

“key to our way of life,” but renewable energy “screws up the whole physics of the grid.” He also portrayed industry lawsuits with environmental groups as a “constant battle between liberty and tyranny.”

While at the Department of Energy, Mr. McNamee was a key player in the agency’s failed attempt to bail out the coal industry and upend wholesale energy markets.

Furthermore, I am very concerned that Mr. McNamee will take us backwards in the fight to combat climate change. Just recently, the Trump administration tried to bury the release of the Fourth National Climate Assessment report and its alarming statistics on the realities of climate change. The report found that annual average temperatures in the United States are projected to continue to increase in the coming decades and that human health and safety, our quality of life, and the rate of economic growth in communities across the U.S. are increasingly vulnerable to the impacts of climate change. In my home State of Maryland, the report found that one of Maryland’s crown jewels, the Chesapeake Bay, will experience stronger and more frequent storms, an increase in heavy precipitation events, increasing bay water temperatures, and a rise in sea level.

FERC’s independence is critical to its mission, and Mr. McNamee, if confirmed, would be a significant departure from that.

His history as being a supporter of the fossil fuel industry, an opponent of clean energy, and an opponent of progress to combat climate change are alarming. I oppose his nomination to be a member of the Federal Energy Regulatory Commission, FERC.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Under the previous order, all postcloture time has expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

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

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 254 Ex.]

YEAS—50

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

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

Tillis

The nomination was confirmed. The PRESIDING OFFICER. The majority leader.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2019

Mr. McCONNELL. Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 143.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 143) making further continuing appropriations for fiscal year 2019, and for other purposes.

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

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

Mr. McCONNELL. Madam President, I ask unanimous consent that the joint resolution be considered read a third time.

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

The joint resolution was ordered to a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the joint resolution.

The PRESIDING OFFICER. If there is no further debate, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 143) was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative 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 PRESIDING OFFICER. The Senator from Maryland.

CLIMATE CHANGE

Mr. CARDIN. Madam President, on November 23 of this year, we had release of the Fourth National Climate Assessment, which is required to be released under the Global Change Research Act that was passed by Congress in 1990.

This climate assessment is put together by 300 experts, guided by a 60-member Federal advisory committee, including 13 Federal Agencies. They rely heavily on the panel from the National Academy of Sciences. My point is, this is the best scientific information we have as to the risks of climate change. The Fourth National Climate Assessment, Volume 2, was issued on November 23, 2018.

Its conclusions should be sobering to all of us; that humans are responsible for the current climate crisis and that we must take responsibility to minimize future destruction.

Four years earlier, the first volume of the Fourth National Climate Assessment was issued, and its prediction was that we would see increased instances of flooding, wildfires, and higher temperatures. Unfortunately, that has come to pass, as we have experienced this year and in the last several years an unusually large number of flooding episodes, wildfires that we have just experienced, and higher temperatures.

The findings make two critical assertions in regard to how it will affect our lifestyle. First, it said climate change is a growing risk to the danger of human health. By human health danger, you can look at the direct impact of climate change—those whose lives have been forever changed as a result of storms or as a result of flooding or as a result of wildfires or as a result of sea level rising. We know many people have lost their lives, and their lives have been compromised as a result of the reality of the new current weather conditions.

It also affects the safe supply of water—clean drinking water is very much impacted by what is happening with climate change—and sea level rises and the spread of diseases, from people who are suffering from asthma to the spread of West Nile disease, and

many other examples of how climate change is accelerating those types of conditions which have a major impact on human health.

The report then indicated that, yes, it directly affects the health of the people of our country and the globe, but it also has a direct economic impact. The damage affects, in a negative way, the rate of our economic growth.

I will give you many examples why. Take a look at infrastructure damage. We recognize that the bridges and the highways in this country—our infrastructure—were not designed and constructed with the realities of the weather conditions we are now experiencing. As a result of much heavier damage that we have to deal with, adaptations and changes, that affects the resources we have to devote to the new realities of our infrastructure.

Coastal communities have been put at direct risk. First of all, I have seen coastal communities shrink because of the loss of shoreline. We know the risk factor for coastal communities affects their economic growth. They have to deal with the cost of adaptation. That devotes revenues that could be used for other purposes.

In addition, we have seen the economic challenges to agriculture and the sustainability of agriculture. In many parts of the world, the realities of climate change have taken away their traditional livelihoods and sustainability of agricultural products.

