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Senate

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

PRAYER

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

Let us pray.

Sovereign Lord, You are our refuge and strength. We look to You for mercy and grace.

Send to our lawmakers the power and grace they need today to glorify Your name in all they do. Lord, give them the purity of heart that will shut the doors to all evil. Keep their feet in the path of integrity that they may walk securely. Develop in them a perseverance which refuses to leave any task half done. Empower them with a diligence to offer You no less than their best.

We pray in Your powerful 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE-SMITH). 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 to resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Allison Jones Rushing, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute as if in morning business.

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

THE GREEN NEW DEAL

Mr. GRASSLEY. Madam President, I would like to make a point about the so-called Green New Deal. It is very obvious it is a reference to Franklin Roosevelt's New Deal in the 1930s. The implication is that what the New Deal did for the Depression should be a model for the environment.

There is just one great big problem: The New Deal in the 1930s didn't work. It didn't get us out of the Great Depression. The Depression didn't end until we entered World War II.

Just like the original, the Green New Deal sounds like really bold action, but it is really a jumble of half-cocked policies that will dampen economic growth and will hurt jobs.

Everything our government ought to be trying to do is to encourage economic growth and to create jobs.

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.

Mr. MCCONNELL. 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 MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF ALLISON JONES RUSHING

Mr. MCCONNELL. Madam President, yesterday the Senate voted to advance the nomination of Allison Jones Rushing to serve on the Fourth Circuit Court of Appeals.

As I noted yesterday, Ms. Rushing comes with significant appellate experience and has filed 47 briefs in the U.S. Supreme Court. It is clear to me, as it was to a majority of our colleagues on the Judiciary Committee, that she would make a fine addition to the Federal bench. So I will support her confirmation later today, and I recommend that each of our colleagues do the same.

NOMINATION OF CHAD A. READLER

Madam President, following Ms. Rushing, the Senate will consider Chad Readler of Ohio to serve on the Sixth Circuit Court of Appeals. Mr. Readler is a two-time graduate of the University of Michigan, earning his J.D. with honors in 1997. Following law school, he held a clerkship on the Sixth Circuit and has built a longstanding reputation in private practice as a consummate legal professional.

Mr. Readler is also active in pro bono work, including for the United Way of Central Ohio, and his nomination earned a ''well qualified'' rating from the American Bar Association.

So I look forward to advancing yet another of President Trump's impressive judicial nominees later this week.

H.R. 1

Madam President, on another matter, this week the House will be devoting floor time to the Democrat politician protection act. That is what I call the signature effort that Speaker PELOSI has given top billing—top billing—as H.R. 1, because this new House Democratic majority's top priority is apparently assigning themselves an unprecedented level of control over how they get elected to Washington, along with how, where, and what American citizens are allowed to say about it. That is their priority No. 1.

Over there, across the Capitol, more than anything else, Washington Democrats want a tighter grip on political

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debate and the operation of elections nationwide. But the Democrat politician protection act is just part of a trio of massive, unprecedented government takeover schemes that Democrats have already rolled out just this Congress.

On its face, this proposal might seem less outrageous than Medicare for None or the so-called Green New Deal. It wouldn't seem to impact the middle-class families as directly as making private health insurance plans illegal or sending the U.S. economy on a nosedive in the name of tackling carbon emissions while China goes roaring right by.

Here is the thing. Those two proposals are just terrible policy. Bad policy can be stopped or undone through the political process, but H.R. 1 isn't just terrible policy. It is an attempt to rewrite the underlying rules of that political process itself and skew those rules to benefit just one side—that side.

By every indication, the Democratic politician protection act is a massive, partisan solution in search of a problem. Democrats want to convince everyone that our Republic is in crisis, but when you scratch the surface of these scare tactics, their two main complaints seem to be that Democrats don't win enough elections, and people Democrats don't like also happen to have First Amendment rights.

Just look at the data. In 2016, turnout reached its third highest rate since the 1960s. Turnout was very high. By the sheer number of Presidential ballots cast, an all-time record was set, and these numbers were hardly a fluke. Last November, the midterm turnout rate set a new 50-year record for off-year elections.

Nevertheless, the Democrats are intent on fixing our elections even though they aren't broken. Their solution amounts to a hostile, one-sided takeover of the electoral process without—without—the input of both parties.

In the Democrats' view, our federalist system, in which State laws evolve to address unique challenges, is old-fashioned and no longer to their liking. Now it is time for sweeping new decrees from Washington.

What each State has found works best for them to register voters or to maintain voter rules—all of that is now supposed to yield to what Washington Democrats want.

It starts with a massive influx of government data to the registration rolls. In one sweep, all of the duplicative and conflicting data from across State and Federal Government Agencies—as well as colleges and universities—would flood the voter registration system—flood it.

This isn't the slightly tested, automatic voter registration some States have installed with the DMV. This is a massive data dump that is sure to invite risk of inaccuracy and a loss of privacy. It is especially concerning, as the Democrats want to mandate that agencies register 16- and 17-year-olds.

What about things like one-size-fits-all online voter registration, where the simple safeguard of signing a document can be easily side-stepped? Or a mandatory new one-stop registration and voting procedure in every State, without the assurance of verifying the voter's identity or address before adding their ballot to the ballot box?

If your State requires even the loosest voter ID requirement, the Democrats' bill would undermine it. Everything down to the type of paper the ballot is printed on is dictated by Washington Democrats under their proposal. The list goes on and on.

Now you might think that with Democrats insisting that every locality subscribe to ever looser registration standards, they must provide strong tools for verification and maintenance of the voter rolls. Think again. In fact, they seem more focused on taking away these safeguards.

The bill leaves States with less ability to maintain voter records and to ensure that people aren't registered in multiple States. In many instances, it seems the Democrats want more identification required to correct an erroneous voter entry—listen to this: more identification required to correct an erroneous voter entry—than to register a new voter. In other words, it is harder to get off the rolls than it is to get on the rolls.

What if we look at the problems that actually exist? What about the murky ''ballot harvesting'' process that invites misbehavior? It was already illegal in North Carolina, where a congressional election result was thrown out recently due to fraud, but the practice that threw out the election in North Carolina just the other day remains perfectly legal in California, where it seems to benefit, amazingly enough, the Democrats. Somehow, for all of the other top-down changes that H.R. 1 would force on the country, somehow addressing ballot harvesting didn't make the cut. Imagine that.

It is almost like Democrats' purpose here is not promoting integrity but, rather, preserving the chaos that would make close elections ripe targets for their DC lawyers to contest. The law itself suggests as much by creating new private rights of action—new private rights of action—for trial lawyers to ramp up litigation when they are unhappy with an outcome.

Now as I mentioned, elections aren't the only focus. Democrats are also coming after America's political speech. Under H.R. 1, a newly partisan Federal Election Commission would be empowered with sweeping—sweeping—new authority to regulate speech that is deemed to be ''campaign related.''

New rules apply to the mere mention of a politician's name. There are new limitations on advocacy groups to speak on substantive issues and strict new penalties for when private groups of citizens cross the lines that Washington Democrats have drawn.

But it doesn't stop there. Protecting Democrat politicians is hard work—hard work, indeed—and it requires a multipronged approach. So not only does H.R. 1 deploy stricter regulations on political speech; it also ramps up requirements when private citizens engage in it. Even small expressions of First Amendment rights could require extensive documentation, and in many new cases, forced public disclosure of your private activities would be required.

So we are in a dangerous climate for the robust exchange of ideas. There is outright government bias like we saw from Lois Lerner's IRS. There are activist-driven online mobs that come after individuals' reputations and their livelihoods. This is not—I repeat, this is not—a climate where the people's representatives should be rushing to make more of Americans' private information public.

The ACLU is not often an organization that would be described as bipartisan—not always—but here is what the ACLU wrote in a letter to House Democrats just a couple of days ago:

> There are . . . provisions that unconstitutionally impinge on the free speech rights of American citizens and public interest organizations . . . [the bill] strikes the wrong balance between the public's interest in knowing who supports or opposes candidates for office and the vital associational privacy rights guaranteed by the First Amendment.

That is the ACLU. They go on:

> [H.R. 1] interferes with that ability by impinging on the privacy of these groups, forcing the groups to make a choice: their speech or their donors. Whichever they choose, the First Amendment loses.

This is the very issue that the NAACP had to sue the State of Alabama over way back in the 1950s. They won a critical victory when the Supreme Court confirmed that the First Amendment is eroded when Big Brother forces private organizations to publicize the people who work to support them—the NAACP v. Alabama, in the 1950s.

It was true in the 1950s, and it remains true today, but that erosion is exactly what House Democrats want to achieve. It is what they want to achieve. Their bill even supports a constitutional amendment to take away First Amendment protections.

Even if their proposal does chill the exercise of the First Amendment—fear not—House Democrats have a plan to make sure there is still plenty of activity come election season. It is a taxpayer-funded stimulus package for campaign consultants and political candidates. They are going to take your tax money and give it to candidates you oppose to buy commercials, buttons, balloons, bumper stickers with your tax money. Democrats want to sign taxpayers up to a six-times matching subsidy for certain political contributions. It could total about $5 million in taxpayer money—$5 million in taxpayer money—for every candidate who wants it. What a great idea—right into the pockets of political campaigns—your tax money.

That is what these guys want to pass. Middle-class Americans will have the

privilege of watching television commercials attacking their own beliefs and the candidates they support and knowing their own tax dollars bought the airtime for candidates they oppose.

All of this is what House Democrats are debating on the floor this very week—H.R. 1—all of this and more. I have only scratched the surface of the Democratic Politician Protection Act: running roughshod over States' and communities' control of their own elections, regulating and chilling the American people's exercise of the First Amendment, forcing taxpayers to indirectly donate to the politicians they don't like, and a dozen other bad ideas to boot.

Behold the signature legislation of the new House Democratic majority.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

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

Mr. SCHUMER. Madam President, just briefly, I heard my good friend, the Republican leader, decry H.R. 1. He called it the Democratic protection act. Well, if making it easier for people to vote and getting Big Money out of politics hurt the Republican Party and is good for Democrats, what a sad commentary on the Republican Party that they don't want to see people vote, make it easier to vote, and that they don't want Big Money out of politics—a sad commentary on the Republican Party to be afraid of H.R. 1.

NOMINATION OF CHAD A. READLER

Madam President, later this afternoon, the Senate will vote to take up the nomination of Chad Readler to be a judge on the Sixth Circuit. Mr. Readler was the man behind the curtain last year when the Trump administration decided to side with Texas and 19 other States with Republican attorneys general in suing to repeal our healthcare law. Mr. Readler didn't merely work on the case; he was the lead lawyer who filed the Justice Department brief declaring the administration would refuse to defend the laws of our country.

His recommendations were so outrageous that many career Justice Department attorneys refused to sign it. Mr. Readler argued that protections for Americans with preexisting conditions should be eliminated. Let me repeat that. The nominee up for a vote later this afternoon argued that protections for Americans with preexisting conditions should be eliminated. Then, a day after Mr. Readler filed this awful brief hurting average Americans—hurting tens of millions of average Americans—he was nominated for a lifetime appointment on the Federal bench. Coincidence? I think not. You see, in the Trump administration, depriving people of protections for preexisting conditions is actually something to be rewarded. Shame. Shame on the Trump administration. Shame on anybody who votes for Mr. Readler, particularly those who claim they want to protect preexisting conditions. Those who say they want to protect them and vote for the chief cook and bottle washer who pulled them away and was given this nomination the next day, shame on them.

During the past campaign, as I said, many Republicans stood up and said, rightly, that they supported keeping protections for Americans with preexisting conditions. That is all well and good, but that is what is so typical of our Republican friends in the Senate. They talk the game that we do—they are for more healthcare, they are for protecting Americans with preexisting conditions—but their votes on the floor of the Senate are exactly the opposite. It is all well and good to say you want to protect them, but those promises and pronouncements mean next to nothing if they will not vote to reject a lifetime appointment for the man who played the starring role in the legal effort to take these conditions away.

Republicans who vote yes on Mr. Readler, I believe, will regret that vote in future years. A vote to confirm Mr. Readler is an endorsement of the Republican lawsuit to eliminate protections for preexisting conditions and repeal healthcare for millions of Americans.

DECLARATION OF NATIONAL EMERGENCY

Madam President, on another matter, the national emergency. It seems with each passing day, another Republican comes out to oppose the President's declaration of a national emergency at the border. Over the weekend, Senator RAND PAUL, who often speaks his own mind, became the fourth Republican to officially announce his support for terminating the President's emergency declaration, apparently guaranteeing enough votes for passage in the Senate. I hope and expect that Senator PAUL will not be the last Republican to announce their support because this should be an issue that transcends party. The President's emergency declaration gnaws at our very fabric, particularly the separation of powers. The President—this President—is trying to bend the law to his will, to accrue powers that are not his.

There is no evidence that some new emergency exists at the border. The President himself has said he ''didn't need to do this.'' An emergency, by definition, is something that you need to do. Everyone here knows the truth. The President didn't declare an emergency because there is one. He declared an emergency because he lost in Congress, threw another temper tantrum, and wanted to go around it. That, my friends, is a gross abuse of our constitutional system.

Article I—not article II, the executive branch article, not article III, the judiciary branch article, but article I, Congress—gives Congress the power of the purse, not the President. Were we to permit an Executive—any Executive—to declare an emergency every time they lost in Congress, what would be the point of Congress? We would be trading our democracy for a monarchy, the very thing our Framers abhorred and that our Constitution guards against. Remember, back then, why did the colonists—the brave colonists—rebel? It was against the overreaching power of King George. They said: We need a government that is going to protect us from the overreaching power of any individual, particularly one empowered to lead a nation. That is why they did it. It is relevant today. Donald Trump has shown more desire to overreach than any President. Some people may like that, but it goes against 200 years of wisdom in this country, and I hope people will reject it.

Whatever you think of the policy at the southern border—I suppose Senator PAUL is very much for the wall—no President should be allowed to discard the Constitution on a whim and do an end run around a coequal branch of government.

This vote on the resolution to terminate this emergency is not a vote about policy, it is not a vote about party. It is a vote about Presidential power and the precedent it will set, which will reach far beyond the current debate about the border. The debate about the border will be forgotten, but the fact that this Congress, this Senate, allows a President to so overreach and rearrange singlehandedly the balancing blocks in our democracy will be regarded by historians as a bleak day.

I say to my colleagues, that doesn't just apply to how you vote. It applies to whether we have enough votes to override the President should he veto this resolution when it passes.

CLIMATE CHANGE

Madam President, on climate, Leader MCCONNELL has spent a great deal of time talking about bringing his version of the Green New Deal to the floor. Everybody knows it is nothing more than a political stunt. Everybody knows the same Republican leader decried bringing bills to reopen the government because the President wouldn't sign them, and he said those were stunts. Now he is doing the same thing. It is amazing sometimes that there can be a 180-degree turn so quickly.

So let's talk about some of the things Leader MCCONNELL could actually do to move the ball forward on climate change, which now more and more people—two thirds of Americans, if you believe in polling—believe is a real threat to our planet that demands the Senate's action, not stunts, not games.

All 47 Democrats have introduced a resolution that affirms three simple things; one, climate change is real;

two, climate change is caused by human activity; and, three, Congress must immediately act to address the problem. Leader MCCONNELL could bring that resolution to the floor. He could say he believes climate change is real and deserves our time and attention. Given the rampant denialism from some wings of the Republican Party, including so many in the White House, that would be notable progress, but I don't think it will happen.

You scratch your head and wonder why. Why would they be so afraid to even say climate change is real? One possible answer many people think is the cause, one of the main causes, is oil money—oil money. The oil industry has such power around here—and much of that money is dark, by the way—that Republicans are afraid to admit the candid truth and say climate change is real.

Our resolution doesn't talk about how you propose to deal with this very real issue. We are not locking people into this proposal or that proposal. We are simply saying, let's start talking about it. Actually, the one good thing about Leader MCCONNELL's stunt is we are talking about it, and that is a good thing. I have news for the leader. We will keep talking about it throughout this whole Congress, and we will keep trying to use our leverage to make it easier to resist the bad forces of carbon dioxide entering our atmosphere.

So we are going to keep at this. We are going to keep at this, Leader MCCONNELL. No stunt that you put on the floor is going to deter us. We are preparing legislation to defund President Trump's attempt to create a fake climate panel within the executive branch. Leader MCCONNELL can bring that legislation to the floor once it is ready so Congress can tell the President that we do not tolerate the intentional dissemination of disinformation to the American public on any issue, especially climate change.

Democrats have also said any infrastructure bill must include substantial investments in green jobs. That is something Leader MCCONNELL could pursue. We all like jobs. Many Members on his side of the aisle believe in wind and solar power—well, not many but at least some. Let's move forward on that. We need to upgrade our power grids. We need to make energy more available and cheaper and greener. Let's do that.

There are many more things besides, but make no mistake, before and after Leader MCCONNELL's political stunt on climate change, Democrats will continue to focus on the issue, propose solutions, and try to get some of those solutions enacted into law in the places we have some leverage, even as a minority.

There is an enormous energy—enormous energy in this country, particularly among young Americans—to take bold action on climate change. They see the planet on which they live changing before their eyes, not for the better, and they are absolutely right. It is our job to channel the energy of those young people—wonderful energy; I am so glad it is out there—into bold legislation that addresses the climate crisis head on, and that is exactly—exactly—what Democrats will do, even if Republicans continue to play these political games in their efforts to try to keep their heads in the sand and ignore that climate change is real.

CHINA

Madam President, finally, on China, recent news reports have described an emerging trade deal with China that would see the United States ease up on tariffs in exchange for the Chinese buying more American goods and making some—some changes to its trade practices.

As the New York Times reports this morning, ''The agreement does not appear to require the sweeping changes to China's economy that prompted Mr. Trump to begin the trade war.'' If the reports about the emerging agreement are accurate, I would say to President Trump, you are heading down a precarious road.

The President's instincts were right when he took a hard line on China. I supported his hard line on China. China is killing us in terms of stealing our intellectual property, in terms of not letting American companies compete fairly in their large market while they are allowed to come here, in terms of not creating a level playing field for companies no matter what country they are from.

The President was right when he said we have to do something about it. In fact, as he began on this road, he did a lot more than previous Presidents. Both President Bush and President Obama did less to get China to understand the seriousness of this problem than President Trump did. He knows that.

When you are getting close to a victory, to relent at the eleventh hour without meaningful, enforceable, and verifiable structural reform to China's trade policies would be an abject failure of the President's China polices, and people will shrug their shoulders and ask, what the heck did he begin this for if he will not complete it?

We need to put an end to the forced transfer of American technology and American know-how as a ransom for doing business in China. We need to put an end to China's systemic theft of American intellectual property. A big hack from China was found out just last month. Our companies need the same unfettered access to China's markets that we allow Chinese firms to have to markets in America.

This may be our last shot. If the President squanders his own efforts now, there will be lasting and untold consequences for generations to come.

The President is too focused on trade imbalances. That is short term. Those come and go. The reason our trade balance is so bad is because of all of the structural things China does to make it harder for us to export to China and easier for them to import here after stealing a lot of our know-how. A temporary narrowing of the trade deficit would be cold comfort to the millions of American workers who have suffered and will continue to suffer the abuse of China's policies.

When the President was headed to North Korea, I said to him: When it comes to North Korea, don't let March go in like a lion and come out like a lamb.

The President did the right thing on North Korea, and I got up here and said that he did. He backed out when the North Koreans wouldn't give him much and resisted the opportunity of a photo op, which we know is hard for him to resist. He should do the same thing on China.

He got a lot of credit for backing out on North Korea. The President will get a lot of credit if he stands up to China and will eventually win because the Chinese economy is hurting. They just reduced their own biased estimates on growth. It is lower.

My plea to President Trump is this: Stand firm. We will win this fight that you correctly began, but don't back off for some temporary salve. America's future depends on it. The income of our workers and the number of good-paying jobs we create all depend on our standing tough with China right now when we sort of have them where we want them and completing a strong deal. Please, Mr. President, don't back off. When it comes to China trade and your actions, don't let March come in like a lion and go out like a lamb.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

THE ECONOMY

Mr. THUNE. Madam President, last week, we learned that the economy grew at a rate of 3.1 percent from the fourth quarter of 2017 to the fourth quarter of 2018. That is the strongest economic growth in over 10 years. Economic growth for the fourth quarter of 2018 smashed market expectations.

In January, the economy created more than 300,000 jobs. More than 5.3 million jobs have been created since President Trump was elected. Job openings hit a record high of 7.3 million in December, substantially exceeding the number of those looking for work. The Department of Labor reports that the number of job openings has exceeded the number of job seekers for 10 straight months. Unemployment is low. January marked the 11th straight month that unemployment has been at or below 4 percent. That is the longest streak in nearly five decades.

Wage growth has accelerated. Wages have now been growing at a rate of 3 percent or greater for 6 straight months. The last time wage growth reached this level was in 2009. Median household income is at an alltime high.

U.S. manufacturing has rebounded. The Wall Street Journal reported on Friday:

America's factories are hiring again.

After years of job losses, U.S. manufacturing employment has risen for 18 straight months among those holding production or nonsupervisory jobs, the longest stretch of gains since the mid-1990s.

That is from the Wall Street Journal.

The list goes on.

The economic growth we are experiencing is the direct result of Republican policies. Economic growth has accelerated over the past 2 years, thanks to the lifting of the burdensome regulations and a historic reform of our Tax Code.

Before we passed the Tax Cuts and Jobs Act, our Tax Code was acting as a drag on economic growth. Small businesses faced heavy tax burdens that frequently made it difficult for them to expand and create jobs or even to get their businesses off the ground in the first place. America's global businesses faced the highest corporate tax rate in the developed world, which put them at a competitive disadvantage on the international stage.

Of course, all of that had real consequences for American workers. A small business owner facing a huge tax bill was highly unlikely to be able to expand her business or to hire a new employee. A larger business was going to find it hard to create jobs or improve benefits for employees while struggling to stay competitive against foreign businesses paying much less in taxes. So we reformed our Tax Code to make it easier for businesses to grow, create jobs, and expand opportunities for American workers. Now we are seeing the results—economic growth, low unemployment, higher wages, a record-high number of job openings, and more.

Importantly, the benefits of this growth are being experienced widely. The Wall Street Journal reports:

Racial minorities, those with less education and people working in the lowest-paying jobs are getting bigger pay raises and, in many cases, experiencing the lowest unemployment rate ever recorded for their groups. They are joining manufacturing workers, women in their prime working years, Americans with disabilities and those with criminal records, among others, in finding improved job prospects after years of disappointment.

Again, that is from the Wall Street Journal.

The Obama administration was characterized by a weak recovery and years of economic stagnation. There were predictions that 2 percent growth would be the new normal. But Republican economic policies have turned the economy around. Now we need to focus on ways to extend the benefits of tax reform even further and to secure the gains we have made for the long term.

Unfortunately, our colleagues across the aisle are more focused on dismantling the policies that created the growth we are experiencing today. Apparently, it doesn't matter to them that workers are doing better after years of economic stagnation or that jobs and opportunities are increasing. They are set on dismantling tax reform and raising rates to fund their socialist fantasies. They want to spend $93 trillion—more money than the GDP of the entire world—to put the government in charge of Americans' healthcare, energy usage, and more.

I wish I were joking, but Democrats' turn toward socialist insanity is all too real. The kinds of tax hikes that would be required to pay for Democrats' proposals would cripple our economy and severely downgrade America's standard of living—not to mention robbing Americans of their freedom to make their own decisions about all the various aspects of their lives.

It is mind-boggling that more and more Democrats are embracing socialism and the less free and less prosperous future it would bring. Let's hope their socialist fantasies stay just that—fantasies—because our economy might never recover from the reality of Democrats' proposals.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, when I hear my friend from South Dakota describe the state of the economy, it is amazing how political amnesia can take over on the floor of the Senate Chamber.

Do you remember the election of 2008 when Barack Obama was elected President of the United States? Was there anything going on with the economy when he took office? Oh, something that the Senator failed to mention—our country was facing the one of the worst recessions in the history of the United States.

