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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.

Almighty God, our hope for years to come, show us how to live victoriously each day. Lead us to a place of understanding in spite of challenges and difficulties. Lord, make us more than conquerors because of Your power and love. Today, inspire our lawmakers to strive to do Your will. As they perform their daily tasks, guide them in the selection of their priorities. Lord, show them Your truth so they will be instruments of Your purposes. When their light of hope is threatened, renew them with faith in Your providence and mercy.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

MUELLER REPORT

Mr. MCCONNELL. Madam President, it has now been more than 6 weeks since Special Counsel Bob Mueller, the former FBI Director, concluded his investigation into Russia's interference in our 2016 election and delivered his findings to the Justice Department. It has been 2 weeks since Attorney General William Barr made the 450-page report public. This investigation went on for 2 years. It is finally over.

Many Americans were waiting to see how their elected officials would respond. With an exhaustive investigation complete, would the country finally unify to confront the real challenges before us? Would we finally be able to move on from partisan paralysis and breathless conspiracy theorizing or would we remain consumed by unhinged partisanship and keep dividing ourselves to the point that Putin and his agents would need only to stand on the sidelines and watch us as their job would actually be done for them? Regrettably, the answer is pretty obvious.

So that is what I want to discuss this morning—Russia's interference in American elections, the special counsel's and the Attorney General's work, and how we can finally end this ''Groundhog Day'' spectacle, stop endlessly relitigating a 2½-year-old election result, and move forward for the American people.

Now, it bears remembering what this investigation was actually supposed to be about—Russian interference in 2016. For many of the President's opponents, it quickly morphed into something else—a last hope that maybe they would never have to come to terms with the American people's choice of a President. In some corners, Special Counsel Mueller came to be regarded as a kind of secular saint who was destined to rescue the country from the inconvenient truth that the American people actually elected Donald Trump. For 2 years, many of the President's opponents seemed to be hoping the worst conspiracy theories would actually be true. They seemed to be hoping for a national crisis for the sake of their own politics.

Look, I will say it was at least heartening to see many of my Democratic colleagues and the media abruptly awaken to the dangers of Russian aggression. Remember, not long ago, the Democrats mocked Republicans like John McCain and MITT ROMNEY for warning about the dangers posed by Putin's Russia.

Remember President Obama's quip back in 2012, when then-Governor Romney emphasized his concerns with Russia? Here is what President Obama said when MITT ROMNEY emphasized his concerns about Russia back in 2012: ''The 1980s are now calling to ask for their foreign policy back.'' That was President Obama in 2012. Well, I think many of us now see that President Obama's approach to Russia could have used some more of the 1980s—more Ronald Reagan and less Jimmy Carter.

We would have been better off if the Obama administration had not swept Putin's invasion and occupation of Georgia under the rug or had not looked away as Russia forced out Western NGOs and cracked down on civil society; if President Obama had not let Assad trample his redline on Syria or had not embraced Putin's fake deal on chemical weapons; if the Obama administration had responded firmly to Putin's invasion and occupation of Ukraine in 2014, to the assassination of Boris Nemtsov in 2015, and to Russia's intervention in Syria. Maybe stronger leadership would have left the Kremlin less emboldened. Maybe tampering with our democracy wouldn't have seemed so very tempting.

Instead, the previous administration sent the Kremlin the signal it could get away with almost anything. So is it surprising that we got the brazen interference detailed in Special Counsel Mueller's report or a concerted effort to divide Americans through social media campaigns or the hacking into the email accounts and networks of the Clinton campaign and the Democratic Party?

Thanks to the investigation, we know more about these tactics. Thanks to the investigation, 13 Russian nationals, 3 Russian companies, and 12 more

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

Russian intelligence officers have been indicted. These are the people who really did seek to undermine our democracy. Yet, curiously, many of our Democratic colleagues and most of the news media don't seem to care about that. New insight into defending America? Russian nationals being indicted? These don't seem to interest my colleagues across the aisle—no interest—just like there has been little interest in the steps this administration has taken to make Russia pay for its interference and strengthen America's hand.

Election interference was just one part of Russia's strategy to undercut the United States, and this administration has taken the problem head-on. We have a new, coherent national security strategy and national defense strategy that actually take the threat seriously.

We have new sanctions. We have provided Georgia and Ukraine with weapons to better defend themselves—capabilities the previous administration denied our partners—now listen to this—out of fear of provoking Russia. We have worked against pipeline projects like Nord Stream 2 that would further expand Putin's influence. We have strengthened and reformed NATO so the alliance can present a united front. We proved Russia's noncompliance with the INF and walked away from a treaty that Moscow had turned into a sham. Over Russian objections, the Trump administration has also twice enforced President Obama's redline in Syria after Assad's use of chemical weapons.

With respect to election security, Congress appropriated hundreds of millions of dollars to State governments to shore up their systems. The administration increased information sharing from the Department of Homeland Security in cooperation with the States. According to press reports, the Department of Defense has expanded its capabilities and authorities to thwart cyber threats to our democracy. No longer will we just hope Moscow respects our sovereignty—we will now defend it. These are just a few examples, and there is already evidence they are having an effect.

We just had the 2018 midterm elections. Thanks to this administration's leadership, all 50 States and more than 1,400 local election jurisdictions focused on election security like never before. The DHS provided resources to localities for better cybersecurity, and private social media companies monitored their own platforms for foreign interference. Thanks to efforts across the Federal Government in 2018, we were ready. Clearly, that is progress. The Mueller report will help us as will the upcoming report from the Select Committee on Intelligence. These threats and challenges are real. Our responsibility to strengthen America is serious, and it requires serious work.

Speaking of serious, seriousness is not what we have seen from the Democratic Party in recent days. What we have seen is a meltdown—an absolute meltdown. We have seen an inability to accept the bottom-line conclusion on Russian interference from the special counsel's report, which read that the investigation did not establish that members of the Trump campaign conspired or coordinated with the Russian Government in its election interference activities. That was the conclusion—2 years of exhaustive investigation and nothing to establish the fanciful conspiracy theory that the Democratic politicians and TV talking heads had treated like a forgone conclusion. They told everyone there had been a conspiracy between Russia and the Trump campaign. Yet, on this central question, the special counsel's finding is clear—case closed.

This ought to be good news for everyone, but my Democratic colleagues seem to be publicly working through the five stages of grief. The first stage is denial. Remember what happened when the Attorney General released his preliminary letter that described the special counsel's bottom-line legal conclusion? Denial. Immediately, there was totally baseless speculation that perhaps Attorney General Barr had not quoted the report properly.

Then comes stage No. 2—anger. Welcome to Washington in recent days. The Democrats are angry—angry that the facts have disappointed them, angry that our legal system will not magically undo the 2016 election for them. They have opted to channel all of their partisan anger onto the Attorney General. They seem to be angrier at Bill Barr for doing his job than they are at Vladimir Putin. This is a distinguished public servant whose career stretches back almost 50 years. He is widely respected. Nobody claims he has any prior personal allegiance to this particular President.

Why are they angry? Why are they angry? Did the Attorney General fire the special counsel or force him to wind down prematurely? No. Did he sit on the Mueller report and keep it secret? No. He quickly reported out his bottom-line legal conclusions and then released as much as possible for the world to see. Did he use redactions? Did he use redactions to mislead the public? No. Working with the special counsel's team, he released as much as possible within standard—standard—safeguards. So it is hard to see the source of the anger.

Maybe our Democratic colleagues are thinking of some strange new kind of ''coverup'' where you take the entire thing you are supposedly covering up and post it on the internet. The claims get more and more utterly absurd. There are baseless accusations of perjury and laughable threats of impeachment.

We all know what is going on here. This is the whole angry barrage that Democrats had prepared to unleash on President Trump—except the facts let them down. The facts let them down. So the left has swung all these cannons around and fired them at the Attorney General. It is not for any legitimate reason but just because he is a convenient target.

There is this ''outrage industrial complex'' that spans from Capitol press conferences to cable news. They are grieving—grieving—that the national crisis they spent 2 years wishing for did not materialize. But for the rest of the country, this is good news. It is bad news for the ''outrage industrial complex'' but good news for the country. So now they are slandering a distinguished public servant because the real world has disappointed them.

Instead of taking a deep breath and coming back to reality, our colleagues across the aisle want to shoot the messenger and keep the perpetual outrage machine right on going, even undermining the institution of the Attorney General itself in the process.

Remember, Russia set out to sow discord, to create chaos in American politics, and to undermine confidence in our democracy. But on that front, given the left's total fixation on delegitimizing the President Americans chose and shooting any messenger who tells them inconvenient truths, I am afraid the Russians hardly need to lift a finger—hardly need to lift a finger.

The last stage of grievance is acceptance. For the country's sake, I hope my Democratic friends get there sometime soon. There are serious issues the American people need us to tackle. There is more progress for middle-class families we need to deliver.

For 2 years, the Democratic Party held out hope that the legal system would undo their loss in 2016. They refused to make peace with the American people's choice. But the American people elected this President. They did. The American people voted for change. The American people sent us here to deliver results for their families. That is what Republicans have been doing for the past 2 years and counting. That is what Republicans will continue to do. Whenever our Democratic friends can regain their composure and come back to reality, we look forward to their help.

MEASURES PLACED ON THE CALENDAR—S. 1332 AND H.R. 9

Mr. MCCONNELL. Madam President, I understand there are two bills at the desk due for a second reading en bloc.

The PRESIDING OFFICER. The leader is correct.

The clerk will read the titles of the bills for the second time en bloc.

The senior assistant legislative clerk read as follows:

A bill (S. 1332) to set forth the congressional budget for the United States Government for fiscal year 2020 and setting forth the appropriate budgetary levels for fiscal years 2021 through 2029.

A bill (H.R. 9) to direct the President to develop a plan for the United States to meet its nationally determined contribution under the Paris Agreement, and for other purposes.

Mr. MCCONNELL. In order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

MUELLER REPORT

Mr. SCHUMER. Madam President, I have just listened to my friend the majority leader engage in an astounding bit of whitewash—not unexpected but entirely unconvincing.

Yes, the Mueller investigation took 2 years, and, yes, it produced a stunning document in the end—not only a damning appraisal of our election security and just how willing a major Presidential campaign was to accept and amplify the disinformation of a foreign adversary but also a thorough examination of the behavior of a lawless President, who at least on 11 occasions, according to the report, may have obstructed a Federal investigation.

So while my friend the majority leader wants to say ''case closed''—I don't blame them—375 former Federal prosecutors looked at the Mueller report and said publicly that the conduct of the President amounts to felony obstruction of justice. In any other case, were he not President, those prosecutors would have recommended bringing charges.

Our leader saying ''Let's move on'' is sort of like Richard Nixon saying ''Let's move on'' at the height of the investigation of his wrongdoing. Of course he wants to move on. He wants to cover it up. He wants silence on one of the most serious issues we face—whether a foreign power can manipulate our elections, the wellspring of our democracy.

If the leader is sincere, then put election security on the floor. Let's debate it. Put sanctions on Russia on the floor. Let's debate it. He doesn't want to move on; he wants to run away from these awful facts that relate to the wellspring of our democracy—foreign interference in our election and a President who is lawless. That is what he wants to push under the rug.

Of course, he would say this is all done. It is not done. If Russia interferes in 2020, it is not done. If this President or future Presidents believe that they can avoid the law and even break the law—at least according to 375 prosecutors—it is not done. This is very serious stuff.

The leader bemoans ''breathless conspiracy theorizing.'' For a moment, I thought he was referring to the President and to those House and Senate Republicans who for 2 years intentionally sought to undercut Mueller's investigation by peddling farfetched conspiracy theories about deep state ''coups,'' unmasking scandals, and uranium purchases to muddy the waters. I guess he meant something about Democrats. But I don't remember the Republican leader bemoaning those breathless conspiracies; nor do I remember the Republican leader or the Republican Senators having such a distaste for congressional oversight during the Obama administration. On things far less serious, they were relentless in wanting investigations. Now they say ''never mind'' when the wellspring of our democracy is at stake, there is foreign interference in our elections, and a President who just disobeys the law. The leader sure acted differently a few years back.

What I remember is that from the very beginning, the Republican leader has not taken the threat of Russia's election interference as seriously as he should. In the run-up to the 2016 election, when the Obama administration sought to warn State election officials about foreign meddling and designate election systems as ''critical infrastructure,'' Leader MCCONNELL reportedly delayed for weeks, ''watered down'' the letter from congressional leaders, and pushed back against the designation. Yes, I would have swept this under the rug if I had done that. I wouldn't want to keep talking about it.

Despite 2 years in charge of the Senate since the 2016 election, Leader MCCONNELL has pursued additional election security only after being prodded by Democrats, and it has been half-baked at that.

Leader MCCONNELL thwarted the Rules Committee from marking up the bipartisan legislation designed to enhance election security.

At the beginning of the year, 42 Republicans, including Leader MCCONNELL, essentially voted in favor of the administration's proposal to weaken sanctions against Russia.

In the last round of negotiations, Senate Republicans blocked our attempt to fund additional efforts to make our election safe in 2020.

Now, despite a preponderance of testimony from our intelligence officials—not politicians; intelligence officials who are in charge of our security and well-being—they testified that foreign powers are ramping up to interfere in our next election. The Senate has done nothing to grapple with the problem, even as minimal of a request as I made to the leader: an all-Senators' classified briefing from our defense and intelligence leaders so that the Senate understands what we need to do to protect American in 2020 and beyond. I have been asking for 2 weeks, and we still haven't gotten action.

Let's bring the bipartisan Secure Elections Act to the floor and debate and amend. Let's strengthen sanctions against Putin and any other adversary who would dare to interfere with the sanctity of our elections.

Regardless of what you believe about the President's conduct, we should all—every single Democrat and every single Republican—be working to ensure that what happened in 2016 never happens again. We can debate how much of an effect it had, but we sure don't want it to be worse—whatever it was—in 2020 than it was in 2016. And the leader sits on his hands, does nothing, creates a legislative graveyard for these and every other issue, and then says: Let's move on. No way. No way. We can do both. We can make our elections more secure. We can examine what happened so we can make them more secure and do other issues. So far, Leader MCCONNELL is doing neither.

What we have here is very simple. What we have here is a concerted effort to circle the wagons to protect the President from accountability, to whitewash his reprehensible conduct by simply declaring it irrelevant. In that effort, the leader and Senate Republicans are falling down drastically on their constitutional duty to provide oversight and, I fear, to defend the national interest as well.

SENATE LEGISLATIVE AGENDA

Mr. SCHUMER. Madam President, let me now talk about something related—the legislative graveyard.

Leader MCCONNELL says: Let's move on and work together. There hasn't been a single bill put on the floor on issues we can debate, whether it is protecting preexisting conditions, making our education system better, dealing with the problem of the high cost of drugs, doing infrastructure—nothing. Just appointments have been put on the floor. And nothing has been done on election security at the very minimum.

I know the leader is afraid to debate what happened and explore what happened given the tawdry history of certainly President Trump and of Senate Republicans in responding to this serious issue, but at least he could move forward and we could put some bills on the floor and debate them to strengthen our election security, which everyone admits is weak.

So if Leader MCCONNELL, as he says, is ready to move on to serious things, then how about bringing forward legislation to protect our elections? For 4 months, the Senate has been little more than a legislative graveyard, and election security is exhibit A.

The House passed important reforms to improve and safeguard our elections. No action here in the Senate. We have a bipartisan election security bill waiting in committee. No movement from the leader.

As long as this place remains a legislative graveyard, we are rolling out the welcome mat for foreign adversaries—not just Russia but Iran, Turkey, North Korea, China—to interfere in our elections. We are essentially encouraging a sequel to 2016 because the leader is sitting on his hands, because the leader is presiding over a legislative graveyard on election security and just about everything else. What about bipartisan background checks? What about paycheck fairness? What about election reform? What about even the Violence Against Women Act, which passed the House with 33 Republicans? None of those are being put on the floor so that we can act and debate.

Later this morning, my friend Senator UDALL will come here to the floor to press our Republican friends to take up this bill and shed light on the fact that it includes long-overdue reforms to protect Native American women. The House is moving on legislation this week to protect our healthcare law and protections for Americans with preexisting conditions from the administration's efforts to destroy those protections. There is no reason for Leader MCCONNELL, who says he wants to move on, to let these bills collect dust in the Senate. Even if he doesn't love every particular in these bills, why not bring them to the floor to debate and amend? Surely, we could find a way to agree on issues. Ninety, ninety-five percent of Americans agree on every one of these. But the Republican Party and Leader MCCONNELL are so in the grasp of powerful special interests and lobbyists from the hard right that they are afraid to move any of this.

DISASTER RELIEF

Mr. SCHUMER. Madam President, on disaster, last week, the city of Davenport in Iowa became the site of the latest national disaster to wreak havoc on our homeland. It has been 8 weeks since the Midwest began battling major flooding, 6 months since the last major wildfire in California, 12 months since a volcano erupted in Hawaii, and over a year and a half since Hurricanes Irma and Maria devastated the island of Puerto Rico. But because the President has stubbornly and inexplicably opposed aid to Puerto Rico, a comprehensive disaster package has failed to get the necessary support of my colleagues on the other side of the aisle, of a majority in the House, and has languished in the Congress.

Unfortunately, the President continues to belittle Puerto Rico and tell flat-out mistruths about the level of support they are receiving. Just yesterday, the President said the people of Puerto Rico ''should be very happy'' with what he has done for them so far. Well, don't ask me. Ask the Governor of Puerto Rico—hardly a left-wing, partisan Democrat; ask the mayor of San Juan; ask the people of Puerto Rico if they are happy. Don't put words in their mouths. Ask them if they are happy with the support they have received from this administration. Ask them if they are happy with HUD's missing its own deadline to advance the release of $8 billion in disaster mitigation funding last week. Ask them, and you will get a much different answer. No one in the Puerto Rican community is happy with the way this President has treated the island and its 3 million American citizens. He has treated them with contempt. It needs to stop.

So, President Trump, if you want to help the farmers in the Midwest, be fair to everyone. You can't pick and choose.

Some of them say: Oh, but Puerto Rico isn't spending its aid well. I heard that when we wanted Sandy money for New York. You can say that about any region. In an emergency, no government program will be perfect, but that is not a reason to hold back the money. Instead, send the money and have some oversight, but help the people. They need it. You can't pick and choose which Americans to help.

I would say this to President Trump: As our President, you must represent all Americans, not just the ones who voted for you.

I yield the floor.

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 senior assistant legislative clerk read the nomination of Joseph F. Bianco, of New York, to be United States Circuit Judge for the Second Circuit.

The PRESIDING OFFICER. The Senator from Utah.

EXPORT-IMPORT BANK

Mr. LEE. Madam President, many Americans might be surprised, shocked, and troubled to learn that some of their tax dollars are going directly to Chinese companies and that some of those dollars even go to corporations owned by the Chinese Government, like Chinese banks, Chinese development agencies, and Chinese microprocessor factories. In recent years, in fact, China received $50 million in loans and guarantees, all backed by American citizens.

Taxpayers would be right to be puzzled and concerned about why their hard-earned money is subsidizing Chinese state-owned companies. To be clear, we are not talking about voluntary investment from American businesses; we are taking about the backing of the U.S. Government. They might ask: How is this the case? Why on Earth would we do this? Why is this happening? The answer has to do with the very institution to which we are going to be trying to confirm nominees today.

The Export-Import Bank—or Ex-Im, as it is often described—was created during the height of the Great Depression to help U.S. exporters when they were desperate for customers and foreign markets lacked the capital to finance trade. It was conceived particularly to help small businesses to be able to compete, as many of its current proponents still claim, still insist, to this very day.

But for decades, the institution that is the Export-Import Bank has unfortunately been used as a giant tool for corporate welfare. Ex-Im has operated to benefit the wealthiest and the most politically connected businesses in America, as well as their overseas clients and, believe it or not, foreign governments. Take Boeing, for instance. Look, it is no coincidence that Ex-Im has been nicknamed ''Boeing's bank.'' When Ex-Im financing was at its peak, Boeing received 70 percent of all Export-Import Bank loan guarantees and 40 percent of all Ex-Im dollars.

Which other large corporations have benefited? Well, they include General Electric, John Deere, Caterpillar, and other industrial giants—hardly businesses that are unable to get financing elsewhere; hardly businesses that fit within the category of what the biggest proponents of Ex-Im claim need Ex-Im to exist in the first place.

In fact, while Ex-Im claims that 90 percent of the businesses to which it provides support are ''small businesses,'' when you dive into those numbers, the numbers tell a somewhat different story. They show that small businesses received only about 25 percent of Ex-Im dollars. That doesn't even touch the fact that in 2014 Caterpillar and Boeing were the first and fourth largest recipients of so-called small business funds from Ex-Im. So if Boeing and Caterpillar—great U.S. companies that employ tens of thousands of hard-working Americans and make good products used by people all over the world—if they can be considered small businesses, it makes you question the vernacular used by Export-Import Bank proponents.

Looking at the Bank's track record as a whole, only one-half of 1 percent of all small businesses in America actually benefit from Export-Import financing—a very small tip of a very large iceberg; a very small portion of all business enterprises in the United States. It makes one question, why, then, do we have one entity that is set up to provide such a large benefit to so few businesses?

It is a similar story on the foreign side. Abroad, Ex-Im has largely benefited big companies that already collect massive subsidies as state-controlled entities and entities that can easily get private financing elsewhere.

The No. 1 buyer of exports subsidized by Ex-Im between 2007 and 2013 was Pemex. For those not familiar with Pemex, it is the notoriously corrupt petroleum company owned by the Mexican Government. Pemex, which has a market cap of $416 billion, received more than $7 billion in loans backed by U.S. taxpayers. Why?

During the same period, Ex-Im backed $3.4 billion in financing to Emirates Airlines—a company wholly owned by the Government of Dubai—for Emirates' purchase of Boeing planes.

Indeed, a large share of Ex-Im financing has historically gone to foreign airlines and to foreign energy companies—businesses that are, in fact, competing with American companies.

Now, not that there is anything wrong with competition. It is great. Competition ought to exist. Competition improves quality, and it brings down prices. But why is it that we, as the U.S. Government, are in many instances financing the competitors of U.S. businesses—competitors that in many instances are owned by foreign governments? Moreover, we have been sending money to countries that in many cases have what we would describe as dubious records on human rights and high levels of corruption.

In the last 5 years, Saudi Arabia and Mexico were the top foreign recipients of Export-Import Bank aid, and in the past, when Ex-Im had the authority to grant larger subsidies, the top foreign recipient was typically China. In 2014, China received $2.2 billion in U.S. taxpayer-backed loans and guarantees with most of it going to businesses owned by the Chinese Government. If it weren't so sad, this would be funny. If it weren't so strange, it would be interesting. To top it all off, Ex-Im has had poor accounting and has had rather significant problems with transparency.

In 2013, Ex-Im was either unable or unwilling to provide any justification whatsoever for half of the financing deals in its portfolio. Here again, this is stunning. I find it troubling that we are seriously considering these nominees without first addressing why we have the Export-Import Bank in the first place and why there haven't been more reforms required before we confirm additional nominees to its governing body. There have already been 30 corruption and fraud investigations into Ex-Im's activity.

Now, thankfully, Congress put a check on some of Export-Import Bank's power back in 2015 when we allowed the Board's quorum to expire, and thus, we capped its ability to make deals larger than $10 million.

In the past few years, 66 percent of Ex-Im's loans have actually gone to small businesses instead of the Boeings and Caterpillars, compared to the 25 percent that went to them before. It turns out that the big businesses have been doing just fine, even since those limitations kicked in a few years ago. In fact, some of them—many of them—are doing even better than before. Last year was Boeing's best year yet, with exports making a particularly strong showing. As Boeing itself admitted, it had ''robust'' private sector financing. According to reports in 2017, there were unprecedented levels of competition among lenders and insurers to finance aircraft exports.

It turns out that when the government leaves a profitable line of business, private business enterprises do in fact compete in the marketplace to take its place, and, as it turns out, private businesses make better business decisions than governments. That is the lesson we need to take from this. The sky did not fall when these limitations kicked in a few years ago, and they would not fall if we continued additional reforms, or even, I would dare say, if we phased out the Export-Import Bank altogether.