We are also seeing a direct impact the climate is having on tourism, which, for many communities, is a large part of their economic activity.

The report estimates that the gross domestic product of this country could be adversely affected by as much as 10 percent. That is a major hit on our economic progress.

The United Nations Intergovernmental Panel on Climate Change issued a report in October 2018. That report indicated that by 2030, the economic damage as a result of climate change could reach \$54 trillion—that is trillion with a “t.” This is an economic crisis we must address. We cannot ignore it. We must deal with it.

The good news is, mitigation and adaptation policies work. They work. We can mitigate the causes of climate change by our activities here on Earth. We can adapt to some of the realities of the new weather conditions, but we are not doing it at a scale necessary today to avoid substantial damage to human health and our economy. We have to step up our game dramatically.

It disproportionately impacts the poor. The poor don’t have the resources in order to adapt or move or to deal as other people have. They are trapped in more vulnerable communities, and they suffer more as a result of it.

We could talk about every one of our States that are impacted by this. In my State of Maryland, I have taken the floor to explain that Ellicott City—a wonderful community in Howard County, MD, that has what I call Main

Street, which reminds you of Main Street America—has had two 1,000-year floods in 20 months. These floods are unprecedented because normally the flooding conditions are as a result of the rising of the river next to Ellicott City, but these were floods caused by the increased amount of rainfall in a short period of time that could not be handled in its runoff, causing extreme damage. They have had two 1,000-year floods in 20 months.

We have flooding in Annapolis, which should be a concern to not only the people of Maryland but to our Nation because of the importance that Annapolis plays to our national security because of the Naval Academy. The same could be said in Virginia, where there is a significant challenge to our future military facilities as a result of their coastal locations. In Baltimore City, we have had 25 heat-related deaths in 2018. That is three times more than we saw in 2017.

There is no question that this affects Maryland, that it affects every State in this Nation. This is an American issue and a global issue.

There is a path forward. There is a path forward that is not terribly difficult for us to embrace because it will not only help us deal with climate change and the environment, but it will mean a better economic future for us, and it is using energy sources that are plentiful, meaning that there is a security advantage by doing the right thing for our environment and our economy.

Green energy, conservation efficiencies, all are activities that can help reduce greenhouse gas emissions and carbon emissions. It can mitigate the damage. It will create more jobs.

With green energy, there are more jobs than there are in the fossil fuel industry. It is less dependent. Fossil fuel is good for our national security, since there is an abundance of the green energy sources here in America and with our allies around the world.

In my own State, we have taken actions to reduce carbon emissions. We have been effective in doing that, and it has been a plus for our economy.

What we need is U.S. leadership. We saw that in 2015. I was proud to be part of a 10-Member Senate delegation that went to Paris as we entered into a global agreement to deal with our responsibilities to change the trajectory for climate change.

The U.S. role in Paris was critical to get all the nations of the world together with realistic strategies to reduce our carbon emissions. I say that knowing full well that COP24 is meeting, as we are meeting here, in Poland. This is a convention whose attention is going to be to finalize the Paris Agreement Work Program—a rule book of guidelines, procedures, and rules needed to turn the Paris Agreement into a working system. Every country made commitments in Paris. We now need to make sure that those commitments are carried out.

Shortly before the convening of COP24 in Poland, the G20 met in our hemisphere, as I think everyone is familiar with—these are the economic powers of the world, all the major economies of the world—and they reaffirmed their commitment to Paris. The world economic powers did that.

Now, what is happening in Poland and what happened in G20—every country participated, except one. The G20 was actually G19 and their commitment to implement the powers agreement—the United States, through the Trump administration, did not join. Of course, in Poland right now, the United States is not an active participant, since President Trump announced that we would withdraw from the convention on climate change known as COP. That is not leadership. The world will always be better off with America in leadership, and we are missing that leadership.

So my plea is that we need to step up. This should not be a partisan issue. Climate change should not be a partisan issue. It is a human rights issue; it is a human issue; it is a health issue; it is an economic issue. We need to restore the U.S. leadership on this matter. We can do that through our Tax Code. We can do that through renewable energy legislation, by increasing the CAFE standards, by dealing with clean air standards. If U.S. leadership is not going to come from the White House, let the U.S. Senate exercise that leadership and show the international community that we understand our responsibility and the risk factors to our health and to the economy.

The National Climate Assessment and the activities of G20 and COP24 should motivate us to action on behalf of the health and welfare of the American community and our global neighbors. I urge our colleagues to get engaged in leadership on this issue.