You had to go back to the Great Depression to see the impact of this recession on the American economy, and it happened under a Republican President—George W. Bush. President Obama inherited that, and most people will never forget it because in 2008 and 2009, many people saw their savings devastated by the drop in value in the stock market. They saw this economy teetering on the edge and financial institutions failing. This all happened on President George W. Bush's watch. President Obama inherited it and had to turn it around—without the cooperation of the Republican Party, I might add. A handful of them stepped up to join him in a bipartisan effort, but most of them opposed him. He did everything he needed to do to save this economy and then started turning it around with job creation—unprecedented job creation—throughout the 8 years of his term.

Now, of course, along comes a new President who wants to take credit for all of it and, as the Senator from South Dakota suggested, blame President Obama for the state of the economy he inherited. History tells us a different story.

After this tax cut that the Senate Republicans are so proud of, I think you ought to ask the American families paying their taxes now to take a look at their taxes and tell you how the Trump tax cut helped them as working families. For some, there is some value to it, but for most, there is none. You see, over a long period of time, the vast majority of the benefits of this Republican tax cut go to people in the highest income categories. If there were ever a group who didn't need a break, it is people who are already making millions of dollars each year. Yet this Republican tax cut gave them the break. It added trillions of dollars to our deficit, it helped the richest people in America, and it forgot working families and left them behind. Yet Republican Senators still come to the floor and boast about it with regularity.

There is a better way to approach this. Yes, I want to give tax incentives and tax relief to working families because we know they are not getting the paychecks they need to meet their obligations, to save for the future, and to make sure their kids have a better life. We should be focused on them, not the wealthiest among us—they are doing quite well, thank you. Let's focus on working families instead. The Trump tax cut forgot that.

(Mr. SCOTT of Florida assumed the Chair.)

DIABETES

Mr. President, millions of Americans got up this morning and faced the challenge of diabetes. For most of them, it is now routine to measure their blood sugar and to inject insulin when necessary so that they avoid the terrible outcomes of untreated diabetes.

At the highest levels of government, the person I think about immediately is Sonia Sotomayor, who is an Associate Justice of the U.S. Supreme Court. Hers is an amazing life story. This woman from a Puerto Rican family went to law school, became recognized as a talented and brilliant lawyer, and eventually ascended to serve on the U.S. Supreme Court.

I got to meet her during the period of time when she was going through her nomination process. She slipped and fell at an airport in New York and broke her ankle and couldn't get around as much as she wanted to, so she parked herself in my office upstairs and invited Senators to come in to meet her. Between those meetings, I stepped in the room and got to know her and learned a lot about her.

It turns out, to no surprise, that this wonderful Supreme Court Justice from the Bronx is a passionate fan of the New York Yankees baseball team. We talked about baseball, and I said to her: Occasionally, the Yankees play the Cubs at Wrigley Field. Would you join me there?

She said: Sure. Invite me.

Well, I wasn't sure she would actually show up if I did, but I invited her. A few years ago, Justice Sotomayor came to Wrigley Field. She was a great sport. They had a Cubs jersey for her to wear, which I am sure she didn't exactly feel comfortable in, and she went

out and threw the first pitch. We had a wonderful time.

The reason I tell that story is, during the course of that baseball game, as we sat together at Wrigley Field, I noticed that several times she tested herself and her blood sugar because of the diabetes she battles with every day. That is not an uncommon experience with diabetics.

What is uncommon is what has happened to the price of insulin facing people with diabetes in America. You have to go back almost 100 years to the discovery of insulin. This is not a drug that just appeared on the market.

Almost 100 years ago, researchers in Canada ended up discovering insulin extracted from animals, and they ended up making it available to Americans and everyone, for that matter, because they surrendered their patent rights. Those who discovered insulin said: We don't want to make money off of this. This is a lifesaving drug.

Over the years, insulin has evolved from human-based insulin to what is known as analogue insulin and synthetic insulin in different dosage, but the fundamental chemical that is saving the lives of those who suffer from diabetes has been known for almost a century.

What has happened to the cost of the insulin that has been around for many decades? It has risen dramatically. Last week, I took to the floor for the first pharma fleecing award, which went to the three companies that make insulin and sell it in America today. Those companies are Sanofi, Novo Nordisk, and Eli Lilly.

I took them to task for this increasing cost of insulin, a drug that has been around for so long. They are just raising the cost way beyond the reach of many people who have to pay for this lifesaving drug. I told the story of a young man covered by his parent's insurance—thanks to ObamaCare, the Affordable Care Act—who, when he reached age 26, was on his own, managed a restaurant, couldn't afford the insulin dosage that was required, rationed his own insulin, and died as a result of that decision.

I made the point on the floor of the Senate that these pharmaceutical companies are not sensitive to the reality of life and death in what they are charging Americans for the cost of insulin.

Yesterday, there was a news flash. Eli Lilly, a pharmaceutical company, one of the producers of insulin products, announced that they were going to reduce the cost of a generic form of insulin known as Humalog to $140 a dosage. That is bringing it down from as much as $329 to $140—dramatic.

Let's put this in perspective for one moment. We checked the records, and it turns out you can buy that exact product made by that same company for sale in Canada for as little as $38. They are expecting—I think Eli Lilly is expecting all of us to send flowers to their corporate headquarters in Indianapolis—to send flowers because they reduced the cost of their drug from $329 to $140 a dosage. I am not going to send them any flowers, and I am not going to express any great gratitude. They are charging Americans, under this new bargain approach, almost four times what Canadians are paying for exactly the same product—four times.

To the other drug companies involved in this that are producing insulin: America is watching. If you are going to continue to kite the cost of this lifesaving drug, pressure is going to grow politically even to the point where the U.S. Senate may take action. I think that day is coming.

So, for Eli Lilly: Nice first step. When you bring the cost of insulin in the United States for the same products that you are selling in Canada to the same level, then I will send you some flowers.

NOMINATION OF ALLISON JONES RUSHING

Mr. President, we have three judges before us on the floor of the Senate this week. It turns out that the filling of judicial vacancies is the highest single priority of the Republican leadership in the Senate.

Senator MITCH MCCONNELL, the Republican leader, has gone to extraordinary, precedent-breaking lengths to fill vacancies. Of course, the most notorious example was when Senator MCCONNELL, then in charge of the Republican majority, announced that despite the death of Justice Scalia and a vacancy on the highest court of the land, he would refuse to fill that vacancy for almost 1 year because President Obama was in office.

The man President Obama wanted to put in that position, Merrick Garland from the D.C. Circuit Court, was widely respected by Democrats and Republicans alike, but his qualifications meant nothing to Senator MCCONNELL. The end game, in his mind, was the chance that a Republican President might be elected and fill that vacancy with a Republican nominee.

Well, Senator MCCONNELL's dream came true when Donald Trump was elected President, and he turned around and nominated Justice Gorsuch, who now serves on the Supreme Court, filling the Scalia vacancy. That was the most extreme example that we have, in the history of the U.S. Senate, of the defiance of tradition and precedent, a defiance by Senator MCCONNELL with one goal in mind: to make sure that the judicial branch of our government became a political branch of our government, to make sure that as many Republican conservatives, some with the most extreme views, were appointed to the bench. That has been his goal, and he pursues that goal to this day.

There are three nominations before us that amply demonstrate his efforts. When Donald Trump became President, Senate Republicans stopped their obstruction of judicial nominations and started moving nominations through at a breakneck speed.

During the last 2 years, Republicans in the Senate bragged about filling the courts with Trump nominees at record pace. The Republican philosophy, when it comes to Trump judges, seems to be, in Senator MCCONNELL's words, ''plow right through'' no matter how questionable the nominee's credentials or judgment.

There are three more confirmation votes scheduled this week. Let me tell you about these nominees whom they want to put on the court.

Allison Jones Rushing is President Trump's nominee to fill a North Carolina seat on the Fourth Circuit Court of Appeals. For those who are students of the Constitution, you know that the circuit court of appeals is the highest court below the Supreme Court.

Allison Jones Rushing checks a lot of the standard Trump nominee boxes. She is a member of the Federalist Society, an absolute requirement if Trump is going to nominate you for a lifetime appointment to the Federal bench, and—this is a recurring theme as well—she clerked for Supreme Court Justice Clarence Thomas.

She is 36 years old. She has practiced law for 9 years. How many cases has she tried to verdict or judgment? Four. Has she been the lead attorney on any of those cases? No. She is not a member of the bar association of the State of North Carolina, the State in which she would sit if she is confirmed. That is the most scant, weakest legal resume imaginable for someone who is seeking a lifetime appointment to the second highest court of the land.

At our hearing—which, by the way, was held during a Senate recess over the objection of committee Democrats; we weren't even in town when her hearing was scheduled—Senator KENNEDY of Louisiana, who is becoming famous for this, started questioning her about her breadth of legal experience.

Senator KENNEDY is a real lawyer. On the Republican side, he has put some of Trump's nominees on the spot by asking them some pretty tough questions about legal procedure in a courtroom.

Senator KENNEDY said: ''I think, to be a really good federal judge, you've got to have some life experience.'' Ms. Rushing struggled to describe how her life experience actually prepared her for this lifetime appointment to the second highest Federal court.

Senator KENNEDY made a valid point. The fact that a judicial nominee meets all of the litmus tests of being a loyal Republican doesn't mean the nominee has the experience or the legal ability to be a good Federal judge. It is inconceivable to me that in the State of North Carolina, they couldn't find a qualified and experienced conservative Republican judge.

The Federal circuit courts are critically important. Since the vast majority of cases don't reach the Supreme Court, the circuit courts are often the last word. This is a position where experience matters, and, unfortunately, Ms. Rushing doesn't have enough of it. I am going to oppose her.

NOMINATION OF CHAD A. READLER

Mr. President, the second nominee is Chad Readler, a 46-year-old attorney in the Trump Justice Department. When he was nominated to another circuit court of appeals, the Sixth Circuit, it was a clear sign of the Trump administration's strong negative feelings about the Affordable Care Act and the fact that that act covers preexisting conditions.

Mr. Readler filed the Trump administration's brief in the Texas v. United States case, in which he opposed the Affordable Care Act's preexisting coverage requirement. Do you remember that issue from the last election? It was a big one. It might have been the biggest one.

We basically said that we think health insurance should be available to you even if you don't have a perfect medical record. And who does? Hardly any of us. Certainly, each of us knows someone in their family who struggles with a medical challenge, and without a perfect medical record, you can be denied insurance or charged premiums you can't pay, unless you have the protection of the law. The law is known as the Affordable Care Act, or ObamaCare.

Mr. Readler argued that this requirement of covering people with preexisting conditions, which benefits tens of millions of Americans, had to be stricken from the law. The brief Mr. Readler signed was deeply controversial. Our colleague Senator LAMAR ALEXANDER, Republican from Tennessee, called the argument that Mr. Readler made in his brief opposing ObamaCare ''as far-fetched as any I ever heard.'' Thank you, LAMAR.

Two Department of Justice attorneys withdrew from the case when they were asked to sign the crazy arguments in this brief, and a senior Department of Justice litigator resigned in protest of the bizarre arguments that Mr. Readler signed up for.

However, almost immediately, after Mr. Readler signed this crazy brief, he was nominated by the White House for a lifetime appointment to a Federal judiciary.

What message is the Trump administration sending with this nomination? They are doubling down on their attack on coverage of people with preexisting conditions. They are putting in a lifetime appointment a circuit court judge who will be watching for vindication. They are rewarding those who have led the fight against the preexisting coverage requirement. This is deeply troubling.

That is not my only concern with Mr. Readler. He has also defended the Trump administration's unconscionable family separation policy. Do you remember that one? Remember when, in March of last year, Attorney General Sessions came forward and proudly announced the family separation policy? Do you remember then that 2,800 infants, toddlers, and children were forcibly, physically removed from their parents and placed in detention and that these infants, toddlers, and children were then lost in the system? They didn't keep a computer check on where they were sent or who their parents were.

It took a Federal judge in San Diego, CA, to mandate and require this administration to account for these children. It is one of the most shameful chapters in recent American history, and, of course, Mr. Readler, this nominee, defended it.

He argued in favor of the Trump administration's efforts to end the DACA Program—790,000 young people brought here as children to this country, who went through all of the hoops and paid the fees and qualified to have a chance to stay in America without fear of deportation. Well, it turns out Mr. Readler thinks that is a bad idea.

He litigated against the rights of same-sex couples and opposed anti-discrimination protections for LGBTQ Americans. He advocated for making the death penalty more widely available and applying it to children. He argued for denying Byrne JAG violence prevention funds to a city I represent: Chicago.

It is hard to imagine a more controversial partisan nominee than Mr. Readler. Yet his nomination is going to be rammed through this week.

NOMINATION OF ERIC E. MURPHY

Mr. President, Senate Republicans have also scheduled to vote this week on Eric Murphy, a 39-year-old nominee to another Ohio-based seat on the Sixth Circuit. Mr. Murphy is well known for his advocacy against LGBTQ rights, including the landmark Obergefell case, in which he argued against the right of same-sex couples to marry.

He has a lengthy record of defending restrictive voting laws. He has fought for laws to make it more difficult for Ohioans to exercise their fundamental right to vote, including voter purge laws and laws limiting the ability of poll workers to assist voters.

I know a little bit about Ohio's experience because, a few years ago, I chaired a subcommittee that held a hearing in Cleveland, OH, discussing their decision as a State to start limiting the opportunity of people to vote in Ohio. I called those witnesses before my subcommittee—election officials from both political parties, Democrats and Republicans—put them under oath and asked them a basic question: What was the incidence of voter fraud in Ohio that led you to restrict the access of people to vote, to require voter IDs, to limit early voting? What were the instances which led to that conclusion? They could tell me none, not one. I asked them: How many people have been prosecuted for voter fraud in Ohio that led to this? Well, maybe one several years ago—here or there—despite millions of votes being cast. Let's call this for what it is: voter suppression authored by Republicans at every level of government, even here in Congress, designed to fight demography.

Republicans understand they are not doing well with growing segments of the U.S. population, so they are trying to restrict and limit the rights of some groups who may vote against them to actually show up and vote. They go to ridiculous lengths. It turns out that Mr. Eric Murphy—a nominee we will have before us this week for a circuit court position—agrees with their position on voter suppression.

My Republican colleagues are largely silent about the outrageous incident that occurred in North Carolina last week. There was a glaring case of election fraud, and it involved their party, not the Democrats. It involved a gentleman whose conduct was so outrageous and criminal, they voided the congressional election. I can't remember that ever occurring. Why would the Republican Party ignore that occurrence in their own ranks and then try to restrict voting for people who, frankly, have a right, as all of us do, to legally vote in this country? Why are they appointing judges who would defend that approach? I think it is because of the endgame. The endgame is to restrict the number of people who are going to vote in the future and try to limit those who might vote against the Republican Party.

I also am troubled that Mr. Murphy, the nominee before us, has declined to commit to recuse himself from matters involving tobacco. As the Campaign for Tobacco-Free Kids noted, Mr. Murphy personally and extensively represented the tobacco company R.J. Reynolds when he was in private practice. For example, Mr. Murphy was the attorney to R.J. Reynolds on a series of petitions to the Supreme Court that sought to limit that tobacco company's liability from a landmark lawsuit in Florida. Mr. Murphy's refusal to commit to recuse himself from matters where he clearly has expressed his opinions and has gotten paid for it raises serious questions about whether he can serve the cause of justice.

The nominations of Eric Murphy and Chad Readler are being pushed through this week over the opposition of Ohio Senator SHERROD BROWN. Senator BROWN testified before the Senate Judiciary Committee about his opposition to Murphy and Readler. He said: ''I cannot support nominees who have actively work to strip Ohioans of their . . . rights.'' I hope my colleagues will listen to Senator BROWN. No one has fought harder for the rights and opportunities of Ohioans than that Senator.

It is shameful that circuit court nominees like Murphy and Readler are being moved forward over the legitimate objections of their home State Senators. Each of us as Senators knows our State. We know when our State's legal community lacks confidence in a nominee's qualifications.

The blue-slip procedure is the mechanism Senators use for each State to speak as to these nominees. This last week, when it came to a circuit court position in the Ninth Circuit, two Senators from the State of Washington

were denied their blue-slip rights, which have traditionally been given to them in the Senate. That broke the precedent last week and continues this week. The Republican Senate leadership will break every rule, every precedent—whatever is necessary—to fill these vacancies. Without blue slips, the White House can ignore home State interests and pick extreme judges like the ones before us this week.

It pains me to watch my Republican colleagues systematically dismantling guardrail after guardrail in the judicial nomination process, all for the sake of stuffing the court with their ideologues. The nomination process in the Senate is breaking down before our eyes. Our ability to fulfill our constitutional responsibility to advise and consent is diminished under the Constitution we have all sworn to uphold and defend. That is a shameful chapter in the history of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

GOVERNMENT FUNDING

Mr. LANKFORD. Mr. President, the number 22 trillion should matter to us. That is our current debt in the United States. Not to be confused, we have debts, and we have deficits. You will hear those names get thrown around together. Deficit is the amount of overspending in a single year—1 year of overspending—and debt is the collection of all of those deficits.

As a nation, our current debt is $22 trillion. To give some perspective on 22 trillion, if you were to take the total distance of 22 trillion miles, you would have to fly from Earth to Pluto and back 3,081 times to get to 22 trillion miles. This is heavy debt.

We are used to hearing about debts and deficits in relationship to things like home mortgages. Many of us think about taking 30 years to pay off our mortgage. Well, for us to pay off our national mortgage, this $22 trillion—if we were to balance our budget, which is way out of balance right now, and then have a $100 billion surplus—so let's say that by next year, we have a balanced budget and a $100 billion surplus. That would be a very large surplus for us. How many years of $100 billion surpluses in total revenue would it take to pay off $22 trillion? The quick math on that is 220 years. That is approximately as long as we have been a republic. If we had a $100 billion surplus every single year for the next 220 years, we could pay off our mortgage. Does anyone think that every single year over the next 220 years, we are going to both balance our budget and have a $100 billion surplus?

The issue we face as a nation is that we have fumbled a lot in our past. We fumbled our spending. We fumbled our handling of Federal tax dollars. We have to work our way out of this. Climbing out of this is not going to be a 1-year deal. This is not a short-term fix; this is an intentionally long-term fix.

There are two things we have to have. We have to have economic growth. If our economy is stagnant, we never catch up. The reason for that is, when the economy is stagnant, more people in our Nation need assistance. They need housing support. They need food support. They need other things to help them in those scarce times. Unemployment benefits go up significantly during the time period that our economy is down because people can't find jobs and our safety net kicks in larger amounts.

When we have economic growth, fewer people need housing assistance, fewer people need food assistance, and fewer people receive unemployment benefits. The economy itself grows. As more people have jobs and make money, more people pay taxes. So economic growth is essential to the growth of our economy and to working our way out of debt. That is why the tax reform bill was so incredibly important to us—to get a growing economy again. Our economy had been stagnant for a decade. We would literally have never gotten out of it if we had stayed in a stagnant economy.

Folks called me and said: When the tax revenue changed, when the tax reform bill happened, it also blew a hole in the budget. I have had folks throw all kinds of numbers around and say this is the giant hole that is in the budget.

Interestingly enough, we are now a fiscal year through. Our revenue for fiscal year 2017—the year before the tax reform—was $3.315 trillion. Our revenue after the tax cut and the tax reform, for fiscal year 2018, is $3.329 trillion. If you are doing the math in your head, that is $14 billion more in revenue after the tax cuts. That means our revenue went up the next year.

Contrary to all the myths that were out there early on saying we were going to have this giant hole in the budget, our revenue went up after the tax cuts went into place. Why? More people had more money to invest. More people invested. As they invested, as they engaged in the economy, as they had more money in their pockets, they bought more products, and that stimulated more profits. That meant people got paid more. In this past year of our economy, wages have gone up—especially wages for the lowest income Americans. Their wages have gone up. Unemployment has come down. More people have a job. There are more opportunities to get a different job.

All those things are great benefits, but that doesn't solve $22 trillion in debt. We need to have economic growth, but economic growth by itself is never going to solve the issue. We also have to deal with our spending and our plans.

Each year for the last 4 years, my office has released something we call ''Federal Fumbles.'' It is ways we believe the Federal Government has dropped the ball. Each year, we take on different areas. Over the last 4 years, we identified over $800 billion in ways that we could save Federal tax dollars. For the specific problems we laid out, there is a solution. If we want to try to start attacking some of these things, here is a proposal. Our goal from our office is very simple: We believe all 100 offices should be looking for ways to save Federal tax dollars. We believe everyone should look for ways to be more efficient. What we are doing is not unique to our team; every team can do it. In fact, we believe that everyone wants to see the debt and deficit go down, but now there is the next step of actually identifying how to do it.

In the last 4 years, we have identified $800 billion in ways to save Federal tax dollars. That is a start. That is a beginning point of how to actually get us there. That would get us back to balancing our budget, but we still have a ways to go to get to a surplus and paying off our debt and deficit.

We just released our ''Federal Fumbles'' report. It is actually out today online. People from any office or anyplace can go to lankford.senate.gov and download the free report. This report is a little bit different for us. We want to identify the major problems we have not only in overspending and blowing our deficit, but we want to identify ways that we are actually being inefficient in how we operate. We begin by talking about government shutdowns, as I think we should begin with. We just experienced the longest government shutdown in American history. It is not the first by far. People have short memories when they forget the government shutdowns that happened during the Carter administration, the three times Tip O'Neill shut down the government on President Reagan in the 1980s, or the multiple shutdowns that occurred on almost every Presidency in the modern day. But that is not solving the problems we have.

Last year, eight Republicans and eight Democrats met almost the entire year and talked about how to reform the budget process. I am a firm believer that we will never solve the problem with our budgeting until we solve the problem with how we do budgeting. We don't budget in a way that actually determines more efficient spending. We determine how to spend more but not how to spend less. That is an issue we have to solve.

The 1974 Budget Act has only worked four times since it was written in 1974. It is not gospel. It is not the Constitution. It needs to be redone. There are proposals we put into place specifically on how we can fix the budgeting process. Again, until we get a better budget process, we will never get a better budget product. We identified some simple things—how we can do a 2-year budgeting system; how we can avoid government shutdowns. There are simple solutions we put into place that I think would actually be effective.

We released a bipartisan bill in the last couple of days on ending government shutdowns that I hope we can actually get momentum toward and solve the issue of government shutdowns.

We deal with the issue of the President's budget—not just this President's but every President's budgets. It has been a problem. There has never been a time since the 1974 Budget Act that the President's budget has ever been implemented. It is an informational document. Let's turn it into what it should be.

Let's figure out how we can start reducing our deficit. We have 12 bills we put out every single year for spending. There is no mandatory bill for savings. As simple as this sounds, why don't we add a 13th bill to our appropriations process? There would be 12 bills that are designed for spending and 1 that is designed for savings. For every single Congress, there would have to be a savings bill. Now, that Congress can choose how much it wants to save, but every single Congress would have a mandatory savings bill to figure out what it is going to do to actually pull our deficits back. With our being $22 trillion in debt, I don't anticipate anytime soon that we are not going to need that 13th bill.

We could do this. We could fix the way we actually make the law regarding the budget, which currently is not law but is a suggestion made by Congress that has been blown past every single year. There are all kinds of budget games that are out there that make the budget actually look better than it is. Some of them are great, cute names, like CHIMPS, or Changes in Mandatory Program Spending. They sound adorable, but what they actually do is to make the budget look like it is closer to balancing when it is actually even further from balancing but has a budget gimmick. We need to end some of those.

We lay out proposals on how to resolve the debt ceiling. Process reforms will make a big difference in our being able to get on top of the big issue. They may not be exciting and they may not be headline-grabbing, but until we fix these things as a body, they are never going to get better.

We deal with Senate rules on how we are actually going to work together to solve these issues. The Senate has stopped working together on a lot of these things. So we lay out some of the internal aspects as to how to solve them. We lay out some bills that are out there that we have proposed. One is called the Taxpayers Right-To-Know Act.

We don't have great transparency in our spending. If taxpayers wanted to find out how many government programs there were that were similar in function, they couldn't find out. The hard part is, as Congress, we can't find out either. The only way that we can get a programmatic list or get the details of different programs from different Agencies is to make the request through an entity called the GAO. Usually, between 12 and 18 months later, it will give us back a report just to say what programs are out there and what those programs do.