Furthermore, with the decrease in Ex-Im's subsidies, U.S. exports have actually risen slightly. Between 2014 and 2018, exports rose from $1.7 trillion to $1.8 trillion.

Yet today the swamp strikes back. The prospect of confirming three nominees to the Ex-Im Bank, thanks to the nuking of the Senate rules a few weeks back, suggests Boeing's bank will in fact rise from the grave to resume its long history of fraud, corruption, abusive power, and government manipulation of the marketplace.

We do not need to further empower the rich and politically connected companies that are already flourishing. That only undermines trust in our government, which is supposed to protect taxpayers from corruption and from waste, and it unilaterally prevents us from having a more thriving, more competitive economy—one that would actually produce more jobs in America and one that would actually produce things in such a way that would benefit more consumers in America. We do not need to use this outdated, broken, corrupt Bank as a tool for countering foreign interests. We certainly don't need it as a tool for subsidizing foreign interests. The way to confront China's and other countries' expansionism is certainly not to subsidize their state-owned companies.

No, we don't need Boeing's bank, and neither do we need Beijing's bank. Cronyism and policy privilege threaten exactly, precisely the principles upon which our Nation was founded and the principles that have fostered the development of the greatest civilization and of the strongest economy the world has ever known. They subvert the rule of law by codifying inequality and rob ordinary Americans—the moms and pops and small business owners—from having a level playing field in what is supposed to be the land of opportunity. People's access to opportunity shouldn't depend on their access to government. It shouldn't depend on their ability to employ an army of lobbyists and government consultants. No, it should depend on their ability to innovate.

We are great as a country and we are strong as an economy not because of who we are but because of what we do. We have succeeded precisely because we have chosen free markets over central planning. We have chosen the rights of the individual in a free, open, robust marketplace rather than having business decisions made by a government bureaucrat in Washington, DC.

The fact that this might have made sense to those sitting in this Chamber and the House of Representatives some eight or nine decades ago doesn't mean that it has to make sense now. It doesn't mean that we are stuck perpetually in this same path. It certainly shouldn't mean that the American people should be required to work days, weeks, and months out of every year to fund the Federal Government that includes this program, the Export-Import Bank, which ends up giving a whole lot of that money to big businesses in America and to state-owned businesses abroad to participate in what is supposed to be a free-market economy and, thereby, dilutes the power of that economy.

If we are to move toward restoring fairness to our economy and our government, it would be in our best interest to get rid of this cronyist Bank altogether. At the very least, we ought not to empower it to its full capacity for abuse by confirming these nominees today. I will vote against them.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The majority whip is recognized.

TRIBUTE TO MIKE ENZI

Mr. THUNE. Mr. President, before I begin, I want to take a moment to say how sorry I am that the Senate will be losing Senator MIKE ENZI at the end of next year.

During his 20-plus years in the Senate, MIKE has been a leader on so many issues, including healthcare and the budget. As the chairman of the Health, Education, Labor, and Pensions Committee, he oversaw major pension reform. As the chairman of the Budget Committee, he was an indispensable part of the effort to comprehensibly reform our Nation's outdated Tax Code and put more money in the American people's pockets. As always, he has been a powerful voice for small businesses during that process, not to mention a powerful voice for the West throughout his entire career.

The Senate will be a lesser place without MIKE ENZI, but he has earned some more time with his wife Diana, their three children, and his four grandchildren.

I am grateful to have served with MIKE and grateful that Senators will

have a little time before his well-deserved retirement to continue to draw on his wisdom and expertise over the course of the next year and a half.

ECONOMIC GROWTH

Mr. President, good news about the economy keeps pouring in. On Friday we learned that the economy created an impressive 263,000 new jobs in April. Meanwhile, the unemployment rate dropped to its lowest level in half a century. The last time unemployment was this low was 1969.

Wages are growing at the fastest pace in a decade. April marked the ninth straight month that wage growth was at or above 3 percent. Economic growth for the first quarter of 2019 was a robust 3.2 percent, which completely smashed expectations. Personal income is up, business investment is up, and the list goes on.

Importantly, the benefits of this economic growth are being spread far and wide. In fact, blue-collar workers are seeing some of the biggest benefits. The Wall Street Journal noted on Friday: ''Believe it or not—and liberals won't want to admit it—the evidence is that the faster economic growth of the last two years is reducing income inequality.''

Where did all of this growth come from?

Well, a little over 2 years ago, at the end of the Obama administration, the outlook wasn't too rosy. American families were struggling. The economy was sputtering. The historically slow recovery had left experts predicting that weak economic growth would be the new normal. Republicans, however, did not think that we needed to resign ourselves to a future of weak growth. We knew that American workers and American businesses were as dynamic and creative as ever. We also knew that burdensome regulations and an outdated tax code were holding our economy back and reducing the opportunities available to workers.

So when we took office in 2017, we got right to work on improving our economy in order to improve life for the American people. We knew that our economy needed to thrive if American families were going to thrive. We were determined to give Americans access to the jobs, opportunities, and wages that they needed for a secure future. So we eliminated burdensome regulations that were acting as a drag on economic growth. We passed historic reform of our Tax Code to put more money in Americans' pockets and make it easier for businesses to grow and to create jobs.

Now we are seeing the results: strong job creation, low unemployment, robust economic growth, higher wages, and more. American families are feeling the effects.

Last week, Gallup reported:

At the start of 2019, Americans' optimism about their personal finances reached levels not seen in more than 16 years, as 69% expected that they would be financially better off in a year. . . . A majority of Americans, 56%, rate their current financial situation as ''excellent'' or ''good''. . . . This overall positive rating has increased 10 percentage points since 2015 and is currently the highest since 2002. Likewise, the 57% of Americans who now say their overall financial situation is getting better has risen 10 points since 2016 and is at its highest numerical point since 2002.

That is from Gallup last week.

Republicans had one goal with tax reform: Make life better for Americans. That is exactly what tax reform is doing. Thanks to tax reform, workers have more money in their paychecks; they have better access to good jobs with good wages and good benefits; and they have better opportunities for advancement.

I am proud that Republican policies are making life better for Americans. We are not stopping here. Republicans will continue to make American workers and American families our priority. We are committed to making sure that every American has access to a secure, prosperous, and hopeful future, which is why I am hopeful that the President will soon be able to close the ongoing trade negotiations and create greater market access for U.S. exports, especially agricultural exports, which will correct trade abuses and kick our economy into an even higher gear.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NOMINATIONS

Ms. CANTWELL. Mr. President, I come to the floor today to speak in favor of confirming the three nominees before us for the Board of Directors at the U.S. Export-Import Bank. All three of these nominees are well qualified, with years of experience in relevant fields, and all three have received support from Democrats and Republicans. In fact, all three advanced out of the Banking Committee earlier this Congress by a voice vote.

We must confirm these nominees to ensure that the Export-Import Bank is once again fully operational. It is critical for jobs and for our economy, not just in my home State of Washington but throughout the United States.

I believe in an export economy. I believe the United States of America manufactures and makes great products, and we should be shipping them around the globe to customers in a growing middle class. To do that, we have to have a functioning export credit agency that works with the private sector as a tool to get more of our products to markets where that kind of banking and assistance does not exist. If the United States fails to participate here, customers receive products from other countries—other countries that may not necessarily want that foreign product over our U.S. product, but clearly the foreign export credit agency support by creates an incentive for them to purchase other products.

Since 2015, the Bank has not been fully operational due to the lack of a quorum on the Board of Directors.

I am not going to go into a lot of why that has happened. I will just say that if you truly believe in an export economy, you believe in having a credit agency, such as the Export-Import Bank, existing as a fundamental tool.

Basically what it has meant is that, with a lack of Board of Directors, we have not been able to approve financing transactions over $10 million—a situation that has left nearly $40 billion in limbo. That is $40 billion worth of American exports unable to reach those new markets and new customers. That is $40 billion worth of exports supporting high-paying American jobs and economic output held hostage every day that the Bank is not fully operational.

According to the National Association of Manufacturers, since the Ex-Im Bank lost its quorum in 2015, American manufacturers have lost billions of dollars of sales, which meant the loss of at least 80,000 American jobs in manufacturing in 2016 and 2017 and a loss of at least $119 billion in economic output.

Trust me, as I have followed this issue from U.S. equipment to impacts to GE and to other companies, I have seen people lose business simply because we haven't had a functioning credit agency to take the best valued product—that is, some of the most high-priced U.S. manufacturing product—and help get it to overseas markets.

At least 95 percent of the world customers live outside the United States, and every day that the Export-Import Bank is not fully operational, American manufacturers and small businesses lose opportunities. These opportunities are lost throughout our country, from Mack Trucks losing out on an opportunity to export Pennsylvania-manufactured vehicles to Cameroon, to the aerospace industry in my State losing out on a commercial satellite deal in Asia, to impacts on small businesses in the supply chain.

Losing these opportunities means losing high-paying American jobs. In fiscal year 2013, when the Bank was fully operational, it supported nearly 39,000 jobs in my State of Washington and over 200,000 in the United States. In fiscal year 2018, without a quorum, the Bank only supported 650 jobs in Washington and only 33,000 nationwide. That is a decrease of nearly 84 percent. So we need to take action. Every day that the Bank is not fully operational, American businesses lose ground to their competitors.

I believe American businesses are some of the best in the world. They make great products, and they can compete on any stage with other countries. But without the Export-Import Bank, there is simply not a level playing field.

There are more than 100 other export credit agencies worldwide helping foreign companies reach new markets. Without the Export-Import Bank, American companies are forced to sit on the sideline and watch as other countries fill that void. In fact, China has done more export financing in the last 3 years than the Export-Import Bank has done in its 85-year history. What does that mean? It means that if other countries continue to use credit support financing as a tool to help products reach markets and the United States doesn't, they will have an unfair advantage.

So it is not only time to confirm these nominees to ensure the Export-Import Bank is fully functional, it is also important to make sure we have a functioning Export-Import Bank. With its authorization set to expire in September, we need to reauthorize the Export-Import Bank so it can continue to provide new financing that supports American jobs and American exporters.

For many U.S. companies, the Export-Import Bank guarantees financing in emerging markets where private financing is very difficult or impossible to obtain. These tools have been essential. For example, Spokane-based SCAFCO makes grain storage bins, silos, and other agricultural processing and storage equipment. It sells its product to more than 80 markets around the world. We are very proud of that company and what they have achieved. Financing from the Export-Import Bank helped SCAFCO sell a grain storage system to Cambodia. Cambodia is normally a very tough market for U.S. businesses to reach, but thanks to the Export-Import Bank, SCAFCO was able to make the sale.

The Senate should not be in the business of making it harder for U.S. companies to compete; we should be making it easier for them to compete. We should not be putting American companies at a disadvantage and costing American jobs. It is time to recognize that in order to compete in a 21st-century global economy where there is huge growth and economic opportunity outside of the United States, we have to have a very aggressive export strategy.

I hope my colleagues will not only help us get these nominees finally to support a functioning Export-Import Bank, but they will also work very collaboratively to make sure the Bank does not expire again this September.

S. RES. 144

Mr. President, I would like to turn to another subject. My colleague, Senator UDALL from New Mexico, was out here earlier, I believe—or maybe he is coming later this afternoon—to remember the honoring this past Sunday of the National Day of Awareness for Missing and Murdered Native Women and Girls. This is an important day to recognize because this has become an epidemic in the United States.

Last year, the Seattle Indian Health Board released a report that examined the number of murdered and missing Native women in urban areas, where 71 percent of Native Indians and Alaska Natives reside. These are urban centers in which they found at least 506 cases of missing or murdered indigenous women and girls in 71 cities. One hundred and twenty-eight were missing, and 280 were murdered.

The report found that Washington State has one of the highest number of cases of murdered and missing Native American women. Two of my State's largest cities—Seattle and Tacoma—are in the top 10 nationwide of cities with the highest number of cases. Seattle ranks No. 1.

We are experiencing this crisis, and it is time that this report be a wake-up call to action. We can no longer ignore these huge numbers. We need to find answers.

One of the answers is in the legislation sponsored by my colleague, Senator MURKOWSKI from Alaska, Savanna's Act, which will improve the response of local, State, and Federal-Tribal enforcement in cases of missing and murdered Tribal women and girls. This is so important, and that is why I have joined Senator MURKOWSKI and Senator CORTEZ MASTO as a cosponsor of this legislation and am urging that the Senate pass it immediately.

Right now, hours and days can be wasted in responding to this. Savanna's Act will streamline the protocols and process between our Tribes and law enforcement agencies, which will mean swifter action and a more rapid pace.

Why am I bringing this up now? I know we also have to reauthorize the Violence Against Women Act, but this legislation has good bipartisan support in the Senate. We can pass this legislation very soon and send it over to the House of Representatives. That way, it will be ready to be put into the hands of our law enforcement, if it passes and goes to the President's desk for signature—a tool that can be used now, not delayed another 7 or 8 months until we get the reauthorization of the Violence Against Women Act.

I thank my former colleague, Senator Heitkamp, for trying to push this legislation at the end of the last congressional session. I hope my colleagues will realize that the great bipartisan support that existed in the Senate to move this legislation still exists. What is different now is a House of Representatives that is very willing to take up and pass Savanna's Act, and we should do that as soon as possible.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from Massachusetts.

MUELLER REPORT

Ms. WARREN. Mr. President, a little while ago, the majority leader stood on this floor to speak about the investigation into the 2016 Presidential election. He triumphantly declared ''case closed''—''case closed.'' Wishing will not make it so.

I read the Mueller report. I read it cover to cover, every page. I read late into the evening on the day it was released and into the next morning. I didn't start reading by expecting to make a statement about it, but I was shaken by the evidence that the special counsel had gathered and by the conclusions that he drew.

The majority leader would have us believe that scrutinizing this evidence is a matter of Democrats refusing ''to make peace with the American people's choice.'' He wants to portray this as just an ''outrage industrial complex'' because some people don't like that President Trump won. Again, wishing will not make it so.

Sure, there is plenty to be outraged about in the special counsel's report, but no one here is pitching a fit that Democrats didn't win the election. No, what is at stake here is the Constitution of the United States of America. Will Congress do its job and fulfill its constitutional duty to serve as a check on the President? The answer from the majority leader and his Republican colleagues is no—''case closed.'' ''Case closed,'' they cry.

Instead of reading the words of the special counsel's report, they just want to circle the wagons around this President. Instead of protecting the Constitution, they want to protect the President. This is a huge difference.

At the core of the Constitution is the principle that no one is above the law, not even the President of the United States. My oath of office is the same as MITCH MCCONNELL's. I swore and he swore to uphold the Constitution of the United States. Our Constitution is built on the principle of separation of powers precisely to prevent a dictator, an autocrat, from taking control of our government. This separation of powers is part of the brilliance of our Constitution, and it has served us well for centuries.

Yes, I took an oath to uphold the Constitution of the United States, and so did everybody in the Senate and the House, including the majority leader. Now we must act to fulfill that oath. There is no ''political inconvenience'' exception to the U.S. Constitution. If any other human being in this country had done what is documented in the Mueller report, they would be arrested and put in jail.

The majority leader doesn't want us to consider the mountain of evidence against the President. That is wrong. He and his colleagues have moved to protect the President instead of defending the Constitution. Maybe my colleagues on the other side of the aisle are confused or maybe they just didn't read the report. Well, I did, and there

were some passages that stuck out to me.

Since the majority leader has pronounced his judgment here on the Senate floor, I would like to spend some time reminding him of exactly what this report said. Let's start with this one. Robert Mueller's report makes clear that the President took steps to impede the Mueller investigation and that his report, though it does not charge the President, did not exonerate him from wrongdoing. According to Mueller:

On May 17, 2017, the Acting Attorney General for the Russia investigation appointed a Special Counsel to conduct the investigation and related matters. The President reacted to news that a Special Counsel had been appointed by telling advisors that it was ''the end of his presidency'' and demanding that Sessions resign. Sessions submitted his resignation, but the President ultimately did not accept it. The President told aides that the Special Counsel had conflicts of interest and suggested that the Special Counsel therefore could not serve. The President's advisors told him the asserted conflicts were meritless and had already been considered by the Department of Justice. On June 14, 2017, the media reported that the Special Counsel's Office was investigating whether the President had obstructed justice. Press reports called this ''a major turning point'' in the investigation: while Comey had told the President he was not under investigation, following Comey's firing, the President now was under investigation. The President reacted to this news with a series of tweets criticizing the Department of Justice and the Special Counsel's investigation. On June 17, 2017, the President called McGahn [who was White House Counsel] at home and directed him to call the Acting Attorney General and say that the Special Counsel had conflicts of interest and must be removed.

That ends the quote from the Mueller report. According to McGahn, the President was extremely insistent, calling him repeatedly and not taking no for an answer. Here is what McGahn told the special counsel—back to the Mueller report:

On Saturday, June 17, 2017, the President called McGahn and told him to have the Special Counsel removed. McGahn was at home and the President was at Camp David. In interviews with this Office, McGahn recalled that the President called him at home twice and on both occasions directed him to call Rosenstein and say that Mueller had conflicts that precluded him from serving as Special Counsel.

On the first call, McGahn recalled that the President said something like, ''You gotta do this. You gotta call Rod.'' McGahn said he told the President that he would see what he could do. McGahn was perturbed by the call and did not intend to act on the request. He and other advisors believed the asserted conflicts were ''silly'' and ''not real,'' and they had previously communicated that view to the President. McGahn also had made clear to the President that the White House Counsel's Office should not be involved in any effort to press the issue of conflicts. McGahn was concerned about having any role in asking the Acting Attorney General to fire the Special Counsel because he had grown up in the Reagan era and wanted to be more like Judge Robert Bork and not ''Saturday Night Massacre Bork.'' McGahn considered the President's request to be an inflection point and he wanted to hit the brakes.

That ends the quote from the Mueller report.

Starting again from the Mueller report:

When the President called McGahn a second time to follow up on the order to call the Department of Justice, McGahn recalled the President was more direct, saying something like, ''Call Rod, tell Rod that Mueller has conflicts and can't be the Special Counsel.'' McGahn recalled the President telling him ''Mueller has to go'' and ''Call me back when you do it.'' McGahn understood the President to be saying that the Special Counsel had to be removed by Rosenstein. To end the conversation with the President, McGahn left the President with the impression that McGahn would call Rosenstein. McGahn recalled that he had already said no to the President's request, and he was worn down. So he just wanted to get off the phone.

McGahn recalled feeling trapped because he did not plan to follow the President's directive, but he did not know what he would say next time the President called. McGahn decided he had to resign. He called his personal lawyer, and then he called his chief of staff, Annie Donaldson, to inform her of his decision. He then drove to the office to pack his belongings and submit his resignation letter. Donaldson recalled that McGahn told her the President had called and demanded that he contact the Department of Justice and that the President wanted him to do something that McGahn did not want to do. McGahn told Donaldson that the President had called at least twice and, in one of the calls, asked, ''have you done it?'' McGahn did not tell Donaldson the specifics of the President's request because he was consciously trying not to involve her in the investigation, but Donaldson inferred that the President's directive was related to the Russia investigation. Donaldson prepared to resign along with McGahn.

That evening, McGahn called both Priebus and Bannon and told them that he intended to resign. McGahn recalled that, after speaking with his attorney and given the nature of the President's request, he decided not to share details of the President's request with other White House staff. Priebus recalled that McGahn said that the President had asked him to ''do crazy shit,'' but he thought McGahn did not tell him the specifics of the President's request because McGahn was trying to protect Priebus from what he did not need to know.

Priebus and Bannon both urged McGahn not to quit, and McGahn ultimately returned to work that Monday and remained in his position. He had not told the President directly that he planned to resign, and when they next saw each other the President did not ask McGahn whether he had followed through with calling Rosenstein. Around the same time, Chris Christie recalled a telephone call with the President in which the President asked what Christie thought about the President firing the Special Counsel. Christie advised against doing so because there was no substantive basis for the President to fire the Special Counsel, and because the President would lose support from Republicans in Congress if he did so.

That is the end of that part of the Mueller report.

Now, the other President's aides ultimately refused to carry out his orders and prepared to resign rather than do so. The President persisted.

Mueller recounts:

Two days after directing McGahn to have the Special Counsel removed, the President made another attempt to affect the course of the Russia investigation. On June 19, 2017, the President met one-on-one in the Oval Office with his former campaign manager, Corey Lewandowski, a trusted advisor outside the government, and dictated a message for Lewandowski to deliver to Sessions. The message said that Sessions should publicly announce that, notwithstanding his recusal from the Russia investigation, that the investigation was ''very unfair'' to the President, the President had done nothing wrong, and Sessions planned to meet with the Special Counsel and ''let [him] move forward with investigating election meddling for future elections.'' Lewandowski said he understood what the President wanted Sessions to do.

One month later, in another private meeting with Lewandowski on July 19, 2017, the President asked about the status of his message for Sessions to limit the Special Counsel's investigation to future election interference. Lewandowski told the President that the message would be delivered soon. Hours after that meeting, the President publicly criticized Sessions in an interview with the New York Times, and then issued a series of tweets making it clear that Sessions's job was in jeopardy. Lewandowski did not want to deliver the President's message personally, so he asked senior White House official Rick Dearborn to deliver it to Sessions. Dearborn was uncomfortable with the task and did not follow through.

That is the conclusion of that part of the report.

Now, President Trump also took steps to ''prevent public disclosure of evidence'' that was related to the special counsel's investigation.

Back to the Mueller report:

In early 2018, the press reported that the President had directed McGahn to have the special counsel removed in June 2017 and that McGahn had threatened to resign rather than carry out the order. The President reacted to the news stories by directing White House officials to tell McGahn to dispute the story and to create a record stating that he had not been ordered to have the Special Counsel removed. McGahn told those officials that the media reports were accurate in stating that the President had directed McGahn to have the Special Counsel removed. The President then met with McGahn in the Oval Office and again pressured him to deny the reports.

That is the end of that section.

Now, the President also tried to influence witnesses, like Michael Flynn and Paul Manafort, while they cooperated with the special counsel.

Back to the Mueller report:

With regard to Flynn, the President sent private and public messages to Flynn encouraging him to stay strong and conveying that the President still cared about him before he began to cooperate with the government. When Flynn's attorneys withdrew him from a joint defense agreement with the President, signaling that Flynn was potentially cooperating with the government, the President's personal counsel initially reminded Flynn's counsel of the President's warm feelings toward Flynn and said ''that still remains.'' But when Flynn's counsel reiterated that Flynn could no longer share information under a joint defense agreement, the President's personal counsel stated that the decision would be interpreted as reflecting Flynn's hostility toward the President.

That sequence of events could have had the potential to affect Flynn's decision to cooperate, as well as the extent of that cooperation.

With respect to Manafort, there is evidence that the President's actions had the potential to influence Manafort's decision whether to cooperate with the government. The President and his personal counsel made repeated statements suggesting that a pardon was a possibility for Manafort, while also making it clear that the President did not want Manafort to ''flip''—

That is in quotes in the Mueller report—

and cooperate with the government. On June 15, 2018, the day the judge presiding over Manafort's D.C. case was considering whether to revoke his bail, the President said that he ''felt badly'' for Manafort and stated, ''I think a lot of it is very unfair.'' And when asked about a pardon for Manafort, the President said, ''I do want to see people treated fairly. That's what it's all about.'' Later that day, after Manafort's bail was revoked, the President called it a ''tough sentence'' that was ''Very unfair!'' Two days later, the President's personal counsel stated that individuals involved in the Special Counsel's investigation could receive a pardon ''if, in fact, the [P]resident and his advisors . . . come to the conclusion that you have been treated unfairly,''—using language that paralleled how the President had already described the treatment of Manafort.

This is Mueller's report.

Those statements, combined with the President's commendation of Manafort for being a ''brave man'' who ''refused to break,'' suggested that a pardon was a more likely possibility if Manafort continued not to cooperate with the government. And while Manafort eventually pleaded guilty pursuant to a cooperation agreement, he was found to have violated the agreement by lying to investigators.

That concludes that portion of the Mueller report.

