

The President deserves credit for brokering a deal that improves fairness and supports law enforcement.

A tremendous amount of credit is also due to my colleagues in the Senate who helped to forge a bipartisan compromise on complex issues. I emphasize “bipartisan compromise” because the people in the grassroots of America, even in my State of Iowa, think there isn’t much bipartisanship going on here.

I would especially like to thank my colleague, Senator DURBIN. He has been a partner through this entire process.

A bipartisan cosponsor includes Senator LEE, who has done a tremendous amount of work on this. In fact, he started with Senator DURBIN before I even got involved. We also have cosponsorships by Senators BOOKER, GRAHAM, WHITEHOUSE, SCOTT, FEINSTEIN, CORNYN, and LEAHY. They all deserve praise for reaching this deal.

The product of years of negotiating and listening to each other is a bill that will reduce crime, strengthen faith in our judicial system, support law enforcement, and give thousands of people a better shot at living good lives.

As we go to this very important first vote on this bill, which is to invoke cloture, I urge all of my colleagues to join with President Trump and our bipartisan coalition of supporters to support the FIRST STEP Act.

I yield the floor.

SAVE OUR SEAS ACT OF 2017— Continued

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 motion to concur in the House amendment to S. 756, a bill to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes, with a further amendment numbered SA 4108.

Mitch McConnell, Mike Lee, John Cornyn, Chuck Grassley, Orrin G. Hatch, Tim Scott, Steve Daines, Jerry Moran, Todd Young, Susan M. Collins, Pat Roberts, Bill Cassidy, Lamar Alexander, Lindsey Graham, Jeff Flake, Rob Portman, Joni Ernst.

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 motion to concur in the House amendment to S. 756, to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes, with a further amendment numbered 4108, 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 Tennessee (Mr. ALEXANDER), the Senator from Louisiana (Mr. CASSIDY), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from Tennessee (Mr. Alexander) would have voted “yea”.

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

The yeas and nays resulted—yeas 82, nays 12, as follows:

[Rollcall Vote No. 267 Leg.]

YEAS—82

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

NAYS—12

Barrasso	Kennedy	Rounds
Burr	Kyl	Sasse
Cotton	Murkowski	Sullivan
Enzi	Risch	Toomey

NOT VOTING—6

Alexander	Graham	Johnson
Cassidy	Heller	Tillis

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 12.

Three-fifths of Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that I be recognized for a few moments; that at the conclusion of my remarks, my colleague from Arkansas, Senator COTTON, be recognized; and that at the conclusion of his remarks, I be recognized again for a unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. 379

Mr. WHITEHOUSE. Mr. President, one of the things that marks service as a U.S. Senator is the chance to meet really remarkable individuals, and among the remarkable individuals I have had the chance to meet in my time in the Senate, there are few, if

any, who are more impressive or memorable than those who have been diagnosed with ALS, commonly known as Lou Gehrig’s disease.

Competing with them for being impressive and noteworthy are the friends and family and advocates who become their support system and their caregivers. It is not just those with the diagnosis, but it is also the family, friends, and caregivers who face incredible bravery. I remember someone once saying that a special kind of courage is maintaining good morale in the face of terrible circumstances, and few circumstances are more terrible than a diagnosis of ALS amyotrophic lateral sclerosis.

We know how it ends. We know it is always fatal. There is no treatment. There is no cure. There is nothing to halt or reverse the effects of ALS. Those of us who have ALS patients visit us watch the decline as they move from people who can walk to people who need a wheelchair, to people who need an increasingly complex wheelchair.

For all this suffering and for all the certainty of how it ends, we still make ALS patients and their family members wait 5 months before they can begin to receive the Social Security Disability Insurance benefits they earned by contributing into Social Security.

The logic, I am told, of this 5-month waiting period is that it allows temporary conditions to abate, but ALS is not a temporary condition. It does not abate. It does not reverse. Sadly, some ALS patients lose their fight with the disease before even receiving benefits.

I have been working with Senator COTTON to pursue bipartisan legislation to eliminate this 5-month waiting period for ALS. Chairman HATCH, in one of his final acts as chairman of the Finance Committee, expressed his approval of this and his desire to help me bring it forward, and Ranking Member WYDEN on the Finance Committee has helped get it to the floor so we can have this opportunity to pass it by unanimous consent.