I have met multiple times with the director of the GAO regarding a bill proposal called the Taxpayers Right-To-Know Act, a bill that passed unanimously in the House of Representatives during the last session. Then it came to the Senate and stalled. This bill does something very simple. It tells lawmakers and taxpayers what their government actually does. It is not trying to hide anything. It is trying to list every program that we have and how much we spend on that program. If it is evaluated, how is it evaluated? How many employees are dedicated to it? There is no gimmick to it. It is just that simple. It is transparency. The great gift to our democracy is transparency in how we spend dollars.

Just this basic bill would allow every single person in the country to ask questions of its government. Why do we have four programs that seem to do the same thing? Why do we have 18 programs in another area and 16 different entities that seem to do something similar? Why can't we combine that? Why can't we crowd-source ideas? The reason is that we don't put transparent information out. We could crowd-source the ideas of how to fix our government if only we allowed the taxpayers to see their government. The Taxpayers Right-To-Know Act allows us to do that.

We deal with our grant reforms. It is one of the areas in which we have pushed pretty hard in the last several ''Federal Fumbles'' books, but we lay out a set of ideas. There is a bill called the GREAT Act, which passed in the last House of Representatives overwhelmingly. By the way, the House of Representatives in this session, led by the Democrats, has also passed the GREAT Act and has sent it over to us in order to reform the grant process and how that information gets out. Now, it is a first step in getting information. I think there are more, but it is a great first step for that.

Grants always seem to be our issue. Some $600 billion a year is spent by the Federal Government just on grants. There is a great need for greater transparency in that. Some grants are very large, and some of them are small. We can't figure out why we do some of them at all as Federal taxpayers. For instance, last year, the National Endowment for the Humanities gave a grant to a California professor to use Federal tax dollars to study Soviet winemaking—not current Russian winemaking with Federal grant dollars but historic Soviet winemaking.

Now, I can kind of understand why California winemakers may want to do a study of Soviet winemaking for some reason, but why are Federal taxpayers being asked to pay for a study on Soviet winemaking? Yet we did.

Since 2001, we have given a Federal grant for a mariachi program in California. Now, I kind of understand how a successful mariachi program that works with children and youths may be something we would do for a couple of years to get it started as a community program. That makes total sense. Yet we have done it every year since 2001. At some point, shouldn't the local entities pick that up? Why is that a Federal program that has to be done year after year after year?

The grant issues don't have a lot of transparency, and there is a reason for that. It is that people don't want to be seen. They don't want anyone to know that the program is out there. We want just to ask a simple question. Let's do the grants, but let's make sure they line up with Federal priorities. Let's make sure they actually line up with strategic things that actually help our economy and help expand our Nation and protect our national security.

There are basic things that we can do, and we lay some of those things out. We lay out some questions that we think are practical questions on renewable fuel and, in particular, on ethanol. The ethanol program was designed to reduce emissions, but when it was designed to reduce emissions, it also grandfathered in all of the entities at that time that had produced ethanol, and none of those were required to reduce emissions—only new ones.

What has happened? Practically no new ones have come on board because it is a lot more expensive to limit emissions than it is to be an old facility that doesn't limit emissions. You can't be competitive in limiting emissions. So really what the ethanol mandate does is to protect the old ethanol companies to make sure they never get competition. As a Congress, why aren't we looking at that?

If you are not in the Midwest, you pay more at the gas pump every time you fill up because of the ethanol. If you are in the Midwest, it may be a little cheaper for you, but if you are on the east or the west coast, your gas prices are higher because of the ethanol mandate. Are you happy with that? As a government, we need to look at that. We think it is a legitimate question to ask about not only our debt and deficit but just about basic consumer spending for our GDP and the growth of our economy.

We deal with a lot of issues with regard to the Federal workforce. We deal with regulatory reform. We walk through some of the hardest issues about how we are taking care of our veterans and what is happening with regard to taking care of things like healthcare and transitioning them into vocational work. We feel it is important.

We have dug into small programs—for instance, an IT development program for veterans in Muskogee, OK—because if you are in the veterans service center in Muskogee, which is one of the largest veteran service centers in the country, you handle a lot of different documents. As you go through

that process for those great employees who are there—and there are really some solid people who are there—they have to log in multiple times and use a whole list of workarounds in their system, which gets bogged down. Each employee there spends 45 minutes a day just going through the logistics of logging in and changing around the system to make it work. There are 45 minutes a day of lost productivity for every single person there.

The good news is that Congress allocated $30 million to fix the IT problems there. The bad news is that the problems are still there. So we are asking the simple question: Where did that money go? How come the problem wasn't fixed?

We can go on and on with regard to these issues. In page after page, we have tried to lay out sets of solutions—things that we see as problems and inefficiencies in the way our government is working and in the way our Congress is working—and establish what can be done. Our goal is simple. Laying out ''Federal Fumbles'' is a to-do list for us. This is what we are working on right now along with a lot of other issues.

We encourage every office to glance through it. Ask your staff members to glance through and see the things that they are working on in their offices, and see if we are not laying out some ideas. Let's find ways to work together. Of all of the things to agree on, we should be able to agree that our $22 trillion of debt needs to be addressed. Let's strategize as to how we are going to solve it. Let's find ways that our government is inefficient and find ways to fix it.

Let me give you one more number.

We met in a bipartisan group last year—eight Republicans and eight Democrats—and tried to solve this issue on budgeting. Unfortunately, it was unsuccessful. Those with the Congressional Budget Office visited with us, and we asked them a very specific question as to our current level of debt. If we were to just try to stay at our current level of debt—not grow any more, not get any worse—how much would we have to tax or cut? Their response was $400 billion a year, every year, for the next 30 years. To just not make the problem worse, we have to either tax more or cut $400 billion a year, every year, for the next 30 years to keep it from getting worse. That is because, as the CBO stated, Federal outlays, which is how we are spending, are projected to climb from 20.8 percent of the GDP in 2019 to 23 percent by 2029.

The aging of the population and the rising healthcare costs contribute significantly to the growth of spending for the major benefit programs, such as Social Security and Medicare, and the rising debt and higher interest rates drive up the Federal Government's net interest cost.

We have reached a tipping point in interest. Last year, our interest payments were $325 billion just in the interest on our debt. The CBO estimates that within 10 years our interest payments alone will be $928 billion. We have crossed over that tipping point we talked about before. Now, just to stay at the status quo, because of the rising interest rates and interest payments, we have to find $400 billion a year, every year, in new taxes or new cuts.

We are fumbling on the biggest issue that Americans have handed us. It affects our national security. It affects the future of our children. It affects how we take care of those who are in poverty. It affects those who are in the most vulnerable moments of life. It affects those with disabilities, and it affects our transportation.

We have to have a real dialogue about this. We are doing our part. We are trying to get the word out. Let's have a dialogue and together figure out what we can do next in order to solve this because none of us have plans for a $400 billion cut next year. That means that next year it will again get worse, and it will keep getting worse until we solve it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I appreciate the remarks of my good friend, the Senator from Oklahoma. I look forward to working with him on ways that we can try to come together and solve some of these big problems.

In a minute, I am going to talk about the Affordable Care Act, which is probably the signature accomplishment of a Democratic Senate and Congress. It is notable that the Affordable Care Act, for all of its controversy, reduced the deficit. It did not increase the deficit. It is also notable that the signature accomplishment of the Republican Congress and the Republican Senate was a tax reduction bill that has dramatically spiraled the deficit out of control. There is $2 trillion of additional deficits in that provision.

I share the concerns about the deficit, and I find it curious that this Congress, under Republican control, has chosen to dramatically increase deficits, making us on pace for having the biggest deficits in our legislative history—with enormous additional new elements of debt as well.

NOMINATION OF CHAD A. READLER

Mr. President, I am here, though, to talk about the Affordable Care Act.

One of the things we talk a lot about here on the Senate floor is of our mutual concern for people with preexisting conditions. These are the 130 million Americans who are sick or who have histories of sickness. If you were to listen to both sides of the aisle, you would believe that everyone is on board with the idea that we should provide protections to individuals who are sick or who have ever been sick.

Yet actions do not meet words when it comes down to it in the U.S. Senate.

Over the last 2 years, my Republican colleagues have spared no expense or effort to try to strip away protections for those individuals with preexisting conditions that were in the Affordable Care Act. The repeal of the Affordable Care Act is the most obvious example of that.

This week, we will have a rare opportunity to take an up-or-down vote on this issue of whether we support keeping protections for people with preexisting conditions in this country. The reason for that is, we are going to vote on a nominee to the Sixth Circuit Court who orchestrated—who directed—the Department of Justice's attempts to take away protections for people with preexisting conditions through the court process.

Chad Readler filed a brief in a case brought by State attorneys general—all of them Republicans—to strike from the Affordable Care Act the protection for people with preexisting conditions.

Normally, when State attorneys general come after the constitutionality of a statute, whether those are Republican or Democratic attorneys general, the administration, whether it be a Republican or Democratic administration, defends the constitutionality of the statute.

This was an exceptional case in which these Republican attorneys general were trying to take away protections for people with preexisting conditions, saying the ACA was unconstitutional, and an Assistant Attorney General by the name of Chad Readler stood up and volunteered to file a brief alleging that, in fact, the attorneys general were right—a rare, almost completely unprecedented example of the Department of Justice arguing against the constitutionality of a statute that had been passed by the Congress and signed by the President.

Interestingly, before Chad Readler decided to file that brief, others at the Department of Justice refused. In fact, one lawyer left the Department of Justice because he wouldn't put his name on something so absurd as the brief Chad Readler filed.

I am not the only person who thinks the arguments in his brief trying to strike down those protections for people with preexisting conditions was absurd. In fact, Senator ALEXANDER read Readler's brief and said the arguments in it were ''as far-fetched as any I have ever heard.'' That is a Republican Senator.

Now, the consequences of the judge following the recommendations of Chad Readler were catastrophic. In fact, the judge struck down the Affordable Care Act. That order has been held in abeyance temporarily, but the consequences of the Readler brief would be that 133 million Americans would lose their protections from higher rates because they were sick or had been sick. The 20 million people who had insurance would lose it virtually overnight.

Admittedly, the Readler brief didn't agree with every single element of the lawsuit of the attorneys general but enough of it such that it was very clear

the administration was weighing in on the side of the petitioners.

Almost immediately after filing that brief, he was nominated to serve on the appellate court, sending a very clear signal to all of those in the administration that if you take a leadership role on trying to strip away protections for people with preexisting conditions, you will be rewarded—in this case, rewarded with a lifetime appointment.

So we are about to vote on the architect of this administration's legal strategy to try to undo the most popular, most important protections in the Affordable Care Act, and it represents this rare opportunity to understand where Senators stand.

It is super easy. It takes no political risk to stand up and say you support protecting people who are sick and making sure insurance companies don't jack up their rates. As it turns out, it is a little bit harder to actually back up your words with actions, but this one isn't that hard. Voting against Chad Readler isn't that difficult, in part, because Senator BROWN, who is the Senator from Ohio who did not sign a blue slip for Chad Readler's nomination, has made it clear as early as 10 minutes ago that he is willing to support and sign a blue slip for a mainstream conservative nominee.

In this case, Democrats aren't saying we want a nominee to the Sixth Circuit who isn't one who could be charitably described as a conservative nominee. We just don't want a nominee who has made his mark trying to tear down protections for sick people in this country, but that is what happens when you get rid of the blue ship. Senator MCCONNELL and Senator GRASSLEY have gotten rid of this decades-old protection to try to make sure nominees to the Federal bench, to the appellate bench in this case, have the support of their home State Senators. When you do that, you tend to get a little bit more mainstream nominees.

Now that the blue slip is gone, now that Senator BROWN has no ability to weigh in on individuals who are going to be making law in his State, you get a much more extreme nominee like this.

So let's see what happens. I hope there are some Republicans who will stand up and decide they are going to put their votes where their mouths have been on the question of protections for people with preexisting conditions, but at the very least, the American public will get to see where we all stand on this very important question in a matter of hours.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NUCLEAR DETERRENCE

Mrs. FISCHER. Mr. President, in the 116th Congress, I am once again chairing the Senate Armed Services Committee Subcommittee on Strategic Forces, which oversees our nuclear forces.

Over the coming months, I will be coming to the floor to discuss specific components of our nuclear deterrent and their contributions to the defense of this Nation.

Today, I rise to speak about the critical role strategic bombers play in our nuclear triad. The triad is known for its flexibility and resilience, and bombers contribute to this flexibility in important ways. They are highly visible, and they can be forward deployed. They can be used to signal resolve to our adversaries and commitment to our allies.

This benefit is not theoretical. Bombers have been used in exactly this way many times, particularly on the Korean Peninsula. Bombers are also recallable and, when armed with standoff weapons, they can offer the President a variety of tailored response options in a crisis.

As the oldest leg of our nuclear triad, bombers have a long and distinguished history. In some ways, the story of the strategic bomber begins in the great State of Nebraska.

In the early 1940s, Bellevue, NE, was home to the Martin Bomber Plant, which was located on the land that is now Offutt Air Force Base. The Martin plant, with the help of thousands of Nebraska workers, built and modified the Enola Gay and Bockscar. These two B–29 bombers went on to deliver the Little Boy and Fat Man nuclear bombs over Hiroshima and Nagasaki, ending World War II and ushering in the nuclear age. The horrific destruction of these attacks established the deterrent power that has prevented conflict on a global scale ever since.

As ballistic missile technology evolved, the bomber continued to be the mainstay of our nuclear deterrent forces through the early 1970s. Although bombers carried the heavy load for many decades, today we no longer rely on them in the same way. Nuclear-armed bombers have not been on 24-hour ready alert status since the end of the Cold War in 1991, and the responsiveness that alert-status bombers provided now resides primarily with our ICBM forces.

The strength provided by the other legs of the triad have allowed us to take our nuclear capable bombers off alert and use them for conventional missions. When we send B–52 bombers to Afghanistan to complete a conventional mission, we exercise the triad's flexibility. When U.S. B–2 bombers struck targets in Libya, we utilized the triad's flexibility. These examples clearly demonstrate that the flexibility of the triad is not an abstract concept. It is something our forces use every single day.

Our current nuclear bomber force consists of 46 B–52 and 20 B–2 aircraft. While we rely on this highly capable but aging fleet, we also look ahead to the future of the bomber force, and that is the B–21.

As the B–21 development progresses, it is important to remember the lessons learned from the last time we developed a nuclear bomber, the B–2. As the Cold War ended, nuclear tensions cooled and the need for an expensive nuclear-capable stealth bomber seemed to diminish. Even though the B–2 had already been developed and significant resources spent on research and development, Congress decided to reduce the final order from 132 aircraft to 20. In so doing, the per-unit cost of the airframe rose to $2 billion. The Air Force has said it plans to buy at least 100 B–21s, but many in this Chamber believe more are likely required to meet the conventional mission the Nation expects our Air Force to perform.

The nuclear triad is the bedrock of our national security, and the airborne leg continues to contribute to the strength and resilience of our nuclear forces. It is our responsibility to ensure that this capability is modernized, particularly as the global security environment transitions to one of long-term strategic competition.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate stand in recess under the previous order.

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

RECESS

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

Thereupon, the Senate, at 12:05 p.m., recessed until 2:15 p.m. and was reassembled when called to order by the Presiding officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Texas.

TRIBUTE TO RICHARD C. SHELBY

Mr. CORNYN. Madam President, I want to start my remarks this afternoon by saying congratulations to our friend Senator RICHARD SHELBY, Alabama's longest serving U.S. Senator as of this Sunday.

Here in Washington, we know him as chairman of the all-powerful Senate Appropriations Committee, which holds the congressional purse strings, but Alabamians, from Huntsville to Gulf Shores, know him as a devoted public servant working for the good of all of his constituents and an invaluable Member of the U.S. Senate.

Senator SHELBY is a man of principles. He believes in smaller government, supports the Second Amendment, and works tirelessly for the military men and women from Alabama.

There is only one thing he is more proud of than his home State, and that may be the Crimson Tide football team and the number of their national championships.

I just wanted to start my comments this afternoon by saying congratulations to our friend Senator RICHARD SHELBY for 32 years of serving the people of Alabama.

NOMINATIONS

Madam President, we will continue to push through a long list of executive and judicial nominations pending before the Senate.

People may wonder, well, why are we making such an emphasis on nominations? That is mainly because of all of the foot-dragging and obstruction we have seen from our friends on the other side of the aisle. They have basically burned the clock and have caused many nominees to simply withdraw. There are not many people who can put their lives on hold and wait a year and a half for the Senate to act on their nominations, especially when it is not a controversial nomination in and of itself.

This is simply a continuing reaction to President Trump's election in 2016. Many of our colleagues simply haven't gotten over the fact that he won. They are just not willing to engage in the normal sorts of advice and consent that the Constitution calls for, nor will they let the President and his administration get the people they want on his team, even if there is not an extraordinary problem.

Under previous administrations, we know the process to confirm nominees is relatively quick and unremarkable and that cloture votes were rarely required. As soon as you start talking about cloture votes, people start falling asleep, but it is actually a pretty significant problem.

Cloture votes basically mean we have to burn the clock and go through the procedures—all of the different hoops that you have to jump through absent some consent or an agreement.

As you can see, under President Trump, the Senate has had to file for cloture 128 times, so it has caused an extended debate, even on uncontroversial nominees. What is worse, even after you vote to close, which is what cloture is, then you still have to burn 30 hours postcloture, which makes it very difficult for us to do anything else in the Senate other than to confirm uncontroversial nominees.

As you can see, when President Clinton was in office, in his first 2 years of office there were only eight cloture votes on nominees. Under President George W. Bush, No. 43, there were only 4, and, of course, under President Obama, there were 12. That is a far cry from the 128 nominees who were essentially obstructed by our colleagues across the aisle.

They aren't forcing these votes because these nominees are controversial or because they are unqualified. Just look at one of the nominees we just confirmed as an example. Nearly 400 days after he was nominated, John Ryder was finally confirmed for a board position with the Tennessee Valley Authority.

Mr. Ryder was initially nominated on February 1 of last year—more than a year ago. Not long after he testified before the Committee on the Environment and Public Works, we saw unanimous support from the members of the committee—bipartisan support.

During simpler times, the process would have been pretty straightforward. He would have been confirmed by the full Senate without any valuable floor time. He probably would have been confirmed by consent or by a voice vote, which would not have burned all of this valuable floor time, which is necessitated when you have to file for cloture. It is now clear that these simpler, more civil, and more bipartisan times have gone out the window.

Our Democratic colleagues have forced cloture on this nominee. Again, it is not because he is not qualified and not because he is controversial but because they are literally using every trick in the book to bring the work of the Senate to a crawl.

It is not Republicans who are being hurt; it is the American people. We are here to serve the American people and not to engage in these sorts of political games that result in nothing.

Sometimes we have important battles, debates, and disagreements, but usually they are over important principles. But here, it is just about burning time and making nominees wait, sometimes for a year or more before their nomination is even voted on.

I am personally aware of a number of nominees who have said: Do you know what? No more. I have a life to live. I can't put my life on hold waiting for the Senate to vote on my nomination, even if it is not going to be controversial.

I am afraid we will see the Democrats' political theater continue. One of the nominees we will soon be voting on is John Fleming of Louisiana, who has been nominated as Assistant Secretary of Commerce for Economic Development.

Mr. Fleming's nomination was first received by the Senate in June of last year. Again, the committee held a hearing and favorably reported out his nomination within 6 weeks. Here we are, 7 months later, and he still hasn't been confirmed because the only way our Democratic colleagues will allow that is by going through this long and laborious procedure of filing for cloture and burning hours on the clock.

Again, under previous administrations, a nominee for this sort of a position would be confirmed with little or no fanfare and certainly without sitting on the calendar for 7 months.

Again, this isn't about Republicans versus Democrats. Honestly, this is about punishing the American people and these nominees who want to serve by keeping them hanging and forcing them to wait more than a year before they are confirmed. This, again, is part of the ''Never Trump'' syndrome, part of the Trump derangement syndrome that seems to be an epidemic here inside the beltway.

I personally see no reason these games should continue to play out, and that is why I am an advocate for the proposed rule changes to expedite the process.

These expedited changes we will make is something that, if the shoe were on the other foot and we had a Democratic President, Republicans could gladly live with. This isn't about gaining some advantage by a rules change; this is simply about returning the Senate to some sense of normalcy.

GEAR UP PROGRAM

Madam President, on another topic, this is a remarkable time for our Nation's economy. Sometimes with all of the noise, chatter, and just the chaos that is part of Washington these days, we forget the fact that our economy is doing so well that we are seeing a record number of people employed, and we are seeing the highest employment rate for African Americans and Hispanics at any time in recorded history.

I attribute some of this—not all of it—to the tax reform bill that we passed over a year ago. Since that time, 3 million jobs have been added here in America—3 million jobs.

Wages are on the rise. Labor is tight. It is hard to find people to work, particularly in places like West Texas in the Permian Basin around Odessa and Midland, which has the lowest unemployment rate in the country because of the energy boom there that has been long associated with that part of our State and that part of our country.

Workers are seeing more of their hard-earned money in their paycheck because tax rates are lower. As I said, unemployment hit its lowest rate in nearly 50 years. That is something to celebrate.

Today we find ourselves in the unique position of having more job openings than jobseekers. It is an indication of how great our economy is doing and a reminder that we need to continue to invest in our workforce.

One of the biggest reasons these jobs are unfilled isn't because there aren't willing candidates. Let me say that again. The reason these jobs are unfilled isn't because there aren't willing candidates. It is because the candidates who are available lack the right skills.

For many students, postsecondary education seems like a pipe dream. Many of my constituents in Texas come from families who have never attended college and, thus, are the first generation of young students who hope to achieve a higher education.

There is a great program that I am supporting. I introduced bipartisan legislation with our colleagues here called the Gaining Early Awareness and Readiness for Undergraduate Program,

also known as GEAR UP. That program is working to change the landscape and the educational opportunity for many young people still in middle school and high school.

This grant program is designed to increase college and career readiness through a range of academic, social, and planning support.

Starting in seventh grade, you have to start making decisions about what your middle school and high school education will be. If you guess wrong and don't take the appropriate math class, for example, then you can't finish the curriculum you need in order to go to the college you want to go to.

One reason GEAR UP has been so successful is that it recognizes that college and career readiness begins early, not when you are graduating from high school but when you are in seventh grade, literally.

GEAR UP is also unique because it doesn't use a blanket approach to support students. What works well in one State or in one school district may not be the best in another, so local leaders and parents have the flexibility to cater to their students' needs.

The best part of GEAR UP is that it actually works. It is a government program that works. GEAR UP students graduate from high school at a higher rate than their peers, regardless of ethnicity or income, and they attend college at a higher rate.

Texans have benefited from $885 million in GEAR UP grants over the last 20 years. We have seen incredible results, but I believe there are additional steps we can take to ensure that local leaders and parents have the increased flexibility they need to tailor the programs to the needs of these students.

Over the last few weeks, I have had a chance to travel my State and talk to students, teachers, administrators, and community leaders in Texas about the legislation I have mentioned, the GEAR UP for Success Act.

In Harlingen, for example, in the Rio Grande Valley, I held a roundtable with superintendents and community leaders from across that area to learn about the impact of GEAR UP there. They say that they have seen great results in terms of improved graduation and participation in postsecondary education, and they are full of ideas about how to build on the progress they have already seen.

I also got a chance to spend some time with the students themselves. As I mentioned, this program begins with seventh graders, and I had a chance to meet several members of the class of 2024—you heard that right, 2024—who have just begun their journey because they are in seventh grade. You can see the excitement in their eyes and that hunger for success.

Particularly in the Rio Grande Valley, with a large Hispanic population, as I have said, many students whose parents did not go to college realize that college and education generally is the key to the American dream. Because of GEAR UP, these students don't view college now as a farfetched fantasy. They view it as part of their life plan, and they are excited about it. That is no doubt, at least in part, due to the older students I was able to meet. We talked about where they were hoping to go to college and what they want to major in.

One of the neatest things about the GEAR UP program is that the older students will actually mentor some of the younger students in the GEAR UP program and talk about what a difference it made in their lives and in their education.

All of these students have bright careers ahead of them. One of them told me he wants to be a U.S. Senator. I said: You realize that you have to wait until you are 30 years old to do that. He is willing to wait. It was a pleasure to spend time with all of them.