Now, Mueller declined to take a position because of the existing Department of Justice Office of Legal Counsel policy that you cannot indict a sitting President. He intended to leave the matter to Congress. He laid the evidence out in the Mueller report, which made clear that the President of the United States obstructed justice.

And don't just take my word for it. Just yesterday, over 600 former Federal prosecutors wrote a letter stating that ''the conduct of President Trump described in Special Counsel Robert Mueller's report would, in the case of any other person not covered by the Office of Legal Counsel policy against indicting a sitting President, result in multiple felony charges for obstruction of justice.''

So I am going to read their letter because I think it is important, and I want to make sure it is in the RECORD here. Here is the letter from more than 600 former prosecutors.

We are former federal prosecutors. We served under both Republican and Democratic administrations at different levels of the federal system: as line attorneys, supervisors, special prosecutors, United States attorneys, and senior officials at the Department of Justice. The offices in which we served were small, medium, and large; urban, suburban, and rural; and located in all parts of our country.

Each of us believes that the conduct of President Trump described in Special Counsel Robert Mueller's report would, in the case of any other person not covered by the Office of Legal Counsel policy against indicting a sitting President, result in multiple felony charges for obstruction of justice.

I just want to read that again: ''would . . . result in multiple felony charges for obstruction of justice.''

The Mueller report describes several acts that satisfy all of the elements for an obstruction of justice charge. Conduct that obstructed or intended to obstruct the truth-finding process, as to which the evidence of corrupt intent and connection to pending proceedings is overwhelming. These include:

The President's efforts to fire Mueller and to falsify evidence about that effort;

The President's effort to limit the scope of Mueller's investigation to exclude his conduct; and

The President's efforts to prevent witnesses from cooperating with investigators probing him and his campaign.

This is under the heading in the letter ''Attempts to fire Mueller and then create false evidence.''

Continuing with the letter:

Despite being advised by then-White House Counsel Don McGahn that he could face legal jeopardy for doing so, Trump directed McGahn on multiple occasions to fire Mueller or to gin up false conflicts of interest as a pretext for getting rid of the Special Counsel. When these acts began to come into public view, Trump made ''repeated efforts to have McGahn deny the story''—going so far as to tell McGahn to write a letter ''for our files'' falsely denying that Trump had directed Mueller's termination.

Firing Mueller would have seriously impeded the investigation of the President and his associates—obstruction in its most literal sense. Directing the creation of false government records in order to prevent or discredit truthful testimony is similarly unlawful. The special counsel's report states: ''Substantial evidence indicates that in repeatedly urging McGahn to dispute that he was ordered to have the Special Counsel terminated, the President acted for the purpose of influencing McGahn's account in order to deflect or prevent scrutiny of the President's conduct toward the investigation.''

Also within the letter, under the header Attempts to Limit the Mueller Investigation, the report describes multiple efforts by the President to curtail the scope of the special counsel's investigation.

First, the President repeatedly pressured then-Attorney General Jeff Sessions to reverse his legally mandated decision to recuse himself from the investigation. The President stated the reason was that he wanted an Attorney General who would ''protect'' him, including from the special counsel's investigation. He also directed then-White House Chief of Staff Reince Priebus to fire Sessions, and Priebus refused.

Second, after McGahn told the President he could not contact Sessions himself to discuss the investigation, Trump went outside the White House and instructed his former campaign manager Corey Lewandowski to carry a demand to Sessions to direct Mueller to confine his investigation to future elections. Lewandowski tried and failed to contact Sessions in private. After a second meeting with Trump, Lewandowski passed Trump's message on to senior White House official Rick Dearborn, who Lewandowski thought would be a better messenger because of his prior relationship with Sessions. Dearborn did not pass along Trump's message.

As the report explains, ''[s]ubstantial evidence indicates that the President's effort to have Sessions limit the scope of the Special Counsel's investigation to future election interference was intended to prevent further investigative scrutiny of the President's and his campaign's conduct.''

In other words, the President employed a private citizen to try to get the Attorney General to limit the scope of an ongoing investigation into the President and his associates.

All of this conduct—trying to control and impede the investigation against the President by leveraging his authority over others—is similar to conduct we have seen that has been charged against other public officials and people in powerful positions.

The next section of the special counsel's report establishes that the President tried to influence the decisions of both Michael Cohen and Paul Manafort with regard to cooperating with investigators. Some of this tampering and intimidation, including the dangling of pardons, was done in plain sight via tweets and public statements. Other such behavior was done via private messages through private attorneys, such as Trump counsel Rudy Giuliani's message to Cohen's lawyer that Cohen should ''[s]leep well tonight[], you have friends in high places.''

Of course, these aren't the only acts of potential obstruction detailed by the special counsel. It would be well within the purview of normal prosecutorial judgment also to charge other acts detailed in the report.

We emphasize that these are not matters of close, professional judgment. Of course, there are potential defenses or arguments that could be raised in response to an indictment of the nature we describe here. In our system, every accused person is presumed innocent, and it is always the government's burden to prove its case beyond a reasonable doubt. Yet to look at these facts and say that a prosecutor could not probably sustain a conviction for obstruction of justice—the standards set out in Principles of Federal Prosecution—runs counter to logic and our experience.

As former Federal prosecutors, we recognize that prosecuting obstruction of justice cases is critical because unchecked obstruction, which allows intentional interference with criminal investigations to go unpunished, puts our whole system of justice at risk. We believe strongly that but for the OLC memo, the overwhelming weight of professional judgment would come down in favor of prosecution for the conduct outlined in the Mueller report.

Over 600 former Federal prosecutors are saying that if we were talking

about any person in this country other than the President of the United States, that person would be prosecuted for obstruction of justice. Because of that OLC opinion that a sitting President cannot be indicted, the only mechanism to hold the President accountable and to ensure that the President is not above the law is for Congress to initiate impeachment proceedings.

There has been more commentary. Scholars at Lawfare have put together a very helpful piece that breaks down all of the examples documented in the Mueller report in which Trump may have obstructed justice. Then it analyzes the strength of the case to be made that the President is guilty of obstruction of justice.

Per Lawfare:

> The key question is how Robert Mueller and his team assessed the three elements ''common to most of the relevant statutes'' relating to obstruction of justice, which are an obstructive act, a nexus between the act and an official proceeding, and corrupt intent.
>
> As Mueller describes, the special counsel's office ''gathered evidence . . . relevant to the elements of those crimes and analyzed them within an elements framework—while refraining from reaching ultimate conclusions about whether crimes were committed'' because of the Office of Legal Counsel (OLC)'s guidelines against the indictment of a sitting president.

The Lawfare blog identified four instances in the Mueller report that documented ''substantial'' evidence of all three of those elements. In other words, in the following four examples that were documented in the Mueller report, there is ''substantial'' evidence on all three of the elements that Mueller based his assessment on that the President obstructed justice.

First, when it comes to the President's efforts to fire Mueller, the report found ''substantial evidence''—that is from the report—that the President's actions constituted an obstructive act. On page 89, it found that the former White House Counsel, Don McGahn, was a ''credible witness'' in providing evidence that Trump, indeed, attempted to fire Mueller. The report reads that this ''would qualify as an obstructive act'' if the firing ''would naturally obstruct the investigation and any grand jury proceedings that might flow from the inquiry.''

Then it established that there was a nexus between the act and an official proceeding, reading on page 89 that there is ''substantial evidence'' that Trump was aware that ''his conduct was under investigation by a federal prosecutor who could present any evidence of federal crimes to a grand jury.''

On the question of intent, the Mueller report found ''substantial evidence indicates that the President's attempts to remove the Special Counsel were linked to the Special Counsel's oversight of investigations that involved the President's conduct[.]''

The second example that Mueller cites is the President's efforts to curtail Mueller. On the question of whether those actions constituted an obstructive act, Mueller found that Trump's effort to force Sessions to confine the investigation to investigating only future election interference ''would qualify as an obstructive act if it would naturally obstruct the investigation and any grand jury proceedings that might flow from the inquiry.'' The report continues: ''Taken together, the President's directives indicate that Sessions was being instructed to tell the Special Counsel to end the existing investigation into the President and his campaign[.]''

On the question of whether there was a nexus between the act and an official proceeding, Mueller found that at the relevant point, ''the existence of a grand jury investigation supervised by the Special Counsel was public knowledge.''

On the question of intent, Mueller found ''substantial evidence'' that indicates that Trump's efforts were ''intended to prevent further investigative scrutiny of the President's and his campaign's conduct.''

MITCH MCCONNELL came to the floor to declare that there will be no more investigation into what the President has done. Yet the Mueller report has made clear that there are repeated instances of obstruction of justice. More than 600 Federal prosecutors have now said that what is laid out in the Mueller report would constitute obstruction of justice and would trigger a prosecution for any human being in this country other than for the President of the United States.

Robert Mueller has put all of the facts and information together for us and has abided by the Trump administration's declaration, under the Office of Legal Counsel, that a sitting President cannot be indicted for his crimes. He has handed it over to the Congress of the United States of America for us to do our constitutional duty.

We are a government that works by a separation of powers. We are not a government that circles the wagon around a leader and says that everything else falls away. Instead, we say there are powers that are given to the President and powers that are given to Congress, and each operates as a check on the other.

The information that has been given to us in the Mueller report clearly constitutes adequate information to begin an impeachment proceeding in the House of Representatives. No matter how many times MITCH MCCONNELL or the rest of the Republicans want to wish that away, it is there in black and white in the report.

I urge every Republican in this Chamber, every Republican and Democrat in Congress, and every person in this country to read the Mueller report.

Robert Mueller makes clear that the President of the United States worked actively to obstruct justice. There is enough here to bring an impeachment proceeding. For us, for this body, for Congress, to back up from that and to say that protecting the President is more important than protecting the Constitution is not only wrong, it is a violation of our oath of office.

I am here to say one more time and publicly this is not a fight I wanted to take on, but this is the fight in front of us now. This is not about politics. This is about the Constitution of the United States of America.

We took an oath not to try to protect Donald Trump; we took an oath to protect and serve the Constitution of the United States of America, and the way we do that is we begin impeachment proceedings now against this President.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The assistant Democratic leader.

Mr. DURBIN. Mr. President, I want to thank my colleague from Massachusetts for her statement and for going into depth on the Mueller report and talking about the findings.

This morning, of course, we heard the Republican leader, Senator MCCONNELL, come to the floor and say something quite different—to quote what he said, the work of the special counsel and the Attorney General ''and how we can finally end this 'Groundhog Day' spectacle, stop endlessly relitigating a 2½-year-old election result, and move forward for the American people.''

It is pretty clear the Republican leader would like to say to the American people: Keep on moving, there is nothing to be seen here. But we know better.

If you take a look at the Mueller report: $26 million spent, 50 attorneys and agents, almost 2 years, scores of indictments that came down and some guilty pleas already and yet even more to follow. This isn't over, and it will not be over soon, nor should it be.

It is obvious my Republican colleagues want to move on as quickly as possible from talking about how Russia interfered in the 2016 election with the stated intent of helping to elect Donald Trump President. They definitely don't want to talk about the many links between the Russians and the Trump campaign or how, in the words of the Mueller report: ''The campaign expected it would benefit electorally from information stolen and released through Russian efforts.''

They certainly don't want to talk about the overwhelming evidence that Donald Trump obstructed justice.

Today I believe the count was up to 566 former prosecutors, including U.S. attorneys, who believe that, reading the Mueller report, there is ample evidence to go forward with the prosecution on obstruction.

We know Mueller himself has said in the report that it is an opinion by the Office of Legal Counsel precluding the indictment and prosecution of a President while in office that stopped him short of either charging or exonerating the President on this charge.

No, my Republican colleagues want to put the Russia investigation in the past, and as quickly as possible. And then in the next breath, of course, at the hearing where Attorney General Barr appeared, we see that they want to return to those thrilling days of yesteryear. They say we need to look at Hillary Clinton's emails all over again. That, to them, is a more compelling issue. I think they are wrong. The interference by a foreign power in the U.S. election is the most compelling issue before us, and it cannot and should not be ignored.

The work on the Russia investigation is not over. The Mueller report has 14 criminal investigations that have been referred by the special counsel to other Justice Department components. Twelve of those referred investigations are redacted so we don't know their nature.

There is also the counterintelligence side of the investigation. We need to fully understand what evidence Special Counsel Mueller uncovered about how the Russians were able to accomplish what they did.

A spokesman for the White House said several days ago that he couldn't understand all the furor behind this Russia interference. After all, they just bought a couple Facebook ads. Well, it turns out he was wrong. There was a lot more involvement, and the Mueller report pointed to it.

Here is my concern: Attorney General Barr's actions have compromised his credibility when it comes to overseeing the continuing investigations that were brought on by the Mueller inquiry. Barr's blatant mischaracterization of the Mueller report in his March 24 letter and April 18 press conference, his 19-page memo in 2018 that showed bias on the question of obstruction, his decision to make a prosecutorial judgment on obstruction despite Mueller's view that it was not appropriate for the Department to do so in light of that OLC opinion, and Barr's many stunning statements before Congress have undermined confidence in his independence and his judgment.

I have called on him publicly and renew that call that he recuse himself from those pending criminal investigations and prosecutions that emanate from the Mueller report. At a minimum, he should recuse himself from the 14 ongoing referred criminal investigations, and Special Counsel Mueller and Don McGahn should be called on to testify about unresolved questions.

Why in the world are they trying to cover up this investigation? Why wouldn't we bring Bob Mueller before the Senate Judiciary Committee, for example, and ask obvious questions?

Remember, there are two volumes in the Mueller report. The first volume relates to Russian interference in the election and our continuing concern that they are going to try it again in 2020. Shouldn't it be priority one of the Senate Judiciary Committee to have Bob Mueller before us, to have the evidence he accumulated carefully evaluated to protect the integrity of the election process in 2020? Is there any higher priority in a democracy than the integrity of an election?

Clearly, there is, and we have seen it and heard it from the chairman of the Judiciary Committee as well as from the Republican leader today. The highest priority for them is to move on; make certain that we don't spend any moment contemplating, considering, or even arguing about what we could do to make this a better and safer democracy in the next electoral cycle.

On the issue of obstruction of justice, I am afraid we are going to be debating that for some time, but I certainly would like to hear from Bob Mueller, directly, what he did find and why he did not reach a conclusion to exonerate the President on that charge. That is a critical element.

Let me say one last word about a recurring theme and message from the Republican leader about how the previous President, Barack Obama, did not take seriously the threats of Russian involvement in the 2016 election.

I think the record speaks for itself. Leading up to October 7, when the President came forward and publicly stated what he had been doing—what his administration had been doing to investigate this Russian interference, he called for a bipartisan commitment of Republicans and Democrats to stop it in place.

There was one voice of resistance, and it came from Senator MCCONNELL, the Republican leader. He didn't want to take this as seriously as President Obama did. So for him to blame President Obama for not doing enough is to ignore the obvious. Given the chance, as the Republican Senate leader, he did little or nothing to acknowledge the Russian threat or do anything about it.

Now we should do something to make sure 2020 turns out to be an election we can be proud of, regardless of the outcome. Let the American people have the last word, not Vladimir Putin.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

ORDER OF PROCEDURE

Mr. CRAPO. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture votes on the Reed, Bachus, and Pryor nominations occur at 4 p.m. on Tuesday, May 7; further, that if cloture is invoked on the nominations on Wednesday, May 8, at 10 a.m., the Senate vote on the confirmations of the following persons and nominations in the order listed: Bianco, Reed, Bachus, and Pryor; that if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions and the Senate resume consideration of the Dhillon nomination.

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

EXPORT-IMPORT NOMINATIONS

Mr. CRAPO. Mr. President, I rise to speak in support of several of the nominations to the Export-Import Bank: Ms. Kimberly Reed, to be President of the Export-Import Bank; the Honorable Spencer Bachus, to be a member of the Board of Directors of the Export-Import Bank; and Ms. Judith Pryor, to be a member of the Board of Directors of the Export-Import Bank.

These three highly qualified nominees, if confirmed, will be in a position to ensure that the Export-Import Bank has the ability to provide finance in response to governments, like China, that provide aggressive subsidies and place U.S. exporters at a disadvantage.

The President and his team have recently reinforced their commitment to restoring the ability of the Bank to support American economic interests in global marketplaces.

The Director of the National Economic Council, Larry Kudlow, recently noted that the Ex-Im Bank is needed in the current trade environment, particularly with respect to China, in order for the United States to compete and succeed in international markets, calling it a ''financial tool and a national security weapon.''

U.S. Trade Representative Robert Lighthizer has called the lack of a functioning Ex-Im Bank a serious blow to the economy.

Peter Navarro, Director of the Office of Trade and Manufacturing Policy, has said: ''The costs of keeping the Ex-Im Bank on the sidelines can be measured in the tens of billions of dollars of products we fail to export—and in the thousands of jobs we fail to create when this country does not have a fully functioning export credit agency to compete with its counterparts around the world.''

It is clear that in our current trade environment, a fully functioning bank could help the United States better succeed in international markets.

President Trump's recent budget submission to Congress notes that the President ''supports a fully functioning Ex-Im Bank to implement reforms and help American exporters compete in an increasingly unfair global marketplace.''

As President of the Export-Import Bank, Kimberly Reed will be able to draw from an already distinguished career in public service, having previously served as a senior adviser to former Treasury Secretaries Paulson and Snow, as well as on several congressional committees.

During her nomination hearing, she committed to focusing on strong standards of conduct, increased transparency, sound risk management practices, and eliminating waste, fraud, and abuse.

I can testify that she has gone out of her way to make herself available to all Senators on both sides of the aisle to introduce herself and to answer any questions the Senators have and to discuss any reforms and improvements

she may be able to make to the Bank when she is confirmed.

Former Representative Bachus and I were elected to the House of Representatives in the same term and worked closely together in the House for a number of years. He served the Sixth District of Alabama from 1993 to 2015. During that time, he served as both chairman and ranking member of the House Financial Services Committee. He is a pragmatic conservative and has demonstrated a longstanding commitment to promoting economic opportunity.

Finally, a native of Cleveland, OH, Ms. Pryor has spent the majority of her career in the private sector, working with international businesses, many in the high-tech industry. More recently, she has served as the Vice President of External Affairs at the Overseas Private Investment Corporation under President Obama. During her confirmation hearing, Ms. Pryor expressed a commitment to particularly help raise awareness of the Export-Import Bank's financing products for small businesses and community banks.

While it is not really being included in the coverage of these nomination votes as being one of the consequences of there being a lack of a quorum on the Board, it is important to understand another important reason to confirm not one but all three of these nominees.

When the Export-Import Bank was last reauthorized in 2015, Congress implemented a number of reforms to the Bank. However, by not confirming a quorum of at least three Board members for the last several years, Congress has actually impeded implementation of a number of its own reforms, which require a vote of a quorum of the Board for approval.

These reforms include appointing a chief ethics officer, appointing a chief risk officer, forming a risk management committee, implementing new guidelines to expedite small business loans under $25 million, and developing an expanded medium-term program to finance and ensure transactions up to $25 million.

We have many colleagues who have said there need to be reforms implemented in order for them to further support operation of the Bank, and they would like to work with us on the Banking Committee to pursue those reforms. I support reforms, too, and look forward to working with interested colleagues, but we need to understand that we will need a quorum on the Ex-Im Bank to finalize them.

For any previous or future congressionally directed reforms to be implemented, Senators need to support all three nominations before the Senate this week in order to restore the quorum necessary to implement those reforms.

The Banking Committee approved each of these nominees with broad bipartisan support earlier this year. Each will be an asset to the Bank's Board, and I urge my colleagues to support these nominations.

RECESS

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

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from West Virginia.

NOMINATION OF KIMBERLY A. REED

Mr. MANCHIN. Madam President, I am very honored to offer my support today for Kimberly Reed to be President of the Export-Import Bank of the United States. I think the Presiding Officer is very proud, too. We are both proud that the first woman to lead the Ex-Im Bank will also be the first West Virginian.

As a former West Virginia small business owner, I know this is an engine for economic growth and long-term stability and prosperity. It is truly beneficial for those businesses to reach broader markets and new customers. Rural states like West Virginia have a lot of talent and a lot of great businesses, but we need to make sure these companies are hitting global markets and building in sales and supporting more jobs here at home.

The Ex-Im Bank creates jobs and helps businesses, both big and small, to sell their products overseas at no cost—I repeat, at no cost—to the Federal Government, in addition to providing loans and other forms of credit. The Bank can also help with market research and to identify potential buyers and distributors of products in foreign countries. It is like having your own reconnaissance team, PR team, and a sales force, everything wrapped up into one.

In 2014, I invited the former Ex-Im Bank Chairman, Fred Hochberg, to West Virginia. Since then the Bank has worked with 14 West Virginia businesses throughout the State, providing $11 million in loans to support $18 million in exports. The people in West Virginia had no idea of the opportunities that a small business person would have with the Ex-Im Bank. They had no idea how to get into foreign markets. They didn't have any idea about the collections process or the legal expertise in that arena. This helped them immensely.

I know Kimberly wants to do the same thing for our State and for small businesses across rural America.

I can state that Kim's West Virginia roots shaped her to be the leader she is today. Growing up in Buckhannon, WV, and graduating from West Virginia Wesleyan College and West Virginia University, Kim checks all of the boxes for the best and brightest our State can offer. Every West Virginian will know what it means when I say that she was a Golden Horseshoe awardee and a Governor's Honors Academy graduate.

She hasn't lost sight of those roots, either. She continues to serve on the Wesleyan board of trustees and has worked with West Virginians every step of her career, whether it was as the senior adviser to the Secretary of the Treasury or the head of the Community Development Financial Institutions Fund.

Kim exemplifies bedrock Appalachian values, and her deep commitment to serving her Nation through the House of Representatives and the Department of Treasury is a true testament to her character. I have always been proud to call her a West Virginian, and I know that I and the Presiding Officer will be proud to call her the President and Chairwoman of the Ex-Im Bank.

I urge my colleagues to support Kimberly Reed to lead the Export-Import Bank of the United States.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

ECONOMIC GROWTH

Mr. CORNYN. Madam President, the performance of the U.S. economy is something to behold. It doesn't matter if you measure it by the unemployment rate, by the quarterly growth rates, or by wages, virtually every sign points to a growing thriving economy.

Let me emphasize some of the outstanding job numbers that came out just last week. In April, there were 263,000 new jobs created—263,000—beating even the most optimistic estimates. The unemployment rate fell to 3.6 percent—the lowest unemployment rate in nearly half a century.

The first quarter saw a 3.2 percent growth, the best in 4 years. The truth is, the United States' economy has taken off like a rocket.

Today we find ourselves in what some economists refer to as a ''full employment'' economy, because there are more job openings than there are job seekers. That is a remarkable place to be, and I have no doubt that it is in significant part due to the pro-growth policies created by a Republican-led Congress and the Trump administration the last 2 years.

Less than 1½ years ago we passed the Tax Cuts and Jobs Act. We tried to make this a bipartisan effort, but our Democratic friends wanted no part of it. This was the first major tax overhaul in a generation. This legislation removed many of the burdens from families, entrepreneurs, and job creators and let the free market take the wheel.

A lot of pundits and a lot of the naysayers—the professional cynics—said it wouldn't work, but I think the results speak for themselves. Workers

are bringing home more in their paychecks, and businesses are using their savings to invest in their employees.

One of the most common remarks I hear from employers when I am in Texas is that they can't find enough qualified workers for the job openings that exist. That is their biggest challenge because of this booming economy.

In the days and months following the signing of the tax bill, companies began announcing how they would use the money that they would save because of the legislation to invest in their employees and their business. We heard from big companies like AT&T, which is headquartered in Dallas, which provided $1,000 bonuses for more than 200,000 of its employees, including more than 32,000 who live in Texas. There was also Southwest Airlines, which gave all 550,000 of its employees a $1,000 bonus. Plus Southwest Airlines donated $5 million to charity, to boot.

We saw headlines in the major newspapers about how these and countless other big companies were using their savings, but the less read stories about local businesses in small town papers are just as important.

This week is National Small Business Week, an opportunity to celebrate small businesses that line Main Streets throughout America, but don't let the word ''small'' fool you. America's 30 million small businesses are an economic force unparalleled anywhere in the world. More than half of Americans either own or work for a small business—more than half. Small businesses are responsible for about two out of every three jobs created.

