law Enforcement perspectives on Reform."

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, November 29, 2018, at 10:30 a.m., to conduct a hearing entitled "The Global Fight to End Modern Slavery."

#### 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 Thursday, November 29, 2018, at 10:30 a.m., to conduct a business meeting and hearing on the nomination of Erhard R. Chorle, of Illinois, to be a Member of the Railroad Retirement Board, Gordon Hartogensis, of Connecticut, to be Director of the Pen-

sion Benefit Guaranty Corporation, Robert L. King, of Kentucky, to be Assistant Secretary of Education for Postsecondary Education, and John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor.

#### SUBCOMMITTEE ON ENERGY

The Subcommittee on Energy of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, November 29, 2018, at 10 a.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. SULLIVAN. Mr. President, I ask unanimous consent that my defense fellow, Amy Williams; my Coast Guard fellow, Thomas Mansour; and my State Department fellow, Mary Eileen Earl, be granted floor privileges for the remainder of the Congress.

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

#### EXTENDING THE NATIONAL FLOOD INSURANCE PROGRAM TO DECEMBER 7, 2018

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7187.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 7187) to extend the National Flood Insurance Program to December 7, 2018.

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

Mr. KENNEDY. 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 a third reading and was read the third time.

Mr. KENNEDY. 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 (H.R. 7187) was passed.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 3628 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3628) to reauthorize the National Flood Insurance Program.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. KENNEDY. Mr. President, 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. KENNEDY. 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. 3628) was passed, as follows:

S. 3628

*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 "National Flood Insurance Program Extension Act".

#### SEC. 2. REAUTHORIZATION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) FINANCING.—Section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by striking "November 30, 2018" and inserting "May 31, 2019".

(b) PROGRAM EXPIRATION.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking "November 30, 2018" and inserting "May 31, 2019".

(c) RETROACTIVE EFFECTIVE DATE.—If this Act is enacted after November 30, 2018, the amendments made by subsections (a) and (b) shall take effect as if enacted on November 30, 2018.

Mr. KENNEDY. 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.

#### EXPRESSING CONCERN OVER THE DISAPPEARANCE OF DAVID SNEDDON

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 309, S. Res. 92.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 92) expressing concern over the disappearance of David Sneddon, and for other purposes.

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations.

Mr. LEE. Mr. President, David Sneddon was a 24-year-old Brigham Young University student who tragically vanished while traveling in the Yunnan Province of China in August of 2004. After a cursory investigation, Chinese officials concluded that David must have died while hiking alone through Tiger Leaping Gorge, but the officials' story didn't add up.

For starters, David was an avid and experienced hiker, unlikely to make a mistake that would have led to his death on the trail. Over 14 years later, a body has never been found. David's family retraced his steps and found eyewitnesses that both interacted with him on the trail and saw him in a Chinese city at the end of the hiking route, suggesting that he made it safely through the other side of the gorge.

In fact, there is much evidence to suggest that the North Korean government was responsible for David's disappearance.

For starters, he was traveling near the so-called Asian Underground Railroad, a network of mostly Christian missionaries who help North Korean defectors flee to safety. North Korean agents are known to operate along the route, ruthlessly hunting down defectors and returning them to execution or permanent captivity on the gulag peninsula of North Korea.

Second, David was last seen leaving a Korean restaurant. Korean restaurants are reportedly used as outposts for North Korean espionage and illicit enterprise.

Finally, and perhaps most tellingly, 1 month before David's disappearance, North Korea took the rare step of releasing an American captive, 64-year-old Charles Jenkins. North Korea forced Jenkins to teach English to its spies at a military university during his almost 40-year captivity. After his release, the regime would have needed a substitute teacher.

David Sneddon, unfortunately, would perfectly fit the bill. A highly educated Asian languages major, he spoke fluent Korean and was learning Mandarin.

Subsequent intelligence from inside North Korea has strongly supported these facts. David Sneddon was taken by the North Korean regime in 2004. He likely has been held captive in that country ever since.

I, along with my colleagues Senators HATCH, COONS, FISCHER, SASSE, RUBIO, FLAKE, GARDNER, and SULLIVAN have introduced a resolution expressing our grave concern about the disappearance of David Sneddon.

Our resolution directs the State Department and intelligence community to investigate all plausible explanations for David's disappearance including abduction by North Korea. Further, it encourages them to reinvigorate diplomatic efforts and work closely with our allies in the region.