I hope very much that as a simple act of humanity, we can step aside from bureaucratic considerations and allow this small population of Americans who face the extraordinary blow of this diagnosis to move immediately to the benefits they signed up for by contributing to Social Security.

With that, I would yield the floor to Senator COTTON of Arkansas.

Mr. COTTON. Mr. President, I thank the Senator from Rhode Island for his work on this important issue. I have had numerous ALS sufferers and family members of those who suffer from ALS approach me about this bill early in my time in the Senate, and I have been grateful for the opportunity to work with the Senator from Rhode Island to try to address this very sad problem.

ALS is a progressive and disabling disease for which there is no cure. It is

fatal in all cases. Unfortunately, like almost every other condition, ALS sufferers are required to wait for 5 months before they receive the Social Security Disability Insurance benefits they have earned; that they earned through a lifetime of paying taxes into Social Security.

I understand the purpose of this 5-month waiting period is to weed out temporary conditions, but ALS is not a temporary condition—or to prevent fraudulent claims, but it is hard to imagine anyone making a fraudulent claim on disability based on an ALS diagnosis. The average disability beneficiaries expect to receive benefits for about 20 years, but, unfortunately, those who have been diagnosed with ALS only have a life expectancy of approximately 3 years. Therefore, the disability waiting period of 5 months means that those on ALS will lose, on average, nearly one-seventh of the benefits they have paid a lifetime for. Of course, some will lose a lot more because of ALS's particularly degenerative nature. They will lose their fight to the disease before they ever become eligible for their disability benefits.

This legislation will simply ensure that those patients and their families can access the benefits they paid into as soon as possible by waiving that 5-month waiting period for disability benefits in this one exceptional case.

I understand there is objection about singling out the particular disease or condition. I would, however, say ALS is itself a singularly exceptional condition, and any sufferer of ALS deserves our sympathy, our prayers but also our action on the Senate floor.

I also understand there is objection to the cost of the legislation, which would be \$270 million over 10 years—no doubt a lot of money to all Americans—but frankly a small rounding error in the Federal budget. For that matter, it is less than the amount of money for the piece of legislation that is pending on the floor today—a criminal leniency bill that would cost \$352 million over 10 years.

If we are prepared to allow legislation to go forward that slashes sentences for serious drug traffickers and let sex offenders out of prison early, even though it costs \$350 million, I would suggest it is a misplaced priority to object to legislation because it costs \$270 million. So I hope, along with the Senator from Rhode Island, that we can pass this legislation in this week before Christmas and give some small measure of solace to those who are suffering from ALS and their families.

I yield back to the Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 379, a bill to eliminate the 5-month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis; that the Senate proceed to its immediate con-

sideration; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate, as we come into this Christmas season.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I first became aware of amyotrophic lateral sclerosis when I was in the fifth grade, and I read a story, a book, and later a series of books about my childhood hero Lou Gehrig, whose name is often used synonymously with this terrible ailment. It is a tragedy that his life was ended and helped bring about the end of his 2,138 consecutive game playing streak in Major League Baseball.

This is a horrible disease, a progressive neurodegenerative condition that rapidly attacks the nerve cells in the brain and spinal cord and eventually it affects the control of the muscles that are needed to move, to speak, and even to eat and to breathe. Sadly, it is always fatal.

The bill now under consideration will grant a waiver from the Social Security Disability Insurance waiting period to victims of this terrible disease, no doubt with good, noble intentions, but what we have to remember is that this is not the only tragic disease Americans are dying from. Unfortunately, there are many others out there that are equally debilitating and equally fatal, and the Federal Government should not pick favorites to legislate from among them.

Indeed, this kind of policy and approach to policymaking poses several problems. First, it sets the precedent that some diseases or disabilities deserve preferential treatment and not necessarily with a distinction that sets them apart from that disparate treatment. It would undoubtedly open the door for exemption requests for a myriad of other groups who advocate for worthy causes, including any of the 233 compassionate allowance conditions that are already given expedited review for SSDI.