One of the reasons my State is doing so well economically is because we welcome small businesses with open arms. It is an ideal home for entrepreneurs because we believe in keeping taxes low and regulations at a rational minimum. According to the Small Business Administration, there are more than 2.6 million small businesses throughout the State of Texas, accounting for 99.8 percent of all Texas businesses. They employ more than 45 percent of the State's workforce and account for a massive portion of our State's economy. These are exactly the kind of folks I had in mind when I voted to pass the Tax Cuts and Jobs Act, because I knew it would lower rates for small businesses and allow them to use the savings to invest in their employees and their business.

After the legislation passed, just to make sure, I traveled the State and held roundtables with small businesses to learn more about how they were using the savings. One of the small business owners I heard from was Josh Agrelin, whose company, Re-Bath, specializes in bathroom remodeling. A few years ago, back in 2014, I spent a day with the crews at Re-Bath of Austin as part of the NFIB's Small Business Challenge Campaign. I got to try my hand at tiling and remodeling a bathroom, and while I will not be opening my own contracting company any time soon, I had a great time learning about this Austin franchise and getting to know its employees.

When I saw Josh again at our roundtable last year, he told me he plans to use the savings from tax reform to grow the size of his workforce by adding two additional installation crews and purchasing new equipment.

For big businesses that might not sound like a lot, but for small businesses like Re-Bath, it makes a world of difference. It means they can offer more services and gain more business, grow the size of their business, and pay their employees even better. It was great to see how Joshua was looking forward to opportunities to grow his business and I am glad this legislation could help make that possible.

In Houston, I visited with Southland Hardware, a store that opened in 1935. This is an old-fashioned hardware store. You don't see many of those anymore. It has been a community staple, and it is appropriately dubbed ''the store that has 'almost' everything.'' It is owned by Marty and Patricia O'Brien, and they were kind enough to host me and a couple of other businesses for a roundtable last spring.

Marty told me that because of the tax savings, they were able to provide bonuses and raises, hire another employee, and do some improvements on their property. For Marty, being able to invest more in his business, which was originally owned by his father-in-law and will one day be run by his children, is no small thing.

I also spent some time on the gulf coast, in Corpus Christi, speaking to Steve Raffaele, the president of American Bank. He told me the Tax Cuts and Jobs Act would likely provide them with $12 million of additional capital savings. He said that for each dollar of capital saved, they are able to lend approximately $10 in their market communities along the Coastal Bend region of our State. He estimated that over 5 years that equates to $120 million of additional lending and investment. Given their average loan size, that means more than 500 small businesses could be positively impacted. That is a big deal for a community like Corpus Christi, but especially for one so severely impacted by Hurricane Harvey just about 1½ years ago.

Today small business optimism is at a record high. I hope that small businesses across the country feel empowered to take their businesses further because of these pro-growth policies. Small businesses are, as I said, the backbone of our economy and, of course, of each of our communities.

This Small Business Week we celebrate the entrepreneurs and the job creators who had the courage to take an idea and build it into an opportunity for themselves, for their families, for their employees, and for their communities. These men and women are proof that the American dream is alive and well, and we are grateful to each of them for the contributions they make to our communities and to our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

EX-IM BANK

Mr. TOOMEY. Madam President, later today I believe the Senate will be considering nominations of three Board members for the Export-Import Bank, and this is a very important and, I think, unfortunate development.

Since 2015, the Ex-Im Bank Board has not had a quorum. The confirmation of these three nominees will change that and give them a quorum, and that matters for a number of reasons. Perhaps the principle reason is that in the absence of a quorum, such as the way we have been operating for these last 4½ years, the Ex-Im Board cannot approve transactions without a quorum, and it requires Ex-Im Board approval to do a deal over $10 million. So for these last 4½ years, the Export-Import Bank has been in existence and operating, but at a very much smaller level than what it had done previously, and what, I am afraid, it will again resume.

Let me explain why I oppose confirming this quorum to the Board of the Export-Import Bank. First of all, as I will explain, I think that with a quorum there is a very real risk that the Ex-Im Bank returns to business as usual, which is a form of crony capitalism and taxpayer subsidy of companies far and wide.

Historically, the fact is the Ex-Im Bank has used the American taxpayer to subsidize some of the largest and best connected companies in the world, including governments that are very unfriendly to the United States. So I want to describe my policy objections to the Ex-Im. I want to rebut some of the arguments that proponents of the Ex-Im Bank make. I want to walk through a little history to remind my colleagues about the folks who have blocked what I think are very commonsense efforts to make some meaningful reforms. Then, finally, I do want to discuss a path forward. So let me walk through my concerns, my objections to the way Ex-Im Bank has operated in the past when it is in full-blown operation mode and with a quorum on the Board.

First of all, it has been a series of risky bets for taxpayers. The Ex-Im has sometimes claimed it only takes risks that private lenders are unable or unwilling to take. Well, we should stop right there and ask ourselves, if private lenders are unwilling or unable to take a risk, why should taxpayers be forced to take that risk? Yet, at the same time, the Ex-Im Bank also claims it only makes safe bets. Well, it is impossible to do both.

The Bank cannot take only those transactions so risky that no one else will do it and at the same time be doing only safe transactions. It is pretty obvious. The fact is, Ex-Im Bank wins business by systemically underpricing the risk. That is why borrowers

go to the Ex-Im Bank, instead of any number of private lenders that would not offer deals on the same terms as the Ex-Im Bank. No, because they have shareholders to answer to—Ex-Im Bank, not so much.

Proponents of the Ex-Im Bank point out that the Bank isn't drawing any money from the U.S. Treasury so everything must be OK—not so clear. First of all, right now we have the best economy in decades. My goodness. I would hope they would not be drawing on Treasury with an economy booming the way it is.

As recently as 2014, the last year in which the Ex-Im Bank was fully operational, the CBO report suggested that the Ex-Im portfolio, their loans and guarantees on their books, were underwater by $2 billion. Remember, we have heard this before. Remember, Fannie and Freddie, two other inventions of the Federal Government. They were very profitable until they weren't. Then they ended up costing the taxpayers $200 billion.

Another objection I have is the fact that Ex-Im Bank necessarily picks winners and losers in our economy. I don't think any entity of the Federal Government ought to be doing it. It is a great deal for businesses that get the support of Ex-Im Bank, but it provides an unfair advantage to beneficiaries over companies that do not get that support. In the process, it can destroy jobs. This isn't just hypothetical; this is real. This has happened, and we know it because we have heard testimony. We have seen examples. One famous such example is a case where Air India, the national airline of the country of India, used Ex-Im Bank financing to subsidize its purchase of Boeing jets. That is very nice for Air India because they get lower cost financing on their biggest ticket item, the jets they fly. They were able to lower the fares they charge on flights from New York to Mumbai. That is great if you are Air India. It is not so great if you are Delta Airlines, an American company that employs Americans and happens to compete on that exact same route, but Delta could not get access to Ex-Im financing to buy its Boeing jets. Why would we do a thing like that, have taxpayers subsidizing a foreign airline that is competing directly against a U.S. airline? That is the kind of thing Ex-Im does. There is also a history of waste, fraud, and abuse.

Ex-Im Bank has not been very well run for a long period of time. Over many years, there have been a number of issues raised by the Office of the Inspector General. Ironically enough, supporters of Ex-Im Bank have blocked my efforts to get a new inspector general confirmed. Makes you wonder, why do these proponents not want an inspector general on the job inspecting the practices of the Ex-Im Bank? In 2015, an employee pled guilty to accepting bribes to push unqualified loan applications. Maybe one of the most fundamental reasons I object to the Ex-Im Bank is our economy doesn't need the Ex-Im Bank.

Now, some Ex-Im supporters would have you believe that without the Ex-Im Bank, U.S. exports would just collapse. Well, the reality is, U.S. exports are higher today than they were in 2014, certainly, the last year when the Ex-Im Bank was fully functional. As a matter of fact, now, you know, 4½ years since the Ex-Im Bank was fully functional, we have the strongest economy of our lifetime, despite the fact that the Ex-Im can only do tiny transactions. This is no surprise because, even in its heyday, Ex-Im financed a very tiny percentage of all U.S. exports. Typically, it is less than 2 percent. So 98-point-something percent of all U.S. exports managed to get sold without Ex-Im financing, but yet we are to believe that without Ex-Im financing we cannot have exports?

Interestingly, even the companies that benefited the most from Ex-Im Bank haven't apparently suffered since it has been virtually closed. Consider the case of Boeing. According to a Mercatus study, Boeing was the biggest seller of exports financed with Ex-Im subsidies in 2014, the last year in which Ex-Im was fully functional, and nearly 40 percent of all Ex-Im deals by dollar value were used to finance Boeing aircraft.

Now, the Ex-Im proponents often argued that companies like Boeing would take a huge hit without a fully functioning Ex-Im. Instead, Boeing has consistently had record deliveries and multiyear back orders since Ex-Im stopped doing deals that would finance Boeing aircraft. In fact, during the years that Ex-Im Bank has been virtually closed, Boeing has recorded record sales.

In late 2018, prior to the recent problems they have had with one category of aircraft, the Wall Street Journal reported that Boeing suppliers could not keep up with the huge demand for Boeing aircraft, despite the fact that nobody could finance an aircraft from Boeing through the Ex-Im Bank. Now, why? Why is that? How could that be? It is because Boeing was making great products; demand was strong; and there is plenty of private capital available to finance great products being used for very productive purposes.

I think Boeing is proof that the Ex-Im Bank wasn't acting as the lender of last resort, filling in where private markets could not or would not. Ex-Im Bank was acting as the lender of first resort, crowding out the private sector lenders. As soon as the Ex-Im Bank's funding was constrained so it would not fund aircraft, well, private money came flooding into the market. Yet we still have proponents argue that Ex-Im Bank is the lender of last resort, steps in when private financing is unavailable, but, again, no matter how you look at it, this just doesn't add up. It doesn't add up in the example of Boeing, when we look at an American manufacturer that sells its products, and, in the past, some of those purchases were funded through the Ex-Im Bank, but it also doesn't hold up if you look at it the other way around. Look at who, in 2014—again, the last year in which the Ex-Im Bank was fully functional—were the top recipients of the Ex-Im taxpayer subsidies, who was it that was borrowing the money so they could make these purchases? Well, it was all entities that have easy access to private money but some pretty surprising entities, nevertheless.

The No. 1 borrower, the No. 1 consumer of U.S. taxpayer subsidies through Ex-Im Bank was Petroleos Mexicanos, a state-owned oil company in Mexico. It is a huge company from a really large country that can easily access private markets.

Do you know who is No. 2? Kenya Airways. Kenya Airways, owned by the Government of, you guessed it, Kenya.

Do you know who is No. 3? Air China, of all places, a totally state-owned airline of a country that last time I checked is not terribly friendly to us, but it gets worse.

Do you know who ranks No. 4? No. 4 in terms of accessing Ex-Im financing in 2014—the last year in which they were fully operational—according to a study by the Mercatus Institute, the VNE Bank, state owned by the Russian Government, by the way, under sanctions now for bad behavior they have engaged in. So all four of these are state owned in States that have easy access to plenty of private lending, but, of course, they go to Ex-Im because Ex-Im will offer them a better deal, a subsidized deal.

No. 5 is a good one too. No. 5 is not a state-owned company. No. 5 is Roy Hill mining. Royal Hill Holdings owns mining. It is not state owned. Instead, it is owned by the richest woman in Australia, a multibillionaire. Are we to really presume that she cannot arrange for financing for part of her enormous conglomerate? Really, the richest woman in Australia? She is probably a really lovely woman. This is not a criticism of her; it is a criticism of us. We are going to allow U.S. taxpayers to take more risks underpricing and funding acquisitions by some of the richest people in the world and countries that are downright hostile to us.

Of course, all of these governments and all of these companies can finance their acquisitions privately, but who would not take a U.S. taxpayer subsidy if it is offered to you? The question is, Why are we OK with that? How can it be OK to force American taxpayers to take a financial risk for these entities, state-owned companies, including those owned by China and Russia? It is unbelievable.

My concern is, if we restore a quorum later today, we are going to go right back to this because we haven't enacted any reforms. We haven't insisted on any reforms as a condition of reestablishing this quorum.

We hear sometimes from the proponents that we just have to have Ex-

Im funding because it has to level the playing field. China has an export subsidy bank. They have used that aggressively, and so we ought to emulate the Chinese so we will have a level playing field.

Well, among the unbelievable ironies in this whole story, guess who is a big recipient of U.S. Ex-Im subsidies? It is the Chinese export bank. You cannot make this stuff up. That is a fact. It is not just Air China. It is not just the state-owned airline.

In 2014—again, the last year in which Ex-Im was fully operational, which apparently they are going to return to—there were 17 transactions where the primary borrower is the Export-Import Bank of China.

So here we are, we are funding the Chinese export bank, which we cite as the reason we need an export bank. It is unbelievable.

In 2014, the Ex-Im Bank also funded a deal with Huawei, which we have all come to appreciate is a very significant national security threat to the entire Western world, especially the United States. Of course, what more can you say about subsidizing Russian- or state-owned businesses? There were multiple deals back in 2014 where the Ex-Im Bank funded Russia. I already mentioned VNE Bank, now sanctioned, and two deals with Spur Bank, also sanctioned.

In any case, I think this whole argument, that if some other country is engaged in this behavior, therefore, we have to—I think that is a really weak argument. Think of all the things the Chinese Government does, intellectual property theft, forced technology transfer, bribery, and corruption. As a matter of fact, in Malaysia, the previous corrupt Government of Malaysia stole billions of money from an investment fund, and China offered to use their Ex-Im Bank to help cover up the graft, which indirectly we were facilitating by doing transactions with that Chinese Ex-Im Bank. I trust that supporters of the Bank do not want the U.S. to emulate all of these kinds of nefarious activities. I am sure they do not, but the same argument could apply.

So with all of these concerns in mind, I have been advocating for reform of the Ex-Im Bank since joining the Senate. Let me be clear. I would rather not have an Ex-Im Bank, but if we are going to have one, and if we are going to reconstitute a Board and allow them to do large-scale business, I think, at a minimum, we ought to make some sensible reforms. Unfortunately, proponents of Ex-Im Bank in this body and in the other body have blocked almost every effort to do so. One small reform that many of us have been clamoring for, for years, would be to have the administration, whatever administration, work to pursue a mutual disarmament. The argument that we hear most frequently is we need Ex-Im Bank because other countries have export-subsidizing banks. Well, OK, how about having a mutual negotiation to phase these out, right? Well, the Obama administration did absolutely nothing about it, and we have a lot of trade talks going on right now under this administration. I have not heard one word about encouraging a wind down of everybody's mutually unfortunate export subsidy vehicles.

That brings me to the history of the nomination. A while back, President Trump nominated Scott Garrett, a very well qualified, bright, and capable guy, and an avowed reformist. He was a skeptic about Ex-Im Bank but was committed to executing his responsibilities as President under the charter and under the law but was going to insist on reforms.

By the way, had Scott Garrett been confirmed, Ex-Im would probably be up and running now. But the proponents of the Bank didn't want the reforms, apparently, so they scratched Scott Garrett's nomination.

Despite that, I continued to try to find a reasonable way forward. One of the things I proposed was confirming Kim Reed as President. Let me say a word about Kim. I think she is a very capable person. She is very intelligent, very knowledgeable, and has a terrific reputation and great integrity. My proposal was to confirm Kim Reed because she has committed to the kinds of meaningful reforms the Bank needs.

She and I and my staff walked through six very specific categories of reform. We did that privately in my office. We did that publicly at the Banking hearing. We talked about adding transparency to how the Ex-Im Bank operates. We talked about taxpayer protections that would be implemented to reduce the risks taxpayers currently take. We agreed that we should move in the direction of protecting domestic companies, such as the example I gave where Delta was put at a competitive disadvantage against Air India. We agreed we should encourage private financing to be first in line rather than the Ex-Im Bank. We agreed that we should be cracking down on any bad actors. We also agreed that there should be a mutual reduction in reliance on credit export agencies globally.

On that basis, I was willing to confirm Kim Reed and give her a chance to implement some of these reforms and prove they are actually being implemented, at which point I would support restoring a quorum so that a reformed Ex-Im would be back in business. But that deal was blocked by proponents of the Ex-Im Bank here in this body. It is very hard to conclude anything other than that those folks never want these reforms to take place.

I am still open to working with the new President when she is confirmed, and the new Board. We have a reauthorization that is presumably on the agenda for later this year. But I am going to oppose all the nominees today because we are going ahead and putting the cart before the horse. We are reopening Ex-Im Bank on a full scale without first implementing the reforms, and that is backward.

I appreciate the conversations I have had with Kim Reed, and I trust that she actually sincerely does want to implement some of these reforms. I hope she can. I look forward to working with her to make sure that if we do, in fact, go through a reauthorization process, it codifies the reforms that require codification. But I feel very strongly that we are doing this backward. That is the reason I am going to vote against all the nominees today.

The Ex-Im Bank, unreformed, is an example of crony capitalism that puts U.S. taxpayers at risk and subsidizes some pretty unsavory characters. I am pretty disappointed that we are moving ahead with this today. I hope that at least we will be able to codify the necessary reforms in the reauthorization.

I yield the floor.

The PRESIDING OFFICER (Mr. ROMNEY). The Senator from New Mexico.

VIOLENCE AGAINST WOMEN ACT

Mr. UDALL. Mr. President, thank you for the recognition. It is good to see you today.

I am going to be joined by a number of my Senate colleagues to talk about reauthorization of the Violence Against Women Act. We have many who are very concerned that we need to move this reauthorization, so they will be joining me here today.

The first chart we are putting up here is of Hanna Harris, who is a member of the Northern Cheyenne Tribe. Here she is with her son just months before she was brutally murdered on the Northern Cheyenne Reservation. Hanna was all of 21 years old, and her son was only 10 months old. We now honor Hanna and all murdered and indigenous women and girls each year on Hanna's birthday, May 5, as a national day of awareness.

It is fitting to remember and honor these women and girls, and it is critical that we understand the magnitude of violence that Native women face. Eighty-four percent of Native women have experienced violence in their lifetime. That is four out of five. In some Tribal communities, Native women are murdered at rates more than 10 times the national average—10 times. One out of three Native women has been raped.

Behind these statistics are thousands of faces, thousands of lives disrupted, shattered, and cut short—faces like that of Ashley Loring Heavy Runner. This is a photo of Ashley. Ashley was an outgoing 20-year-old Native college student during the summer of 2017 when she went missing on the Blackfeet Reservation in Montana. Last December, I heard firsthand about the devastating impact of Ashley's disappearance when her sister, Kimberly Loring Heavy Runner, came before the Indian Affairs Committee to ask Congress to take action. Kimberly told us:

> We are going missing, we are being murdered. I am here to stress to you . . . we are loved and we are missed. We will no longer be . . . invisible people . . . we have worth.

That is Kimberly talking.

By the end of 2017, the FBI had identified 5,600 additional cases of missing Native women and girls. This number is likely a very, very severe undercount. This crisis is devastating Native families across the country. It is unacceptable.

Just last week, the Senate passed a resolution remembering murdered and missing indigenous women and girls, and I thank Senator DAINES and other Republicans for sponsoring this bipartisan resolution. Now we must make good on those words. We must walk the walk. We must take bipartisan action to end the cycle of violence, and we should start by reauthorizing the Violence Against Women Act and strengthening provisions to protect Native women.

I have been a strong proponent of VAWA from the beginning, and I pushed hard for the law's passage in 1994 when I was New Mexico's attorney general. But it became clear early on that VAWA's provisions weren't reaching Tribal communities because of the Tribal jurisdictional maze put in place by a 1978 U.S. Supreme Court decision.

In Oliphant v. Suquamish Indian Tribe, the Court held that Indian Tribes cannot exercise criminal jurisdiction over non-Indians who commit crimes on reservations. This ruling undermined the sovereign right of Tribes to enforce the law on Tribal lands. It undercut public safety in Indian Country, and it let violent offenders escape prosecution.

An astounding number of violent crimes against Native women on reservations are committed by non-Indians. According to the National Institute of Justice, 97 percent of Native women who experience violence in their lifetime have been victimized by non-Indian perpetrators.

While Tribal authorities' hands were tied, Federal law enforcement authorities weren't addressing these cases either. Investigations were not pursued because the crimes took place in remote locations. Federal prosecutors declined to prosecute cases. Crimes against Native women and children were pushed to the back burner. The inability of Tribes to protect their own members was an inexcusable hole in the law.

By the time the Senate took up VAWA reauthorization in 2012 and 2013, we could no longer ignore Oliphant. We could no longer ignore that Oliphant left Native women at risk. In the Senate, I fought to restore Tribes' authority to provide for the safety of their members, and we ultimately reinstated their authority to prosecute anyone who commits domestic violence on a reservation through VAWA 2013. Since then, 18 Tribes have begun exercising jurisdiction over domestic violence crimes. There have been 143 arrests of 128 violent offenders with 74 convictions to date. This is a real step in the right direction.

With time and experience, Tribes have seen there are still gaps that must be closed to stop violence against Native women. Tribes have identified four changes Congress must make to hold violent offenders accountable.

First, Tribal jurisdiction under VAWA doesn't extend to domestic violence against children. If a Native child is caught up in the violence, as is too often the case, Tribal law enforcement can't prosecute the offender. We have to change that.

Second, VAWA applies only to domestic violence. It doesn't apply to general cases of sexual assault, sex trafficking, or stalking. Like other types of violence, Native women face higher levels of sexual violence than other women in the United States. In fact, of the Native women who have experienced violence, 56 percent have experienced sexual violence. Yet VAWA 2013 didn't cover the entire range of sexual violence directed toward Native women. Congress must fix this.

Third, VAWA 2013 wasn't clear whether Tribes have jurisdiction over attempted domestic violence. If a perpetrator swings at his spouse and misses, there is no crime until the next time, when he lands a punch. We must fix this loophole or Native women will continue to be at risk.

Finally, VAWA doesn't cover crimes committed against Tribal law enforcement officers charged with responding to domestic violence. If an officer is responding to a domestic violence case and he or she is assaulted, they aren't covered under the law, so that needs to be fixed.

Domestic violence calls, as all of us know, are some of the most dangerous law enforcement responds to. Police officers, including Tribal officers, are assaulted when responding to disturbance calls more than in any other circumstance. Yet Tribes can't protect their own officers. These gaps in VAWA undermine the very purpose of the law and put children, women, and police officers at great risk. We must remedy this.

Senators MURKOWSKI, SMITH, and I have introduced the Native Youth and Tribal Officer Protection Act to ensure Tribes can exercise jurisdiction to prosecute crimes against children and Tribal officers and attempted domestic violence. The bipartisan bill is supported by 16 former U.S. attorneys appointed under Republican and Democratic administrations and the Indian Law and Order Commission, a body of Tribal public safety experts established under the bipartisan Tribal Law and Order Act. We have also introduced the Justice for Native Survivors of Sexual Violence Act, which makes sure that Tribes have authority to prosecute sexual assault, sex trafficking, and stalking crimes.

The House of Representatives already passed these measures last month on a bipartisan basis as part of the Violence Against Women Act Reauthorization of 2019. It is now our turn to take action. We cannot allow this bill to be buried in the majority leader's so-called legislative graveyard, not when women's lives are literally at stake.

Friends, we must all agree it is long past time to address violence against women in Indian Country. I urge this body to reauthorize VAWA and pass the Native Youth and Tribal Officer Protection Act and Justice for Native Survivors Act. Let the families of Hanna and Ashley and thousands of other missing and murdered Native women know that they are not invisible, that they have worth, and that they deserve justice.

I mentioned earlier that 16 U.S. attorneys, both Republican and Democratic, wrote to us about the Native Youth and Tribal Officer Protection Act. They wrote very eloquently about what the situation is that we face today. These are U.S. attorneys who prosecuted in States that have Tribes. They were trying to do everything they could to bring justice to these situations. Their letter of support for S. 2233, the Native Youth and Tribal Officer Protection Act, reads of some of the things here that I am going to quote, which, I think, make very, very poignant points about why we should take up this legislation and pass it immediately.