Lastly, it calls upon the State Department and intelligence community to continue to work with and inform Congress and the Sneddon family on efforts to recover David and resolve his disappearance.

We owe it to David, who had his whole life ahead of him before setting out to hike the Tiger Leaping Gorge on that fateful day in August 2004. We owe to the Sneddon family, who have waited, prayed, and tirelessly advocated for his safe recovery.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 92) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 23, 2017, under "Submitted Resolutions.")

EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF NOVEMBER 19 THROUGH NOVEMBER 23, 2018, AS "NATIONAL FAMILY SERVICE LEARNING WEEK"

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration and the Senate now proceed to S. Res. 688.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 688) expressing support for the designation of the week of November 19 through November 23, 2018, as "National Family Service Learning Week."

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 688) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of November 15, 2018, under "Submitted Resolutions.")

CONDEMNING RUSSIA'S PROVOCATIVE ACTIONS IN THE KERCH STRAIT AGAINST THE UKRAINIAN NAVY

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration and the Senate now proceed to S. Res. 709.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 709) condemning Russia's provocative actions in the Kerch Strait against the Ukrainian navy.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the resolution

be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 709) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of November 27, 2018, under "Submitted Resolutions.")

AUTHORIZING THE PRINTING OF THE 26TH EDITION OF THE POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of S. Con. Res. 54.

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. 54) authorizing the printing of the 26th edition of the pocket version of the Constitution of the United States.

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

Mr. KENNEDY. 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. 54) was agreed to.

(The resolution, is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING THE USE OF OFFICIAL OFFICE FUNDS TO PURCHASE THE POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 712, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 712) authorizing the use of official office funds to purchase the pocket version of the Constitution of the United States.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 712) was agreed to.

The preamble was agreed to.

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

#### AUTHORITY TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the majority leader and the senior Senator from Alaska be authorized to sign duly enrolled bills or joint resolutions on Friday, November 30, 2018.

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

#### ORDERS FOR MONDAY, DECEMBER 3, 2018

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 o'clock p.m., Monday, December 3; 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 the Senate proceed to executive session and resume consideration of Executive Calendar No. 1153 and that notwithstanding rule XXII, the cloture vote on that nomination occur at 5:30 p.m.

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

#### ORDER FOR ADJOURNMENT

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

There being no objection, the Senate, at 7:46 p.m., adjourned until Monday, December 3, 2018 at 3 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### IN THE AIR FORCE

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

##### *To be lieutenant general*

MAJ. GEN. DUKE Z. RICHARDSON

##### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be brigadier general*

COL. KEVIN D. ADMIRAL  
COL. TIMOTHY D. BROWN  
COL. JOSHUA M. RUDD  
COL. PAUL T. STANTON

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

##### *To be lieutenant general*

MAJ. GEN. TERRY R. FERRELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be brigadier general*

COL. TIMOTHY D. CONNELLY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be brigadier general*

COL. GERALD R. KRIMBILL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### *To be brigadier general*