I yield the floor.

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

TRIBUTE TO HANNAH NIESKENS

Mr. DAINES. Mr. President, this week, I have the honor of recognizing Hannah Nieskens of Jefferson County for her tremendous service to Montana veterans and her great impact on Montana’s educational system.

Hannah grew up spending time in Montana with her family and then was awarded the Presidential Scholarship to attend Montana State University in Bozeman. After graduating with honors from MSU, Hannah began her career of education in the Billings School District.

During her 4 years in Billings, she met her now-husband Kelly, who served in the Army, and they fell in love. Hannah and Kelly now have three children—two daughters, Charity and Hope, and their adopted son Joshua. Joshua is currently serving overseas in the Air Force.

Hannah has a distinguished career in education. She has served her community as a teacher in Billings, the dean

of Wolf Point High School, and the principal at Northside Elementary School. Now she is the 6–12 principal in Whitehall.

Last year, Hannah was named Montana Principal of the Year, and now Hannah is one of three finalists for the 2019 National Principal of the Year.

In addition to Hannah's career devoted to education, Hannah has a passion for serving Montana veterans. After Kelly was severely wounded while serving in Iraq, Hannah began volunteering to help other veterans in the community navigate the VA. Hannah even earned a law degree to be better prepared to assist Kelly and other veterans struggling with the VA.

Hannah currently serves as the Montana Dole Fellow, where she advocates on behalf of Montana's military families. She has great pride in calling Montana home, and we are lucky to have her.

She has made a lasting impact on her community and the entire State, both through her service to our veterans and by shaping our future generations in the school system.

I congratulate Hannah on all of her success and look forward to seeing all that she will accomplish for Montana in the future.

TANF

Mr. President, once widely viewed as successful, our Nation's primary welfare-to-work program is now broken. It will soon expire. I rise to highlight my efforts to get it working again.

The Temporary Assistance for Needy Families Program—it is also called TANF—was created with bipartisan support back in 1996. In fact, at its core, it recognized that finding and maintaining a job is the most effective way for healthy, working-age parents to go from government dependency to self-sufficiency.

After TANF became law, welfare caseloads plummeted, child poverty declined, and employment among low-income, never-married parents went up.

As we debate modernizing the TANF Program, we should not forget the doom and the gloom predicted by some liberals when the original 1996 reforms were debated. Perhaps most famously, our former colleague, Senator Daniel Patrick Moynihan, predicted that TANF would result “in children sleeping on grates, picked up in the morning frozen.”

Let me tell you something: Those critics were wrong—very wrong.

Yet more than 20 years after the historic 1996 reforms, we should be clear-eyed that the TANF Program suffers from neglect and loopholes, both of which are undercutting its fundamental work requirements.

Today, very few States are meeting the work participation rate that is required by law. My State of Montana is one of the many that is falling short. The law calls for 50 percent of welfare enrollees to be engaged in work. In Montana, they are reaching only one-third.

In addition, many States are using TANF dollars for purposes unrelated to work, and the program lacks the transparency and the accountability metrics that are critical to its success. Because of these shortfalls, too many low-income parents are not finding sustainable jobs, and too many children are at high risk of suffering the hardships of poverty.

Part of the problem is that TANF has been significantly reformed only once since President Clinton signed it into law. In 2006, Congress reauthorized and strengthened the program, thanks to the hard work of then-Finance Committee Chairman CHUCK GRASSLEY and his Republican counterparts in the House. Since its expiration in 2010, however, TANF has received a whopping—this is so DC—24 short-term reauthorizations. Talk about kicking the can down the road. Efforts to address the persisting concerns about the program have not crossed the finish line. This must change.

For starters, revitalizing TANF is important to sustaining our most robust economy. Right now, there are 7 million job openings that remain unfilled—7 million job openings that are unfilled. The good news is that employers across our country are clearly looking to hire, jobs are being created, and the economy is strong. But as my good friend, House Ways and Means Committee Chairman KEVIN BRADY, has said: “We have gone from a country asking, ‘Where are the jobs?’ to one asking, ‘Where are the workers?’”

A big part of the answer is that millions of able-bodied, working-age Americans are completely on the sidelines. A strong, revitalized TANF Program is urgently needed to close this jobs gap and empower more Americans to find work. This is exactly what my bill, the JOBS Act, would do.