Last month I was in my hometown of San Antonio at Gus Garcia Middle School, and I held another roundtable with students and school administrators to learn about how GEAR UP has impacted their communities. There was one student, in particular, whose life story illustrates just how much this program can help.

Francisco Hernandez told me that he and his family were once homeless, but with the support he received from GEAR UP and Sam Houston High School, he was able to turn his life around and make his dream of going to college a reality.

Not only is Francisco now a student at San Antonio College with a promising career ahead of him, he is also, as I suggested a moment ago, a mentor for younger students. Students like Francisco are a reminder of how important it is to support programs like GEAR UP.

These pieces of legislation, these programs, and these grants we vote on here in the Senate have an impact on the lives of real people, but they are also reminders of how we must find ways to do more and to better serve these students.

This bill, as I said, the GEAR UP for Success Act, will provide greater flexibility to school districts on how they use GEAR UP funds. In some instances, they told me that the local match was a prohibitive problem. So what we intend to do is to cut that local match requirement in half.

There is, as I said, no one-size-fits-all program to prepare all students for life after high school. Each school district knows its students' needs better than Washington ever could. So they should have the flexibility to design and implement programs that will work best.

This legislation will also improve GEAR UP research and evaluation at both local and national levels so we can figure out what the best practices are and what is working and what isn't, and it will reduce the administrative burdens for those who receive the grant so they can focus less on paperwork and more on successful student outcomes.

The young Texans I have heard from over the last few weeks are inspiring, and they are excited about their future. That is the way we want them to be. I hope Chairman ALEXANDER and Ranking Member MURRAY will include the GEAR UP for Success Act in their efforts to reauthorize the Higher Education Act this Congress so we can continue to support students like this across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

NOMINATION OF CHAD A. READLER

Mr. SCHATZ. Madam President, it is very important that the American people know that Republicans are still trying to take away their healthcare. Last year, Republicans filed a lawsuit arguing that the entire Affordable Care Act should be invalidated, and now they want to give a promotion to the person who led that effort at the Department of Justice. That person's name is Chad Readler, currently a Deputy Assistant Attorney General at the Justice Department.

Last year, he filed an argument on behalf of the Department of Justice to take away protections for people with preexisting conditions. The American Medical Association said that Mr. Readler's argument would ''have a devastating impact on doctors, patients, and the American health system as a whole,'' that it ''would cause 32 million people to become uninsured,'' and that it would double insurance premiums.

The American Medical Association was not alone here. Lawyers at the Justice Department refused to sign their names to Mr. Readler's brief. One senior career official actually resigned in protest, and Senator LAMAR ALEXANDER said that his arguments were ''as farfetched as any I've ever heard.''

On the same day that Mr. Readler filed his argument to take away people's healthcare, the White House nominated him to a lifetime appointment to the bench on the Sixth Circuit. They wanted to promote him because of his good work suing in Federal court trying to invalidate the entire healthcare system—the entire healthcare law.

We should not sign off on this nominee—not if we care about protecting the health of our constituents, especially those who have cancer, asthma, diabetes, or any other preexisting medical condition.

We should also be wary of putting someone on the Sixth Circuit who makes the kind of poor, farfetched argument that Mr. Readler made, because this isn't purely a question of public policy. If it were public policy, you would definitely say: Don't take 32 million people and take away their healthcare—right? If it were public policy, you would say: Don't do the thing that is going to double premiums.

This is about what kind of a lawyer he is. This is about what kind of a judge he would be. The White House may want to reward his efforts, but we don't have to.

If you look at Mr. Readler's record and feel that, OK, he tried to deport the Dreamers. Even if you concede past his defense of the Muslim ban or his discrimination against a gay couple who wanted to get married or even if you don't mind that he is trying to make it harder for people to vote or his argument to allow kids under 18 to be sentenced to death—even if none of that bothers you—it should bother you that a Senator in Mr. Readler's home State has not returned a blue slip. It should really bother you. If you say you are for protecting people with preexisting conditions, here is your opportunity.

It is one thing to say: Well, we would never do that. We would never take away protections for people with preexisting conditions. After all, we all know people with preexisting conditions.

I have no doubt that is the actual sentiment among Members of the Senate on both sides. Here is the thing. This week is the week to walk the talk. This week is the week to decide whether or not you are for protecting people with preexisting conditions, because you have a guy who led the effort to gut protections for people with preexisting conditions.

Mr. Readler is unqualified for other reasons, but now we have a litmus test on where you stand on preexisting conditions. It is not enough to say it in your campaign debate. It is not enough to say it in the hallway and say: Hey, we want to protect people.

Here is your moment. Someone who has dedicated some portion of his professional life to gut the American healthcare system is now being given a permanent job on the Sixth Circuit. Everybody should vote no.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. The Senator from West Virginia.

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

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

Mr. MANCHIN. Madam President, I don't come to the floor that often to ask about or to talk about any person who is being recommended by our President, whether I agree or disagree. This is one time I feel very compelled to do so.

I rise today to urge my colleagues not to confirm Chad Readler to the U.S. Court of Appeals for the Sixth Circuit. I would say this: A vote for him, in my estimation, is a vote against every West Virginian and every American with a preexisting condition, and I will tell you why.

After 20 State attorneys general and Governors challenged the constitutionality of the Affordable Care Act and its protections for people with preexisting conditions in Texas v. United States, as Acting Assistant Attorney General, Readler refused to defend the Affordable Care Act. That is his job. That is the law of the land. He refused, basically, to protect and defend it, which resulted in putting nearly 800,000 West Virginians with cancer, heart disease, asthma, or diabetes and women who care to have a baby at risk of financial jeopardy if they get sick.

Readler was not just a participant but the chief architect of the Department of Justice's decision to not defend the current law in the case. Let me make sure we all understand how devastating this could have been but also the intent. Coming from the Assistant Attorney General, he was not just a participant, but he was the chief architect of the Department of Justice's decision to not defend—to not do his job, to not defend—the current law in the case.

He wrote and filed a brief arguing that the Affordable Care Act's individual mandate is unconstitutional, and that if the mandate is stricken as unconstitutional, the Affordable Care Act's protections for the people with preexisting conditions should also be stricken.

He is taking the position as one person, not as an elected official, saying that it is unconstitutional when we voted in this body not to repeal it. We voted in this body, representing the people of the United States, not to repeal it. He made a decision as one person, not an elected official, saying it is unconstitutional.

This brief was so controversial and inhumane that several career lawyers with the Civil Division refused to sign their name to this brief, and one senior career Department of Justice official resigned because of his decision.

After the Department of Justice's announcement, I introduced a resolution to authorize the Senate legal counsel to intervene in this lawsuit on behalf of the Senate and defend all Americans' right to access affordable health insurance. Because of Readler and the Department of Justice's decision to abandon its responsibility, the court ruled against Americans with preexisting conditions in December.

This misguided and inhumane ruling will kick millions of Americans and tens of thousands of West Virginians off their health insurance. So 800,000 West Virginians with preexisting conditions will be at risk of losing their health insurance, and the thousands of West Virginians who gained health insurance through the Medicaid expansion will no longer qualify. This ruling is just plain wrong, and it is rightfully being appealed to a higher court.

While I continue to fight to pass my resolution to defend Americans and West Virginians with preexisting conditions, I must commend our colleagues in the House who passed a similar resolution earlier this year that allowed their legal counsel to intervene. I wish we had both legal counsel from the House and the Senate intervening together.

In this body, I am known for examining judicial nominees fairly, based on their qualifications, temperament, and judgment, which I take very seriously, but I cannot stand idly by and allow the Senate to confirm a person who singlehandedly tried to rip insurance away from West Virginians and Americans when he had no authority to do so. He was not an elected official, not speaking on behalf of the law, not defending the law but trying to represent his own beliefs or political agenda.

This vote today will show Americans and West Virginias with preexisting conditions who is really fighting for them and all of us who believe strongly in their right to be able to care for themselves. A vote for Mr. Readler is a vote against people with preexisting conditions, and I hope my colleagues on the other side of the aisle will join me in voting against his confirmation.

This is something I don't do often. I don't take it lightly. It is very serious. This gentleman has basically shown it is not about the law; it is not about the Constitution; it is about his politics and himself and not a man who should be sitting on a higher court.

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

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

DECLARATION OF NATIONAL EMERGENCY

Ms. MURKOWSKI. Madam President, last week, I announced my intention to vote in favor of H.J. Res. 46. This is a resolution expressing disapproval of the President's February 15 proclamation of a national emergency. At that same time, I joined with my colleague, the Senator from New Mexico, along with the Senator from Maine, Ms. COLLINS, and the Senator from New Hampshire, Mrs. SHAHEEN, in the introduction of the Senate companion, S.J. Res. 10.

I want to take just a few moments this afternoon and speak to my rationale not only for my statements but for my support for terminating the national emergency. It is, certainly, not based on disagreement over the issue of border security on our southern border. I recognize full well, along with, I believe, all of our colleagues here, the situation on the border and the humanitarian issues that face us. The issue that faces us with the level of those coming across our borders is not a sustainable situation, and, certainly, the influx of drugs that we are seeing in this community must be addressed.

Rather, my concern is, really, about the institution of the Congress and the constitutional balance of powers that, I think, are just fundamental to our democracy. In my view, it really comes down to article I of the Constitution. Article I, section 7, clause 8 reads: ''No

Money shall be drawn from the Treasury, but in consequence of Appropriation.''

This provision and the necessary and proper clause of article I, section 8, clause 18 and the taxing and spending clauses—article VIII, clause 1—are just generally regarded as the basis for the notion that the power to spend resides in the Congress. We say it around here—that the power of the purse rests with the Congress.

Of all of these three clauses that I have just articulated, the admonition that no money shall be drawn from the Treasury but in consequence of appropriation is probably the clearest expression of the Framers' view that the executive has no power to spend money in a manner that is inconsistent with the intentions of the Congress.

Justice Story, in his 1883 Commentaries on the Constitution, characterized that clause as an important means of self-protection for the legislative department.

He went on to write:

The [legislature] has, and must have, a controlling influence over the executive power, since it holds at its command all of the resources by which the executive could make himself formidable. It possesses the power of the purse of the nation and the property of the people.

Again, he just very clearly articulates where these lanes of authority—these lanes of jurisdiction—reside.

This past weekend, on Sunday, a local newspaper, the Fairbanks Daily News-Miner, published an editorial. In that editorial, it was argued that our colleagues here in the Senate should vote for the resolution of disapproval. The editorial is entitled: ''A dangerous course: Congress shouldn't cede power to president in border funding dispute.''

Madam President, I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Fairbanks Daily News-Miner, March 3, 2019]

A DANGEROUS COURSE: CONGRESS SHOULDN'T CEDE POWER TO PRESIDENT IN BORDER FUNDING DISPUTE

(Editorial Board)

Two reasons for alarm exist regarding President Donald Trump's declaration of a national emergency at the U.S.-Mexico border so that he can reallocate funds approved by Congress for other purposes.

First is the problem of potential precedent. Is building a wall at the border the type of situation envisioned by Congress when it approved the National Emergencies Act in 1976? Or is the president simply declaring a national emergency as a way to overcome a political dispute over a funding allocation?

If it is political dispute and is upheld by the U.S. Supreme Court, where the issue is almost certainly headed, how will Republicans in Congress who support the president's emergency declaration react when—not if—a Democrat occupies the White House and uses the same national emergency logic to force actions on climate change that Republicans find objectionable?

That is one concern.

Republican Sen. Lisa Murkowski earlier indicated she would support a disapproval resolution and Thursday joined fellow GOP Sen. Susan Collins, of Maine, and two Democratic senators to introduce the resolution in the Senate. Sen. Dan Sullivan, Alaska's other Republican senator, has not stated publicly how he will vote.

The Senate resolution is similar to one approved by the House on Tuesday. Rep. Don Young voted against the resolution. The National Emergencies Act requires that the Senate vote on the House resolution; a vote is expected within the next two weeks.

There is also an issue that is greater than that of border security. It is the issue of guarding against encroachment by one branch of government on the power of another.

Members of Congress should be asked these questions: Do you believe the president is properly exercising authority granted by Congress under the National Emergencies Act? Or do you think his emergency declaration is an unacceptable overreach by the executive branch?

Encroachment by one branch on another and the consolidating of power in one branch worried some of the Founders as they crafted our system of independent yet interlocking government branches. The Federalist Papers, the series of 85 writings that aimed to convince the public to support ratification of the Constitution, contain references to that concern.

James Madison wrote in Federalist No. 48, published Feb. 1, 1788, that ''It will not be denied, that power is of an encroaching nature, and that it ought to be effectually restrained from passing the limits assigned to it. After discriminating, therefore, in theory, the several classes of power, as they may in their nature be legislative, executive, or judiciary, the next and most difficult task is to provide some practical security for each, against the invasion of the others.''

''Will it be sufficient to mark, with precision, the boundaries of these departments, in the constitution of the government, and to trust to these parchment barriers against the encroaching spirit of power?''

The concern appears again in Federalist No. 51, written by Madison and Alexander Hamilton and published Feb. 8, 1788: ''The great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. . . . Ambition must be made to counteract ambition.''

Congress, as a co-equal branch of government, should stand up for itself.

President Trump has said he will veto the resolution if it comes to his desk. And at this stage it appears unlikely that there are enough votes in Congress to override that veto.

What each member of Congress says and does in this funding dispute will reveal clearly how they view the law and the relationship between the legislative and executive branches.

Ms. MURKOWSKI. Madam President, in support of the argument outlined in that headline, the News-Miner's editorial board wrote the following:

Encroachment by one branch on another and the consolidating of power in one branch worried some of the Founders as they crafted our system of independent yet interlocking government branches. The Federalist Papers . . . contain references to that concern.

The editorial board goes on to refer to Federalist No. 51, which reads:

The great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of others. . . . Ambition must be made to counteract ambition.

When you translate that into just plain old English, it basically means Congress is a coequal branch of government, and, as such, Congress should stand up for itself. That really is the reason—the root—of why I have announced my support for this resolution of disapproval. I think it is fair to say that we all have disagreements around here about all sorts of things that are part of the appropriations process, and, certainly, the issue of border funding or just border security is no exception.

Even if the fiscal year 2019 appropriations process had run smoothly, which it certainly did not, think about how we got to where we are right now. The President submitted his budget last year. He requested money for barriers on the border and other aspects of border security. The request went through the appropriations process. I serve on that subcommittee. In the Senate subcommittee, we advanced out of the committee the President's request. After 3 months of continuing resolutions, we ended up in a stalemate with the other body last year, calendar year 2018. In January, control of the other body changed. The stalemate continued until the lengthy negotiations concluded, which allowed both bodies to pass and for the President to agree to sign an appropriations package just several weeks ago in February.

Again, that appropriations package was, I think it is probably fair to say, the result of a great deal of back-and-forth between the House, the Senate, and the White House, but it was clearly something that did help to advance the priorities that the President had outlined with regard to the southern border.

I am quoting from a White House fact sheet here, which reads: ''Secured a number of significant legislative victories that further the President's effort to secure the Southern Border and protect our country.'' Chief among those victories was ''the bill provides $1.375 billion for approximately 55 miles of border barrier in highly dangerous and drug smuggling areas in the Rio Grande Valley, where it is desperately needed.''

So we are where we were on February 15 when the administration recognized that significant gains had been made, but I think we all know that the President believes very, very strongly that there is more that should be done, that must be done, and that will be done to address that.

Clearly, there was a disagreement between the Congress and the President about how much could be spent on border security in 2019. I think, in fairness, sticking up for Congress's power of the purse doesn't necessarily mean that it comes at the expense of border security. I believe very strongly we can

address the President's concerns—the very, very real and legitimate concerns that need to be addressed—but that we don't have to do it at the expense of ceding that authority, of ceding that power of the purse, of ceding that article I power that we have here.

There are ways that the President can advance his issues, and he has done so. He, certainly, has the prerogative to ask for supplemental appropriations. He has identified additional funding that is outside of the national emergency designation, or declaration, if you will.

He has identified additional funding—close to $3 billion—from other statutory authorities. These are the authorities under 10 U.S.C. 284(b), which is the counterdrug account, counterdrug funds. That will require a level of reprogramming through the appropriating committees, but that can be done outside of the national emergency. The other source of funding is the Treasury Forfeiture Fund through the Secretary of the Treasury under 31 U.S.C. 9705. So I think it is clear that there are avenues to enhance the funding opportunities to address the situation at the border.

The concern that many of us have raised is the designation in this third account—the designation of a national emergency—that would tap into funds that have already been designated for military construction projects, important construction projects that have been designated around the country. We certainly have many in my State of Alaska. We haven't seen the list that would perhaps outline with greater articulation where the Secretary of Defense might think it would be appropriate to delay some of these projects. But, again, I would just remind—these are projects that have perhaps already been delayed because of the Budget Control Act that has been in place for several years, so I think further delay for many of these projects would cause most concern.

So I come to the National Emergencies Act. I think there is a recognition that when this was adopted, was put into law, it was initially intended to rein in the President's ability to declare emergencies. But at the same time it authorized the President to declare national emergencies, it didn't ever clearly define the extent of that power. So that is an issue that I think we are dealing with right now. Implicit in this grant is the trust that the power will be used sparingly. I think that if you look back over the history, the 59 previous times these powers have been utilized, you can say they have been used sparingly. But also explicit is the authority for the Congress to terminate an emergency if the Congress believes it was imprudently declared, and that is basically where we are today.

Because Congress did not explicitly constrain the President's power to declare an emergency, many of the constitutional scholars—those who are trying to game this out—believe the President will ultimately prevail in the litigation that we are entirely certain will be seen in the courts.

The question for us to consider in this body is not whether the President could have declared an emergency but whether he should have and, again, the question relating to the redirection of military construction funds from our bases around the country to the southern border. These are the questions we are currently debating. But in the final analysis, I look at the issue we have in front of us, and this is really a very challenging place for us as a Congress, to be debating the constitutional powers of the Congress against a legislative agenda—a strong legislative agenda and an important one that the President has. But I have come to be quite concerned about where we are when it comes to precedent and the precedent that we may see unleashed. In many ways, I view this as an expansion of Executive powers by legislative acquiescence.

If we fail to weigh in, if we fail to acknowledge that this designation has gone beyond that which has previously been considered, if we go around, effectively, the will of Congress, where will it take us next? I think we need to think about that because it is so easy to get focused on where we are in the here and now and the situation we are dealing with today, but when we are pushing out those lanes of congressional authority, I think we need to be thinking clearly about what that may mean for future administrations and for future Congresses.

As the chairman of the Energy and Natural Resources Committee, my focus is very often on the energy sector, on the energy space, and so I have asked, if we were in a situation with a new President, what could be invoked if a new President should decide to exercise his or her emergency authorities as they relate to energy? It is entirely possible that a future President could declare a national emergency related to global climate change, speaking to a humanitarian crisis and what it might mean for national security. In fact, one of our colleagues from Massachusetts has already said as much—that a national emergency could be declared as relates to global climate change.

You have to ask the question. What would stop a future President from declaring an emergency and then directing the military to spend billions of dollars on renewable projects or refugee assistance? What is to stop a future President from targeting the Nation's oil and gas supply by cutting off exports and shutting down production on the Outer Continental Shelf?

I think we would all say: Well, we don't need to worry about that happening with our current President; he is not going to do any of those things. But the authorities technically would exist for all of them, and so it is concerning. It is concerning to me that a future President could use that to drive their agenda—again, without the consent of the Congress.

So I repeat—I am concerned that, as a Congress, as a legislative body, we would stand back and we would acquiesce in the use of a national emergency to resolve a disagreement between the executive and the legislative branches over the appropriate level of funding for a situation that likely exceeds what can be spent in our current fiscal year.

I know there will be continued discussion not only here in the Senate, in the Congress, but certainly around the country about these matters. I know some of my colleagues are interested in revisiting the scope of the National Emergencies Act, and that is clearly worth considering. But I firmly believe that one can be strongly for border security and at the same time question whether the administration has overreached in using the National Emergencies Act in the way that it has, and I find myself in that camp. That is why it is with great resolve that I support the adoption of the resolutions of disapproval.

I yield the floor.

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

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

NOMINATION OF CHAD A. READLER

Mr. VAN HOLLEN. Madam President, I come to the floor to oppose the nomination of Chad Readler to the Sixth Circuit Court of Appeals and to urge my colleagues on both sides of the aisle to oppose this nomination as well.

We have learned that both Senators from Ohio—one a Democrat and one a Republican—had previously proposed mutually agreeable candidates to fill the Sixth Circuit Court position, but despite that prior support, the Trump administration instead nominated somebody who did not have the support from both Senators, which is a device we use to try to encourage nominations that are not way out of the mainstream. We want judicial nominees who are not on the far right nor on any other extreme. Yet this administration decided to ignore that bipartisan support and nominated Mr. Readler for the position on the Sixth Circuit Court of Appeals.

Mr. Readler, unfortunately, has a record that falls well out of the judicial mainstream. I am very concerned about the kind of judicial reasoning and findings he will make as a member of the Sixth Circuit, if he is confirmed.

He has been the Trump administration's point man at the Department of Justice to try to destroy the Affordable Care Act and eliminate the protections the Affordable Care Act has brought to tens of millions of Americans, including protections for people with preexisting health conditions—whether it

be a child with asthma, or somebody with diabetes, or anybody who has a preexisting condition health condition. Before the Affordable Care Act was passed, insurance companies would say either we are not going to insure you because you are going to be too expensive to treat or we will provide coverage but only at this price, and then they would quote a price the person couldn't possibly afford.

The Affordable Care Act did away with that discrimination based on preexisting conditions. Yet at the Department of Justice, this nominee, Mr. Readler, was the point person in trying to reimpose discrimination based on preexisting conditions.

Why do we say that? Because over the last couple of years there was a lawsuit filed in the State of Texas. It was filed by the attorney general of the State of Texas and a number of other attorneys general from other States around the country—Republican attorneys general—that went after the Affordable Care Act. They argued that once the Congress passed legislation eliminating the penalties for the mandates, all the rest of the law collapsed. It is a position most legal scholars from all sides of the political spectrum think is an absurd legal conclusion that will not stand the test of time or the test of the courts in the long run.

Despite the fact that the conclusion was way out of the mainstream and directed more out of a political charge to try to undo the Affordable Care Act, nevertheless, Mr. Readler filed the case on behalf of the Justice Department—not in support of the Affordable Care Act, which would be the usual practice of the Department of Justice in protecting the laws of the United States, but deciding, first of all, not to protect it and, secondly, to actively go after the Affordable Care Act and side mainly with the positions of Republican attorneys general who were trying to destroy the law.

This was a very unusual position to take, and many of the career attorneys at the Department of Justice decided not to sign their names to the brief that was filed. They did not want to be associated with a brief that they thought was more a political document than a legal document. In fact, one very respected career attorney at the Department of Justice resigned in protest.

Even our colleague, Senator LAMAR ALEXANDER, said this about the brief that was filed by the Justice Department: It is ''as far-fetched as any I've ever heard.''

Despite the fact that this was a legal position far out of the mainstream—authored by Mr. Readler from his post at the Department of Justice—nevertheless, he went ahead and filed that brief. It is totally inconsistent with the position others claimed they were taking with respect to protecting people with preexisting health conditions. In fact, President Trump tweeted repeatedly that he wanted to protect people with preexisting health conditions.

Many of our Republican colleagues in this Chamber in the Senate, and in the House, said they don't like some parts of the Affordable Care Act, but they want to protect people with preexisting conditions from discrimination by insurance companies. Yet the Texas lawsuit dismantles the Affordable Care Act top to bottom, including getting rid of provisions that protect people with preexisting conditions.

I think it is important to remind people what that means because it means children with expensive, chronic medical conditions will no longer be able to get that kind of coverage.

We also know that before the Affordable Care Act, insurance companies had arbitrary annual caps early in each year. So if a child had a chronic condition and the costs of helping that child, providing medical attention to that child, began to build up, they would sometimes hit that cap before their fifth birthday, and then the family would be on its own. People were paying health plans for coverage and services they needed, only to discover in the fine print that coverage really wasn't there for them when they needed it, and women who became pregnant found that their insurance plans would not cover any of their prenatal care or deliveries. Many of our fellow Americans were diagnosed with cancer only to discover that their plans did not cover chemotherapy.