The Supreme Court's 1978 decision in Oliphant v. Suquamish severely limits Tribal nations' ability to prosecute crimes committed against Indians by non-Indians. Congress removed Federal limits on the inherent authority of Tribal governments to prosecute the non-Indian domestic violence offenders in the 2013 followup reauthorization.

Under current law, the Tribal justice system has arresting and prosecuting authority over a non-Indian domestic violence offender, but it has no recourse if that same offender commits a crime against the responding Tribal public safety officer.

U.S. attorneys' offices with jurisdiction often decline to prosecute a non-Indian who commits a violent crime on Tribal lands. The absence of Tribal criminal jurisdiction over some non-Indian perpetrated crimes and low Federal prosecution rates for those crimes contribute to the high rates of violence against Native people, particularly women and children who live on Tribal lands.

Due to the experiences of the letter's signatories—the 16 former U.S. attorneys, Democratic and Republican—they say public interest, safety, health, and welfare all support the concept that, if possible, crimes committed on Tribal lands should be prosecuted by the presiding Tribal government. These former U.S. attorneys support the goal of this legislation—to restore Tribal jurisdiction over crimes that have been committed against Tribal police officers and children citizens of the Tribal nations.

The need for Tribal jurisdiction over crimes against Tribal law enforcement is absolutely clear here. Under VAWA 2013 Tribal jurisdiction, Tribes cannot

hold defendants accountable for violence against officers who are enforcing the law. This leaves arresting officers, court bailiffs, and corrections officers vulnerable. The Eastern Band of Cherokee Indians is an example of the injustice here. It had one non-Indian defendant who had hit and strangled his girlfriend and, while in jail, had stricken the correctional officer who had been holding him after his arrest. He had threatened to come back and—this is his language—shoot up the reservation. The Tribe referred the assault and threat to Federal prosecutors, who ultimately dismissed the charges.

If we pass this legislation that has come over to us from the House, the Tribes in this circumstance would have the ability to step in and do something about this. They don't have any option today. If they get a declination, if there will be no action taken on the Federal side, they will not have the ability to deal with crime and violence on their reservation.

Let me talk a little bit about the need for Tribal jurisdiction over crimes against children. Fifty-eight percent of incidents reported by the implementing Tribes involve children. According to the Department of Justice, Native children suffer exposure to violence at rates that are higher than any other peer group in the United States. The Pascua Yaqui Tribe, which was one of the first five Tribes to implement the VAWA 2013 authority, identified at least 38 children involved as witnesses and victims with its VAWA 2013 cases.

Clearly, when there is a domestic violence incident, one of the things that needs to be done by law enforcement is with regard to a woman's being assaulted in the presence of a child. You should allow the prosecuting authorities to take that into consideration and make it a part of the charge. With the law we have today, that is not allowed. So children are not protected.

In another example, of the defendants and perpetrators who are known violent and criminal offenders, many defendants had run-ins with Tribal police for violence or criminal activity prior to getting arrested. For example, the Tulalip Tribe in Washington reported that the 70 defendants it prosecuted by using its VAWA 2013 authority had had a total of 171 contacts with Tribal police prior to their arrests. A Tulalip Tribal member was assaulted and raped by the father of her children—a non-Indian who had had 19 prior contacts with the Tribal police. VAWA 2013 allowed the Tribe to arrest and successfully prosecute the man.

This is a good example of how VAWA 2013 has worked, but in all of these circumstances I have talked about, we need to demand it—whether it is with a law enforcement officer who is assaulted in the course of enforcing the law or whether it is with a child who is a part of the circumstances that involve the prosecution.

I see that my good friend Senator CATHERINE CORTEZ MASTO is here on the floor. She is a very active member of the Indian Affairs Committee. I know she cares passionately about these missing and murdered indigenous women and children. I would ask to have a colloquy with Senators who show up, but I will be here on the floor. So don't worry.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, let me say to my colleague, the ranking member of the Senate's Indian Affairs Committee—with whom, by the way, I know I have 2 more years—that I am so going to miss working with him. I appreciate his passion, particularly on days like today on which he is highlighting issues that affect so many of our communities across this country, particularly when it comes to our Tribal communities and Native communities.

Thank you for always being at the forefront, my friend.

This past Sunday, many Americans joined thousands of survivors and supporters in solidarity across the country to honor the National Day of Awareness for Missing and Murdered Native Women and Girls. Organizers hosted rallies and benefit runs; communities honored loved ones lost; and supporters posted on social media with the hashtag #NotInvisible. For many, this was a day to raise awareness about the alarming number of murdered and missing indigenous women, but for our Tribal communities, a day of awareness only scratches the surface of what is needed to address this epidemic.

Indian Country needs action. That starts right here in this Chamber, and it can start today. Right now, the Senate is considering three pieces of legislation—the reauthorization of the Violence Against Women Act and my bipartisan bills, Savanna's Act and the Not Invisible Act—which will help to combat this crisis. Passing these bills is critical in protecting the lives of Native women and girls.

The numbers speak for themselves. More than 80 percent of Native women will experience physical, sexual, or psychological violence in their lifetimes, often in the form of domestic or intimate partner violence. One in three Native American women has been raped or has experienced an attempted rape, and murder is the third leading cause of death for Native women and girls. In addition, Native American women who experience sexual or domestic violence are far more likely to fall victim to sex trafficking.

Even more distressing is the fact that we likely don't know the full scope of the problem because of underreporting. In fact, nearly half of the Tribal law enforcement agencies surveyed believe human trafficking is occurring on Tribal land beyond what has been brought to their attention. Because of a lack of coordination with Federal Agencies and because of sparse resources and limited jurisdiction in which to prosecute crimes, women across Indian Country are dying and disappearing, and far too many of their cases go unreported, unsolved, or untouched by law enforcement.

This is unbelievable. We must act. Yet there is no targeted Federal plan or strategy to address this epidemic even as it becomes increasingly clear that we are failing to uphold our trust responsibility and, even more so, that we are failing Native women and their families.

As former Nevada attorney general, I have heard directly from survivors, family members, Tribal leaders, and law enforcement about the need for immediate action and Federal support to address violence in Native communities. Congress must take concrete action to help support the Tribal governments, organizations, and law enforcement members who are on the frontlines every day.

The House of Representatives has already taken an important first step this year by reauthorizing the Violence Against Women Act. This legislation will protect Native women from the effects of domestic violence, which is an early indicator of nearly half of all murder cases involving women nationwide. I know it will have a positive impact because, as attorney general, I saw the impact it had on our Tribal communities in the State of Nevada. The reauthorization of VAWA also gives Tribal governments additional and much needed jurisdictional power to directly address violent crime against Tribal members on reservations.

My Democratic colleagues and I are committed to fighting for the full reauthorization of the Violence Against Women Act and especially for the important criminal jurisdictional expansions it gives Tribal law enforcement to help get violent offenders off the streets.

We can't stop there. We need to shine a light on the staggering number of missing and murdered indigenous women and girls and ensure that we understand the full scope of the problem. That is why, with my colleague Senator LISA MURKOWSKI, I have also introduced Savanna's Act and the Not Invisible Act—both bipartisan bills. They are designed to work to directly combat the crisis of missing, murdered, and trafficked Native women, and they will give our law enforcement and communities the support they need to protect our Native women and girls. These bills help in stopping cases from falling through the cracks.

Specifically, Savanna's Act works to ensure that Indian Country has access to accurate, up-to-date crime databases so State, local, and Tribal law enforcement can implement guidelines for responding to relevant criminal cases.

The Not Invisible Act ensures the Federal Government works across Agencies to best use its resources when addressing violence against Native women while recognizing the unique

challenges that are faced within Tribal communities. The bill also creates an advisory committee to examine ways to reduce violent crime, sexual assault, and trafficking in Tribal communities.

These bills, along with the reauthorization of the Violence Against Women Act, are critical to keeping Native women and girls safe.

My home State of Nevada is home to many Tribal communities. These communities are full of mothers, daughters, sisters, and friends whose lives are vibrant and full of potential. I will not let these women become statistics. It is time to take action, and I am committed to doing all I can in the Senate to fight for justice for Native American women and girls.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I thank Senator CORTEZ MASTO for her talk today. I can tell that she is very passionate about this issue. Both of us were State attorneys general from Western States. We have significant Native American populations, and we are very familiar with the jurisdiction issue.

I have seen Senator CORTEZ MASTO question many times in the committee on the issue of jurisdiction. And what I am talking about there—you have Tribal jurisdiction, and then you have Federal jurisdiction, and many times there is some State jurisdiction. So when the Supreme Court in 1978 came out with a ruling in the Oliphant case, they created a big hole, and for almost 30 years, there was a zone that really wasn't being prosecuted. Senator CORTEZ MASTO is very familiar with this. Because of that, we had kind of a situation in Indian Country where, without enforcement, I think some of this violence grew.

I am sure that ever since Senator CORTEZ MASTO has been in law enforcement, she has seen this problem and advocated for changes to it, and we have seen dramatic changes with VAWA 2013, which allowed prosecution to take place. I don't know whether any of Senator CORTEZ MASTO's Tribes within Nevada took cases and initiated things, but I think that across Indian Country, it is fair to say that there was very, very extensive effort. I think there have been a number of arrests—143, I think; 74 convictions—and things have really been moving along.

Has that been your experience in terms of watching what has happened both at the State level and the Federal level since 2013? Have we been making some progress here?

Ms. CORTEZ MASTO. Mr. President, to my colleague from New Mexico, absolutely. Let me just say I was attorney general in 2013 when you reauthorized VAWA and you included the Tribal provisions in there. There are about 27 Tribal reservations and communities in the State of Nevada, and I can guarantee you they were beneficiaries of what you did to prevent and address violence in Tribal communities through VAWA.

I know that because I actually chaired the Domestic Violence Prevention Council in the State of Nevada. On my council—which, as the attorney general, came through my office—there were Tribal members. I also know that the VAWA funding that comes into the State of Nevada came through my office as the attorney general. So we made sure that all of our communities that were impacted by domestic violence in particular—any type of violence—had the benefit of this money that was coming in.

I can guarantee you, working with my Tribal communities as attorney general, it was a benefit. That is why I am fighting now for that reauthorization and that funding to continue for our Tribal communities. There is no doubt in my mind that I saw the benefits in Nevada, and we can see that now across the country. I am really kind of baffled why it is not in this provision here. This really should be a bipartisan issue that we all focus on.

So that is my fight. I have seen the benefits, and I know the impact it has on our Tribal communities.

Let me just say this: We need to address any type of violence in our Tribal communities. And I thank you for highlighting this because it is not just the domestic violence; it is the issue of missing and murdered Native women and girls. My concern there is, we do not have enough data that tells us what is going on. The data we do report at the Federal level is underreported. I know the last data that we had was in 2016. That showed about 5,700 missing Native girls and women. That is underreported. But what we don't know is why they have gone missing.

I have worked very hard to address sex trafficking prevention in the State of Nevada. This is happening across the country. There is no doubt in my mind that some of these Native women and girls are victims of sex trafficking, but we do not know it because of the challenges in capturing that data and then doing something about it at the Federal level. That is what I am fighting for. That is what my colleague from New Mexico is fighting for.

I so appreciate the opportunity to talk about this on the floor today.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I, too, want to thank the Senator from New Mexico for organizing today's effort on this very important issue.

I rise today to join my colleagues in really shining a spotlight on a crisis that has brought terror and pain to Tribal communities across my home State of Washington and the Nation for far too long. It is an alarm that has been sounding, actually, for generations and one that has impacted literally countless families, robbing them of their mothers and grandmothers, their sisters, their aunts, their daughters.

''Family of missing Native woman demands answers in Wapato.''

In Yakima County:

A year after her body was found, officials are now officially calling the death of this young woman a homicide.

A year after.

In Toppenish:

16-year-old . . . disappeared after Christmas Eve in 1971. Her sister refuses to give up the search.

Those are just a few of the headlines that have appeared in news outlets in Washington State within just the last few months highlighting the scope of the crisis of missing and murdered indigenous women and girls in our communities.

For far too long, our Nation has ignored or misclassified the terrible stories of violence against women and girls in Tribal communities, who have been reported missing or murdered at much higher rates than their non-Native counterparts or, worse, not reported at all.

It is a crisis that is particularly salient in Washington State, which ranks second among States with the highest number of reported cases of missing and murdered Native women. Even worse, Seattle ranks No. 1 among cities with the highest number of cases. But it isn't just Seattle; it is the Yakama Nation, Spokane, Tacoma. The epidemic of missing and murdered Native women isn't an urban problem or a rural problem. It is not an issue just for western Washington or eastern Washington. This is an alarming trend that is devastating communities every day throughout Washington State and across the country, one for which Native women and girls are paying the ultimate price.

Now, thanks to the determination of Native women who have spent years raising their voices to bring attention to this tragic pattern of injustice, we are beginning to develop the tools and resources we need to combat this epidemic.

I am very grateful for Native leaders and organizations like the Seattle Indian Health Board, which last November released a landmark new report—the first of its kind—on the crisis of missing and murdered indigenous women, collecting important data and insights. It is a major step toward removing a significant barrier that has burdened efforts to end the decades-long epidemic, but there is so much more we need to do to keep Native women and girls safe and seek justice.

As important as it is to bring awareness to this devastating crisis, more than awareness, we need action. Congress has to wake up to the crisis affecting Native women and recognize the Federal Government's responsibility and role in ending it, and that includes improving and reauthorizing the Violence Against Women Act—a critical law which for years has worked to help communities decrease assaults against women and girls and which Republicans let lapse earlier this year.

This law has long garnered bipartisan support. In fact, we were able to come together just 6 years ago to pass an even stronger version of the law that strengthened protections and resources for our Tribal communities. I know there are champions for this issue on both sides of the aisle, Members who have listened to Native voices in their own States and understand why we have to equip Tribal communities with the tools and resources they need to protect Tribal members and hold others accountable when they cause harm or bring violence. There is no excuse to not get this done. We have done it before; we can do it again.

Now that VAWA has passed the House, know that I am going to keep working with my colleagues to push the Senate to get it over the finish line. In the meantime, I and others will continue lifting up the stories of Native women and girls, as well as Tribal leaders and members.

As a partner to Washington State's Tribal communities here in the Senate, I am going to keep fighting to strengthen Federal support for Tribal priorities and listening to Native voices as well, as we all work together to end the tragedy of this senseless epidemic.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. SMITH. Mr. President, I rise today to urge my colleagues to take action to address the crisis of missing and murdered indigenous women and girls in this country. It is a crisis that we need to address now, and we can do this in the Senate by updating the Violence Against Women Act, which expired earlier this year.

I would like to thank my colleagues who have been able to join with us today to speak on this important topic led by Senator UDALL, and it is wonderful to be here today with Senator MURRAY as well.

Last month, I had an opportunity to lead a roundtable at the Minnesota State Capitol to discuss the crisis of missing and murdered indigenous women. This is a crisis that affects Tribal nations all over my State, as well as urban indigenous communities. I was there with Lt. Gov. Peggy Flanagan, who is the highest ranking Native woman elected in an executive branch role here in the United States. It was wonderful to be there with her and all of the advocates who were present as well.

At the roundtable, I heard about survivors who have experienced trafficking and sexual violence who feel invisible. I heard from Native advocates and families of victims who feel they are not being listened to by local law enforcement, and they also understand that there is a lack of knowledge about cultural and traditional practices that is impeding the efforts to end this crisis and to get help and healing to Native women who have been victimized.

In Minnesota, I hear time and again from leaders of Tribal nations—from Red Lake and White Earth to Bois Forte, Mille Lacs, and Prairie Island—who speak of violent crimes on their land, including the crisis of missing and murdered indigenous women. I hear from some of these leaders about how they are unable to take action against the nonmember offenders who are committing these crimes.

According to the National Institute of Justice, 84 percent of Native women have experienced violence in their lifetimes—84 percent—and over half of Native women and more than one in four men have experienced sexual violence. Among those, almost all—96 percent of women and 89 percent of men—were victimized by a non-Tribal member. Few of these survivors end up seeing justice because what is happening is that the Federal Government is failing to address the scourge of violence against Native communities.

Raising awareness of this crisis is important, and that is what we are working to do today, but there are several bipartisan measures in the Senate that would take significant steps to address it. We must take action, and I am here today to talk about some of the things we can do.

In April, the House passed a Violence Against Women Act reauthorization bill with many strong Tribal protections to address the crisis of missing and murdered indigenous women, including my bill, with Republican Senator LISA MURKOWSKI, to help Tribes seek and get justice for their members and for survivors.

Our bill, which is called the Justice for Native Survivors of Sexual Violence Act, expands upon the landmark special domestic violence jurisdiction granted to Tribes during the last rewrite of the Violence Against Women Act in 2013.

Our bill would allow Tribes to prosecute cases of sexual assault, trafficking, and stalking, among other crimes of sexual violence, against nonmember offenders. Think about what this means today. If you are a nonmember and you commit a crime of sexual violence against a Tribal member, the Tribe, which is often in the best position to follow up on, investigate, and prosecute that crime, is currently unable to do that.

The bill that I am working on with Senator MURKOWSKI would fix that problem in the Violence Against Women Act. Without this jurisdiction, Tribes are unable to pursue charges against all offenders who commit crimes of sexual violence on Tribal land. Instead, those offenders go largely unpunished, as Federal courts fail to investigate or to prosecute these crimes. Passing our bill would go a long way toward deterring violence against Native women in Indian Country and holding offenders accountable when it happens.

I call on the Senate to take bold action to address the crisis of violence against Native communities by taking up the reauthorization of the Violence Against Women Act and passing this legislation as soon as possible.

Any reauthorization bill must include strong Tribal protections, such as our Justice for Native Survivors bill, so that survivors can begin to heal and we can prevent violence from happening in the first place. Survivors and families of victims deserve this at the very least.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, thank you for the recognition. I just want to say to my colleague from Minnesota that we very much appreciate her efforts on the Senate Indian Affairs Committee. She has been a great member of the Senate Indian Affairs Committee. On all of these issues that are so pressing, whether it is violence or the lack of education or budgets that aren't adequate to support so many activities out in Indian Country, she has just been a terrific advocate. I know that she has followed this issue very closely in the years she has worked in government.

One of the things that is really clear is we have given the Tribes an opportunity—and I know Senator SMITH knows this very well—to undertake law enforcement in their communities as a result of VAWA 2013. Now is our chance to improve upon that, to lower the level of violence in Native American communities.

I yield to the Senator to talk about what she has seen as a State-elected official—again, just as a citizen in Minnesota—to make sure that laws that have been passed are working well and working better, and there is a lot more we need to do.

I yield to Senator SMITH from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. SMITH. Mr. President, first, I just want to say, as Senator UDALL knows, I was born in New Mexico, so I have a strong affinity for his wonderful State, my home State—my original home State—and I learned so much about the amazing cultural assets of indigenous people and Native American people in the Southwest.

When I moved to Minnesota and I had an opportunity to get to know Minnesota's 11 sovereign Tribal Nations, that was sort of my foundation for that work. When I became aware of how Native women, who were so often the victims of sexual violence, are literally invisible in the criminal justice system, I was just really horrified.

First, notice this: As Senator UDALL and I were talking about this issue with many others in the Indian Affairs Committee, I became aware that there are thousands and thousands of women who have been reported missing, yet the Justice Department has on their big list only about 100 of them. Literally, these women are invisible.

In the roundtable that I had with Lieutenant Governor Flanagan last

week and in other conversations I have had, I have heard personal stories so many times of women, like Savanna Greywind, who are murdered in terrible and violent ways and don't end up ever—their family never has the opportunity to feel the sense of justice and healing that you have from knowing that the perpetrator of this terrible violence has been brought to justice.

I am just going to—I would like to tell one story about a woman whom I spoke with in Saint Paul whose daughter was murdered in January of 2018. To this day, she still awaits the release of her daughter's body because of mixups and snafus in the system. Imagine what that would be like. This is just one example of how Native women in the criminal justice system don't get the dignity and the respect they deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, one of the issues that has been highlighted by the two very capable Senators who are here on the floor, Senator CORTEZ MASTO and Senator SMITH, is that all of us—and I know that the Presiding Officer from the State of Utah also has many Tribes. All of us need to work in a very conscientious and deliberative way to try to make sure that we are able to do everything we can to bring forward the effort of the Federal Government to lower the violence level in Native American communities. The thing I saw over and over again in the State of New Mexico as I dealt with Tribes and then at the national level—I worked in the U.S. Attorney's Office for several years as an assistant U.S. attorney. I saw over and over again that we were unable to prosecute some cases, but we were well aware that the Tribes, if they were given the authority, would be able to move forward because they were closer to the circumstances and would be able to do the job. That is why it is so important that 16 former U.S. attorneys who have jurisdiction across the United States—full jurisdictions of an area—have stepped forward and said that they really feel that these pieces of legislation that Senator CORTEZ MASTO, Senator SMITH, Senator KLOBUCHAR, and many others are sponsoring and that the House has actually sent over to us are ready to go.

I see my good friend Senator TESTER is here. The vote is going to take place in a few minutes, so I am going to yield the floor so that Senator TESTER can speak on these very important issues. He is a great member of the Committee, and I always enjoy hearing from him because he is always right on point.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I think that might have been a hint to make it quick. Is that right, Senator UDALL?

Mr. UDALL. Take your time.

Mr. TESTER. All right, I will. Look, this is an issue that is critically important to this country. I think when people hear about it, they are astounded because this is a crisis we don't hear much about.

According to the National Institute of Justice—listen to these statistics—more than 80 percent of Native women have experienced violence, almost half within the last year. On many reservations, Native American women face murder rates up to 10 times the national average. The majority of this violence is either sexual or domestic in nature, and too much of it goes unreported and unprosecuted. That is why I have taken a three-pronged approach to address this crisis.

No. 1, we need to raise awareness; No. 2, we need to empower the Tribes around this country; and No. 3, this body needs to implement some solutions that will help those Tribes address this issue. But first we must acknowledge that there is an epidemic, an epidemic that—if we acknowledge it—we can fix.

We have made some progress on this front in the last few years. Since 2016, we have introduced resolutions declaring May 5 the National Day of Awareness for Missing and Murdered Native Women and Girls. We introduced this resolution in honor of Hanna Harris, a Northern Cheyenne Tribal member who was murdered in July of 2013, and thousands of other voices that have been silenced. We introduced this resolution to underscore the urgency of addressing domestic violence and sexual assault in Indian Country. We introduced this resolution to amplify the voice of the people who are on the vanguard, fighting for change—folks like Briana Lamb, a Missoula-based activist, who was my guest at this year's State of the Union Address, or Kim Loring, who testified in front of the Indian Affairs Committee back in December about the disappearance of her sister, Ashley Loring Heavy Runner, from Browning, MT.

Increasing awareness isn't where we end. We need to act, and we need to find and implement solutions. That is why, after leading a Senate hearing on the MMIW crisis in December, I drafted and introduced the Studying the Missing and Murdered Indian Crisis Act. This bill directs the GAO to conduct a full review of how Federal Agencies respond to reports of missing and murdered Native Americans and recommend solutions based on their findings.

The House has already passed this bill, along with the rest of the Violence Against Women Reauthorization Act, more than a month ago. The Senate has yet to take up this package. So instead of waiting around for Senator MCCONNELL to do his job and bring this bill up for a vote, I reached out to the GAO directly yesterday. A group of 10 Democrats and 7 Republicans wrote to the GAO, asking them to conduct this study, and the GAO agreed. But we can't keep waiting around for the Senate to actually do its job and legislate. We need to act, and we need to pass the Violence Against Women Reauthorization Act so that we can start finding and implementing solutions—solutions to problems like Tribal jurisdiction.

Before 2013, the jurisdictional maze surrounding these crimes made it nearly impossible for Native authorities to prosecute non-Native criminals, despite the fact that almost 90 percent of the Native survivors had experienced violence at the hands of non-Native offenders. When we reauthorized the Violence Against Women Act back in 2013, we gave Tribal governments the ability to arrest and prosecute non-Native offenders for sexual and domestic crimes. Since March of 2015, 18 Tribes have used this authority to arrest approximately 150 offenders. As of today, more than half of those arrested resulted in convictions, and many are still pending trial. Fort Peck is one of the Tribes on the vanguard, arresting 18 offenders over the last 3 years—offenders who had gotten away with their abuse for far, far too long.