Building on legislation that passed the Ways and Means Committee earlier this year in the House, the JOBS Act demands positive work outcomes rather than simply meeting ineffective participation rules. It requires States to engage with every work-eligible individual and establish a plan that will result in a sustainable job. It holds States accountable for their work outcomes, not activities—we are talking about outcomes, about results—and it bolsters the transparency of every State's performance.

It doesn't just demand work; it enables work. It substantially increases funding for childcare services that would be essential to holding a job. It provides struggling beneficiaries with additional time to get the mental health or substance abuse treatment they need before holding a job and making that a realistic goal. It adds apprenticeship as a permissible work activity, alongside job training, getting more education, and building job readiness skills.

My bill targets funds to truly needy families by capping participation to families with incomes below 200 percent of the Federal poverty level.

The JOBS Act is built on the recognition that there is dignity in work. A job can start low-income parents down the path toward achieving lifelong dreams. A job can create opportunities that are simply out of reach without one. A job can be the springboard to higher wages and upward mobility. A job can rescue young children from the challenges of poverty and despair. In short, finding sustainable work can create better lives for low-income parents and children alike.

Last, my bill extends marriage promotion and fatherhood initiatives because healthy, intact families are also part of the solution.

There are approximately 4,000 families in Montana who are currently on TANF. Over 90 percent of them are from single-parent or zero-parent homes.

I cannot speak more highly of the single families and the extended family members who are tirelessly taking care of their children on TANF. But we should continue to encourage voluntary participation in local marriage support programs; we should continue to encourage fathers to step forward and be the men that their children strongly need. The reason is simple: Healthy families remain the bedrock to strong communities and a flourishing society.

The JOBS Act equips and empowers low-income families toward a better future.

I urge my colleagues to reclaim the bipartisanship that created historic reforms a generation ago and support this important legislation to make our largest welfare-to-work program actually work again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

RIGHT REBATE ACT OF 2018

Mr. GRASSLEY. Mr. President, today I raise an important issue for my colleagues that impacts many families in Iowa but also throughout the country. You hear it everywhere. It is about high prescription drug costs. I am not going to address that issue across the board, but I am going to do it in a narrow way for one part of it.

One contributing factor that has played a part in how much money the government and taxpayers pay for some drugs is a government program called the Medicaid Drug Rebate Program.

On Tuesday I introduced bipartisan legislation with Senator WYDEN of Oregon. The bill, called the Right Rebate Act of 2018, would close a loophole in that program that causes the problem I am addressing.

As a condition for participation in the Medicaid Program, drug companies must pay a rebate—or some people might call it a discount—to the Federal Government and to the various States for the drugs they offer. Generally speaking, the rebate dollar amount is less for a generic drug than for a brand-name drug.

The rebate program hasn't worked as designed. Some drug companies have been able to game the system to boost their bottom line, and they do so at taxpayers' expense. Some drug companies have paid smaller rebates to the government. When that happens, that means taxpayers are footing a bigger burden.

One example, in particular, highlights the main issues we aim to solve with this legislation.

During the Obama administration—it could have been a Republican administration as well—because of the problems in this program, Iowans regularly contacted me by phone, email, and at my annual 99 county meetings about the difficulties they faced paying the rapidly rising prices of EpiPen. EpiPen is an emergency medicine used to treat severe, life-threatening allergic reactions. EpiPen is distributed by a company called Mylan. In 2007 a pack of two EpiPens cost \$100. By 2016, the cost of that two-pack of EpiPens exploded to more than \$600. That is a very substantial price increase. Nobody is going to argue with that. Many would argue that it is an unjustified price increase, especially considering the gut punch to taxpayers who foot the lions' share of the Medicaid bill for families. They happen to be families in need. I listened to the concerns of my constituents and began an investigation about how the drug rebate program was working.

In a nutshell, Mylan had classified the EpiPen as a generic drug in the Medicaid Program, when it should have been classified as a brand drug. That means Mylan misclassified EpiPen, and CMS let it happen.

Because of this incorrect classification, Mylan paid a much smaller rebate than it should have. I asked the Health and Human Services inspector general to look into these classification practices. The inspector general found that taxpayers may have overpaid for the EpiPen by as much as \$1.3 billion over 10 years because of the incorrect classification. Eventually, Mylan settled a False Claims Act case with the Justice Department for \$465 million.

Now, don't ask me why the Justice Department didn't go after the other probably \$700 million. I don't know, and I haven't found out why, but upon learning of that settlement, I expressed my disappointment that it didn't seem that taxpayers had been made whole. That is quite obvious, right?