When the Texas attorney general, with a cohort of other Republican attorneys general, filed that lawsuit against the Affordable Care Act, they filed a lawsuit that put a dagger in the heart of the consumer protections and patient protections we had in the Affordable Care Act. It was Mr. Readler who didn't come to the defense of the law for the Department of Justice but in fact went after the Affordable Care Act and sided with the attorneys general in Texas.

Indeed, there was a U.S. district court judge in Texas who went along with these legal arguments. What that means is, the case is now traveling through the Federal court system. It will go to the circuit courts and may end up at the Supreme Court. So I would hope our colleagues on both sides of the aisle who say they want judges who are going to do the right thing and call the balls and strikes as they see them and who have also said they support protections for people with preexisting health conditions would be nervous about putting someone on the court who says the law requires them to take the opposite position of what our colleagues say they support right now.

As we approach this vote, make no mistake, in many ways, this is a vote on the future of protections for people with preexisting health conditions.

Unfortunately, Mr. Readler has also taken a position on discrimination issues that is very troublesome on other fronts, specifically with respect to LGBT rights. Under his leadership, in his office, the Department of Justice submitted a brief in the case of Zarda v. Altitude Express. In that case, Zarda, who was an employee, alleged that his company had fired him because of his sexual orientation, and the Department of Justice did not take the side against the right of employers to discriminate based on sexual orientation. What they argued was that title VII of the Civil Rights Act does not cover discrimination based on sexual orientation.

Fortunately, in a rare en banc decision, the Second Circuit Court of Appeals held that the LGBT community is protected as a class under the Civil Rights Act, but, unfortunately, because of a circuit split surrounding this issue, it is likely to go up through the court system and find its way to the Supreme Court. The position he took on behalf of the Trump Justice Department is a telltale sign of where Mr. Readler stands on questions of whether the law protects people who have been discriminated against.

I should say this is not a new issue. For many of us, there have been efforts in Congress to address this issue. In my State of Maryland, in 2001, we passed an anti-discrimination act that says it is illegal to discriminate against people based on their sexual orientation in housing, in employment, and in public accommodations. I recall that the bill was filibustered late into the evening by Republican State legislators, but fortunately for Marylanders it passed.

I am also concerned about Mr. Readler's record in taking the side of tobacco companies during his time as a partner at Jones Day, specifically R.J. Reynolds Tobacco Company. Like many of us here, I have worked for many years—first, in the Maryland State Legislature and since then in the U.S. Congress—to curb tobacco use, especially among young people. I hope we all agree we don't want young people to get hooked on tobacco products or to get hooked on nicotine, which we know is very bad for their health and could very likely kill them in the long run. Yet Mr. Readler took the position of the tobacco companies, defining this issue simply as one of the need to have somebody who would stick up for special interests even when it was against the public health interests of the American people.

He represented the tobacco giants in a number of cases—product liability cases and commercial speech cases. In one example, the city of Buffalo, up in New York, passed a ban on tobacco ads within 1,000 feet of facilities frequented by children, like schools, playgrounds, and daycare centers. The purpose of that local ordinance was, of course, to prevent kids from seeing these ads and saying: Hey, that looks like something I want to do. Let's try this tobacco product. Maybe it is a candy-flavored tobacco product, maybe it is another tobacco product. The whole point of the ordinance was to protect the health of kids. Yet Mr. Readler fought against that local ordinance.

The Campaign for Tobacco-Free Kids, which is an organization that rarely, if ever, gets involved in judicial nominations, has found the position Mr. Readler took on behalf of these tobacco companies so far out and so extreme that they have taken the position of opposing the nomination.

So whether it is fighting to dismantle protections for people with preexisting conditions, as Mr. Readler did from his perch in the Trump Department of Justice, or whether it is the positions he took as a lawyer for the tobacco industry, trying to knock down local ordinances and other laws to protect kids from tobacco and getting addicted to nicotine, or the position he has taken not to prevent discrimination but to say our laws do not protect people against basic forms of discrimination, in my view, Mr. Readler is disqualified from taking a position on a court where the goal of every justice, regardless of who appoints them, should be justice itself and making sure everybody who comes before that court gets a fair shake. They should not be positions based on the power of a special interest like the tobacco lobby, and it should not be a decision based on political slogans or political promises. Rather, it should be based on the law itself. So I urge my colleagues to oppose this nomination.

Even among nominees who are very far to the right and who take a very restricted view of our rights and liberties, this is a nominee who finds himself way outside the mainstream.

I urge my colleagues to oppose the nomination of Mr. Readler.

Ms. COLLINS. Mr. President, I rise to announce my opposition to the nomination of Chad Readler to be a Judge on the Sixth Circuit Court of Appeals.

As the Acting Assistant Attorney General of the Justice Department's Civil Division, Mr. Readler was both a lead attorney and policy adviser in the Department's decision not to defend the Affordable Care Act, including its provisions protecting individuals with preexisting conditions.

Rather than defend the law and its protections for individuals with preexisting conditions, such as asthma, arthritis, cancer, diabetes, and heart disease, Mr. Readler's brief in Texas v. United States argued that they should be invalidated.

I strongly objected to DOJ's position to not defend the law, and it is telling that this position also concerned some other career attorneys in the Department. In fact, three career attorneys withdrew from the case rather than support this position, and one of those attorneys eventually resigned.

In my view, the Justice Department's severability argument is wrong and implausible. On June 27, 2018, I wrote to Attorney General Sessions and urged the Justice Department to reverse course and to defend the law's critical protections for individuals with preexisting conditions. Even the Justice Department acknowledged that it was ''rare'' for the government to refuse to defend the laws of the United States against constitutional challenges.

I have continuously stressed the importance of protecting Americans who suffer from preexisting conditions, including 45 percent of Maine's population: 590,000 Mainers. In July 2017, I voted to block several proposals to repeal the ACA, which I feared would reduce protections for individuals with preexisting conditions. In October 2018, I voted to overturn a Trump administration rule that expands the duration of short-term health insurance plans, which could deny coverage to people with preexisting conditions.

Mr. VAN HOLLEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. TILLIS. Madam President, I ask unanimous consent that I be allowed to finish my comments before the vote. I expect it to take not more than about 3 or 4 minutes.

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

NOMINATION OF ALLISON JOAN RUSHING

Mr. TILLIS. Madam President, I come to the floor to thank my colleagues who voted and who will be voting to move forward the nomination of Allison Joan Rushing to be the U.S. Circuit Court judge for the Fourth Circuit.

Ms. Rushing has a great history in North Carolina. She is actually from East Flat Rock, NC. Both of her parents were educators who taught in the North Carolina public school system. She received her degree with honors from Wake Forest, and she received her law degree from Duke University. She now has over 11 years of experience practicing law and is really considered one of the fast-rising stars of the legal profession.

I have had the opportunity to get to know Ms. Rushing through the nomination process, and I know she is going to do a great job as a circuit court judge on the Fourth Circuit.

From the ABA, she has received from a substantial majority a ''qualified'' rating and from a minority a ''well qualified'' rating. She is clearly qualified to do this job. She is young. She is bright. She is a topnotch litigator, and I look forward to casting my vote here in a couple of minutes. Again, I think my colleagues will also be casting a vote in support of confirming this nomination.

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

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

Mr. TILLIS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. SANDERS), and the Senator from Arizona (Ms. SINEMA), are necessarily absent.

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

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 35 Ex.]

YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—44

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

NOT VOTING—3

Heinrich	Sanders	Sinema

The nomination was confirmed.

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

CLOTURE MOTION

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

The 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 Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, David Perdue, Roy Blunt, John Cornyn, Joni Ernst, Lindsey Graham, John Boozman, Mike Rounds, Thom Tillis, Steve Daines, James E. Risch, John Hoeven, Mike Crapo, Shelley Moore Capito, John Thune, Pat Roberts, Jerry Moran.

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 Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth 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. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

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

The yeas and nays resulted—yeas 53, nays 45, as follows:

[Rollcall Vote No. 36 Ex.]

YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—45

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Rosen
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
Duckworth	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Gillibrand	Murray	Wyden

NOT VOTING—2

Sanders	Sinema

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, in California, several counties and cities are suing the big oil companies to hold them liable for the damages that climate change is causing to the infrastructure out there. As judges consider these cases, one thing they will be asked to keep in mind is Big Oil's history of deception and lies.

A group of scientific experts filed this friend-of-the-court brief out in the Ninth Circuit, carefully charting that history, that pattern of deception and lies. The group of scholars and scientists chronicled how the fossil fuel companies had actual knowledge of the risks of their products and had taken ''proactive steps to conceal their knowledge and discredit climate science'' while at the same time taking steps based on that science to protect their own assets from the impacts of climate change.

It is a 51-page document, so let me cut to the chase. Big Oil knew for a very long time that the production and burning of fossil fuels would be disastrous for the planet. Yet they did everything in their power to confuse the public, undermine the scientific evidence of the dangers, and prevent action to stave off this worldwide problem. The brief makes a fascinating read. Here are some highlights.

Way back in 1959, when I was a kid and Dwight Eisenhower was President, Columbia University held a symposium attended by oil industry executives to mark the 100th anniversary of the petroleum industry. At that event, the legendary Dr. Edward Teller, a physicist, warned the industry about global warming. He said:

[A] temperature rise corresponding to a 10 percent increase in carbon dioxide will be sufficient to melt the icecap and submerge New York. . . . [T]his chemical contamination is more serious than most people tend to believe.

In 1959. A few years later, in 1965, at the American Petroleum Institute's annual meeting, API president Frank Ikard briefed the Big Oil trade group on a report from President Johnson's Science Advisory Committee that predicted significant global warming by the end of the century, caused by fossil fuels, and warned that ''there is still time to save the world's peoples from the catastrophic consequence of pollution, but time is running out.'' The American Petroleum Institute, 1965.

API then commissioned a Stanford Research Institute report on the climate problem which was made available to its membership in 1968. The report said:

[R]ising levels of CO_2 would likely result in rising global temperatures. . . . [T]he result could be melting ice caps, rising sea levels, warming oceans, and serious environmental damage on a global scale.

Then, in 1969, Stanford produced a supplemental report for the American Petroleum Institute. As the authors of this brief tell the Ninth Circuit, ''The report projected that . . . atmospheric CO_2 concentrations would reach 370 [parts per million] by 2000—exactly what it turned out to be.'' That was 1968 and 1969, very clear warnings that have come to pass.

Big Oil did not just rely on the American Petroleum Institute to do its research on climate change. Ed Garvey was an Exxon scientist at the time. Mr. Garvey said:

By the late 1970s, global warming was no longer speculative.

Did you get that? ''By the late 1970s, global warming was no longer speculative,'' said the Exxon scientist.

The issue was not were we going to have a problem, the issue was simply how soon and how fast and how bad was it going to be. Not if.

Indeed, Exxon did a lot of climate research, and they understood the science well. A 1979 internal Exxon study found that:

[The] increase [in CO_2 concentration] is due to fossil fuel combustion . . . and the present trend of fossil fuel consumption will cause dramatic environmental effects before the year 2050.

Meanwhile—back to the American Petroleum Institute—they had put together a task force on what they called the CO_2 problem. In 1980, Dr. John Laurman told this API task force that ''foreseeable temperature increases could have major economic consequences [and] globally catastrophic effects.'' The American Petroleum Institute, 1980.

Back at Exxon, Roger Cohen, the director of Exxon's Theoretical and Mathematical Sciences Laboratory, warned in 1981—the next year—about the magnitude of this problem.

[I]t is distinctly possible that [Exxon's planning] scenario will later produce effects which will indeed be catastrophic (at least for a substantial fraction of the earth's population).

In 1982, Roger Cohen reiterated his warning:

Over the past several years a clear scientific consensus has emerged regarding—

This is 1982—

the expected climatic effects of increased atmospheric CO_2.

He continues:

[There is] unanimous agreement in the scientific community that a temperature increase of this magnitude would bring about significant changes in the earth's climate.

Unanimous agreement in the scientific community.

In 1982, Exxon's own scientist said this, but almost four decades later, the Trump administration pretends that we just don't know. Well, we do know.

Back to the brief. In 1982, an internal Exxon corporate primer said that, in order to mitigate the effects of global warming, ''[there is a need for] major reductions in fossil fuel combustion. . . . [T]here are some potentially catastrophic events that must be considered. . . . [O]nce the effects are measurable, they might not be reversible.''

So on into the late seventies and the early eighties, they knew.

This is from a 1998 report by Shell Oil's Greenhouse Effect Working Group:

Man-made carbon dioxide, released into and accumulated in the atmosphere, is believed to warm the earth through the so-called greenhouse effect. . . . [B]y the time the global warming becomes detectible it could be too late to take effective countermeasures to reduce the effects or even to stabilise the situation.

So, long story short, Big Oil knew, API knew, Exxon knew, Shell knew. They knew, but Big Oil also realized that understanding climate change meant limiting carbon emissions, and that meant less oil sales. So they

began to tell something very different than what they knew to the public.

A 1998 Exxon internal memo acknowledged that the ''greenhouse effect may be one of the most significant environmental issues for the 1990s,'' but Exxon's position would be to try to ''[e]mphasize the uncertainty in scientific conclusions regarding the potential enhanced Greenhouse effect,'' and that became the drumbeat of the industry: minimize the danger—the one they knew—that the greenhouse effect may be one of the most significant environmental issues for the 1990s but, instead, undermine the science.

So the industry set up front groups with innocuous-sounding names like the Global Climate Coalition or the Information Council on the Environment to do this PR work for it. The scientific brief notes this bit of industry propaganda from 1996 from the so-called Global Climate Coalition: ''If there is an anthropogenic component to this observed warming, the GCC believes that it must be very small.''

Well, here is what an earlier draft of the same document said: ''[The] scientific basis for the Greenhouse Effect and the potential impacts of human emissions of greenhouse gases such as CO_2 on climate is well established and cannot be denied.''

They just weren't telling the truth. They knew, and they said things they knew were not true.

Money poured from the oil industry into these denialist groups. In 1991, the so-called Information Council on the Environment launched a nationwide campaign with one goal, to ''reposition global warming as theory (not fact).'' This thing they said was well established and cannot be denied, they decided to reposition as theory, not fact.

The polluters kept this up all the way through the 1990s. A 1998 American Petroleum Institute strategy memo tells what they wanted people to believe, even though they knew it wasn't true. They said: ''[It is] not known for sure whether (a) climate change is actually occurring, or (b) if it is, whether humans really have any influence on it.''

Again, well established, cannot be denied on the one hand and not sure whether it is occurring or whether humans have anything to do with it on the other hand.

Here is Martin Hoffert, who was an Exxon scientist for 20 years. He said:

Even though we—

''We,'' meaning the Exxon scientists.

Even though we were writing all these papers . . . [saying] that climate change from CO_2 emissions was going to change the climate of the earth . . . the front office—

The front office said otherwise.

. . . the front office which was concerned with promoting the products of the company was also supporting people that we call climate change deniers.

So even as they spun this massive fraud out to the public, Big Oil internally took the evidence of climate change seriously. They took the evidence of climate change seriously enough to factor it into their own planet. So while they were telling the public ''This isn't for real, and we don't have anything to do it with, and the science isn't secure,'' they were doing their own planning based on that very science.

For instance, in designing and building the Sable gas field project off the shores of Halifax, Nova Scotia, Mobil, Shell, and Imperial Oil explicitly told their own engineers about sea level rise. They said that ''[a]n estimated rise . . . due to global warming, of 0.5 meters may be assumed.''

Big Oil protected its own assets against predicted sea level rise based on this science, while, at the same time, funding a massive campaign of deception to fool the public and policymakers about this science. They protected themselves, and they connived to prevent the public from taking steps to protect itself.

There are some unsung heroes in this climate battle. Among them number the dedicated and assiduous group of scholars and scientists who track this climate denial apparatus that this industry built. Many of them are the authors of this brief, such as Robert Brule, Justin Farrell, Benjamin Franta, Stephan Lewandowsky, Naomi Oreskes, and Geoffrey Supran. They are just a few. There are many, many others who are watching, examining, reporting, and subject to a peer review chronicling the climate denial apparatus set up by the oil industry to fool the public. They patiently and thoroughly assembled in their brief a record of industry malfeasance, and they are helping to make sure that the long history of industry deception is part of the court's official record.

I thank them for their work.

I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). The majority leader.

ORDER OF BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that all postcloture time on the Readler nomination expire at 4 p.m. on Wednesday, March 6; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam 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.

NOMINATION OBJECTION

Mr. GRASSLEY. Madam President, I intend to object to any unanimous consent request relating to the nomination of William R. Evanina to be Director of the National Counterintelligence and Security Center, PN192.

When I noticed my intention to place a hold on this nominee back in June of 2018, I made it very clear to the public and to the administration my reasons for doing so, and I put my statement of those reasons in the RECORD. I have done that consistently, not only since the rules of the Senate require every Member to do that, but even before that rule was ever put in place.

I continue to experience difficulties obtaining relevant documents and briefings from the Justice Department and the Office of the Director of National Intelligence, ODNI, related to 2016 election controversies. On several occasions, Deputy Attorney General, DAG, Rod Rosenstein has personally assured me that the Senate Judiciary Committee would receive equal access to information provided to the House Permanent Select Committee on Intelligence, HPSCI, with regard to any concessions in its negotiations regarding pending subpoenas from that committee. However, I and the Judiciary Committee have not received equal access.

For example, on August 7, 2018, I wrote to the Justice Department and pointed out that the House Intelligence Committee had received documents related to Bruce Ohr that we had not received. The Department initially denied those records had been provided to the House Intelligence Committee. After my staff confronted the Department, we eventually received some Bruce Ohr documents. In that 2018 letter I have referred to, I asked for documents based on my equal access agreement with Deputy Attorney General Rosenstein, and I have not received a response to date.

I have since learned that the Justice Department has taken the position that Director Coats has prohibited them from sharing the requested records with the committee.

In addition to the records request, in May 2018, the Director of National Intelligence and the Justice Department provided a briefing in connection with a pending House Intel subpoena to which no Senate Judiciary Committee member was invited.

Thus far, the committee's attempts to schedule an equivalent briefing have been ignored.

The administration's continued, ongoing, and blatant lack of cooperation has forced my hand. I must object to any consideration of this nomination.

In the authorizing resolution that created the Senate Select Committee on Intelligence, SSCI, the Senate explicitly reserves for other standing committees, such as the Senate Judiciary Committee, independent authority to ''study and review any intelligence or intelligence-related activity'' and ''to obtain full and prompt access to the product of the intelligence and intelligence-related activities of a department or agency,'' when such a

matter ''directly affects a matter otherwise within the jurisdiction of that committee,'' S. Res. 400. As I understand it, the information at issue here falls into that category.

Thus, unfortunately, I must object to any consideration of this nomination. My objection is not intended to question the credentials of Mr. Evanina in any way. This objection falls squarely on the administration's continued failure to uphold their end of the agreement. The executive branch must recognize that it has an ongoing obligation to respond to congressional inquiries in a timely and reasonable manner.

TRIBUTE TO BILL BAIRD

Mr. MCCONNELL. Madam President, this year, the University of Pikeville in my home State will mark its 130th year of service to students in the mountains of central Appalachia. For more than half of that time, a member of the Baird family has served the school, its community, and most importantly, its students. After three decades of service, Bill Baird recently retired from the UPIKE board of trustees. In recognition of his legacy of leadership, mentorship, and accomplishment, UPIKE President Burton J. Webb awarded my friend with the inaugural Baird Family Service Award. So, I would like to take a moment today to pay tribute to Bill Baird and his family for their steadfast contributions to eastern Kentucky.

Bill's family is deeply rooted in this region with history going back nearly a century. His father, William J. Baird II, grew up on a farm in the Bluegrass State before attending Berea College. In 1947, William hung a shingle, founding Baird & Baird law firm. Outside of his professional success, William dedicated much of his life to philanthropy and leadership, serving on the board of trustees of Pikeville Community College for nearly three decades. In gratitude for his service to the Pikeville community and the central Appalachian region, William received an honorary doctor of humanities degree in 1977 from Pikeville College, UPIKE's name until 2011. Bill's mother, Florane, attended the Pikeville Collegiate Institute, a high school that later became part of the modern UPIKE. Through her care and compassion for the community, Florane also received an honorary doctorate from Pikeville College. Bill lovingly remembered them both as service-oriented people, and their influence, paired with a deep faith, inspired his work for the Pikeville community and the school.

Working in the mines while studying at Pikeville College, Bill graduated in 1966. He later earned admission to the bar and served our country in the U.S. Army. Reentering private life, Bill worked at the family law firm and was eventually joined by his brothers, Charles and John, and members of the family's next generation.

Even as he worked full time at Baird & Baird, Bill seemed to find extra hours in the day for his community. With leadership roles at UPIKE, in his church, and at Westcare of Kentucky—a substance abuse treatment facility—Bill constantly gave of himself to others. He coached the local high school's softball team for nearly two decades and the UPIKE team from 1994–2004, even receiving admission into the university's athletic hall of fame. After he retired from the practice, Bill hardly slowed down. He did so much pro bono work that he quipped, ''Some people say I'm the only retired person they know who comes in to the office every day.''

When asked about his impact on the school, the chairman of UPIKE's board said Bill gave ''of his time, talent, and treasure to the university at a level few have ever given, and he has done so with an unmatched sense of love and care.'' A great deal of Bill's support focused on first-time college students from the local community to foster the potential of Pikeville families. In addition to creating the award named in the Baird family's honor, the board of trustees also unanimously voted to establish the Bill Baird Family Scholarship to improve student retention and to help provide for students who may struggle to afford their education.

Bill's not the only impressive member of his household. Kaye, his wife, spent much of her career contributing to the community, helping lead organizations like the chamber of commerce, the school board, and the Christian Appalachian Project. Excelling as an educator, she touched the lives of numerous eastern Kentucky children and earned her place in the inaugural class of UPIKE's Distinguished Educators Hall of Fame.

Bill and Kaye have done so much for their community, with compassion, philanthropy, and leadership. I am so proud to pay tribute to the Baird family. They have earned our thanks and have made a lasting impact on this region. I am glad the Baird family name has rightfully earned a place of honor at UPIKE, and I ask each of my Senate colleagues to join me in congratulating Bill and Kaye for a lifetime of dedicated service to Kentucky.

The UPIKE Magazine published a profile on Bill's contributions to the school. I ask unanimous consent that the article be printed in the RECORD.

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

[From the UPIKE Magazine, Fall 2018]

THE BAIRD FAMILY LEGACY: BILL BAIRD HONORED FOR EMBODIMENT OF SERVICE

(By Mark Baggett)

''Our dad was a great teacher in treating people right,'' says Bill Baird about his father, William J. Baird II, and about the heart of the Baird family's long legacy of support for UPIKE students.

Among the many stories of the family's support, a remarkable statistic stands out: A Baird has been serving at UPIKE for over half of the 129 years of its existence. During the 2018 opening convocation ceremony, President Burton J. Webb, Ph.D., honored UPIKE Trustee Emeritus Bill Baird with the inaugural Baird Family Service Award, in recognition of his remarkable impact on the lives of others through steadfast service to the university, to the Appalachian region and to all humanity.

''In 2019, we will celebrate 130 years of service in the mountains of Central Appalachia,'' says Webb. ''During that span of time few families have impacted the college more than the Baird family. Bill Baird has taken the legacy of servant leadership from his mother, father, and brother even further. He has been a softball coach, a friend of the university and an ardent supporter of the university for decades.''

After more than 30 years of distinguished service Bill Baird retired from the UPIKE Board of Trustees, which was also served by Bill's father and brother, Charles. In recognition of Bill Baird's indelible contributions, the board voted unanimously to establish and fund the Bill Baird Family Scholarship to improve student retention by filling financial gaps for students.

''You pick up the need down here,'' says Bill Baird. ''There is a gap between the educated part of the community and the working class such as the retired coal miners or people on fixed incomes.''

UPIKE Board Chairman Terry L. Dotson has witnessed the fruits of Bill Baird's selflessness for decades.