I have gone through that list and looked at that list and it contains a lot of other horrible, debilitating deadly diseases, among them non-Hodgkin's lymphoma that claimed the life of my father 22 years ago, along with a whole lot of other diseases that are deadly, that are painful, that are debilitating, that result in the incapacitation of their victims.

On top of all that, this approach will set the stage for only those diseases that have the most recognition and the most political backing to find bill sponsors, while others sit at a relative disadvantage with conditions that are more rare and underfunded.

Furthermore, while I am happy to consider working on the waiting period issue, we cannot do so without taking a larger look at SSDI as a whole and its sustainability. We cannot ignore the

fact that Social Security is facing long-term insolvency with the DI Trust Fund set to run out in 2032, even sooner than the Old-Age and Survivors Insurance Trust Fund is set to expire and from which it has to borrow funds.

It is undoubtedly a noble intention to help those with ALS, but we will never have parity if we legislate disease by disease, especially among and between diseases that are comparably debilitating. I said it is incoherent and unjust to pick one favorite group where there are others that are every bit as deserving.

On that basis, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WHITEHOUSE. Mr. President, let me go on the record to say how much I disagree with my colleague's view of this; the notion that we can't help anyone until we can help everyone is simply not the way the world works. The notion that we can't help anyone until we have solved whatever financial problems he sees in Social Security, again, means we will help no one.

I do believe Lou Gehrig's disease is a sufficiently distinct illness, with an inevitable fatality, and the slow loss of function for the individuals involved as the disease takes away, one by one, their various abilities to stand, to speak, and eat. I think it does set it apart.

If the Senator has other illnesses he thinks are equally cruel and equally lethal that he would like to add to the list, then I think we should consider that. The notion that we can't help fellow Americans with this disease because we haven't solved other problems is one I categorically reject.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I respectfully, most vehemently disagree with the characterization made by my distinguished colleague, the Senator from Rhode Island.

This is not, with all due respect, an instance of "we can't help anyone until we help everyone." That is a blatant mischaracterization of the facts. We have already 233 conditions that qualify for the compassionate allowance category.

If you look through those, they are full of debilitating, life-threatening conditions. Those categories already do receive expedited treatment. They already are in a category where they have to be reviewed and a decision has to be made within a set period of time—I believe, within the range of 5 months.

That is a good thing, but it is simply not accurate. In fact, it is blatantly misleading to suggest that my argument here boils down to the notion that we cannot help anyone until we help everyone. That is not true. It is the point here that unless or until we can make a distinction between this condition and the other 233 conditions that are on that list, I see no valid

basis—other than the fact that this one has more political support and, perhaps, more financial backing—to draw that distinction here. I think it is unfair to those who benefit from and will need to invoke the need for Social Security disability insurance to put it in an even less sustainable posture moving forward.

Yes, in an ideal world we would like to say no waiting period for anyone. In an ideal world we would like to not have anyone have to wait for these sorts of things, but we do have, in our government, a susceptibility to claims that are not substantiated, and we also have people who have to review them. In the absence of a perfect system, it may not be possible. It certainly isn't going to be possible for us to make this program sustainable if we can't put meaningful limits on it.

Again, I am all for finding ways to shorten that waiting period as much as we possibly can. I have yet to hear an argument that sets this condition apart from the others in this category of 233 compassionate allowance conditions.

Thank you, Mr. President.

I yield the floor.

Mr. WHITEHOUSE. Mr. President, I simply note that the Senator seems to be making precisely the argument that he is denying that he has made.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. In no way, shape, or form am I making the argument that we cannot help anyone until we help everyone. That is a mischaracterization of the argument I am making.

I am arguing that if, among and between these 233 categories, we can make no principle distinction between this condition and the others, we are mistreating those other people.

Who is going to stand here for them? Today, I am going to.

On that basis, I object.

Mr. WHITEHOUSE. Mr. President, at the Senator's desire, he may add any of those whom he wishes, and we will consider that going forward. Unless and until he does that, we are in a position that unless we are helping all of them, we will help none of them.

I yield the floor.

Mr. LEE. Mr. President, 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. 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.

MORNING BUSINESS

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

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

REMEMBERING DR. ORVILLE CLARK, JR.