We shouldn't have had to depend on lawyers and lawsuits to get the taxpayers' money back. This deception should never have happened in the first place. That is common sense. Government Agencies should have, as an initial matter, been responsibly overseeing the programs they are in charge of.

Because of insufficient attention to the problem by the Center for Medicare and Medicaid Services—or CMS, as I have been using—Mylan escaped accountability for a long period of time,

costing taxpayers hundreds of millions—eventually billions—of dollars.

But it is not just Mylan, and it is not just EpiPen. In a December 2017 report, the inspector general found that 885 drugs may have been potentially misclassified. Specifically, the inspector general found that, from 2012 to 2016, Medicaid may have lost \$1.30 billion in rebates for 10 potentially misclassified drugs with the highest total reimbursement.

So where do we go from here? It is clear that the law must change to provide clarity. So let's establish clear lines of authority to hold the government bureaucracy and also the private sector accountable. Taxpayers demand and deserve accountability. Simply said, accountability will bring cost savings.

The Right Rebate Act, which Senator WYDEN and I introduced, will shut down this loophole used by drug companies. This legislation will prevent the misclassification of drugs in the first place and protect taxpayer dollars. It does this by requiring CMS to enforce penalties on drug companies that knowingly misclassify drugs in the Medicaid Program.

The legislation also provides remedies for States that are shortchanged by drug companies. It requires an annual report to Congress by CMS to make sure the Agency is doing all it can to protect taxpayer dollars and to keep drug expenditures down.

This is commonsense legislation. It would close a loophole used by drug companies to keep prices artificially high—much higher than they should be—and it grants the Secretary of HHS the authority to properly enforce the law.

The Right Rebate Act is only one step in the fight against high prescription drug costs, but it is the right step, and there are a lot of other steps that must be taken. I look forward to working with Senator WYDEN in the 116th Congress on many issues important to Americans, including the high cost of prescription drugs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

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

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

ROBERT MUELLER

Mr. CASEY. Mr. President, I rise today to talk about not the Mueller investigation as much as I want to talk about Robert Mueller himself because of the substantial responsibility that he has, and I think it is important for us to remind ourselves, as well as to remind our country, about his service at a time when he has often been attacked by folks in Washington.

When I think of an individual like Robert Mueller, I think of two words: "public service"—or maybe just one word: "service." He was inspired, as many people know, to become a marine

by one of his friends from the college lacrosse team he was on. This man's name was David Hackett, and he later died on the battlefield of Vietnam.

Mr. Mueller said in a speech:

One would have thought that the life of a Marine, and David's death in Vietnam, would argue strongly against following in his footsteps. But many of us saw in him the person we wanted to be. And a number of his friends, teammates, and associates joined the Marine Corps because of him, as did I.

So said Robert Mueller about his friend David Hackett.

To paraphrase the words of President Kennedy, Robert Mueller didn't join the Marine Corps because it was easy; he joined because it was hard. While many of his peers were seeking to avoid the horrors of the Vietnam conflict and the combat in Vietnam, Robert Mueller volunteered to face those horrors. That sense of duty is the essence of public service.

Robert Mueller enlisted in the Marines just a few weeks after graduating from Princeton in 1966 and went through the demanding programs of the Army's Ranger School and Airborne School. He then spent a year in combat on the ground in the jungles of Vietnam, leading an infantry platoon. The Washington Post described the conditions the regiment faced as a "hellscape" of "bloody jungle warfare." It was under these difficult circumstances that Mr. Mueller received the Bronze Star for "heroic achievement" after leading his fellow marines through an 8-hour battle where, under enemy fire, "Second Lieutenant Mueller fearlessly moved from one position to another, directing the accurate counterfire of his men and shouting words of encouragement to them. . . . [H]e then skillfully supervised the evacuation of casualties from the hazardous fire area."

Just 4 months later, he was shot in the leg when he responded to an ambush by enemy forces. He received the Navy Commendation Medal with a citation praising him for rushing to save his fellow marines while "completely disregarding his own safety."

That sense of serving a cause larger than himself is what led Robert Mueller to enlist in the Marines and what led him later to apply to law school so he could continue serving the country through our system of justice. He served in the U.S. States Attorney's Offices and the Justice Department for years, working his way up the chain of command and earning a reputation as a dogged and fair prosecutor committed to enforcing the rule of law.