''The entire Baird family is a treasure to Eastern Kentucky and to the University of Pikeville,'' Dotson says. ''Bill is an exceptional person in every way. He is someone every good person strives to be. Bill cares about all things—his church, family and community. He has been a special board member who has fully given of his time, talent and treasure to the university at a level few have ever given, and he has done so with an unmatched sense of love and care. Bill is my friend and has served our board with distinction.''

Dotson's sentiments are echoed by UPIKE Trustee Richard A. Sturgill. ''Bill Baird has been an inspiration to me and many others in the UPIKE community. His unwavering positive attitude, his willingness to encourage and mentor the students and his ability to always stand up for what is right has been steadfast. I am thankful to call him my friend,'' says Sturgill.

Bill Baird says the university and medical and optometry colleges are ''miracles.''

''UPIKE is a light on the hill to this city, the region and even nationally. To me, what we are is the answered prayers for the many people who laid the foundation for this place by praying for years. These are people who have sacrificed and dedicated themselves to the university.''

Humbly, Bill Baird deflects the spotlight to his parents. His father, who died in 1987, was raised on a Kentucky farm and was a graduate of Berea College and Duke Law School (a classmate of Richard Nixon). He also founded in 1947 the Baird & Baird law firm in Pikeville where Bill Baird and his brothers (Charles and John) as well as children, grandchildren and in-laws also practice. Bill Baird's mother Florane Justice Baird, who died in 2011, also had strong Pikeville roots: She attended the Training School for grades 1–8 in Pikeville (which operated in the original college building) and then the Pikeville Collegiate Institute for high school, before going to the University of Kentucky.

''My parents were very service-oriented people,'' says Bill Baird. ''They were giving, caring people who gave back to their community.''

Bill Baird started at Duke University as an undergraduate and says he ''made an A in fraternity and an A in football,'' and soon he

returned to the Pikeville area and worked in the mines, graduated from Pikeville college in 1966. He was admitted to the Kentucky bar in 1969 and served in the U.S. Army from 1969–1971.

A life-transforming event happened to him in the spring of 1973 when heard the Rev. Ben Sheldon, who was then a Presbyterian pastor in Washington, D.C., preach in Pikeville.

''He started preaching the gospel of God's love,'' Baird says of Sheldon, who later became a pastor in Pikeville. ''I felt a personal love that He died for me. It was God's timing.''

Baird went on to practice law in Pikeville, joking that ''in Hatfield and McCoy country, folks can be litigious here.'' He now describes his role as a ''sometime'' attorney, not full-time nor part-time, who does pro bono work and helps fill in for other attorneys at court appearances. ''Some people say I'm the only retired person they know who comes in to the office every day,'' he says.

He followed up on his short ''athletic'' career at Duke by coaching softball at Pikeville High School from 1986–2004 and at the university from 1994–2004. Today one of the family's scholarships is dedicated to athletics, and Bill Baird himself is a member of the university's Athletic Hall of Fame.

Much of the family's UPIKE support is described by Bill Baird as meeting the needs of first-time college students who come from the community. He says he hopes the scholarships will address larger gaps as well.

To meet additional need in his region, Bill Baird has been actively involved in several faith-based groups and community support programs. He has supported the Fellowship of Christian Athletes program, provided devotional Bibles to coaches and is Board Chairman of WestCare of Kentucky, Inc., which is involved in treatment of substance abuse.

Today, the Baird Family Circle is one of the granite inlays of Benefactor's Plaza on campus. Acknowledging the recent service award and scholarship fund honoring him at UPIKE, Bill Baird says, ''Christ made the difference in my life. He gave me an opportunity to serve in this way.''

He praises this year's fellow recipients of the Baird Family Service award, UPIKE Trustee Gregory Pauley and his wife, Kathryn, characterizing them as ''wonderful, caring people,'' whose mobile home park neighborhood ministry is just the kind of generosity and service embodied by the Baird legacy.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Ms. SINEMA. Madam President, I was necessarily absent, but had I been present, I would have voted no on rollcall vote No. 34, the motion to invoke cloture on Allison Jones Rushing, of North Carolina, to be U.S. circuit judge for the Fourth Circuit.

I was necessarily absent but, had I been present, would have voted no on rollcall vote No. 35, the confirmation of Allison Jones Rushing, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

I was necessarily absent but, had I been present, would have voted no on rollcall vote No. 36, the motion to invoke cloture on Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth Circuit.●

TRIBUTE TO LINDSAY NOTHERN

Mr. CRAPO. Madam President, I honor my communications director Lindsay Nothern for his dedication of more than 20 years to Senate service.

Lindsay has been a valued member of my staff since we both started Senate service in 1999. When I was sworn in as a U.S. Senator, my communications director refused to hire a press secretary immediately because she wanted to bring Lindsay onto the staff, and he was not available for a few months, so she did double duty until he was able to join my staff, and I have always been grateful for her insistence that we wait for him. His instincts and media savvy have been spot-on so many times over the two decades he has been with me.

Lindsay's strategic view of how activities and policy initiatives are presented has been instrumental. From press secretary, he moved to serving as communications director in 2011. While Lindsay may not be an Idahoan by birth, he has certainly earned his Gem State stripes through his depth and breadth of knowledge about the State. His experience as a journalist has served him well, first in reporting and managing the news from the journalist side and then from the other side as a press secretary and media representative. His prior work includes serving as press secretary for former Idaho Governor Phil Batt, who initially dubbed Lindsay as ''Scoop,'' and campaign press secretary for Congressman MIKE SIMPSON in Congressman SIMPSON's first House campaign.

Lindsay is unfailingly one of the most pleasant people I have ever encountered. He can be counted on to be a great sounding board and listener, regardless of his personal opinions. I trust him to represent me to Idahoans throughout the State and know that he will always leave a meeting with a handful of new friends. That includes those who show up angry and unannounced in my office, demanding a meeting. Lindsay has demonstrated patience, commitment, and empathy in meeting for hundreds of hours with those who have taken issue with some aspect of government, the administration, or me. He is also a great encourager among staff, helping them to know their good work is valued and appreciated.

Several issues have become close to Lindsay's heart—among them, domestic violence prevention and awareness. Somewhere in my office archives, there is a photo of Lindsay in women's heels as he took part in a ''walk a mile in her shoes'' event, representing the office. That was not a comfortable experience for his feet, but he has been a strong advocate in helping me find ways to illuminate and bring awareness to domestic violence matters.

Thank you, Lindsay, for your 20 years of dedicated service to our Nation and the people of Idaho, and thank you for your continual assistance and friendship over the years. Congratulations on this milestone of public service for the betterment of Idaho and our Nation.

TRIBUTE TO JULIE BROOKER

Mrs. FISCHER. Madam President, today I would like to recognize Julie Brooker, my central Nebraska director of constituent services who retired at the end of February.

Julie Brooker's service in the U.S. Senate began in 1997 and has spanned three U.S. Senators from Nebraska: former Senator Chuck Hagel, former Senator Mike Johanns, and myself.

Before her longtime work as a Senate staffer, Julie was a committed and hardworking volunteer on a number of political campaigns.

She was well known as someone willing to haul yard signs all over Nebraska's huge third district.

You see, a commitment to helping and serving others ran in Julie's family.

Julie's dad, Gordon, served faithfully as a local volunteer firefighter, and her mom, Doralene, served on both the Buffalo County Board of Supervisors and the Nebraska Public Power District Board.

Their example instilled in her lessons in treating people with kindness, listening to others' concerns, and lending a helping hand.

If you were planning a run for office in Nebraska, Julie Brooker was someone you needed to go see.

When I decided to run for U.S. Senate, Julie was one of the first people I visited with, and she was so very generous with her time and her advice.

During her Senate career, Julie sacrificed many days, nights, and weekends to serve the people of Nebraska well.

She was renowned for driving whichever U.S. Senator she was serving at the time all over the third district.

In every county, Julie had many friends. Her genuine interest in others and friendly, approachable demeanor were always on display.

Over the years Julie worked in my office, I was always completely confident that she was representing me well and that my constituents in Kearney and throughout the central region of the State were in the very best of hands.

Whether it was through her tenacity in helping resolve casework, her willingness to meet with any Nebraskan who crossed her path, or her ability to provide tough news in compassionate ways, Julie has always had a servant's heart.

Serving Nebraskans wasn't a job for Julie, it was a calling. She loves Nebraska, and she loves Nebraskans.

I want to thank Julie's husband, Jim, for loaning Julie to the people of central Nebraska for so many years.

I am also so very grateful to Julie's kids and grandkids for sacrificing time with her so that she could put the time and energy she had into this service to the people of Nebraska.

The city of Kearney, the State of Nebraska, and the U.S. Senate are better because of Julie's wonderful work throughout the years.

She is a dedicated, committed person who focused on making life better for Nebraskans.

She is truly one of a kind.

I congratulate Julie on her remarkable career in public service. I thank her for her many years of service to our State and to our people, and I wish her a retirement full of joy and fulfillment.

ADDITIONAL STATEMENTS

TRIBUTE TO ANN MITCHELL

● Mr. VAN HOLLEN. Madam President, today I wish to recognize Ann Mitchell for her 20 years of outstanding dedication and visionary leadership as president and CEO of Montgomery Hospice. I am grateful to Ann for her tireless efforts to provide quality and compassionate end-of-life care and services to residents of Montgomery County, MD.

Ann understands that the experience of people who are dying is extremely personal and that each of us has a cultural identity that is part of our character. When people are in their final weeks of life, Ann believes that it is paramount that each of us is cared for with a deep respect for our cultural identity.

Ann considers herself a global citizen, as she grew up in seven countries around the world. She celebrates diversity and recognizes the value that a multicultural team brings to end-of-life care. Ann has worked diligently to make Montgomery Hospice diverse at all levels, including in senior management, and firmly supports inclusion and equity initiatives.

Montgomery Hospice is well-known for its inpatient hospice, ''Casey House''; its comprehensive ''Hospice at Home'' service; and its compassionate ''Bereavement Care'' service. All Montgomery Hospice services support its mission ''To Gentle the Journey'' for the dying residents of Montgomery County, MD.

A trustee of Smith College, Ann graduated with a major in economics from Smith. She earned a master's in public health at Yale University. For the past 20 years, Ann has led Montgomery Hospice strategically in service to its patients, employees, and volunteers.

I have known Ann for over 20 years, and I can personally attest to the dedication and compassion she has brought to her job. It has been an honor to support her efforts as she enlisted many in our community in her important work. She has been totally committed to her mission of ensuring that every individual in her care is treated with the utmost respect and dignity, and our community is stronger and better because of her work.

I ask my colleagues to join me in recognizing all that Ann Mitchell has done to make a difference in the lives of others.●

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 and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13692 OF MARCH 8, 2015, WITH RESPECT TO THE SITUATION IN VENEZUELA—PM 4

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13692 of March 8, 2015, with respect to the situation in Venezuela, is to continue in effect beyond March 8, 2019.

The situation in Venezuela continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13692 with respect to the situation in Venezuela.

DONALD J. TRUMP.

THE WHITE HOUSE, *March 5, 2019.*

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1112. An act to amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee.

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–474. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Nutrition Assistance Program (SNAP): Eligibility, Certification, and Employment and Training Provisions of the Food, Conservation and Energy Act of 2008'' (RIN0584–AE54) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–475. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–476. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–477. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–478. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Uniform Mortgage-Backed Security'' (RIN2590–AA94) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–479. 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; Minnesota; Commercial and Industrial Solid Waste Incineration Units and Other Solid Waste Incineration Units Negative Declarations for Designated Facilities and Pollutants'' (FRL No. 9990–45–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Environment and Public Works.

EC–480. 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; Ohio; Ohio Permit Rules Revisions'' (FRL No. 9990–44–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Environment and Public Works.

EC–481. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Tennessee; NO_x

SIP Call and CAIR'' (FRL No. 9990–32–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Environment and Public Works.

EC–482. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Michigan Minor New Source Review Rescission'' (FRL No. 9990–43–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Environment and Public Works.

EC–483. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the 2019 Trade Policy Agenda and 2018 Annual Report of the President of the United States on the Trade Agreements Program; to the Committee on Finance.

EC–484. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act (MMA) of 2003 For Calendar Year 2018''; to the Committee on Finance.

EC–485. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Identification of Quality Measurement Priorities—Strategic Plan, Initiatives, and Activities''; to the Committee on Finance.

EC–486. A communication from the Secretary General of the Inter-Parliamentary Union, transmitting a report relative to the Annual 2018 Session of the Parliamentary Conference on the World Trade Organization; to the Committee on Finance.

EC–487. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Limited Population Pathway''; to the Committee on Health, Education, Labor, and Pensions.

EC–488. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in Feed and Drinking Water of Animals; Gamma-Linolenic Acid Safflower Oil'' ((21 CFR Part 573) (Docket No. FDA–2017–F–4511)) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC–489. A communication from the Regulations Coordinator, Office of the Assistant Secretary for Health, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Compliance with Statutory Program Integrity Requirements'' (RIN0937–ZA00) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC–490. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''2019 Civil Monetary Penalties Inflation Adjustments for Ethics in Government Act Violations'' (RIN3209–AA45) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC–491. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–631, ''District Government Employee Residency Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–492. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–608, ''Public Restroom Facilities Installation and Promotion Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–493. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–609, ''Employment Protections for Victims of Domestic Violence, Sexual Offenses, and Stalking Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–494. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–610, ''Language Access for Education Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–495. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–611, ''Disabled Veterans Homestead Exemption Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–496. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–612, ''East End Grocery Incentive Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–497. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–613, ''Safe Disposal of Controlled Substances Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–498. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–615, ''Principle-Based Reserves Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–499. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–616, ''Department of Consumer and Regulatory Affairs Omnibus Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–500. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–617, ''Opioid Overdose Treatment and Prevention Omnibus Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–501. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–618, ''Gas Station Advisory Board Abolishment Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–502. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–619, ''Community Health Omnibus Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–503. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–621, ''LGBTQ Heath Data Collection Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–504. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–622, ''Insurance Modernization and Accreditation Omnibus Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–505. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–623, ''Safe Fields and Playgrounds Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–506. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–624, ''School Safety Omnibus Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–507. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–632, ''Economic Development Return on Investment Accountability Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–508. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–633, ''Wage Garnishment Fairness Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–509. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–634, ''Performing Arts Promotion Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–510. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–635, ''Repeat Parking Violations Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–511. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–636, ''DC Water Consumer Protection Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–512. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–637, ''Athletic Trainers Clarification Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–513. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–638, ''Hyacinth's Place Equitable Real Property Tax Relief Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–514. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–639, ''Local Jobs and Tax Incentive Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–515. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–640, ''Students in the Care of D.C. Coordinating Committee Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–516. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 22–641, ''New Communities Bond Authorization Temporary Amendment Act of 2018''; to the Committee on Homeland Security and Governmental Affairs.

EC–517. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–642, ''Community Harassment Prevention Temporary Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–518. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–643, ''Power Line Undergrounding Program Certified Business Enterprise Utilization Temporary Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–519. A communication from the Assistant Administrator for Fisheries, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Island Pelagic Fisheries; False Killer Whale Take Reduction Plan; Closure of Southern Exclusion Zone'' (RIN0648–XG781) received in the Office of the President of the Senate on March 4, 2019; to the Committee on Commerce, Science, and Transportation.

EC–520. A communication from the Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Passenger Equipment Safety Standards; Standards for Alternative Compliance and High-Speed Trainsets'' ((RIN2130–AC46) (49 CFR Parts 229, 231, 236, and 238)) received during adjournment of the Senate in the Office of the President of the Senate on March 1, 2019; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

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

POM–10. A joint resolution adopted by the Legislature of the State of Maine urging the United States Congress to pass legislation to support Federal Employees in Maine affected by the federal government shutdown; to the Committee on Appropriations.

H.P. 280

Whereas, the longest partial shutdown in the history of the United States government began on December 22, 2018; and

Whereas, the federal government shutdown is affecting approximately 800,000 federal employees; and

Whereas, in Maine the workers currently affected are employees of the Department of Homeland Security, which includes airport screening personnel and members of the United States Coast Guard, and employees of Acadia National Park; and

Whereas, those federal workers who have not been furloughed are obliged to work without pay; and

Whereas, the federal government shutdown is also having an affect on other industries in Maine, such as tourism, and small businesses that depend upon federal regulation and loan processing; and

Whereas, as the federal government shutdown continues, there is potential for many social and housing services in the State to be negatively affected; and

Whereas, it is important for the economic health of the State that the federal government shutdown cease as quickly as possible; now, therefore, be it

Resolved, That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the United States Congress take immediate steps to reach a compromise and end the partial shutdown of the Federal Government and restore financial security to the lives of citizens; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of the Maine Congressional Delegation.

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. COTTON (for himself and Mr. JONES):

S. 645. A bill to amend title 10, United States Code, to provide for the inclusion of homeschooled students in Junior Reserve Officer's Training Corps units; to the Committee on Armed Services.

By Mr. COTTON (for himself, Ms. HASSAN, and Ms. WARREN):

S. 646. A bill to amend title 10, United States Code, to require a full military honors ceremony for certain deceased veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHATZ (for himself, Mr. VAN HOLLEN, Mr. MERKLEY, and Mrs. GILLIBRAND):

S. 647. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Finance.

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Mr. DURBIN, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MURPHY, Mr. REED, Mr. SANDERS, Ms. SMITH, Mr. UDALL, Ms. WARREN, and Mr. WYDEN):

S. 648. A bill to ensure the humane treatment of pregnant women by reinstating the presumption of release and prohibiting shackling, restraining, and other inhumane treatment of pregnant detainees, and for other purposes; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO (for herself and Ms. ROSEN):

S. 649. A bill to require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository, and for other purposes; to the Committee on Environment and Public Works.

By Mr. UDALL:

S. 650. A bill to assist entrepreneurs, support development of the creative economy, and encourage international cultural exchange, and for other purposes; to the Committee on Health, Education, Labor, and Pensions .

By Mr. CASEY (for himself, Mr. MORAN, Mr. VAN HOLLEN, and Mr. ROBERTS):

S. 651. A bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs; to the Committee on Finance.

By Mr. PORTMAN (for himself, Mr. UDALL, Mr. CARPER, Mrs. FEINSTEIN, Mr. MARKEY, and Mr. PETERS):

S. 652. A bill to require the United States Postal Service to continue selling the Multinational Species Conservation Funds Semipostal Stamp until all remaining stamps are sold, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ:

S. 653. A bill for the relief of Malachy McAllister, Nicola McAllister, and Sean Ryan McAllister; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself and Ms. ERNST):

S. 654. A bill to require the Secretary of Transportation to carry out a pilot program to develop and provide to States and transportation planning organizations accessibility data sets, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself and Ms. MURKOWSKI):

S. 655. A bill to impose additional restrictions on tobacco flavors for use in e-cigarettes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Ms. HARRIS, Mr. MARKEY, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. BOOKER, Mr. WYDEN, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. DURBIN, Mr. UDALL, Mr. VAN HOLLEN, Ms. SMITH, Mr. SANDERS, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. CARDIN, and Mr. HEINRICH):

S. 656. A bill to amend the Truth in Lending Act to address certain issues relating to the extension of consumer credit, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BRAUN:

S. 657. A bill to amend title XXVII of the Public Health Service Act to establish requirements with respect to prescription drug benefits; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN:

S. 658. A bill to provide for an accelerated approval pathway for certain drugs that are authorized to be lawfully marketed in other countries; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. KAINE, Mr. PORTMAN, Mrs. SHAHEEN, Mr. BRAUN, and Ms. STABENOW):

S. 659. A bill to provide for certain additional requirements with respect to patent disclosures; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN:

S. 660. A bill to address abuse of the Food and Drug Administration's citizen petition process by brand drug manufacturers; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Ms. CORTEZ MASTO, Ms. HARRIS, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. WYDEN, Ms. SMITH, Mr. BOOKER, Mr. MARKEY, Mr. SANDERS, and Mr. MERKLEY):

S. 661. A bill to provide for enhanced protections for vulnerable alien children, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mrs. FEINSTEIN, Mr. LEAHY, Ms. HARRIS, Mr. UDALL, Mr. DURBIN, Mr. MENENDEZ, Mr. MARKEY, Mr. MERKLEY, Mr. COONS, Ms. CORTEZ MASTO, Mr. WYDEN, Ms. WARREN, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Ms. SMITH, Mr. SCHATZ, Mr. BOOKER, and Mr. SANDERS):

S. 662. A bill to provide access to counsel for unaccompanied alien children; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Ms. HARRIS, Mr. SANDERS, Ms. CORTEZ MASTO, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Ms. SMITH, and Mr. BOOKER):

S. 663. A bill to clarify the status and enhance the effectiveness of immigration courts, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN (for himself, Mr. BOOKER, Mrs. GILLIBRAND, Ms. SMITH, Mrs. MURRAY, Mr. MERKLEY, Ms. BALDWIN, Mr. SANDERS, and Mr. DURBIN):

S. 664. A bill to amend the National Labor Relations Act to clarify the requirements for meeting the definition of the term ''employee'', and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself, Mr. RUBIO, Mr. BLUMENTHAL, Mr. MARKEY, Ms. DUCKWORTH, Mr. PETERS, Mr. WYDEN, Mr. UDALL, and Mrs. FEINSTEIN):

S. 665. A bill to reduce the number of preventable deaths and injuries caused by underride crashes, to improve motor carrier and passenger motor vehicle safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET (for himself and Mr. CRAPO):

S. 666. A bill to require the Secretary of Labor to award grants to organizations for the provision of transition assistance to members and former members of the Armed Forces who are separated, retired, or discharged from the Armed Forces, and spouses of such members, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. VAN HOLLEN (for himself and Mr. TOOMEY):

S. 667. A bill to impose sanctions with respect to the Democratic People's Republic of Korea, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. COTTON (for himself, Mr. JONES, Mr. MANCHIN, and Ms. MCSALLY):

S. Res. 93. A resolution expressing support for the designation of March 2, 2019, as ''Gold Star Families Remembrance Day'' ; considered and agreed to.

By Ms. HIRONO (for herself, Mr. MANCHIN, Ms. KLOBUCHAR, Ms. DUCKWORTH, Mr. WHITEHOUSE, Mr. TESTER, Ms. HASSAN, Ms. BALDWIN, Mr. MERKLEY, Mr. JONES, Ms. SINEMA, Mr. DURBIN, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. COONS, Ms. ROSEN, Mr. KING, Mr. LEAHY, Ms. SMITH, Mr. BROWN, Ms. CORTEZ MASTO, Mrs. SHAHEEN, Ms. HARRIS, Mr. BOOKER, Mr. REED, Mr. SCHUMER, Ms. WARREN, Mr. MARKEY, Mr. MENENDEZ, Mr. BENNET, Ms. STABENOW, Mr. WYDEN, Mrs. GILLIBRAND, Mr. VAN HOLLEN, Mr. CASEY, Mr. HEINRICH, Mr. KAINE, Mrs. MURRAY, Mr. MURPHY, Mr. UDALL, and Mr. WARNER):

S. Res. 94. A resolution expressing the sense of the Senate that the Department of Justice should protect individuals with pre-existing medical conditions by defending the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119) in Texas v. United States, No. 4:18-cv-00167-O (N.D. Tex.), in which the plaintiffs seek to invalidate protections for individuals with pre-existing medical conditions; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. SCHUMER, Mr. GARDNER, Mr. MURPHY, Mr. RUBIO, Mr. CARDIN, Mr. ENZI, Mr. WYDEN, Mr. BRAUN, Mr. VAN HOLLEN, Mr. JOHNSON, Ms. STABENOW, Mr. TILLIS, Mr. DURBIN, Mr. REED, Mr. WHITEHOUSE, Mr. BROWN, Mr. COONS, Mrs. SHAHEEN, Ms. HASSAN, Mrs. GILLIBRAND, Mr. CASEY, Mr. PETERS, Mr. CARPER, Mr. BENNET, and Mr. BOOKER):

S. Res. 95. A resolution recognizing the 198th anniversary of the independence of Greece and celebrating democracy in Greece and the United States; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 148

At the request of Mr. PAUL, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 148, a bill to require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

S. 172

At the request of Mr. GARDNER, the names of the Senator from Alaska (Mr. SULLIVAN), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 172, a bill to delay the reimposition of the annual fee on health insurance providers until after 2021.

S. 208

At the request of Mr. TESTER, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 208, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 225

At the request of Mr. ISAKSON, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 225, a bill to provide for partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, and for other purposes.