COL. STACY M. BABCOCK

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

##### *To be lieutenant general*

LT. GEN. ERIC J. WESLEY

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

##### *To be lieutenant general*

MAJ. GEN. ANDREW P. POPPAS

##### IN THE NAVY

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

##### *To be vice admiral*

REAR ADM. ROBERT D. SHARP

##### IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### *To be colonel*

MOHAN S. AKELLA  
LAURA LYNN AMBERS  
CHRISTOPHER G. BATTERTON  
PAUL MAURICE BISHOP  
ERIC CARROLL BURDGE  
DOREEN MARIE CHEMOTTI  
LYN A. CLEVELAND  
PATRICK WILLIAM COX  
CHAD B. CROCKER  
BARRY F. DEIBERT  
CHARLES D. DEMARQUE  
WILLIAM PETER J. DESAUTELLE  
STEPHEN JAMES DILLON  
CHRISTOPHER FRANCIS DOUGHERTY  
JAMES F. HERMAN  
DOMINIC STEPHEN FAGO  
ANGEL FIGUEROA  
SONYA LYNETTE FINCH  
KENNETH S. FINK  
DANETTE SHERRI GARCIA  
JEREMIAH SHI GENTRY  
CHRISTOPHER JOHN GERMANN  
CHRISTOPHER DUANE GRIES  
TODD M. GUAY  
JEREMY GUY GUENET  
VICTORIA T. HABAS  
SPENCER D. HANSEN  
EMILE HUGO HAWKINS, SR.  
CHAD MICHAEL HYNNEK  
CHAD ROBERT JAMES  
BRIAN RAYMOND JUSSEAUME  
CORY JAMES KESTEL  
BRIAN DION KILE  
CHARLES TIMOTHY KILLIAN  
MATTHEW SHINICHIRO KOMATSU  
SHEILA ANN LANG  
PAUL WAYNE LAYMON  
TIMOTHY JOHN LINCOLN  
AARON T. LINDSEY  
CHRISTOPHER T. LINTON  
JEFFERY R. LOCKE  
PHILIP L. MALLORY  
BRIAN JOHN MARBACH  
WILLIAM JOSEPH MCCRINK III  
ERIC J. NEWMAN  
ELLEN R. NOBLE  
REID J. NOVOTNY  
JOHN R. OBERST  
WILHELMINA J. PANZER  
DENISE M. PRONESTI  
QUAAD HASAN QUADRI, JR.  
JASON S. RABIDEAU  
JEFFREY MICHAEL RENGEL  
THOMAS CLIFFORD RUUD  
PAUL ANIBAL SALAS  
CLAYTON ARTHUR SCHAEFER  
MICHAEL D. SCHANER  
CHARLES P. SCRONCE  
RONALD LEON SELVIDGE, JR.  
CYNTHIA LEA SMITH  
DAVID C. SMITH  
MONICA NAVARRO SMITH  
SANDY MELISSA SMOCK  
JOSEPH MICHAEL STAHL  
BRIAN M. TENBRUNSEL  
ADAM B. THOMAS  
JAMIELYN G. THOMPSON

MICHAEL W. TODD  
ROXANNE THERESE TOY  
ROBERT QUIMBY TROY  
JEREMIAH SANTIAGO TUCKER  
TODD L. WALTON  
JEREMY T. WHITE  
SHELDON BERNARD WILSON  
MATTHEW DAVID WOOLUMS  
WILLIAM E. ZUTELL III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

##### *To be lieutenant colonel*

JENNIFER L. GURGANUS

##### *To be major*

APRIL H. CLEMMENSEN

##### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

##### *To be lieutenant colonel*

RAYMOND R. ADAMS III  
TREVOR I. J. BARNA  
CHRISTOPHER B. BERHOW  
CHRISTOPHER A. CALLICOTT  
JOHN W. CAULWELL  
JOHN K. CHOIKE  
STEPHANIE R. COOPER  
BRADLEY M. COWAN  
EMILEE O. ELBERT  
TRAVIS W. ELMS  
JESSICA M. FARRELL  
MADELINE F. GORINI  
LAURA A. GRACE  
JESSE T. GREENE  
JENNIFER M. HEALY  
CHAD E. HIGHFILL  
RYAN A. HOWARD  
THOMAS P. HYNES  
ELLIOTT G. JOHNSON  
PETER G. JUETTEN  
BRIAN J. KARGUS  
RYAN K. KERWIN  
KEVIN D. KORNEGAY  
FRANK E. KOSTIK, JR.  
CHRISTOPHER A. LACOUR  
MICHAEL H. LAMPHIER  
KEVIN M. LEY  
DANIEL D. MAURER  
DANIEL L. MAZZONE  
ALLISON D. MCFEATERS  
DAVID M. ODEA  
JENNIFER A. PARKER  
JESS R. RANKIN  
MICHAEL A. RIZZOTTI  
JESS B. ROBERTS  
MICHAEL E. SCHAUSS  
BRETT C. SHEPARD  
TODD W. SIMPSON  
WILLIAM J. STEPHENS  
ANDRES VAZQUEZ, JR.  
WENER VIEUX  
REBECCA D. WHITE  
WAYNE H. WILLIAMS  
MATTHEW E. WRIGHT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be lieutenant colonel*

PAUL M. FUGERE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be lieutenant colonel*

CLARENCE K. GRAHAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be colonel*

JACKSON A. KURTZMAN

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

##### *To be major*

JEREMY T. TENNENT

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

##### *To be major*

JONATHAN D. THOMPSON

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

##### *To be captain*

THOMAS J. ZERR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

November 29, 2018

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*To be captain*

SHELTON L. LYONS II

IN THE MARINE CORPS

*To be major*

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
IN THE GRADE INDICATED IN THE REGULAR MARINE CORPS UNDER TITLE 10, U.S.C. SECTION 531:

ROBERT A. GREEN, JR.  
JESUS S. MENDEZ