In 2001, he was confirmed unanimously by this body to serve as FBI Director and subsequently led the FBI's response to the September 11 attacks. In 2011, as his 10-year term was set to end, we in the Senate at that time voted 100 to 0 to extend his term until 2013.

Mr. Mueller has not only earned the respect of public officials he has worked with, he has maintained that

respect throughout decades of public service. There is no one better qualified to lead this Russia investigation in terms of intellect, experience, or character than Robert Mueller. A lot of Americans are glad he is leading this effort to find out what happened, how the Russians were able to interfere in our election. Robert Mueller and his team have already produced results, and their work has sent a powerful message to Russia—and to any other foreign or domestic entity that would interfere with our elections—that the United States will not tolerate any attack on our democracy.

Mr. Mueller's investigation is critical to our national security, and it must be protected from interference by the President or anyone else. It is now more important than ever that the Senate pass legislation to protect the investigation and Mr. Mueller's job from interference of any kind. I call on the Senate once again to take a vote on the Special Council Independence and Integrity Act.

Mr. President, 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 occur now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

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

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 255 Ex.]

YEAS—50

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

NAYS—49

Baldwin	Cardin	Duckworth
Bennet	Carper	Durbin
Blumenthal	Casey	Feinstein
Booker	Coons	Gillibrand
Brown	Cortez Masto	Harris
Cantwell	Donnelly	Hassan

Heinrich	Menendez	Smith
Heitkamp	Merkley	Stabenow
Hirono	Murphy	Tester
Jones	Murray	Udall
Kaine	Nelson	Van Hollen
King	Peters	Warner
Klobuchar	Reed	Warren
Leahy	Sanders	Whitehouse
Manchin	Schatz	Wyden
Markey	Schumer	
McCaskill	Shaheen	

NOT VOTING—1

Tillis

The nomination was confirmed.

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

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

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

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 1046.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Justin George Muzinich, of New York, to be Deputy Secretary of the Treasury.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Justin George Muzinich, of New York, to be Deputy Secretary of the Treasury.

Mitch McConnell, Chuck Grassley, Jerry Moran, Lisa Murkowski, John Barrasso, David Perdue, Ron Johnson, Shelley Moore Capito, John Cornyn, Marco Rubio, Tom Cotton, Steve Daines, Michael B. Enzi, Cindy Hyde-Smith, Lamar Alexander, John Kennedy, Deb Fischer.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

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

The Senator from Tennessee.

U.S.—CHINA FENTANYL AGREEMENT

Mr. ALEXANDER. Mr. President, there is uncertainty reported in the news about the trade agreements and discussions that the President of the United States and the President of China had last weekend, but one thing is certain: The agreement that President Trump and the President of China made last Saturday concerning fentanyl—a deadly synthetic opioid which is mostly produced in China and which is the largest growing contributor to opioid deaths in the United States—will save thousands of American lives.

Last Saturday evening, President Trump and President Xi announced that China will designate all fentanyl-like substances as controlled substances, which will make the selling of fentanyl subject to the maximum penalty under Chinese law.

Fentanyl is a synthetic opioid. It can be 100 times stronger than opioid prescription pills. It is the source of the greatest increase in opioid overdoses in our country.

According to our Drug Enforcement Administration, one way or another, almost all of the fentanyl that is used in the United States comes from China. Here is how: Traffickers in China modify the chemical makeup of fentanyl to bypass the authorities. Scheduling all fentanyl-like substances as a class, which is what President Xi agreed to do, is the single most important step that could be taken to stop the flow of deadly fentanyl from China into the United States.

Let me tell you a story about one action that helped us get to that point. About 4 weeks ago, I led a senior delegation of five Senators and two Members of the House of Representatives to Beijing to meet with Chinese leaders. They, of course, expected us to talk about agriculture, energy, and trade issues, which are sources of major disagreement between China and the United States, and we did, but at the urging of the U.S. Ambassador to China, former Iowa Governor Terry Branstad, we made fentanyl and the opioid crisis the primary point of our visit.

President Trump had already mentioned fentanyl to President Xi a few months earlier, and China had already taken steps to help the United States by stemming the flow of fentanyl into our country. China announced that it was controlling 25 different substances of fentanyl. The Drug Enforcement Administration told us while we were in China 4 weeks ago that after China took those steps, there was a dramatic decrease in the amount of fentanyl available in the United States.

In other words, while we were there, we asked China to do more of what it was already doing—instead of controlling just 25 types of fentanyl, to control it all, make it all illegal. Controlling all of it allows China's narcotics agents to go after anyone in China who