S. 279

At the request of Mr. THUNE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 279, a bill to allow tribal grant schools to participate in the Federal Employee Health Benefits Program.

S. 289

At the request of Mr. GARDNER, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 289, a bill to amend title XVIII of the Social Security Act to support rural residency training funding that is equitable for all States, and for other purposes.

S. 333

At the request of Mr. CORNYN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 333, a bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

S. 349

At the request of Ms. COLLINS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 349, a bill to require the Secretary of Transportation to request nominations for, and make determinations regarding, roads to be designated under the national scenic byways program, and for other purposes.

S. 362

At the request of Mr. WYDEN, the names of the Senator from Wisconsin (Mr. JOHNSON), the Senator from Vermont (Mr. LEAHY), the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. TILLIS), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 378

At the request of Mr. BROWN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 378, a bill to amend the Internal Revenue Code of 1986 to establish an excise tax on certain prescription drugs which have been subject to a price spike, and for other purposes.

S. 403

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 403, a bill to encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes.

S. 407

At the request of Mr. HOEVEN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to modify the qualifying advanced coal project credit, and for other purposes.

S. 479

At the request of Mr. TOOMEY, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 514

At the request of Mr. TESTER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 521

At the request of Mr. BROWN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 521, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 529

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 529, a bill to establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes.

S. 560

At the request of Ms. BALDWIN, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 560, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a congenital anomaly or birth defect.

S. 567

At the request of Mr. CRUZ, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 567, a bill clarifying that it is United States policy to recognize Israel's sovereignty over the Golan Heights.

S. 599

At the request of Mr. COTTON, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 599, a bill to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes.

S. 600

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 600, a bill to require the Secretary of Transportation to establish a working group to study regulatory and legislative improvements for the livestock, insect, and agricultural commodities transport industries, and for other purposes.

S. 604

At the request of Mr. THUNE, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 604, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 628

At the request of Mr. KING, the names of the Senator from New Hampshire (Ms. HASSAN), the Senator from Vermont (Mr. LEAHY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 628, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 638

At the request of Mr. CARPER, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 638, a bill to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, Liability Act of 1980, and for other purposes.

S.J. RES. 9

At the request of Mr. CARPER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S.J. Res. 9, a joint resolution calling on the United States and Congress to take immediate action to address the challenge of climate change.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 93—EXPRESSING SUPPORT FOR THE DESIGNATION OF MARCH 2, 2019, AS ''GOLD STAR FAMILIES REMEMBRANCE DAY''

Mr. COTTON (for himself, Mr. JONES, Mr. MANCHIN, and Ms. MCSALLY) submitted the following resolution; which was considered and agreed to:

S. RES. 93

Whereas March 2, 2019, marks the 90th anniversary of President Calvin Coolidge signing an Act of Congress that approved and funded the first Gold Star pilgrimage to enable Gold Star mothers and widows to travel to the gravesites of their loved ones who died during World War I;

Whereas the members and veterans of the Armed Forces bear the burden of protecting the freedom of the people of the United States; and

Whereas the sacrifices of the families of the fallen members and veterans of the Armed Forces should never be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of March 2, 2019, as ''Gold Star Families Remembrance Day'';

(2) honors and recognizes the sacrifices made by the families of veterans and members of the Armed Forces who gave their lives to defend freedom and protect the United States; and

(3) encourages the people of the United States to observe Gold Star Families Remembrance Day—

(A) by performing acts of service and good will in their communities; and

(B) by celebrating the lives of those who have made the ultimate sacrifice so that others could continue to enjoy life, liberty, and the pursuit of happiness.

SENATE RESOLUTION 94—EXPRESSING THE SENSE OF THE SENATE THAT THE DEPARTMENT OF JUSTICE SHOULD PROTECT INDIVIDUALS WITH PRE-EXISTING MEDICAL CONDITIONS BY DEFENDING THE PATIENT PROTECTION AND AFFORDABLE CARE ACT (PUBLIC LAW 111–148; 124 STAT. 119) IN TEXAS V. UNITED STATES, NO. 4:18-CV-00167-O (N.D. TEX.), IN WHICH THE PLAINTIFFS SEEK TO INVALIDATE PROTECTIONS FOR INDIVIDUALS WITH PRE-EXISTING MEDICAL CONDITIONS

Ms. HIRONO (for herself, Mr. MANCHIN, Ms. KLOBUCHAR, Ms. DUCKWORTH, Mr. WHITEHOUSE, Mr. TESTER, Ms. HASSAN, Ms. BALDWIN, Mr. MERKLEY, Mr. JONES, Ms. SINEMA, Mr. DURBIN, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. COONS, Ms. ROSEN, Mr. KING, Mr. LEAHY, Ms. SMITH, Mr. BROWN, Ms. CORTEZ MASTO, Mrs. SHAHEEN, Ms. HARRIS, Mr. BOOKER, Mr. REED, Mr. SCHUMER, Ms. WARREN, Mr. MARKEY, Mr. MENENDEZ, Mr. BENNET, Ms. STABENOW, Mr. WYDEN, Mrs. GILLIBRAND, Mr. VAN HOLLEN, Mr. CASEY, Mr. HEINRICH, Mr. KAINE, Mrs. MURRAY, Mr. MURPHY, Mr. UDALL, and Mr. WARNER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 94

Whereas, in 2010, Congress passed and President Barack Obama signed the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119) (in this preamble referred to as the ''ACA'');

Whereas, prior to the enactment of the ACA, individuals with pre-existing medical conditions were routinely denied health insurance coverage, charged exorbitant rates for health insurance coverage, exposed to unreasonable out-of-pocket costs for health care, or subject to lifetime limits on health insurance coverage;

Whereas the ACA instituted comprehensive protections for individuals with pre-existing medical conditions, including—

(1) the protection commonly known as ''guaranteed issue'', which requires health insurance companies to issue a health plan to any applicant regardless of health status or other factors, under section 2702 of the Public Health Service Act (42 U.S.C. 300gg–1);

(2) the protection commonly known as ''community rating'', which prohibits health insurance companies from varying premiums within a geographical area based on gender or health status and limits the ability of health insurance companies to vary premiums based on age, under section 2701 of the Public Health Service Act (42 U.S.C. 300gg); and

(3) the prohibition on discrimination based on health status, which prohibits excluding from a health plan benefits for pre-existing medical conditions or establishing eligibility rules based on pre-existing medical conditions, under sections 2704 and 2705(a) of the Public Health Service Act (42 U.S.C. 300gg–3, 300gg–4(a));

Whereas, on June 7, 2018, pursuant to section 530D of title 28, United States Code, then Attorney General Jefferson Sessions, under the direction of the President, notified Congress that the Department of Justice—

(1) would not defend the constitutionality of the requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986, as added by the ACA; and

(2) would argue that certain provisions of the ACA, including the provisions protecting an estimated 133,000,000 individuals in the United States with pre-existing medical conditions, are inseverable from the requirement to maintain minimum essential coverage;

Whereas the United States District Court for the Northern District of Texas—

(1) issued an order declaring that—

(A) the requirement to maintain minimum essential coverage is unconstitutional; and

(B) the remaining provisions of the ACA, including protections for individuals with pre-existing medical conditions, are inseverable from that requirement; and

(2) invalidated the remaining provisions of the ACA;

Whereas the decision of the United States District Court for the Northern District of Texas was stayed and is pending appeal before the United States Court of Appeals for the Fifth Circuit;

Whereas the refusal of the Department of Justice to defend the ACA, as even then Attorney General Sessions acknowledged in his notice to Congress, contravened the Executive Branch's ''longstanding tradition of defending the constitutionality of duly enacted statutes if reasonable arguments can be made in their defense'';

Whereas reasonable arguments can be made in defense of the ACA, as evidenced by an amicus brief filed by legal experts, including experts who supported other legal challenges to the ACA; and

Whereas, by arguing that the guaranteed issue, community rating, and other protections prohibiting discrimination are inseverable from the remaining provisions of the ACA and therefore the remaining provisions of the ACA are invalid, the Department of Justice is risking vital protections for the estimated 133,000,000 individuals in the United States with pre-existing medical conditions: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Department of Justice should protect individuals with pre-existing medical conditions, including by reversing its position and defending the critically important provisions of the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119) in Texas v. United States, No. 4:18–cv–00167–O (N.D. Tex.).

SENATE RESOLUTION 95—RECOGNIZING THE 198TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. SCHUMER, Mr. GARDNER, Mr. MURPHY, Mr. RUBIO, Mr. CARDIN, Mr. ENZI, Mr. WYDEN, Mr. BRAUN, Mr. VAN HOLLEN, Mr. JOHNSON, Ms. STABENOW, Mr. TILLIS, Mr. DURBIN, Mr. REED, Mr. WHITEHOUSE, Mr. BROWN, Mr. COONS, Mrs. SHAHEEN, Ms. HASSAN, Mrs. GILLIBRAND, Mr. CASEY, Mr. PETERS, Mr. CARPER, Mr. BENNET, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 95

Whereas the people of ancient Greece developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the founding fathers of the United States, many of whom read Greek political philosophy in the original Greek language, drew heavily on the political experience and philosophy of ancient Greece in forming the representative democracy of the United States;

Whereas Petros Mavromichalis, the former Commander in Chief of Greece and a founder of the modern Greek state, said to the citizens of the United States in 1821, ''It is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you.'';

Whereas the Greek national anthem, the ''Hymn to Liberty'', includes the words, ''most heartily was gladdened George Washington's brave land'';

Whereas the people of the United States generously offered humanitarian assistance to the people of Greece during their struggle for independence;

Whereas Greece heroically resisted Axis forces at a crucial moment in World War II, forcing Adolf Hitler to change his timeline and delaying the attack on Russia;

Whereas Winston Churchill said that ''if there had not been the virtue and courage of the Greeks, we do not know which the outcome of World War II would have been'' and ''no longer will we say that Greeks fight like heroes, but that heroes fight like Greeks'';

Whereas hundreds of thousands of the people of Greece were killed during World War II;

Whereas Greece consistently allied with the United States in major international conflicts throughout its history as a modern state;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the Balkan region, having invested billions of dollars in the countries of the region and having contributed more than $750,000,000 in development aid for the region;

Whereas the Government and people of Greece actively participate in peacekeeping and peace-building operations conducted by international organizations, including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe;

Whereas Secretary of State Michael Pompeo hosted Acting Greek Foreign Minister George Katrougalos in a United States-Greece Strategic Dialogue on December 13, 2018, that underscored Greece's importance to the United States as a pillar of stability in the Eastern Mediterranean and Balkans and as an important NATO ally;

Whereas the eastern Mediterranean trilateral partnership of Greece, Israel, and Cyprus is increasingly important to United States interests, and each country's strong relationship with the United States, as well as the prospect of an Eastern Mediterranean pipeline enabling safe transmission of gas to Western Europe, is critical to security and energy stability;

Whereas the United States was the honored country at Greece's premier Thessaloniki International Fair on September 8-16, 2018;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat the Government and people of Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim countries and Israel;

Whereas Greece remains an integral part of the European Union;

Whereas the Government of Greece has taken important steps in recent years to further cross-cultural understanding, rapprochement, and cooperation in various fields with Turkey, and has also improved its relations with other countries in the region, including Israel, thus enhancing the stability of the wider region;

Whereas the Governments and people of Greece and the United States are at the forefront of efforts to advance freedom, democracy, peace, stability, and human rights;

Whereas those efforts and similar ideals have forged a close bond between the people of Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2019, Greek Independence Day, with the people of Greece and to reaffirm the democratic principles from which those two great countries were founded: Now, therefore, be it

Resolved, That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 198th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 198 years ago.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHUCK GRASSLEY, intend to object to proceeding to the nomination of William Ro Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center, dated March 5, 2019.

AUTHORITY FOR COMMITTEES TO MEET

Mr. FISCHER. Mr. President, I have 10 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders

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

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 10 a.m., to conduct a hearing entitled ''Examining the electricity sector in changing climate.''

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 3 p.m., to conduct a hearing entitled ''Post-Hanoi: Status of the North Korean Denuclearization effort.''

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 10 a.m., to conduct a hearing entitled ''Vaccines save lives: What is driving preventable disease outbreaks?''

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 2:30 p.m., to conduct a hearing on the nomination of Joseph V. Cuffari, of Arizona, to be Inspector General, Department of Homeland Security.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 10 a.m., to conduct a hearing on the following nominations: Sean D. Jordan, to be United States District Judge for the Eastern District of Texas, and Mark T. Pittman, to be United States District Judge for the Northern District of Texas.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

The Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 2:30 p.m., to conduct a hearing entitled ''Does America have a monopoly problem: Examining concentration and competition in United States economy.''

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

The Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 10 a.m., to conduct a hearing entitled ''States roles in protecting air quality.''

MEASURE PLACED ON THE CALENDAR—H.R. 1112

Mr. MCCONNELL. Madam President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 1112) to amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

EXPRESSING SUPPORT FOR THE DESIGNATION OF MARCH 2, 2019, AS ''GOLD STAR FAMILIES REMEMBRANCE DAY''

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 93, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 93) expressing support for the designation of March 2, 2019, as ''Gold Star Families Remembrance Day.''

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

Mr. MCCONNELL. 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 with no intervening action or debate.

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

The resolution (S. Res. 93) was agreed to.

The preamble was agreed to.

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

ORDERS FOR WEDNESDAY, MARCH 6, 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, March 6; 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, morning business be closed, and the Senate proceed to executive session and resume consideration of the Readler nomination under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator PORTMAN and Senator BROWN.

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

The PRESIDING OFFICER. The Senator from Ohio.

OPIOID EPIDEMIC

Mr. PORTMAN. Madam President, I have come to the floor of the Senate today to talk about the opioid crisis, to talk about what is happening out there in our communities and how some of our Federal legislation is working, and to talk about some good news, which is that there is some improvement in terms of the overdose deaths we have seen in this country, but also a warning that although we are finally making progress on the opioid crisis, we are also seeing other drugs, such as pure crystal meth, coming from Mexico and other drugs beginning to take hold in our communities.

So let me start, if I could, by talking a little about what the opioid crisis has been and what we are doing to address it.

You recall that the last data we had, which is for 2017—over 70,000 Americans lost their lives to overdoses. The No. 1 drug, the No. 1 killer, has been fentanyl, which is a synthetic opioid that, about 4 or 5 years ago, hit our communities hard. Year after year, for 7 or 8 years now, we have seen increases every single year in the number of people who die from overdoses, which is one way to measure it. Another way to measure it is just the number of people addicted. That is a harder figure to find, but that has also increased year to year.

It is devastating communities. The No. 1 cause of death in my home State of Ohio is opioid overdoses. Among Americans under 50, it is now the No. 1 cause of death in America.

It also has had many impacts on our health system and on our criminal justice system. Go to the emergency rooms. Look at our jails that are filled with people whose crimes somehow relate to opioids. Often, these are property crimes—people doing something to get the money to pay for their drugs.

Look at the impact it has had on our families. The foster care system is overwhelmed. I was with some juvenile court judges today from Ohio who were telling me that they can't find sponsors, that they can't find foster parents because the system is overrun with kids whose parents are addicted to opioids, and they cannot go home, but they need a loving family.

It has impacted our economy because so many people are now out of work altogether, aren't even looking for work, and don't even show up in the unemployment numbers. If you look at the labor force participation rate being so low—in other words, the number of people working—the unemployment rate today would not be 4 percent; it would be more like 8 percent if you just went back to a normal level. And a lot of that, based on studies done by the Department of Labor and Brookings and others, shows that the opioid crisis is driving that.

It has impacted us in so many ways.

Here is the exciting news: After 7 or 8 years of increases every year in the number of people whose hopes are lost,

whose lives are lost, we are seeing—at the end of 2017 and into 2018, the initial numbers we have—some improvement. It starts from an unacceptably high number, so this is not something we should start congratulating ourselves about, but it is much better, finally, to see this trend start to reverse.

Preliminary data from the Centers for Disease Control and their National Center for Health Statistics points to a promising, although very modest, downturn. They measure drug overdose deaths in 12-month periods, ending in any given month. The last data we have regarding predicted deaths was between September 2017 and March 2018, and during that time period, we saw the number of deaths fall from about 73,000 Americans to 71,000 Americans.

So there is still a crisis that we face as a country, but it shows that in many States, including Ohio, we are beginning to see a little progress. Again, this follows a time period where we saw a big increase due to this fentanyl—the synthetic drug that is 50 times more powerful than heroin—causing so many of those overdoses.

In fact, in my view, we were beginning to make progress through some Federal, State, and local policies and also the innovative work of the nonprofits that were working in our communities. We had begun to see progress on treatment and prevention and recovery and providing more Narcan, and then this influx of fentanyl hit us and overwhelmed the system. Now we are beginning to see—even with the fentanyl still out there—that we are beginning to make progress.

In Ohio—fentanyl hit our State particularly hard. We had a record 4,800 overdose deaths in 2017, which was a 20-percent jump over 2016's toll. So it has been tough for 8 years in a row.

What I can report today is that now we are seeing a little progress. We saw a 21-percent drop in overdose deaths in the first half of 2018. Again, we have not yet gotten all the numbers for 2018. When we have all those, I will come back to the floor and talk about them. But for the first half of 2018, we are getting the numbers in now at about a 20-percent drop.

That was the biggest drop in the Nation, by the way, during the period from July 2017 through June 2018, according to the Centers for Disease Control. So that is good, because Ohio has been in the middle of this. Other than West Virginia, we probably have had the highest number of overdose deaths on average in the last several years.

Separately, preliminary data from the Ohio Department of Health shows a 34-percent decrease in overdose deaths from January to June 2018. Again, those first 6 months, we saw a little decrease, finally—34 percent. That is progress—again, from a high starting point, but I believe we are headed in the right direction.

Some people have asked me ''Are we ever going to see the end of this crisis?'' and I have always said yes. There is a light at the end of the tunnel because we know what we need to do.

We need to have better education and prevention programs to keep people from falling into addiction in the first place. We need to stop the overprescribing from our doctors so that people aren't inadvertently, because of an accident or an injury, taking prescription pain pills and then becoming addicted and then moving to heroin and fentanyl and so on and often to overdoses.

We need to do much more in terms of treatment and getting people into longer term recovery because we know initial treatment is important. In fact, essential to getting people through the process of coming out of their addiction is that they have to go through a painful process and then go into a treatment program. We have also found that longer term recovery programs are key to people's success—getting back on their feet, getting back to their families, and getting back to work.

One of the reasons we have made progress is because, as I said earlier, at every level of government, there has been movement, and there has been progress made. Here in Washington, in the Congress, we have done things that are historic. As an example, never before have we funded recovery—until just a few years ago. We have never had this much focus on providing the funds for Narcan to be used to help our first responders and others use this miracle drug to reverse the effects of an overdose. We have never spent so much money on prevention and education. And, of course, we have never spent so much money on treatment.

Several years ago, some of us came together, knowing this crisis was building, and said: How do we create legislation here in Washington that can make a difference? Some said it is not really a Federal role. My view was that the Federal Government has a big role here because it is a national emergency, a national crisis, but we ought to take the best information from around the country, find out what the best practices are, and then help the States by providing funding to leverage additional funding at the local level, the State level. That was called the Comprehensive Addiction and Recovery Act. We spent 3 or 4 years putting it together. We had five conferences here in Washington. Senator WHITEHOUSE on the other side of the aisle and I are the coauthors of that legislation.

The first year, we got some money from Congress—$181 million—to support these treatment programs, education programs, treatment and recovery programs together, Narcan for our first responders—181 million bucks. The next fiscal year, we got $267 million to fund these same programs. The next year, 2018, we got $608 million. In 2019, this year, we got $647 million. So we have increased the funding and increased the commitment. Why? Because it is working. Because we can all go home now and look at our States and see where some of this funding is going and show that through innovation, through doing things differently, we are beginning to make a difference.

Let me give the best example, perhaps, that I see around the country; that is, instead of saving someone's life with Narcan and having that person overdose sometimes again and again—first responders will tell you that they find it frustrating to save the same people again and again and not find any route to success. You want to get these people into treatment. So what we have funded through CARA—the Comprehensive Addiction and Recovery Act—are these rapid-response teams. So when somebody overdoses from fentanyl, they don't just go back home or go back to the old community or the old gang. Instead, somebody visits—a law enforcement officer, a social worker, a treatment provider. They knock on the door and say: We want to get you into treatment. We want to help you. We are here to help. We are not here to arrest you; we are here to help you.

The success rate is phenomenal—maybe greater than you would think—because a lot of these people, particularly right after overdosing and having Narcan applied, saw their lives flash before their eyes, and they are looking for some help. Probably 8 out of 10 people are not getting into treatment, so they are looking for an avenue to treatment.

In some places in Ohio, there has been as much as an 80-percent success rate in getting those people who were virtually a zero-percent success rate before into treatment programs. Again, they have to be the right programs, and there has to be that longer term recovery in order to ensure success, but programs like those are beginning to turn the tide.

Over the past several months, I have been around the State of Ohio—as I have done the last several years—and I met with local leaders to find out what is really going on and how the money is being spent.

A couple of weeks ago, I met local leaders and participants in the Pathways Achieving Recovery by Choice program. That is a voluntary recovery program for incarcerated women with substance abuse disorders and many with co-occurring mental health issues as well. These are women behind bars who volunteer to go into this program. All of them are numerous repeat offenders. In other words, these are women whose chances of being back in the system after they get out is extremely high. The program director said it is virtually 100 percent because they have been arrested numerous times, and they keep coming back again and again into the system.

This program that I got to see received a grant from the Comprehensive Addiction and Recovery Act of $881,000 so that this program could last not just

1 year but several years. They put it in place. They are providing treatment and recovery services for these women and teaching them not just about how to avoid going back to the old neighborhood and getting back in trouble again but also how to establish their lives in a productive way—going back to work, getting back with their families.

It was great to hear from Dr. Patrice Palmer, who runs the program, and also Franklin County Commissioner Marilyn Brown, Sheriff Dallas Baldwin, and others about how this is helping residents get what they need—the treatment and recovery services they need, the housing they need—but most importantly, get them to rebuild their lives and not come back into the system. I mentioned earlier that the recidivism rate is virtually 100 percent for this group. In other words, 100 percent of them are going to come back into prison based on the record. This program has got that down to 20 percent. In other words, 80 percent of these women have gotten out, gotten into the programs they need, gotten back on their feet, gotten a job, and found an apartment. Eighty percent of them are back in our communities as productive citizens. That, to me, is what this is all about.

I spoke to a number of the participants in the program, and they were optimistic because it is a very upbeat program. I was asked to give a quote, and I gave a Winston Churchill quote about how when you fall down, the most important thing is getting back up. That is more important than success without having failures. I talked about the fact that I have been to a lot of these programs around the State, and I have seen where people find—for the first time in their lives, in many cases—the kind of meaning in their lives and the kind of hope for the future that let them get back on track.

I talked to Nina Davidson. She is a repeat offender. Nina said what all the women said. She said: I don't want to go back to jail. She doesn't want to keep living that life. She has been in and out of jail many times. Pathways has helped her change her thinking, and that is what it is all about—changing the thinking and therefore changing lives and saving lives.

Earlier this year, I met with law enforcement, local officials, and members of the Hamilton County Heroin Coalition to find out how they are using these Federal funds.

Again, I am here talking to my colleagues, Republican and Democrat alike, saying that we need more money, and they want to know where it is going. Is it working?

Well, I just talked about one that is working in Columbus. It is also working in Hamilton County, which is the Cincinnati Federal area. They have received Federal funding through the CARA legislation and also the 21st Century Cures law—again, something this Congress passed on a bipartisan basis.

The county has received a $500,000 CARA grant for an innovative program to help those with substance abuse and mental health disorders get help instead of going through the criminal justice system. They also got $50,000 for a prevention grant for a group called PreventionFirst!, which is a group I founded more than 20 years ago, about 25 years ago in Cincinnati. It is still there helping to prevent drug abuse. They are doing a good job. They have also received money through the 21st Century Cures Act. In fact, in the last 2 years, Ohio has received 26 million bucks a year from the Cures legislation that goes straight to the State, and the State decides how it is given out to good groups and organizations around the State.

The Cures funding and the CARA funding, as I see it, is working. It is expanding Medicaid-assisted treatment. It is helping first responders—these are our EMS, our firefighters—who are out there trying to save lives. They need the training on Narcan. They need the funding.