This year's violence reauthorization act will build upon that 2013 bill and extend Tribal jurisdiction even further, empowering Tribes to combat this crisis head-on. That is why the Senate needs to pass this critical legislation and start taking up dozens of other bills that we have introduced to combat this crisis—bills like Savanna's Act, which will improve information sharing between the Federal, State, and Tribal law enforcement agencies and establish better response protocols for cases of missing people or the Not Invisible Act, a bipartisan bill we recently introduced that would create an advisory committee to improve on how Federal law enforcement responds to cases of missing, murdered, and trafficked persons. Sure, it is nice to hold hearings and to write letters, but nothing can really happen unless we do our job.

Take funding, for example. We worked hard to secure a 5-percent set-aside for Indian Country in the Crime Victims Fund this year. That is $168 million that Tribes can now use to prevent violence and support survivors across Indian Country. But this set-aside disappears next year if we don't pass the SURVIVE Act to make this funding permanent.

I hope that everybody in the Senate, including the majority, will finally get behind the Violence Against Women Act and help move these other bills forward also. Together, we can find solutions to this crisis and we can support survivors and we can bring their assailants to justice, but we can't do it if Congress doesn't act.

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.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. CASSIDY). Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kimberly A. Reed, of West Virginia, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2021.

Mitch McConnell, Lindsey Graham, Kevin Cramer, Mike Rounds, Roy Blunt, Richard Burr, Johnny Isakson, Mike Crapo, Tim Scott, Jerry Moran, John Hoeven, Pat Roberts, Lisa Murkowski, Roger F. Wicker, Lamar Alexander, Rob Portman.

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 Kimberly A. Reed, of West Virginia, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2021, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

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

The yeas and nays resulted—yeas 82, nays 17, as follows:

[Rollcall Vote No. 96 Ex.]

YEAS—82

Alexander	Gardner	Portman
Baldwin	Gillibrand	Reed
Bennet	Graham	Risch
Blumenthal	Harris	Roberts
Blunt	Hassan	Romney
Booker	Heinrich	Rosen
Boozman	Hirono	Rounds
Brown	Hoeven	Schatz
Burr	Hyde-Smith	Schumer
Cantwell	Isakson	Scott (FL)
Capito	Johnson	Scott (SC)
Cardin	Jones	Shaheen
Carper	Kaine	Sinema
Casey	King	Smith
Cassidy	Klobuchar	Stabenow
Collins	Leahy	Sullivan
Coons	Manchin	Tester
Cornyn	Markey	Thune
Cortez Masto	McConnell	Tillis
Cotton	McSally	Udall
Cramer	Menendez	Van Hollen
Crapo	Merkley	Warner
Duckworth	Moran	Warren
Durbin	Murphy	Whitehouse
Enzi	Murray	Wicker
Ernst	Paul	Wyden
Feinstein	Perdue	
Fischer	Peters	

NAYS—17

Barrasso	Hawley	Sanders
Blackburn	Inhofe	Sasse
Braun	Kennedy	Shelby
Cruz	Lankford	Toomey
Daines	Lee	Young
Grassley	Rubio	

NOT VOTING—1

Murkowski

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 17.

The motion is agreed to.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the remaining votes in this series be 10 minutes in length.

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

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Spencer Bachus III, of Alabama, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2023.

Mitch McConnell, Lindsey Graham, Kevin Cramer, Mike Rounds, Roy Blunt, Richard Burr, Johnny Isakson, Mike Crapo, Tim Scott, Jerry Moran, John Hoeven, Pat Roberts, Lisa Murkowski, Roger F. Wicker, Lamar Alexander, Rob Portman.

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 Spencer Bachus III, of Alabama, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2023, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

This is a 10-minute vote.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

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

The yeas and nays resulted—yeas 74, nays 24, as follows:

[Rollcall Vote No. 97 Ex.]

YEAS—74

Alexander	Cramer	King
Baldwin	Crapo	Leahy
Bennet	Duckworth	Manchin
Blumenthal	Durbin	McConnell
Blunt	Enzi	McSally
Boozman	Ernst	Menendez
Brown	Feinstein	Moran
Burr	Fischer	Murphy
Cantwell	Gardner	Murray
Capito	Graham	Perdue
Cardin	Hassan	Peters
Carper	Heinrich	Portman
Casey	Hirono	Reed
Cassidy	Hoeven	Risch
Collins	Hyde-Smith	Roberts
Coons	Isakson	Romney
Cornyn	Johnson	Rosen
Cortez Masto	Jones	Rounds
Cotton	Kaine	Schatz
Schumer	Stabenow	Van Hollen
Scott (FL)	Sullivan	Warner
Scott (SC)	Tester	Whitehouse
Shaheen	Thune	Wicker
Sinema	Tillis	Wyden
Smith	Udall	

NAYS—24

Barrasso	Hawley	Paul
Blackburn	Inhofe	Rubio
Braun	Kennedy	Sanders
Cruz	Klobuchar	Sasse
Daines	Lankford	Shelby
Gillibrand	Lee	Toomey
Grassley	Markey	Warren
Harris	Merkley	Young

NOT VOTING—2

Booker Murkowski

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 24.

The motion is agreed to.

CLOTURE MOTION

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

The senior assistant 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 Judith DelZoppo Pryor, of Ohio, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2021.

Mitch McConnell, Lindsey Graham, Kevin Cramer, Mike Rounds, Roy Blunt, Richard Burr, Johnny Isakson, Mike Crapo, Tim Scott, Jerry Moran, John Hoeven, Pat Roberts, Lisa Murkowski, Roger F. Wicker, Lamar Alexander, Rob Portman.

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 Judith DelZoppo Pryor, of Ohio, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2021, 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. THUNE. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

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

The yeas and nays resulted—yeas 79, nays 19, as follows:

[Rollcall Vote No. 98 Ex.]

YEAS—79

Alexander	Burr	Collins
Baldwin	Cantwell	Coons
Bennet	Capito	Cornyn
Blumenthal	Cardin	Cortez Masto
Blunt	Carper	Cotton
Boozman	Casey	Cramer
Brown	Cassidy	Crapo

Duckworth	Klobuchar	Schatz
Durbin	Leahy	Schumer
Enzi	Manchin	Scott (FL)
Ernst	Markey	Scott (SC)
Feinstein	McConnell	Shaheen
Fischer	McSally	Sinema
Gardner	Menendez	Smith
Gillibrand	Merkley	Stabenow
Graham	Moran	Tester
Harris	Murphy	Thune
Hassan	Murray	Tillis
Heinrich	Perdue	Udall
Hirono	Peters	Van Hollen
Hoeven	Portman	Warner
Hyde-Smith	Reed	Warren
Isakson	Risch	Whitehouse
Johnson	Roberts	Wicker
Jones	Romney	Wyden
Kaine	Rosen	
King	Rounds	

NAYS—19

Barrasso	Inhofe	Sasse
Blackburn	Kennedy	Shelby
Braun	Lankford	Sullivan
Cruz	Lee	Toomey
Daines	Paul	Young
Grassley	Rubio	
Hawley	Sanders	

NOT VOTING—2

Booker	Murkowski

The PRESIDING OFFICER. On this vote, the yeas are 79, and the nays are 19.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant bill clerk read the nomination of Judith DelZoppo Pryor, of Ohio, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2021.

The PRESIDING OFFICER. The Senator from Louisiana.

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

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

NATURAL GAS FLARING

Mr. KENNEDY. Mr. President, I would like to take a few moments to speak on an issue that, as you know, is important to American families all across the country.

Hardworking Americans long for cheap and efficient sources of energy for their homes, for their businesses, and for their schools, and one of the answers—not the only answer, but one of the answers—to this dilemma is clean-burning natural gas.

Natural gas is an abundant energy source that, unfortunately, in some cases is being squandered. We can do a better job of getting the fuel to consumers. In fact, we waste too much of this useable fuel source through a process known as natural gas flaring. Natural gas flaring is a practice where the natural gas is intentionally burned off at a drill site.

What I can happily report, however, is that President Trump and his administration have begun to take the necessary steps to address the underlying causes for this inexcusable waste.

Just last month, President Trump signed a pair of executive orders to expedite the construction of pipelines that will allow oil and natural gas to be safely and economically transported from drill sites to end users.

The President took the courageous first step in addressing a problem that has been present for far, far too long, and I am talking, of course, about the lack of infrastructure. The lack of infrastructure not only chips away at the great economic benefits our country receives thanks to our drilling boom, but without pipelines and other means of transport, processing, and storage, the cheaper and cleaner burning natural gas is too often wasted—natural gas, mind you, that could be powering businesses, schools, and even tens of millions of homes across the United States.

I would also like to note that I would be remiss if I didn't mention the environmental benefits of natural gas. Simply put, natural gas is an environmentally friendly fuel source. This abundant fuel is not only incredibly efficient, with a 92-percent energy efficiency, but the use of natural gas reduces carbon emissions as well. When compared to other fossil fuel sources, burning natural gas results in far fewer pollutants such as carbon monoxide, nitrogen oxide, nonmethane organic gas, and carbon dioxide. In fact, depending on the pollutant, using natural gas can mean a reduction in carbon emissions of up to 90 percent—90 percent—in some cases.

As our drilling boom continues in America, by implementing greater direct use of natural gas, we can cut thousands and thousands of tons of carbon emissions from our atmosphere every year, and these are numbers that we should all be able to get behind.

Ever since the advent of hydraulic fracturing and horizontal drilling, we have been able to extract crude oil from deposits that we not only didn't think we could ever reach but from deposits we didn't even know existed until a few years ago.

American ingenuity is truly an amazing thing, and that American inventiveness and perseverance have led the United States in becoming the world's leader in oil production. Did you ever think America would lead the entire world in oil production?

Unfortunately, the infrastructure to support this boom has lagged. When drilling for oil, it is not an a la carte menu. Once the drill reaches the desired deposit and begins pumping the targeted crude oil to the surface, what is also brought to the surface alongside the crude oil is natural gas. You simply cannot drill for shale oil and not extract natural gas.

The problem, however, is while we should be looking at this phenomenon as a net positive—one drill extracting two sources of energy—far too often this natural gas byproduct is wasted because the infrastructure is simply not there to move the large quantity of natural gas to consumers. In one of our Nation's busiest oil fields—perhaps the busiest, at least operating in America today—the Permian Basin in the great State of Texas and the great State of New Mexico, our shale drillers have long complained that they have no way to move natural gas to the market because there simply aren't enough natural gas pipelines. Adding to the dilemma is the fact that not only is there a severe lack of pipelines, there is a severe lack of alternative transportation options as well. When it comes to transporting oil and natural gas, we have four alternatives: pipeline, train, truck, and boat—pipeline, train, truck, and boat. Until President Trump signed his Executive orders last month—one requiring the Transportation Department to allow liquefied natural gas to be shipped via specialized rail and tanker trucks—too much of the natural gas extracted had no way of getting to open markets. In the Permian Basin alone—remember in Texas and New Mexico—about 3 percent of the natural gas that comes to the surface with the oil is flared. That means it is just burned off. It is wasted.

Now, 3 percent may not initially sound like a lot, but when you run the numbers, it becomes clear that we are wasting a vast amount of money and a huge source of energy. There is so much oil being extracted in the Permian Basin alone that over $1 million worth of natural gas is burned away, flared, wasted every day; $1 million worth of natural gas—a relatively clean source of energy, better for our environment—is burned away every single day. To put that in perspective, the entire daily energy needs of Montana or New Hampshire could be met with just the gas that is flared in 1 day in the Permian Basin. A further look at the numbers suggests that by the end of 2018 alone, so much natural gas was burned off in the Permian Basin that the entire residential energy needs of Texas for the year could have been met—the entire State of Texas.

The problem is likely only going to get worse. The Permian Basin is far from the only area in which flaring occurs today in our country. Just accounting for the month of October this past year in North Dakota, it was reported that the amount of gas flared or burned off or wasted was enough to heat 4.25 million homes. The amount of natural gas flared, burned, wasted for the month of October, just in North Dakota, would have heated 4.25 million homes. This has to change. We simply cannot continue to sit by as millions of dollars are literally burned off every day into the atmosphere.

I thank President Trump. He took some great initial steps in trying to solve the wastefulness inherent in flaring from speeding up the construction of much needed pipelines to ordering increased use of specifically designed trains and tanker trucks. The American people will have far more access to this abundant and ever-present fuel source for their homes, for their businesses, and for their schools. There is

still a long way to go—a long way to go. Additional miles of pipeline and specialized train cars are just the beginning. I believe we can do better—much better, in fact—than simply sitting idly by as we watch good fuel being burned off into the night sky.

(Ms. MCSALLY assumed the Chair.)

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

VIOLENCE AGAINST WOMEN ACT

Mrs. FEINSTEIN. Madam President, today I wish to speak in support of including provisions in any reauthorization of the Violence Against Women Act that would ensure Tribal governments can prosecute heinous crimes on their lands.

When Congress last reauthorized the Violence Against Women Act, also known as VAWA, in 2013, we made historic advancements to address domestic violence on Tribal lands. Those important steps must be preserved, but we must also fix gaps in the law that the last reauthorization left open. These gaps allow crimes against children, the elderly, and law enforcement to essentially go unpunished.

As I have mentioned before, I support H.R. 1585, the bill passed by the House to reauthorize VAWA. One of the reasons I support that bill is because it addresses those gaps. Tribes should be able to address violent crimes that happen on their lands and to their most vulnerable populations.

According to a 2016 Justice Department report, ''more than four in five American Indian and Alaska Native women have experienced violence in their lifetime.'' That is disturbing. The report also found that 56 percent have experienced sexual violence; 56 percent have experienced physical violence at the hands of an intimate partner; and 49 percent have been stalked.

For me, these numbers are even more upsetting because California has the largest Native American population in the United States. There are almost 700,000 Native Americans living in California, which has 107 federally recognized and 50 unrecognized Tribes.

We must continue to respect Tribal sovereignty, to advance the very core of what sovereignty means: the right of Tribes to exercise dominion and jurisdiction over appalling crimes that occur on Tribal land. For many years, Tribal governments were unable to prosecute crimes committed by non-Indians on Tribal lands. Thankfully, that changed when Congress reauthorized VAWA in 2013.

The 2013 reauthorization of VAWA allowed Tribes to exercise their sovereign powers to prosecute, convict, and sentence both Indians and non-Indians who assault Indian spouses or dating partners. In other words, Tribes were finally able to prosecute anyone who committed domestic violence against an Indian on Indian land. These measures were not only necessary; they worked.

In just 5 years, under these new laws, there were 142 arrests, 74 convictions, and 24 more cases pending. These charges were processed through Tribal courts that provided the requisite due process protections under our Constitution. In fact, not a single conviction was overturned because of a lack of due process. We must now build on that success.

The VAWA reauthorization the House passed is a strong bill. I would note that it passed on a significant bipartisan basis, with a vote of 263–158 and 33 Republicans supporting it. This was even in the face of an active opposition campaign conducted by the National Rifle Association.

But importantly, one of the reasons the House bill is a strong bill is because of its Tribal protections. For example, the House bill expands jurisdiction over non-Indians for crimes against children, elders, and law enforcement.

We have a duty to prevent child abuse and elder abuse wherever they occur. It is also only right that Tribes be able to prosecute attacks on law enforcement officers. The people who protect the public deserve protection as well.

These advancements ensure that Tribes are able to address acts of violence, while respecting Tribal sovereignty. We should welcome the opportunity to continue to build on our past successes. I look forward to working with my colleague Senator ERNST on these provisions and hope other Senators with significant stake in this area will join us.

There are several other provisions that I believe should be included in a VAWA reauthorization. Chief among those is keeping guns out of the hands of domestic abusers. I plan to speak about those provisions at a later date, but I mention them now because I believe that we must have a comprehensive approach to addressing domestic violence in this country.

Simply put, all of the different parts of VAWA are linked. For instance, ensuring Tribal governments can prosecute domestic violence committed on Tribal lands is important, but keeping guns out of the hands of domestic abusers will help protect victims on Tribal lands as well.

The bill passed by the House takes this sort of comprehensive approach by, for example, improving the law in the areas of housing, Tribal protections, and gun safety.

I believe the Senate must do the same. There is no simple way to stop domestic violence, but we have a duty to do all that we can. Thank you.

NOMINATION OF JANET DHILLON

Mr. BOOKER. Madam President, today I wish to speak on the nomination of Janet Dhillon, who is nominated to be Chair of the Equal Employment Opportunity Commission. The EEOC plays an important role in protecting American workers. I am deeply concerned that Ms. Dhillon will put the interests of corporations over those of employees, which is antithetical to the mission of the EEOC.

The EEOC is charged with ''enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.'' It also investigates claims of individuals who are retaliated against for complaining about discrimination. Needless to say, the EEOC plays a critical role in protecting American workers and ensuring that our Federal antidiscrimination laws are enforced and not disregarded by unscrupulous employers.

In choosing someone to sit on the Commission, it is critical that the administration select someone with a history of working to advance civil rights and workers' rights. Ms. Dhillon clearly does not have that background.

Ms. Dhillon has spent the vast majority of her career working for and representing the interests of large corporations. Notably, while she was employed at JC Penney, the company was harshly criticized for its handling of a garment factory accident in Bangladesh that killed more than 1,000 people. She also worked at the Retail Litigation Center, an entity that works to limit employees' and consumers' access to justice. These experiences stand in direct opposition to the mission of the EEOC.

Additionally, during her confirmation hearing, she would not commit to maintaining the EEOC's current position that title VII of the Civil Rights Act of 1964 protects LGBT people from discrimination. As one of the main authors of the Equality Act in the Senate, which clarifies that existing civil rights law forbids discrimination of LGBT people, I am deeply concerned Ms. Dhillon would not make that commitment at her hearing.

If the United States is going to be a beacon of liberty and freedom, we must not allow discrimination of any kind to continue. The EEOC plays an essential role in fulfilling that promise of eradicating discrimination and creating a workplace that reflects the best of American values: hard work, ingenuity, decency, and respect.

It is clear to me that Ms. Dhillon is not the right person for the job, and I urge my colleagues to vote against her nomination.

ELECTRONIC HEALTH RECORDS

Mr. ALEXANDER. Madam President, I ask unanimous consent that a copy of my opening statement at the Senate Health Education, Labor, and Pensions Committee be printed in the RECORD.

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

ELECTRONIC HEALTH RECORDS

Mr. ALEXANDER. In 1991, the National Academies urged the adoption of electronic health records to improve patients' care. However, for many patients and for many doctors, electronic health records have made care more complicated.

No one knows this better than Dr. Kelly Aldrich, who is the Chief Clinical Transformation Officer at the Center for Medical Interoperability in Nashville and whose husband, Eric, experienced a life-threatening emergency that could have been prevented if his electronic health records had been interoperable.

Eric woke up one morning with a splitting headache and went to see his primary care doctor, who sent Eric to the hospital for a CT scan, the results of which prompted an MRI. Usually, the hospital's electronic medical records system sends the results of the MRI directly to Eric's primary care doctor.

But in this case the results were never sent, so 12 hours after the test, Eric's doctor called the hospital and learned that Eric had a tumor so large it was causing his brain to swell and shift, putting him at risk of seizures, permanent brain damage, and possibly death.

Eric, however, assuming no news was good news, was already 500 miles away, on his way to a fishing trip in Louisiana. Eric went to Tulane Medical Center, which had to do another MRI because they could not obtain Eric's original test results because the two hospitals used different electronic medical records systems. Eric flew back to Nashville, where he had to have yet another MRI before entering surgery. Eric later spent several weeks recovering in the ICU.

At multiple points during this traumatic experience, a lack of interoperability between electronic health records caused a life threatening delay of care, redundant tests, higher costs, and additional pain.

This is the second hearing on the proposed rules implementing the electronic health information provisions in the 21st Century Cures Act. Improving electronic health records is important to this committee.

In 2015, while working on Cures, we realized that our electronic health records system was in a ditch.

This committee held six bipartisan hearings on how to improve interoperability, and formed a working group that recommended provisions in Cures to ban information blocking—which is when some obstacle is in the way of a patient's information being sent from one doctor to another.

And this year, this committee is working on legislation to lower the cost of health care.

50 percent of what we spend on health care is unnecessary, according to Dr. Brent James of the National Academics. Electronic health records that are interoperable can prevent duplicative tests —like Eric's repeated MRIs—and reduce what doctors and hospitals spend on administrative tasks.

In March, the Office of the National Coordinator and the Centers for Medicare and Medicaid Services issued two rules to implement the electronic health records provisions in Cures:

First the rules define information blocking—so it is more precisely clear what we mean when one system, hospital, doctor, vendor, or insurer is purposefully not sharing information with another;

Second, the rules require that by January 1, 2020, for the first time, insurers must share a patient's health care data with the patient so their health information follows them as they see different doctors; and

Third, all electronic health records must adopt publicly available standards for data elements, known as Application Programming Interfaces, or APIs, two years after these rules are completed.

Last month, we heard from those who use electronic health records, and here is what they have to say about the rules. First, I asked our witnesses if these were good rules—and all four said yes, the intent and the goal of the rules were correct.

Mary Grealy, president of the Healthcare Leadership Council said: ''Interoperability is not simply desirable, it is absolutely necessary . . . These rules represent an important and perhaps groundbreaking first step for true national interoperability.''

I also asked our witnesses what one change they would make to improve these rules. Mary cautioned about not rushing implementation, saying, ''We don't want to prevent moving ahead, or progress, but I think we also have to be very cognizant of the challenges that providers and others are facing trying to do this complex work.''

In 2015, I urged the Obama Administration to slow down Stage 3 of the Meaningful Use program, which incentivized doctors and hospitals to adopt electronic health records. The Obama Administration did not slow down implementation, and looking back, the results would have been better if they had.

The best way to get to where you want to go is not by going too far, too fast.

I want to make sure we learn lessons from implementing Meaningful Use Stage 3, which was, in the words of one major hospital, ''terrifying.''

I am especially interested in getting where we want to go with the involvement of doctors, hospitals, vendors, and insurers, with the fewest possible mistakes and the least confusion.

We don't need to set a record time to get there with an unrealistic timeline. Because these are complex rules, I asked CMS and ONC to extend the comment period, and I am glad to see they have done so and want to thank our witnesses for allowing more time for comment.

We also heard concerns about ensuring patient privacy. lf the 21st Century Cures Act is successfully implemented, patients should be able to get their own health data more easily and send it to their health care providers.

Patients may also choose to send that data to third parties—like an exercise tracking app on their smart phone—but this raises new questions about privacy. Lucia Savage, Chief Privacy and Regulatory Officer at Omada Health said, ''I think the committee . . . is rightfully concerned about privacy and security . . . None of this will matter if the consumers don't have confidence, and their doctors don't have confidence that the consumers have confidence.''

Dr. Christopher Rehm, Chief Medical Informatics Officer at Lifepoint Health in Brentwood, Tennessee reminded us at the hearing that these rules are ''not about the technology, it's about the patient, their care and their outcomes.''

I am looking forward to hearing from the Administration today about how they plan to implement these rules.

WILD AND SCENIC RIVERS POSTAGE STAMP

Mr. WYDEN. Madam President, on May 21, 2019, the U.S. Postal Service will release a series of postage stamps commemorating America's Wild and Scenic River system. These are America's remarkable rivers and streams unique for their free-flowing beauty, along with their contribution to recreation, fish and wildlife habitat, and countless other important benefits.

As we recognize the 50th anniversary of this landmark conservation law, I want to make a point that Oregon has always been a leader in protecting rivers and just this year added more than 250 miles of Wild and Scenic Rivers designations, increasing our miles of protected rivers from 1,916 to a grand total of over 2,170 miles. That gives Oregon the State with the most miles of Wild and Scenic River designations in the contiguous United States.