Mr. MCCONNELL. Mr. President, today it is my privilege to pay tribute to Dr. Orville Clark, Jr., who was laid to rest in Arlington National Cemetery. When Dr. Clark passed away earlier this year at the age of 92, his family chose to honor his service in uniform by burying him at one of our Nation's most sacred sites.

A lifelong resident of Pikeville, KY, Orville entered the U.S. Army in December of 1943 to fight against the forces of evil in World War II. He served as a combat medic in the European theater, and his children recounted that Orville suffered a severe injury in 1945 as he attempted to rescue other soldiers. For his courage and sacrifice on that French battlefield, he earned the Purple Heart, our Nation's oldest military award still given to servicemembers.

After the war, Orville returned to Kentucky and he married Betty Jo the next year. He built an optometry practice and was a leader among his peers as the president of the Kentucky Optometric Association. Throughout their 72 years together, the couple raised their children, Alicia and Orville, and instilled in them life's important lessons.

Later in his life, Orville would walk to a local fast food restaurant every day for a cup of coffee. Apparently he made such an impression on the staff there that, at his funeral in Pike County, the crew served as his pall bearers. The Clark family then traveled with his remains to Orville's final resting place in our Nation's Capital. On a windy day in Arlington, our Nation rendered military honors and expressed its gratitude to Orville for his service and sacrifice.

The men and women of the "greatest generation" often chose to leave the safety of home to defend the freedom of our Nation and of the world. Like so many of his comrades, Orville patriotically stood against the enemies of the United States. In doing so, he displayed the highest values of our Commonwealth and our Nation. As Betty Jo, Alicia, and Orville grieve this loss, our thoughts and prayers are with them. I urge my Senate colleagues to join me in expressing our sincere condolences to the Clark family.

TRIBUTE TO RONNIE ELLIS

Mr. MCCONNELL. Mr. President, when he retired last month, Ronnie Ellis closed the book on his long and proud career in journalism. A native of Glasgow, KY, Ronnie spent his professional life writing about the issues important to his fellow Kentuckians and the Commonwealth he loves. In doing so, he shared firsthand insights with his readers about the happenings in

their capital and earned a reputation as one of the most trusted voices in Frankfort.

Ronnie's first job in journalism came at the Edmonson News, a family-owned weekly publication in South Central Kentucky. He was so eager to put words in print that he even started working there before he had finished his studies at Western Kentucky University in nearby Bowling Green. He clearly had a knack for it. From there, Ronnie worked at both the, Glasgow Daily Times and Henderson Gleaner, two newspapers with historic roots in Western Kentucky.

In 2005, he moved to Frankfort and joined the Community Newspaper Holdings, Inc., CNHI, giving Ronnie the opportunity to have his articles printed in papers throughout the Commonwealth. His move to CNHI also brought a change in focus. Leading the organization's bureau in Frankfort, Ronnie kept a close eye on State government and politics. In addition to his written columns, he also became a frequent guest on Kentucky Educational Television's public affairs program, "Comment on Kentucky."

Through the years, I spoke with Ronnie about the issues of the day and their importance to our home State. He never shied away from the tough questions, and his professionalism helped set the standard for other journalists.

There is good news, however, for Ronnie's dedicated readers. We aren't losing his viewpoint forever. In the new year, Ronnie plans to continue writing a regular column for CNI. I would like to take this chance to join Ronnie's audience in thanking him for his years of reporting and wishing him a fulfilling retirement. I ask my Senate colleagues to join Elaine and me in thanking Ronnie for his commitment to journalism in Kentucky.

TRIBUTE TO DAVID FIELDS

Mr. MCCONNELL. Mr. President, it is my honor to pay tribute to my friend, David Fields, who is the Butler County judge-executive from my home State of Kentucky. Earlier this year, David announced that his time in public service would come to a close soon, ending more than a decade of leadership and success for those who put their trust in him.

After a successful career owning a body shop with his wife, Virginia, David chose to dedicate himself to the service of his community. First elected in 2006, David quickly got to work leading the county. As a former judge-executive myself, I know firsthand just how many responsibilities land on your plate, and David accomplished a great deal along the way.

In particular, David has been a wonderful ally to me here in the Senate in our work for this region. The Green River, which flows through Butler County, brings the potential for transportation and commerce. I had the opportunity to work closely with David