It has also helped with regard to closing the gap for those who are seeking treatment. I mentioned earlier the gap between Narcan being applied and somebody getting into treatment. There is also a gap, unfortunately, between people in treatment and getting into longer term recovery. Often, there is a waiting period there, and people fall back into their addiction. These gaps can be closed, and when they are and when it is a comprehensive, seamless program, the results are amazing.

During our meeting in Hamilton County, Newtown, OH, Police Chief Tom Synan told me that fentanyl continues to be the deadliest drug in greater Cincinnati. He wants us to implement quickly two pieces of legislation. One is called the STOP Act, which this Congress passed to keep fentanyl from flowing freely into our communities.

In August 2016, we had 174 overdoses in 6 days—174 in 6 days. It was what they called a bad batch. It was fentanyl being mixed with heroin. That drew national attention to the crisis. That is when we started working on this STOP Act, which is to say, let's stop this stuff from coming in through the U.S. mail system, which is where most of it comes, and from China, which is where most of it comes. We passed that legislation, and it is helping because it requires the U.S. Postal Service to actually screen through these packages to get the information to know what is a suspect package to help Customs and Border Protection pull these packages off and begin to pull some of these drugs out of our communities, which, at a minimum, increases the cost of this drug on the street, which is important.

We also have the other legislation. I see that my colleague SHERROD BROWN is on the floor today. The INTERDICT Act helps because it gives those same people more funding for the screening they need once they have identified a package that is suspect. That combination is making a difference right now. President Trump signed that law in October of last year after about 2 years of hard work and investigation by the Permanent Subcommittee on Investigations. It is making a difference, but, as Police Chief Tom Synan said, we have to implement it and implement it quickly.

I spoke today to the Secretary of Homeland Security. She talked about the INTERDICT Act. She wants to push those quickly, and we need to, because those will continue to make a difference. But they are starting to work, and that is part of the reason we are seeing some progress.

I recently toured the jail in Butler County, OH, to see firsthand how they are using their Federal funding. They got about $800,000 in a CARA grant. I met with Scott Rasmus, the executive director of the Butler County Mental Health and Addiction Recovery Services Board, Sheriff Jones, and other community leaders about how they are using this funding to close the gaps that often occur with treatment. Again, they are doing what I talked about earlier, with these rapid response teams that ensure, that, yes, they are saving people's lives with Narcan, but then getting them into a treatment program that works for them.

In January I was in Portsmouth, OH, one of the hardest hit areas of our State. Portsmouth, OH, has been the subject of a lot of attention by the media—a lot of attention because they were hit so hard by the heroin crisis that followed the prescription drug crisis.

I met there with law enforcement and local officials from Adams County, Lawrence County, and Scioto County. They have received $525,000 in grants from the Cures Act, and they are using it to help to address every aspect of addiction, including the gaps in treatment I talked about. They funded a reentry project, the Hughes Re-Entry Center, which provides longer term assistance through outpatient services, assisted housing, and working with the Community Justice Center to close the gaps occurring when people get out of prison and getting them into programs that will help them to avoid getting right back into prison again.

Lastly, I want to highlight a recent visit I made to the Oasis House. Oasis is a safe house in Dayton, OH. It provides a supportive environment and recovery services to women who were trafficked or abused, and it helps them get back on their feet through counseling, drug treatment, or other social services. I was there last month and had the opportunity to visit with the women. It is a Christian, nonprofit organization—a faith-based group—that runs these safe houses. Most of these women are victims of human trafficking. These women are often homeless. Every single one of them I talked to was also an addict or a recovering

addict. They have been through a lot—a lot of trauma—and they need the help, but the good news is they are getting the help, and there is hope.

At my visit to the safe house, I met these incredibly courageous women who have taken these steps voluntarily to get their lives back together, using faith and using, in some cases, treatment programs. The funding they are getting is coming through the Montgomery County ADAMHS Board, the alcohol and drug board, and that funding comes from the CARA legislation and the Cures legislation. Again, seeing in action what is actually happening on the ground gives me hope that we are beginning to make progress.

I met with the safe house ''Mom.'' She is the resident mother, as she calls herself, of this house. She is there to take care of concerns that women have. She is a recovering addict herself. She is a domestic violence survivor. Oasis House saved her life, and now she is giving back by helping current Oasis clients to be able to help save their lives. I want to congratulate Cheryl Oliver, their executive director, for all of the great work they are doing. The bravery of these young women was inspiring and, again, it is great to see firsthand how this is making a difference in their lives.

We have recently seen this issue of trafficking arise in connection with a sex trafficking ring in Florida. We are told that illicit spas—like those in Florida that you have probably heard about in the media in the last week or so—can sometimes be hubs of human trafficking, where women, often imported from foreign countries, are brought in to America. They are often induced through fraud, fear, or some other type of coercion to perform sex acts for money, and that is what investigators believe happened here. They believe that the women in these spas were from foreign countries, and that they were induced into this through coercion. There is more information coming out. They don't have all of the details yet. The investigation continues, but they suspect the managers at these day spas were trafficking these women, and, therefore, they arrested the owners at several of these day spas. It is another disturbing reminder that human trafficking continues to exist right here in this country in this century, and we must stay vigilant in our efforts to combat this horrific crime.

In my last 8 years here in the Senate, it has been one of our top priorities to pass legislation to combat human trafficking. We have passed bills into law to get better data on sex trafficking here in the United States, to ensure that victims are treated as victims and not as criminals, to increase Federal penalties on johns, and to enact a zero-tolerance policy on human trafficking and government contracts.

I am proud to say that, with Senator BLUMENTHAL, we cofounded and cochaired the human trafficking caucus here. We started off with a couple Members, and now we have a couple dozen Members of this body who work day in and day out to say: How can we do more to help?

One thing we found through our research was that online sex trafficking is growing dramatically and is one reason you see the increase in sex trafficking here in this country and around the world.

After 18 months of investigation—particularly into backpage, which was the commercial site that had probably three-quarters of the trafficking on it—we passed a law called the SESTA legislation, which ensures that these websites that knowingly engage, facilitate, or promote trafficking are held accountable for what happens on their platforms. It is about time. We should have done it a long time ago.

Having passed that legislation, backpage is now shut down, and the National Center for Missing and Exploited Children reported to us that probably about two-thirds of these online websites that sell women and children online have now been discontinued. Again, we haven't solved the problem. It is still very much out there. Other websites will crop up on the dark web as well, but we have made progress by focusing on the issue in a bipartisan way. Numerous websites have been shut down, as we have been told by the experts. I will quote the National Center for Missing and Exploited Children: ''Since the enactment of SESTA and the government's seizure of Backpage, there has been a major disruption in the online marketplace.''

As we talked earlier—whether it is the SESTA legislation that is now working, whether it is the CARA legislation and the Cures legislation on the opioid crisis—that we are making a difference. The funding that has been provided by this body and by the House—after careful research to figure out what works and what doesn't work and sending it to evidence-based programs—is working. We cannot take our eye off the ball. We cannot stop now. If we do, we will just see this problem crop up in different ways.

I mentioned that as we are making progress on opioids, law enforcement and those who are in the trenches—treatment providers—are talking about the fact that other drugs are beginning to rise, particularly crystal meth. So we can't stop. We have to continue.

These programs are making a difference, helping people to get their lives back on track and helping to save their lives. The Federal Government continues to have a role here to be better partners in this effort with States, local governments, and nonprofits that are out there doing their best and, ultimately, with our families. That is what this is all about, giving people hope and saving lives.

I yield back my time.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I thank my friend from Cincinnati for his work on both the issues he spoke about—both, on sex trafficking, which is a terrible affliction in our country and especially in Ohio, and on the issue of opioid deaths. We lose almost 100 people a week in Ohio to overdoses, and more than 11 a day on opioid overdoses. So I thank my colleague from Cincinnati for that.

GM CLOSURES

Mr. BROWN. Madam President, this week, General Motors is set to lay off thousands of workers in Lordstown, OH, and around the country. Tomorrow is the day that most of the first shift lose their jobs. Several months ago, the second shift lost their jobs. A couple years ago, the third shift lost their jobs. That totals about 4,500 human beings with families.

What is the President's response? He boasts nonsense and rubs salt in these workers' wounds. Last week, as if he didn't know about Lordstown and other places, he said: We have car companies opening up in Michigan and Ohio and Pennsylvania and so many other places.

I don't know where those mystery factories are in Ohio that the President brags about. They aren't in Lordstown, where people are about to lose those jobs. President Trump's remarks, his uncaring feelings, and his ignorance of even knowing what has happened in Ohio—the State he seems to boast about and credit for his victory—are a slap in the face to the workers, and there is the fact that he has done nothing to help.

Think about the workers who are out of a job at the end of the week. Think about their families. Think about the other families in Lordstown who are about to lose customers.

Senator PORTMAN and I spent a lot of time working with General Motors, visiting a restaurant near the plant and talking to the workers there who know their jobs are affected as fewer Lordstown workers come to that restaurant. Multiply that with hardware stores, police and fire jobs and teacher jobs and all that afflicts the Mahoning Valley when GM does what it does.

Remember what Donald Trump promised people in communities like Youngstown. He said that he would fight for them, that he would fight for their jobs. Last year, he told the people of Mahoning Valley—Mahoning Valley is Youngstown, Warren, Lordstown, and that area: ''Don't move.''

These are the President's words:

> Don't move, don't sell your house. We're going to fill up those factories or rip them down and build new ones.

He said:

> We never again will sacrifice Ohio jobs and those in other states to enrich other countries.

Think about that. The President of the United States comes in, in the midst of these GM layoffs, and says: Don't sell your house. Don't move. We are going to fill those factories up. If

we don't fill them up, we are going to rip them down and build new ones.

He went on to say: Workers will come back. Jobs will come back from these countries.

Then, even when I called and talked to him about the second-shift layoff, he didn't even know about it. I am not sure what his staff is telling him. Maybe FOX doesn't cover these stories, but the mainstream media does. These are real stories. These aren't political opinions. Some 4,500 people lost their jobs, and the President doesn't seem to know or care.

Those weren't the only promises he made. Over and over, Candidate Trump and then-President Trump promised American autoworkers that he would fight for their jobs.

In Warren, just a few miles from Lordstown, in 2016, he said: ''If I'm elected, you won't lose one plant, I promise you that.'' ''If I'm elected, you won't lose one plant, I promise you that.''

In Michigan in the fall of 2016—another State with a lot of auto jobs—he said: ''We will bring back your auto manufacturing business like you have never seen it before.''

In February 2017, he promised again: ''A lot of jobs are going to be coming back into Ohio and Michigan and Pennsylvania and all the places that have been hurt so badly.''

In March 2017, he said: ''The assault on the American auto industry, believe me, is over.''

Last year, after GM announced the layoffs, he said: ''Ohio is going to replace those jobs like in two minutes.'' ''Ohio is going to replace those jobs like in two minutes.''

First of all, why would he say this stuff? Second, does he not ever follow the news? Does his staff not tell him what has happened in the seventh largest State in the country and the State that he in part credits for his election? He lost the popular vote by 3 million votes. He won the electoral college because of Ohio and because of two or three other States. But wouldn't he know that a valley of 450,000 people, just during the time since the election, has lost 4,500 jobs just in that plant alone, and another 5,000 manufacturing jobs that make the components that go into the Chevy Cruze, and another 5,000 to 6,000 to 8,000 to 10,000 jobs? Nobody knows for sure how many they will lose in restaurants, hardware stores, and car dealerships and cuts in public dollars because the local governments have lost tax revenue so there are fewer police and fire and street cleaners and people who work in the cities, the counties, and the school districts.

The workers who are going to be out of a job by this week are still waiting. These people trusted him. President Trump did really well in the election in this valley of 450,000 people. He did really well.

He did really well. He did better than Republicans ever do, but what did he do for them after he made those promises? I am going to make a statement that is provably true but almost doesn't even make sense that it could be true. His tax bill says: If you do your production in Lordstown, OH, you pay a 21-percent tax rate, but if you move your production to Mexico, you pay a 10.5-percent tax rate.

In other words, because of Trump's tax law that, frankly, was written down the hall in Senator MCCONNELL's office but with the President's signature on it, these companies get a 50-percent-off coupon for moving overseas. Think about that. If these companies move overseas, they get a 50-percent-off coupon on their taxes.

I talked to the President about that. I asked him to reconsider that law, and he said: ''Where did that law come from?''

I said: ''Well, Mr. President, it was in your tax bill, and you signed it.''

Then I talked to him about the American Cars, American Jobs Act and how he can fix this. Here is what the bill does. Customers who buy cars made in the United States get a $3,500 discount at the dealership. If the American car is electric or a plug-in hybrid, they get an even bigger discount. These are the cars GM said it was going to start making instead of the Cruze. There is no reason they can't make them in Lordstown instead of Mexico.

Second, companies that cut the number of American jobs they had on the day the GOP tax bill passed, if they move those jobs overseas, they lose their tax breaks. Under my bill, the American Cars, American Jobs Act, they lose their tax breaks, they lose that 50-percent-off coupon, and then that money they have to pay because they lose their tax break goes to car consumers at the dealerships, meaning they will buy more American cars. So what will happen is it will actually do what Candidate Trump said he wanted to do and promised that he would do, and that is to bring American jobs back.

This President who says: ''I am the workers' best friend, and I fight for these jobs,'' that is phony populism. Do you know something? Populism is never racist. Populism is never anti-Semitic. Populism doesn't divide people. Populism doesn't push people down to lift people up. Populism doesn't give tax cuts to rich people and then turn around and cut Medicare and Head Start. Populism fights for people and fights to lift up all workers. That is what we are not seeing here now.

I am calling on the President, again, to try keeping his promises and actually fight for autoworkers, fight for these communities like Lordstown, and help us pass the Americans Cars, American Jobs Act, end the tax cut for corporations to shut down American plants and move jobs overseas, and take this 50-percent-off coupon away that some of the richest people and biggest corporations in this country enjoy when they send jobs overseas because if you love your country, you fight for the people who make it work.

NOMINATIONS

Mr. BROWN. Madam President, the last vote we took today was about Americans' healthcare. It was about consumer protections for preexisting conditions that are at risk because of partisan judges.

The Presiding Officer was running for the Senate at the time and wasn't in this body, but I assume she knows, and all of us remember the day when the repeal of the Affordable Care Act failed.

The people on that side of the aisle, the Republicans, were all voting to take away consumer protections for preexisting conditions. That was part of the vote for the repeal. Among other things, it was to cut people off Medicaid, many of whom were getting treatment for opioid addiction, and it was to take away the consumer protections for preexisting conditions. That is when people can't get insurance because they are sick or they get their insurance canceled because they are too expensive. They are sick, their insurance is too expensive, and the insurance companies come down on them.

So the stage was set. The Republican Members who said they wanted to preserve preexisting conditions, many of them ran their campaigns on—because they knew the voters were very upset with Republicans for trying to take away the consumer protections on preexisting conditions, they ran their campaigns on that issue. So the Republicans quickly flipped and said: Well, we are going to protect you too.

Well, tomorrow is the day we have a chance to really protect the consumers with preexisting conditions and to keep the protections for consumers with preexisting conditions. The problem is, they can't do it in Congress. They can't take it away because voters don't like it if they take away the protections so they do it through the Federal judiciary. That is how they work around here.

These partisan judges who are voted out of here—maybe the worst one yet is from Columbus, OH, named Chad Readler. Last summer, Readler did what three career attorneys with the Department of Justice refused to do—he filed a brief challenging the law protecting Americans with preexisting conditions.

He was the person in the Trump administration who was the point person for taking away the consumer protections protecting Americans against losing their insurance because of a preexisting condition.

Do you know what? After he filed that brief, the very next day the lights went on. The very next day, Chad Readler was nominated for a lifetime appointment to the Sixth Circuit Court—the next day.

He did his work for the insurance companies. He did his work for the Trump White House. He did his work for the Republican majority who is going to take away any consumer protections. What is his reward? I guess

you can't say ''payoff'' because there were no dollars actually exchanged, but the reward that this party—the Senate majority leader down the hall and the President of the United States—gave the guy who wants to take those protections away and do the bidding of the insurance company is a lifetime—I don't know, $180,000, $200,000-a-year, whatever it is—Federal judgeship. It is for life. Mr. Readler is in his forties, so lifetime could be a very long time.

The arguments he made were unprecedented. Three career attorneys withdrew from the case after Readler made that decision. One went so far as to resign in objection to the Department of Justice's unprecedented actions.

Our Republican colleague Senator ALEXANDER from Tennessee called Readler's arguments as farfetched as he had ever seen. This is a Republican saying that the Trump White House's Department of Justice Chad Readler's, Acting Assistant Attorney General, logic was as farfetched as he had ever seen.

We saw what happened with the Texas decision in December, going along with Readler's arguments and threatening the healthcare coverage of 20 million Americans; that is, 20 million people because of a decision he made.

Judges are deciding the fate of Americans' healthcare right now. Judges are. It is not their elected body. It is judges who are taking away healthcare. The elected officials failed to take it away. They tried. They tried, and they tried. They did it 50 times in the House. They tried in the Senate. We defeated it by one vote. The Vice President was here on behalf of the President just in case he had to break the tie. He didn't have to because we defeated it by one vote. He didn't get to break the tie.

Now it is judges. Judges decide right now. We can't afford to put one of the White House's ringleaders in the fight to dismantle healthcare protections on the bench for life.

It is not just healthcare. It is LGBTQ rights. It is women's rights. It is voting rights. Judges make decisions right now that eliminate and limit Americans' rights for a generation.

On these issues, the President's nominees for the Sixth Circuit, Chad Readler and the other one, Eric Murphy, have a proven record of fighting to strip Americans of their rights.

Get this. Chad Readler not only supported the death penalty for minors, for 16-year-olds, as a private citizen, he took it upon himself to pen an op-ed saying he wanted to allow the execution of 16-year-olds—the execution of 16-year-olds. Think about that.

Apparently, he thinks it is OK for a mistake someone makes as a child to not only get them locked up for life but to actually take away their life altogether. What kind of person writes an editorial calling for the execution of 16-year-olds, and we are going to put him on the Federal court for life?

At a time when we are taking important bipartisan steps forward on sentencing reform, how do you turn around and put someone on the bench for life who supports executing children? A 16-year-old is still a teenager, a child, in our State, in our country, and in our society.

During his nomination hearing, Readler stood by his op-ed. He refused to disavow his support for using the death penalty on high schoolers.

As for Eric Murphy, he argued against marriage equality in the landmark Obergefell v. Hodges case. That is why Jim Obergefell has spoken out against his nomination.

He worked to restrict access to contraceptives for women, and my favorite, he defended Big Tobacco because those companies were doing such useful things for our country. As a lawyer, he defended Big Tobacco.

He also defended Ohio's voter purge. Think about the anniversary we will mark this week. This Thursday will mark 54 years, to the day, since Bloody Sunday.

Last weekend, my wife Connie and I were in Selma and walked across the Selma bridge. For me, it was the fifth time. I took my teenage daughters once. I took my mother, who was born in a small town in the South and taught me about civil rights. My wife and I went. We went back again this year to walk across the Edmund Pettus Bridge.

I listened to their stories. Women and men were beaten, their blood was spilled, and their homes were broken into. Why? Because people of color couldn't vote in many places in this country, and Alabama was one of those places. They were willing to suffer and, in some cases, die so they could have a right to vote. That was only a half century ago. That happened only 54 years ago.

Judges around this country, all the way to the Supreme Court, are systematically dismantling those rights. Without question, they are taking away people's right to vote by voter suppression. We can't let the sacrifices of the foot soldiers in Selma be in vain.

It is pretty despicable that a bunch of Members of Congress who have health insurance are willing to take it away for millions of people. That is pretty despicable. It is also despicable that Members of this body are going to mark this anniversary by putting another judge on the bench for life who will work to undo that legacy, who will likely be another judge ruling to send us back to those days, and who will rubberstamp modern-day poll taxes and literacy tests. They will not exactly do poll taxes and literacy tests, but they will find plenty of ways to take voters off the rolls.

We know the Governor's race in Georgia was essentially stolen from the African-American woman who was the nominee because of the sitting Secretary of State—oh, yes, who happened to be running for Governor. We know that. We know the election in Georgia was stolen. We know voters were purged prior to that election by the Secretary of State, who happened to be running for Governor.

I ask my colleagues, if you will not listen to me, listen to those foot soldiers in Selma, listen to the civil rights leaders who ask you to reject these judges.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:52 p.m., adjourned until Wednesday, March 6, 2019, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

INTER-AMERICAN DEVELOPMENT BANK

ANDELIZ N. CASTILLO, OF NEW YORK, TO BE UNITED STATES ALTERNATE EXECUTIVE DIRECTOR OF THE INTER-AMERICAN DEVELOPMENT BANK, VICE ELIOT PEDROSA.

OFFICE OF PERSONNEL MANAGEMENT

DALE CABANISS, OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF FOUR YEARS, VICE JEFF TIEN HAN PON.

DEPARTMENT OF JUSTICE

BRENT R. BUNN, OF IDAHO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS, VICE BRIAN TODD UNDERWOOD, TERM EXPIRED.

THE JUDICIARY

ROBERT J. COLVILLE, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE ARTHUR J. SCHWAB, RETIRED.

DEPARTMENT OF JUSTICE

TIMOTHY J. DOWNING, OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE SANFORD C. COATS, RESIGNED.

MICHAEL BLAINE EAST, OF NORTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE SCOTT JEROME PARKER, RESIGNED.

THE JUDICIARY

STEPHANIE L. HAINES, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE DAVID S. CERCONE, RETIRED.

JASON K. PULLIAM, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS, VICE SAM SPARKS, RETIRED.

MATTHEW H. SOLOMSON, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE EMILY CLARK HEWITT, RETIRED.

DAVID AUSTIN TAPP, OF KENTUCKY, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE LYNN JEANNE BUSH, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF CHAPLAINS, UNITED STATES ARMY, AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO THAT POSITION UNDER TITLE 10, U.S.C., SECTIONS 7036 AND 7073:

To be major general

BRIG. GEN. THOMAS L. SOLHJEM

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. TELITA CROSLAND
BRIG. GEN. DENNIS P. LEMASTER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS THE DIRECTOR, ARMY NATIONAL GUARD, AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10506:

To be lieutenant general

LT. GEN. DANIEL R. HOKANSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF THE NATIONAL GUARD BUREAU AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10505:

To be lieutenant general

LT. GEN. TIMOTHY J. KADAVY

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. LEON N. THURGOOD

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. CHARLES A. FLYNN

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. WALTER E. PIATT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MARK E. MORITZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. CHRISTOPHER A. ASSELTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MICHAEL T. CURRAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. LESLIE E. REARDANZ III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. KENNETH R. BLACKMON
CAPT. ROBERT C. NOWAKOWSKI
CAPT. THOMAS S. WALL
CAPT. LARRY D. WATKINS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. SCOTT K. FULLER
CAPT. MICHAEL J. STEFFEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PAULA D. DUNN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PAMELA C. MILLER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LATOYA D. SMITH

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER 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

LISA MARIE AHAESY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

RUBIROSA B. BAGO

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 major

MEGHAN C. GERRITY

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 major

DANIEL M. JANSEN

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 major

RANDOLPH POWELL

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 major

MICHAEL J. PROKOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAVID L. JOHNSON

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

JAMES L. POPE

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 7064:

To be major

ANTHONY BELLOFIGUEROA

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 major

SEAN R. RICHARDSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be major

KAHTONNA C. ALLEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ANGELO N. CATALANO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be lieutenant colonel

CHARLES J. CALAIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT T. EVANS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 605:

To be lieutenant commander

EDWARD M. PRENDERGAST

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 commander

BRENTONE E. HELBIG

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 commander

THOMAS L. HINNANT III

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 lieutenant commander

SANJAY SHARMA

CONFIRMATION

Executive Nomination Confirmed by the Senate March 5, 2019:

THE JUDICIARY

ALLISON JONES RUSHING, OF NORTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 5, 2019 withdrawing from further Senate consideration the following nomination:

CALVIN R. TUCKER, OF PENNSYLVANIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2023, VICE CAROLYN L. GALLAGHER, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 16, 2019.