Three Oregon rivers are being recognized by the U.S. Postal Service in this commemorative stamp edition: the Deschutes, the Owyhee, and the Snake Rivers. Each is remarkable and unique in its own way, and together, these rivers embody Oregon's tradition of providing habitat for endangered salmon and steelhead, clean drinking water, and recreation opportunities for countless outdoor enthusiasts from all over the United States and the world.

One of these rivers, the Owyhee, carves its way through some of the harshest and most arid and remote landscape of Oregon's high desert in the easternmost parts of our State. The Owyhee River flows through a steep, eroded canyon with cliffs towering hundreds of feet above. Added to the Wild and Scenic Rivers system in 1984, this river is revered for its remarkable cultural, geologic, recreational, and scenic values. It is of particular historical significance to Tribes across Oregon, Idaho, and Nevada. Beyond its significance as a Wild and Scenic River, the Owyhee region is a critical lifeline to the rural economy of eastern Oregon and the local ranching community.

Moving westward to central Oregon, the Deschutes River is an oasis that winds through sandy, pumice-filled soils and sloping plateaus. A Wild and Scenic River since 1988, the Deschutes is world renowned for its fly fishing, rafting, and hiking opportunities. For centuries, Native Americans have honored the cultural and fishing uses of the river and venerated its historical value.

The final Oregon river honored in this series is back to the east in Oregon but north of the Owyhee: the mighty Snake River. It flows through Hells Canyon—the deepest gorge in North America—on the border between Idaho and Oregon. First designated a Wild and Scenic River in 1975, the Snake River holds significant cultural value for the people of the Shoshone and Nez

Perce Tribes. It also holds an important part of our State's history; emigrant pioneers risked their lives crossing the Snake in search of their future in Oregon. Pristine sections of this river and its stunning landscapes provide bountiful opportunities for salmon fishing, rafting, and exploration.

These Oregon rivers and others recognized by the U.S. Postal Service in these stamps contribute to the most stunning landscapes in the country and protect the very qualities that make America's and Oregon's natural treasures so incredible.

TRIBUTE TO COLONEL CAROLINE M. MILLER

Ms. ERNST. Madam President, today I wish to recognize Col. Caroline M. Miller, upon her departure as chief, Air Force legislative liaison to the U.S. Senate.

In this role, Colonel Miller managed Air Force senior leader strategic engagement with Senators and their staffs in support of Air Force programs and congressional oversight travel. She served as the Air Force's senior escort for staff and congressional delegation travel to more than 20 countries supporting leadership, Member, and committee offices. Prior to her current position, she served as the 633rd Air Base Wing commander at Joint Base Langley-Eustis,VA, providing installation support to 18,000 Air Force and Army personnel, including Headquarters Air Combat Command, U.S. Army Training and Doctrine Command, four operational wings, eight brigades, and more than 20 major associate units.

Colonel Miller received her commission in 1994 from Officer Training School, Maxwell Air Force Base, AL. During her illustrious career, she has served as a protocol officer, special actions officer, and executive officer for several senior Air Force leadership offices, as well as the Director of Manpower and Personnel for United States Strategic Command. Colonel Miller has commanded at the squadron, group, and wing levels, spending 1 year as the commander, 379th Expeditionary Mission Support Group, Al Udeid Air Base, Qatar, in support of Operations Enduring Freedom and Iraqi Freedom. She was also hand-selected to participate in the elite Air Force Internship program, as well as competed to attend the Naval Command and Staff College and Air Force's Air War College.

Colonel Miller is married to Colonel (Retired) Rich Miller who, along with their son Ryan, have given her unwavering support throughout her career in the Air Force during multiple moves and combat deployments.

On behalf of the U.S. Congress and a grateful Nation, I extend our deepest appreciation to Col. Caroline M. Miller for her dedicated service to the Senate and to our Nation. We wish her the best on her promotion to brigadier general and her next role as chief of Air Force manpower at the Pentagon. There is no question that the Air Force, Department of Defense, and the United States will continue to benefit greatly from Colonel Miller's leadership.

REMEMBERING DR. JAMES BILLINGTON

Mr. ALEXANDER. Madam President, Dr. James Billington was the 13th person to hold the position of Librarian of Congress since the Library was established in 1800. He was nominated by President Ronald Reagan and served under Presidents George H.W. Bush, Bill Clinton, George W. Bush, and Barack Obama.

As Librarian of Congress Dr. Billington managed the Library of Congress, which according to LOC, is the largest library in the world, containing millions of books, recordings, photographs, newspapers, maps, and manuscripts in its collections. It is the main research arm of the U.S. Congress.

Dr. Billington doubled the size of the Library's collections during his tenure from 85.5 million items in 1987 to more than 160 million items. He created the Library of Congress online, which helped bring the Library into the digital age.

In 2003, Dr. Billington testified before the Senate education committee at a hearing I chaired called ''Putting the Teaching of American History and Civics Back in the Classroom.''

In his testimony that day, Dr. Billington said: ''During Alex Haley's 12 years researching his groundbreaking novel, Roots, he traveled the globe to uncover his family's story, even taking a slow Atlantic crossing to get some feel for what his ancestors went through on the Middle Passage. He also spent many hours in the reading rooms of the Library of Congress, poring over American Missionary Society files from our Manuscript Collection.

''For the first 190 years of the Library's existence, people could access our vast collections only by traveling to Washington, D.C., and by working in our beautiful reading rooms as Mr. Haley did, or by tapping into our rich holdings secondhand, through books that made use of our collections . . .

''The technology revolution of the past decade has made it possible for the Library to reach far beyond its buildings in Washington. We now deliver 8 million interesting and educational multimedia documents, maps, and images of American history and culture free of charge to stimulate curiosity and humanize the study of history.

''By exploiting the power of the internet and the incomparable resources of our collections, the Library of Congress has emerged as the leading provider of free noncommercial educational content on the Web. Millions of educators, librarians, students, and lifelong learners visit our Web sites daily for materials that once were available only through our reading rooms on Capitol Hill.''

Dr. Billington's nearly three decades of distinguished service and his efforts to bring the Library of Congress into the digital age will help ensure that the Library will better preserve our Nation's history and enlighten its people for many generations to come. His legacy will be one of innovation and diligence.

After his passing in 2018, his successor at the Library of Congress, Carla Hayden, said ''Dr. Billington has left an indelible legacy on the institution he led passionately for 28 years. With his vigor for philanthropy and tireless efforts to expand the reach and impact of the Library, he achieved so much to advance the Library of Congress as an enduring place for scholars and learners. He will be remembered as a visionary leader, distinguished academic and, most of all, a great American.''

At a recent Senate committee hearing, I spoke with Ms. Hayden about Alex Haley and the importance of what he did: writing two bestselling books on the African-American experience, the autobiography of Malcolm X and his book, Roots, which tell the story of the African-American experience in America. As Dr. Billington said, Alex did a lot of his research at the Library of Congress, and he found the name and the date of the slave ship that actually brought that ancestor to Annapolis in the Library. I think Alex's example will help people understand how the Library of Congress can be so useful to people who are trying to tell the story of our country.

Ms. Hayden agreed saying, ''many notable films and books have started with research at the Library of Congress. We want to emphasize the fact that Alex Haley did research here, and also have his quotes about what it felt like for him to be in that reading room.''

Alex Haley used to say, we should ''find the good and praise it.'' Dr. Billington's life's work will help countless Americans ''find the good and praise it,'' when it comes to the history of our country.

REMEMBERING LIEUTENANT COLONEL RICHARD ''DICK'' COLE

Mr. INHOFE. Madam President, today I wish to honor Lieutenant Colonel Richard ''Dick'' Cole, of the United States Air Force, who was the last living link of the Doolittle Raiders and passed away on April 9 at the age of 103. The Doolittle Raiders were comprised of 80 heroic U.S. Army Air Forces airmen who flew 16 modified B–25 Mitchell bombers off the USS *Hornet* aircraft carrier on the first Allied retaliatory strike on the Japanese Home Islands, just a few months after Pearl Harbor.

In an age before midair refueling and GPS, the USS *Hornet* weighed less than a quarter of today's fortress-like aircraft carriers. With then-Lt. Cole as the copilot to then-Lt. Col. Jimmy

Doolittle, the B–25 Mitchell bomber #40–2344, would take off with only 467 feet of takeoff distance. This audacious and unprecedented raid was a one-way mission against enormous odds. What made the mission all the more challenging was a sighting by a Japanese patrol boat that prompted the task force commander, U.S. Navy Adm. William Halsey, to launch the mission more than 650 nautical miles from Japan, 10 hours early and 170 nautical miles farther than originally planned. Flying at wavetop level around 200 feet with their radios turned off, Cole and the Raiders avoided detection for as much of the distance as possible. In groups of two to four aircraft, the bombers targeted dry docks, armories, oil refineries, and aircraft factories in Yokohama, Nagoya, Osaka and Kobe, as well as Tokyo itself. The Japanese air defenses were so caught off guard by the Raiders that little anti-aircraft fire was volleyed and only one Japanese Zero followed in pursuit. With their bombs delivered, the Raiders flew towards safety in nonoccupied China, but had to bail out when their aircraft ran out of fuel.

The bombing mission sent a message that America was ready to fight back, and bolstered spirits on the home front. Lt. Col. Cole remained in the China-Burma-India Theater flying combat and transport missions from May 1942 to June 1943, followed by service with the 5th Fighter Group in Tulsa, OK, from June to October 1943. He retired from the Air Force on December 31, 1966, as a command pilot with more than 5,000 flight hours in 30 different aircraft, amassing more than 250 combat missions and more than 500 combat hours. His decorations include the Distinguished Flying Cross with two oakleaf clusters; Air Medal with oakleaf cluster; Bronze Star Medal; Air Force Commendation Medal; and Chinese Army, Navy, Air Corps Medal, Class A, First Grade. All Doolittle Raiders were also awarded the Congressional Gold Medal in May 2014.

In his final years, Lt. Col. Cole remained a familiar face at Air Force events in the San Antonio area and toured Air Force schoolhouses and installations to promote the spirit of service among new generations of airmen. On September 19, 2016, Lt. Col. Cole was present during the naming ceremony for the Northrop Grumman B–21 Raider, named in honor of the Doolittle Raiders. While he may have slipped the surly bonds of earth to reunite with his fellow Raiders, his legacy will forever live on in the hearts and minds of Americans.

On behalf of my colleagues in the U.S. Senate, I wish to offer our eternal thanks to Lt. Col. Cole and our condolences to his family. May we never forget the courage and honor of the Doolittle Raiders.

ADDITIONAL STATEMENTS

TRIBUTE TO MARK ALAGNA

● Mr. ISAKSON. Madam President, today, I am honored to recognize in the RECORD a gentleman from whom I have had the opportunity to learn and to work with through a great company located in my great home State of Georgia. Mark Alagna is the vice president of UPS global public affairs and has announced he will retire in June after having served the company for 35 years.

The world headquarters for United Parcel Service, called UPS, has been based in Georgia since 1991. It is the second-largest company in Georgia, and in 2018, UPS earned $72 billion in revenue with locations worldwide. This company means a lot to my State.

In addition to that, UPS is a leader in delivering workforce training and mentorship programs that emphasize the development of professional skills, safety, and efficiency.

As the chairman of the Subcommittee on Employment and the Workplace, I am always looking out for Georgia companies and workers, especially the ones that set the bar high. Mark Alagna has been an important member of that company who has provided me and my staff with needed information and assistance for many years.

Mark's service to UPS is long and distinguished, rising through the ranks as a loyal employee serving a company that reciprocated that sense of loyalty and development for a good staff member. He has been with the company since 1984 when he was hired as a package car driver, delivering packages directly to customers who depended upon this service. For the last 24 years, he has worked in the company's public affairs department, looking out for the company's interests by working effectively with Members of Congress in Washington, with a particular policy focus on labor issues.

Mark also serves as liaison to the board of the National Coalition of Multiemployer Pension Plans, is vice chair of the Labor Policy Coalition, and sits on the labor and pension advisory committee. Prior to joining the global public affairs team, Mark also managed several staff and operational assignments in the mid-Atlantic area for UPS.

I will miss the opportunity to work with Mark, who has been a trusted associate, and his absence will be felt at UPS and by all those who have had the opportunity to work alongside him. We all wish Mark and his family the very best in a long and happy retirement.●

PRUDENTIAL SPIRIT AWARD

● Mr. KENNEDY. Madam President, today I wish to congratulate and honor two Louisiana students who have achieved national recognition for exemplary volunteer service in their communities. Kate Walker of Ruston and Nikki Leali of New Orleans have been named State honorees in the 2019 Prudential Spirit of Community Awards program, an annual honor granted to one high school student and one middle school student in each State and the District of Columbia.

Ms. Walker, a sophomore at Cedar Creek School, is being recognized for raising more than $70,000 to find a cure for a rare neuromuscular disease known as Friedreich's ataxia, FA. In addition to raising tens of thousands of dollars to bring awareness to FA, Kate used different kinds of media to spread awareness and educate the public about disabilities, including hosting a local screening of a documentary film about FA and starting a YouTube channel featuring weekly videos about the challenges facing people with disabilities. Kate's mission is to teach people the importance of treating people with disabilities the same as everyone else.

Ms. Leali, a seventh grader at Ursuline Academy, is being recognized for organizing a reading club that brings middle school students and younger children together. Nikki organized the club after conducting an annual book donation drive for several years that redistributed more than 55,000 books in her community. Nikki's club allows young children to build confidence in reading in a safe and fun environment, while also providing middle schoolers an opportunity to serve their community. Nikki has grown her club with a website and corporate sponsors, and she now has 15 to 30 children regularly attending her monthly meetings.

It is vital that we encourage and support the kind of selfless contributions these young people have made. People of all ages need to think about how we, as individual citizens, can work together at the local level to ensure the health and vitality of our towns and neighborhoods. Young volunteers like Ms. Walker and Ms. Leali are inspiring examples for all of us and are among our brightest hopes for a better tomorrow.

I also would like to salute other young people in my state who were named Distinguished Finalists by the Prudential Spirit of Community Awards for their outstanding volunteer service. They are Hailey Enamorado, 15, of Denham Springs, LA; Julianna Gouthiere, 12, of Shreveport, LA; Myracle Lewis, 17, of Baton Rouge, LA; and Grace Sun, 17, of Shreveport, LA.

All of these young people have demonstrated a level of commitment and accomplishment that is truly extraordinary in today's world and deserve our sincere admiration and respect. Their actions show that young Americans can and do play important roles in their communities, and that America's community spirit continues to hold tremendous promise for the future.●

INAUGURAL COSI SCIENCE FESTIVAL

● Mr. PORTMAN. Madam President, today I wish to acknowledge the inaugural COSI Science Festival that took place in Columbus during the first 4 days of May. COSI is a statewide science center that has been engaging, inspiring, and transforming Ohio's young citizens since 1964 and directly impacts over 1 million people annually. This festival event serves as a conduit to involve students, educators, policymakers, and families in STEM. COSI hosted the culminating event, the Big Science Celebration, where thousands of individuals gathered to experience hands-on learning around critical industry sectors for Ohio, such as agriculture, aerospace, and advanced manufacturing.

COSI's Science Festival partnered with NASA, DOT, and several state agencies to provide hands-on learning opportunities. Local mayors from 10 partner-cities were also featured to demonstrate the value of STEM in our communities. Pioneers in STEM of all ages from central Ohio were appointed as STEM Stars to serve as liaisons between community and industry.

Visitors to the science festival experienced hands-on scientific demonstrations, interactive exhibits, workshops, and much more. Ohioans had the opportunity to take part in an event that will undoubtedly leave a lasting impact in the STEM field.

I am honored to recognize the COSI Science Festival on this important event highlighting the impact of STEM throughout our nation.

Congratulations to all who were involved in making it a success.●

TRIBUTE TO PAUL CLOUD

● Mr. RUBIO. Madam President, today I recognize Paul Vincent Cloud of Niceville, FL, who served his nation in the U.S. Army during World War II and will turn 100 years old on June 8, 2019.

Paul enlisted with the U.S. Army on March 1, 1941, in Huntington, WV. He was assigned as a supply clerk in Company D, 7th Infantry Regiment, 3rd Infantry Division, and trained at Fort Lewis, WA.

On October 24, 1942, Paul was deployed as part of Task Force 34 for Operation Torch, landing at Fedala in French Morocco as part of the Battle of Casablanca. After its surrender, Paul's unit was temporally assigned in Rabat, French Morocco's capital city before moving to Algiers, Algeria. As a part of the 3rd Infantry Division, he was sent to reinforce the 1st Infantry Division at the Kasserine Pass, Tunisia.

In July 1943, Paul left Bizerte, Tunisia, and landed in Sicily near Gela, moving to Palermo and Messina as his division was ordered to Salerno and then Naples, Italy. In late spring 1944, Paul landed at Anzio and advanced with his unit to Rome to seize control of the city after the German retreat. He was later selected to return to the United States due to his service points, leaving Naples on July 16, 1944. Paul was honorably discharged at Fort Meade, MD, and received the Good Conduct Medal, American Defense Service Medal, and European African Middle Eastern Service Ribbon.

After he was discharged, Paul married Dorothy Anderson in 1947 and graduated from Ben Franklin University in 1951. He worked for the Veterans Administration and the Internal Revenue Service, retiring in January 1976. Together they have two daughters and five grandchildren.

I extend my best wishes to Paul in celebration of his upcoming 100th birthday and for his service to our Nation. I hope the coming year brings him much happiness, joy, and good health.●

TRIBUTE TO SAMUEL LOMBARDO

● Mr. RUBIO. Madam President, today I recognize Samuel Lombardo of Fort Walton Beach, FL, who served his nation in the U.S. Army during World War II and the Korean war. He will turn 100 years old on July 13, 2019.

Born in Italy, Samuel immigrated as a young boy to the United States. He enlisted with the U.S. Army in November 1939 in Pennsylvania. He served as the battalion topographical sergeant in the 11th Infantry, 28th Infantry Division and graduated from officer candidate school at Fort Benning as an infantry officer in July 1942.

After serving as an infantry basic training Instructor at Camp Fannin, TX, he was deployed to Europe as a platoon leader and company executive officer in Company I, 394th Infantry Regiment, 99th Division during the Battle of the Bulge. Following the battle, he made an American Flag for his platoon to carry across the Danube River from red pillows, blue curtains, and white surrender cloths. He served in the U.S. Army occupation in Germany and was the building officer in charge of the Palace of Justice in Nuremburg and as the officer in charge of a POW camp in Hammelburg with 350 Political POWs.

Upon returning to the U.S., he attended school in Los Angeles, CA, becoming a Japanese linguist. He served as the operations officer, commanding officer, and assistant special agent-in-charge of the 441st CIC Aomori, Japan, and was a field operations intelligence officer in both South Korea and Japan after a tour as inspector general and deputy chief of staff at Fort Ord, CA. Samuel then served as an intelligence officer in Saigon, Republic of Vietnam, before the U.S. formally entered the conflict. He returned to Fort Ord after becoming ill with typhoid and retired as a lieutenant colonel in March 1, 1962.

After his service, Samuel wrote a book, ''O'er the Land of the Free,'' about his World War II experiences. He has received several awards and decorations for his service to our country.

I extend my best wishes to Samuel in celebration of his upcoming 100th birthday and for his service to our Nation. It is my hope that the coming year is filled with good health and happiness.●

TRIBUTE TO CYNTHIA BARRINGTON

● Mr. RUBIO. Madam President, today I recognize Cynthia Barrington, the Jefferson County Teacher of the Year from Jefferson-Somerset Elementary School in Monticello, FL.

From a young age, Cynthia's grandmother instilled in her the importance of education. In the years that followed, Cynthia became passionate about being a part of the educational system. Cynthia's favorite aspect of teaching is working with students in order to have a better understanding of how to best teach them.

Cynthia began her career as a Jefferson County teacher and taught at Jefferson Elementary School for 27 years. When Somerset Charter took over the county's schools, she was included in the school transfer of teachers. She now teaches second grade at Jefferson-Somerset Elementary School.

I extend my sincere gratitude and best wishes to Cynthia for her dedication to teaching and look forward to learning of her continued success in the years ahead.●

TRIBUTE TO DAVID COCHRANE

● Mr. RUBIO. Madam President, today I honor David Cochrane, the Franklin County Teacher of the Year from Franklin County Middle and High School in Eastpoint, FL.

At his award ceremony, David addressed the crowd to thank his colleagues and students for supporting him. He is excited to help make the school the best it can be and holds high expectations and standards for his students.

David believes that all students deserve a quality education. He encourages his students to think about life after high school and emphasizes that they should work with all of their teachers.

David is a former U.S. Air Force Desert Storm veteran with 14 years of teaching experience. He joined the Franklin County Seahawks in 2015 and teaches algebra and physics. He also serves as the mathematics coach, department chair, and is the sponsor of the Mu Alpha Theta Club.

I offer my sincere gratitude to David for his service to our Nation and extend my best wishes on his continued success in the years to come.●

TRIBUTE TO SANDRA McMILLAN

● Mr. RUBIO. Madam President, today I recognize Sandra McMillan, the Gadsden County Teacher of the Year from Greensboro Elementary School in Quincy, FL.

Sandra considers this important recognition a new motivation for her and has inspired her to do more for her students. She describes her passion for teaching and learning as the key to developing a curriculum that sets the best example for students to take with them after they graduate.

Sandra provides her students with a template for hard work and dedication to success through her time teaching at the college level. Sandra's students describe her class as a great learning environment that inspires them to achieve success.

Sandra has been a teacher for 11 years, with the last 5 in the Gadsden County School District. She has taught exceptional students education at Greensboro Elementary School for the past 2 years and previously taught at the college level for 6 years.

I extend my sincere thanks and gratitude to Sandra for her dedication to teaching her students and look forward to hearing of her continued success in the years to come.●

RECOGNIZING RISING TIDE CAR WASH

● Mr. RUBIO. Madam President, this week the U.S. Senate Committee on Small Business and Entrepreneurship joins more than 30 million small businesses across our Nation in celebration of National Small Business Week. Small businesses drive our Nation's economic expansion, generate lasting job growth, and encourage community development. It is important that we recognize the vital contributions of small businesses. In celebration of National Small Business Week, it is my honor name Rising Tide Car Wash of Parkland and Margate, FL, as the Senate Small Business of the Week.

Founded in November 2012 by John D'Eri and his son, Tom, Rising Tide is a full-service car wash with the mission of employing adults with autism. Andrew D'Eri, John's other son, is autistic. As Andrew neared the end of his academic career, John brainstormed ways to help him find a dignified job. Noting his son's embrace of structure, process, and attention to detail, John landed on the idea of buying a car wash. Since purchasing the struggling car wash 9 years ago, John and Tom have grown the business to include a second location, going from washing 35,000 cars per year to more than 150,000 annually.

Today, Rising Tide is one of the largest employers of individuals with autism in the United States. In fact, Rising Tide views autism as their competitive advantage, giving dignified work, structure, and hope to 90 individuals with autism. Their work has not stopped there. Rising Tide is also a leading advocate for autism awareness. In an effort to aid other entrepreneurs looking to build an autism social enterprise, Tom and John created Rising Tide U, an online course offered in partnership with the University of Miami-Nova Southeastern University Center for Autism and Related Disabilities. Tom and John's innovative approach to advocacy has not only allowed for their business to grow, but has also allowed more small firms to hire individuals with autism.

Rising Tide's mission has sparked national attention. Tom has appeared before the United Nations on World Autism Awareness day, was selected to serve on the Young Entrepreneur Council, and was included in Forbes 30 Under 30 for social entrepreneurship. Additionally, Rising Tide and the D'Eri family have been featured on The Hero Effect, The Today Show, NBC News, TED Talks, Forbes, and People Magazine. Rising Tide has also been named Small Business of the Year by South Florida Business Connection and Employer of the Year by the Autism Society.

Rising Tide is more than just a successful business; they are an inspiration. John and Tom have combined the principles of entrepreneurship and social engagement to create a revolutionary program. Running a successful small business is difficult enough; yet John and Tom D'Eri have found a way to simultaneously engage and encourage truly deserving individuals. Their employees have found a community, friends, and gained valuable experience that will serve them for the rest of their lives.

Starting out with a simple mission of helping a family member find an engaging job, John and Tom have grown Rising Tide into a business that provides both a valuable community service and dignified work. I am honored to recognize the D'Eri family and the entire team at Rising Tide Car Wash as the Senate Small Business of the Week. You make Florida proud, and I look forward to watching your continued growth and success.●

RECOGNIZING VETFRIENDS

● Mr. SCOTT of South Carolina. Madam President, as a member of the Senate Committee on Small Business and Entrepreneurship, it is my privilege to honor a South Carolina small business during the U.S. Small Business Administration's National Small Business Week. In my State, small business owners work hard to contribute to our local economy and serve South Carolina communities. Today, it is my honor to recognize VetFriends of Mount Pleasant, SC, as the Senate Small Business of the Day.

Dale Sutcliffe, a U.S. Marine Corps veteran of Desert Storm, founded VetFriends nearly 20 years ago with the mission of reuniting veterans. Following his service, Dale realized the benefit that a national registry of veterans could have and quickly set up a platform where veterans can reconnect with their fellow servicemembers during their time serving our country. The VetFriends platform has over 2.5 million members and has brought together thousands of veterans with their former associates. In the process, the platform has helped veterans share stories and photos, as well as stay informed about upcoming reunions and events. Currently, the business employs over 25 South Carolinians, and almost all have a close relative or partner who is enlisted or has served.

The team at VetFriends has a longstanding tradition of supporting the veteran community and are regularly seen volunteering at the Ralph H. Johnson VA Medical Center. Additionally, the business has taken an active role working with the Wounded Warrior Project and the Patriots Point Naval and Maritime Museum in Charleston. It is clear that VetFriend's values and goals not only enhance their business plan but also improve the community that they belong to.

As we highlight the role that small businesses play throughout this week, it is my pleasure to honor the hard work that VetFriends is doing in the great State of South Carolina. They are a tremendous example of the way small businesses create innovative solutions, as well as give back to the community; I wish them nothing but success in their future endeavors.●

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1332. A bill to set forth the congressional budget for the United States Government for fiscal year 2020 and setting forth the appropriate budgetary levels for fiscal years 2021 through 2029.

H.R. 9. An act to direct the President to develop a plan for the United States to meet its nationally determined contribution under the Paris Agreement, and for other purposes.

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–1176. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Streamlined Reauthorization Procedures for Assigned or Transferred Television Satellite Stations; Modernization of Media Regulation Initiative'' ((FCC 19–17) (MB Docket Nos. 18–63 and 17–105)) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1177. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Channel Lineup Requirements - Sections 76.1705 and 76.1700(a) (4); Modernization of Media Regulation Initiative'' ((FCC 19–33) (MB Docket Nos. 18–92 and 17–105)) received in the Office of the President of the Senate on April 29, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1178. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to

law, the report of a rule entitled ''Television Broadcasting Services; Bridgeport and Stamford, Connecticut'' ((DA 19–264) (MB Docket No. 18–126)) received in the Office of the President of the Senate on April 29, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1179. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Use of Spectrum Bands Above 24 GHz for Mobile Radio Services'' ((FCC 19–30) (GN Docket No. 14–177)) received in the Office of the President of the Senate on April 29, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1180. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sabine River, Orange, TX'' ((RIN1625–AA00) (Docket No. USCG–2019–0160)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1181. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Mississippi Sound, Biloxi, MS'' ((RIN1625–AA00) (Docket No. USCG–2019–0222)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1182. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Xterra Swim, Intracoastal Waterway; Myrtle Beach, SC'' ((RIN1625–AA00) (Docket No. USCG–2019–0024)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1183. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Lake of the Ozarks, Osage Beach, MO'' ((RIN1625–AA00) (Docket No. USCG–2019–0113)) received in the Office of the President of the Senate on May 1, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1184. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sail Grand Prix 2019 Practice Days Safety Zone for Sailing Vessels; San Francisco, CA'' ((RIN1625–AA00) (Docket No. USCG–2019–0101)) received in the Office of the President of the Senate on May 1, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1185. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Cumberland River, Nashville, TN'' ((RIN1625–AA87) (Docket No. USCG–2019–0152)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1186. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Corpus Christi Ship Channel, Corpus Christi, TX'' ((RIN1625–AA87) (Docket No. USCG–2019–0206)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1187. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Corpus Christi Ship Channel, Corpus Christi, TX'' ((RIN1625–AA87) (Docket No. USCG–2019–0217)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1188. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Choptank River, Cambridge, MD'' ((RIN1625–AA08) (Docket No. USCG–2019–0051)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1189. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Ohio River, Louisville, KY'' ((RIN1625–AA08) (Docket No. USCG–2019–0163)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1190. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Lake of Ozarks, Village of Four Seasons, MO'' ((RIN1625–AA08) (Docket No. USCG–2019–0205)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1191. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Bush River and Otter Point Creek, Harford County, MD'' ((RIN1625–AA08) (Docket No. USCG–2019–0083)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1192. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Lake Pontchartrain, New Orleans, LA'' ((RIN1625–AA08) (Docket No. USCG–2019–0058)) received in the Office of the President of the Senate on May 1, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1193. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Youngs Bay and Lewis and Clark River, Astoria, OR'' ((RIN1625–AA09) (Docket No. USCG–2018–0131)) received in the Office of the President of the Senate on May 1, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1194. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Grounds; Baltimore Harbor, Baltimore, MD'' ((RIN1625–AA01) (Docket No. USCG–2017–0181)) received in the Office of the President of the Senate on May 1, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1195. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2016–9395)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1196. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2017–1085)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1197. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2017–1085)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1198. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0704)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1199. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0903)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1200. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–1009)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1201. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–1063)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1202. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes''

((RIN2120–AA64) (Docket No. FAA–2019–0121)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1203. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0122)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1204. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0190)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1205. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0191)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1206. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2017–0433)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1207. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–1241)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1208. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0899)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1209. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0899)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1210. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc., Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0634)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1211. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc., Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0965)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1212. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0706)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1213. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–1010)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1214. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; GA 8 Airvan (Pty) Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0771)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1215. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Honeywell International Inc. Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2018–0719)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1216. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; HPH s.r.o. Gilders'' ((RIN2120–AA64) (Docket No. FAA–2019–0202)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1217. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; International Aero Engines Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2018–0735)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1218. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; International Aero Engines Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2018–0735)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1219. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; International Aero Engines AG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2019–0151)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1220. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Northrop Grumman LITEF GmbH LCR–100 Attitude and Heading Reference System Units'' ((RIN2120–AA64) (Docket No. FAA–2017–0522)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1221. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pacific Aerospace Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2018–0895)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1222. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0205)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1223. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt & Whitney Division (PW) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2018–0920)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1224. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt & Whitney Division (PW) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2018–0924)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1225. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt & Whitney Division

(PW) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2018–0924)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1226. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Robinson Helicopter Company Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2017–1236)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1227. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce PLC Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2018–0611)) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1228. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Vulcanair S.p.A. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2019–0210)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1229. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Zodiac Seats France Cabin Attendant Seats'' ((RIN2120–AA64) (Docket No. FAA–2017–0839)) received during adjournment of the Senate in the Office of the President of the Senate on April 24, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1230. A communication from the Acting Secretary of Defense, transmitting a report on the approved retirement of General Thomas D. Waldhauser, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–1231. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Foreign Criminal and Civil Jurisdiction'' (RIN0790–AI89) received in the Office of the President of the Senate on May 6, 2019; to the Committee on Armed Services.

EC–1232. A communication from the Management Analyst, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Regulations Affecting Military Reservations'' (RIN0790–AA95) received in the Office of the President of the Senate on May 6, 2019; to the Committee on Armed Services.

EC–1233. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Changes to the Medicare Claims and Medicare Prescription Drug Coverage Determination Appeals Procedures'' (RIN0938–AT27) received in the Office of the President of the Senate on May 6, 2019; to the Committee on Finance.

EC–1234. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Reassignment of Medicaid Provider Claims'' (RIN0938–AT61) received in the Office of the President of the Senate on May 6, 2019; to the Committee on Finance.

EC–1235. A communication from the Deputy Assistant Attorney General, Office of Legal Policy, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Civil Monetary Penalties Inflation Adjustment'' (Docket No. OAG 148) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2019; to the Committee on the Judiciary.

EC–1236. A communication from the Chief of the Fiscal and Contract Law Unit, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Federal Bureau of Investigation's National Policy Act Regulations'' (RIN1110–AA32) received in the Office of the President of the Senate on May 2, 2019; to the Committee on the Judiciary.

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 Ms. WARREN (for herself and Mr. WARNER):

S. 1336. A bill to create an Office of Cybersecurity at the Federal Trade Commission for supervision of data security at consumer reporting agencies, to require the promulgation of regulations establishing standards for effective cybersecurity at consumer reporting agencies, to impose penalties on credit reporting agencies for cybersecurity breaches that put sensitive consumer data at risk, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHATZ (for himself, Mr. DURBIN, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. BOOKER, Mr. CARDIN, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. BENNET):

S. 1337. A bill to amend title 18, United States Code, to establish an Office of Correctional Education, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. BOOKER, Mr. BLUMENTHAL, Mr. MARKEY, Ms. WARREN, Mr. CARDIN, Mr. MERKLEY, Ms. DUCKWORTH, Ms. CORTEZ MASTO, Mr. MURPHY, Ms. HARRIS, Mr. VAN HOLLEN, Mr. BROWN, Ms. KLOBUCHAR, Ms. BALDWIN, and Mr. SANDERS):

S. 1338. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to issue guidance and recommendations for institutions of higher education on removing criminal and juvenile justice questions from their application for admissions process; to the Committee on Health, Education, Labor, and Pensions.

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

S. 1339. A bill to require greater transparency for Federal regulatory decisions that impact small businesses; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ:

S. 1340. A bill to authorize activities to combat the Ebola outbreak in the Democratic Republic of the Congo, and for other purposes; to the Committee on Foreign Relations.

By Mr. WICKER (for himself and Mr. BLUMENTHAL):

S. 1341. A bill to adopt a certain California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself and Mr. YOUNG):

S. 1342. A bill to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 1343. A bill to amend title XIX and XXI of the Social Security Act to improve Medicaid and the Children's Health Insurance Program for low-income mothers; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. YOUNG, and Ms. HASSAN):

S. 1344. A bill to require the Secretary of the Treasury to collect data and issue a report on the opportunity zone tax incentives enacted by the 2017 tax reform legislation, and for other purposes; to the Committee on Finance.

By Mr. HEINRICH (for himself, Ms. SINEMA, Ms. MCSALLY, and Mr. ALEXANDER):

S. 1345. A bill to amend and reauthorize the Morris K. Udall and Stewart L. Udall Foundation Act; to the Committee on Environment and Public Works.

By Mr. BOOKER (for himself, Mr. MERKLEY, Ms. CORTEZ MASTO, and Mrs. GILLIBRAND):

S. 1346. A bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for a student aid index equal to or less than zero, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 1347. A bill to require the United States Postal Service to designate a single, unique ZIP code for particular communities; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SASSE (for himself, Mr. KING, Mr. ROUNDS, and Mrs. GILLIBRAND):

S. 1348. A bill to require the Secretary of Defense to conduct a study on cyberexploitation of members of the Armed Forces and their families, and for other purposes; to the Committee on Armed Services.

By Mr. THUNE (for himself and Mr. PETERS):

S. 1349. A bill to expand enrollment in TSA PreCheck to expedite commercial travel screening and improve airport security; to the Committee on Commerce, Science, and Transportation.

By Mr. CASSIDY (for himself, Mr. KING, Mrs. BLACKBURN, Mrs. SHAHEEN, Mr. CRAMER, Mr. WICKER, Ms. MURKOWSKI, and Mr. MANCHIN):

S. 1350. A bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Ms. SMITH, Ms. HIRONO, and Mrs. FEINSTEIN):

S. 1351. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for eldercare expenses; to the Committee on Finance.

By Mr. CASEY (for himself, Ms. KLOBUCHAR, and Ms. HARRIS):

S. 1352. A bill to establish a Federal Advisory Council to Support Victims of Gun Violence; to the Committee on the Judiciary.

By Mr. CASEY:

S. 1353. A bill to amend the Child Abuse Prevention and Treatment Act to require mandatory reporting of incidents of child abuse or neglect, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. REED, and Ms. WARREN):

S. 1354. A bill to require certain protections for student loan borrowers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself, Mr. ISAKSON, Mr. BLUNT, Ms. COLLINS, Mr. COONS, Ms. CORTEZ MASTO, Mr. MERKLEY, Mr. PORTMAN, Mrs. SHAHEEN, and Mr. WICKER):

S. 1355. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for AmeriCorps educational awards; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. GRAHAM, and Mr. WARNER):

S. 1356. A bill to enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public, and for other purposes; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 192. A resolution to authorize testimony and representation in State of Nevada v. Lacamera; considered and agreed to.

By Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. BOOKER, Mr. PORTMAN, Ms. HIRONO, and Mr. HEINRICH):

S. Res. 193. A resolution designating May 18, 2019, as ''Kids to Parks Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 27

At the request of Mr. MANCHIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 27, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 91

At the request of Mr. GARDNER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 91, a bill to amend title 38, United States Code, to authorize per diem payments under comprehensive service programs for homeless veterans to furnish care to dependents of homeless veterans, and for other purposes.

S. 151

At the request of Mr. THUNE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 151, a bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes.

S. 225

At the request of Mr. ISAKSON, the name of the Senator from West Virginia (Mrs. CAPITO) 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. 284

At the request of Mr. ISAKSON, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 284, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 362

At the request of Mr. WYDEN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 373

At the request of Mrs. GILLIBRAND, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 373, a bill to provide for the retention and service of transgender individuals in the Armed Forces.

S. 386

At the request of Mr. LEE, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 386, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 457

At the request of Mr. CORNYN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 457, a bill to require that $1 coins issued during 2019 honor President George H.W. Bush and to direct the Secretary of the Treasury to issue bullion coins during 2019 in honor of Barbara Bush.

S. 479

At the request of Mr. TOOMEY, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 546

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 546, a bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes.

S. 559

At the request of Mr. TESTER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 559, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 577

At the request of Mr. LANKFORD, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 577, a bill to require the establishment of a process for excluding articles imported from the People's Republic of China from certain duties imposed under section 301 of the Trade Act of 1974, and for other purposes.

S. 599

At the request of Mr. COTTON, the name of the Senator from Missouri (Mr. HAWLEY) 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. 606

At the request of Mr. BLUMENTHAL, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 606, a bill to improve oversight and evaluation of the mental health and suicide prevention media outreach campaigns of the Department of Veterans Affairs, and for other purposes.

S. 622

At the request of Mr. JONES, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 622, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 803

At the request of Mr. TOOMEY, the names of the Senator from Indiana (Mr. YOUNG), the Senator from Colorado (Mr. GARDNER) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 803, a bill to amend the Internal Revenue Code of 1986 to restore incentives for investments in qualified improvement property.

S. 839

At the request of Mr. KAINE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 839, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

At the request of Mr. PORTMAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 839, supra.

S. 849

At the request of Mr. CRAMER, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Alabama (Mr. JONES), the Senator from

Montana (Mr. DAINES), the Senator from Kansas (Mr. ROBERTS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Indiana (Mr. BRAUN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from West Virginia (Mrs. CAPITO), the Senator from Montana (Mr. TESTER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 849, a bill to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

S. 867

At the request of Ms. HASSAN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 867, a bill to protect students of institutions of higher education and the taxpayer investment in institutions of higher education by improving oversight and accountability of institutions of higher education, particularly for-profit colleges, improving protections for students and borrowers, and ensuring the integrity of postsecondary education programs, and for other purposes.

S. 878

At the request of Mr. COTTON, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 878, a bill to foster security in Taiwan, and for other purposes.

S. 879

At the request of Mr. VAN HOLLEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 879, a bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements, and for other purposes.

S. 901

At the request of Ms. COLLINS, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Arizona (Ms. SINEMA) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 901, a bill to amend the Older Americans Act of 1965 to support individuals with younger onset Alzheimer's disease.

S. 948

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 948, a bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes.

S. 1006

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1006, a bill to amend the Truth in Lending Act to empower the States to set the maximum annual percentage rates applicable to consumer credit transactions, and for other purposes.

S. 1037

At the request of Mr. BARRASSO, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 1037, a bill to amend title XVIII of the Social Security Act to modernize provisions relating to rural health clinics under Medicare.

S. 1039

At the request of Mr. UDALL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1039, a bill to limit the use of funds for kinetic military operations in or against Iran.

S. 1067

At the request of Ms. HARRIS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1067, a bill to provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes.

S. 1081

At the request of Mr. MANCHIN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. CASEY), the Senator from Nevada (Ms. ROSEN) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1081, a bill to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

S. 1100

At the request of Mr. BOOKER, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Indiana (Mr. YOUNG) were withdrawn as cosponsors of S. 1100, a bill to institute a program for the disclosure of taxpayer information for third-party income verification through the Internet.

At the request of Mr. BOOKER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1100, supra.

S. 1103

At the request of Mr. COTTON, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 1103, a bill to amend the Immigration and Nationality Act to establish a skills-based immigration points system, to focus on family-sponsored immigration on spouses and minor children, to eliminate the Diversity Visa Program, to set a limit on the number of refugees admitted annually to the United States, and for other purposes.

S. 1125

At the request of Mr. TILLIS, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 1125, a bill to amend the Health Insurance Portability and Accountability Act.

S. 1140

At the request of Ms. SMITH, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 1140, a bill to amend the Public Health Service Act with respect to the treatment under section 351(k)(7) of such Act (relating to exclusivity for reference products) of certain products deemed to have a biological product license pursuant to section 7002 of the Biologics Price Competition and Innovation Act of 2009.

S. 1148

At the request of Mr. HOEVEN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 1148, a bill to amend title 49, United States Code, to require the Administrator of the Federal Aviation Administration to give preferential consideration to individuals who have successfully completed air traffic controller training and veterans when hiring air traffic control specialists.

S. 1169

At the request of Mr. GARDNER, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 1169, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to citizen petitions.

S. 1195

At the request of Mrs. GILLIBRAND, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1195, a bill to amend title 38, United States Code, to clarify presumption relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 1203

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1203, a bill to amend the Higher Education Act of 1965 in order to improve the public service loan forgiveness program, and for other purposes.

S. 1208

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1208, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes.

S. 1218

At the request of Mr. VAN HOLLEN, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Mississippi (Mr. WICKER), the Senator from Minnesota (Ms. SMITH), the Senator from New York (Mr. SCHUMER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 1218, a bill to require the review of the service of certain members of the Armed Forces during World War I to determine if such members should be awarded the Medal of Honor, to authorize the award of the Medal of Honor based on the results of the review, and for other purposes.

S. 1229

At the request of Ms. WARREN, the name of the Senator from Michigan

(Mr. PETERS) was added as a cosponsor of S. 1229, a bill to amend title 10, United States Code, to improve the provision of military housing to members of the Armed Forces and their families through private entities, and for other purposes.

S. 1241

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1241, a bill to expand the private right of action under the Telephone Consumer Protection Act for calls in violation of the Do Not Call rules.

S. 1263

At the request of Ms. CORTEZ MASTO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1263, a bill to require the Secretary of Veterans Affairs to establish an interagency task force on the use of public lands to provide medical treatment and therapy to veterans through outdoor recreation.

S. 1286

At the request of Mr. HEINRICH, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1286, a bill to amend the Energy Policy Act of 2005 to facilitate the commercialization of energy and related technologies developed at Department of Energy facilities with promising commercial potential.

S. 1300

At the request of Mr. BLUNT, the names of the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1300, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

S. 1301

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1301, a bill to prohibit the use of the poisons sodium fluoroacetate (known as ''Compound 1080'') and sodium cyanide for predator control.

S. 1333

At the request of Mr. CARPER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1333, a bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay Initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes.

S. CON. RES. 5

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Con. Res. 5, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 10

At the request of Mr. GARDNER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Con. Res. 10, a concurrent resolution recognizing that Chinese telecommunications companies such as Huawei and ZTE pose serious threats to the national security of the United States and its allies.

S. RES. 96

At the request of Mr. RISCH, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 96, a resolution commending the Government of Canada for upholding the rule of law and expressing concern over actions by the Government of the People's Republic of China in response to a request from the United States Government to the Government of Canada for the extradition of a Huawei Technologies Co., Ltd. executive.

S. RES. 120

At the request of Mr. CARDIN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. Res. 120, a resolution opposing efforts to delegitimize the State of Israel and the Global Boycott, Divestment, and Sanctions Movement targeting Israel.

S. RES. 143

At the request of Mr. CRAMER, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Res. 143, a resolution recognizing Israeli-American culture and heritage and the contributions of the Israeli-American community to the United States.

S. RES. 184

At the request of Mr. RISCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Res. 184, a resolution condemning the Easter Sunday terrorist attacks in Sri Lanka, offering sincere condolences to the victims, to their families and friends, and to the people and nation of Sri Lanka, and expressing solidarity and support for Sri Lanka.

S. RES. 188

At the request of Mr. CRUZ, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. Res. 188, a resolution encouraging a swift transfer of power by the military to a civilian-led political authority in the Republic of the Sudan, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself and Mr. PETERS):

S. 1349. A bill to expand enrollment in TSA PreCheck to expedite commercial travel screening and improve airport security; to the Committee on Commerce, Science, and Transportation.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Secure Traveler Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) PUBLIC AGENCY.—The term ''public agency'' means the Federal Government, a State government, a unit of local government, any combination of such government entities, or any department, agency, or instrumentality of any such government entity.

(2) SPONSORING AGENCY.—The term ''sponsoring agency'' means a government agency for which a security clearance is obtained, as determined by the Director of the National Background Investigations Bureau of the Office of Personnel Management.

(3) PUBLIC SAFETY OFFICER.—the term ''public safety officer'' means a person serving as a law enforcement officer, as determined by the Attorney General

SEC. 3. TSA PRECHECK ENROLLMENT FOR INDIVIDUALS WITH ACTIVE SECURITY CLEARANCE.

(a) PROCESS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration, in consultation with the Director of the National Background Investigations Bureau of the Office of Personnel Management and other appropriate departments and agencies of the Federal Government, shall establish a process to permit the verification of an active security clearance to enable enrollment in TSA PreCheck.

(b) COMPONENTS.—In establishing the process required under subsection (a), the Administrator shall ensure that—

(1) eligible applicants for TSA PreCheck provide verification of active clearance through coordination with their sponsoring agency;

(2) active clearance is required at the time an application is submitted and at the time of its approval;

(3) interim security clearance is not accepted for purposes of paragraphs (1) and (2); and

(4) approved applicants are assigned a trusted traveler number.

(c) ELIGIBLE LEVELS OF CLEARANCE.—An individual holding any of the following security clearances shall be eligible to participate in TSA PreCheck under the process established under subsection (a):

(1) Secret.

(2) Top Secret, including Sensitive Compartmented Information.

(3) L Clearance.

(4) Q Clearance.

(5) Yankee White, all categories.

(d) FEES.—Any individual who enrolls in TSA PreCheck through the process established under subsection (a) shall submit any fee required to cover the costs of participation in such program. Notwithstanding section 3302 of title 31, United States Code, such fee shall be retained and used by the Transportation Security Administration.

(e) TERMINATION; RENEWAL.—

(1) TERM.—If an individual remains eligible for membership in TSA PreCheck under the requirements established by the Transportation Security Administration, his or her participation in TSA PreCheck will terminate on the date that is 5 years after the date on which such enrollment is approved

unless it is renewed in accordance with applicable law.

(2) REVOCATION.—

(A) IN GENERAL.—An individual's participation in TSA PreCheck that was initiated through the process established under subsection (a) shall be terminated if the underlying security clearance is revoked, as determined by the sponsoring agency.

(B) EXCEPTIONS.—Except as provided in subparagraph (A), an individual's participation in TSA PreCheck that was initiated through the process established under subsection (a) may be revoked, at the discretion of the Administrator, if—

(i) the individual is determined to pose a threat to aviation or national security; and

(ii) the underlying security clearance is inactivated as a result of a change of the individual's employment or the end of an individual's appointment in a particular position.

SEC. 4. TSA PRECHECK ENROLLMENT FOR LAW ENFORCEMENT OFFICERS.

(a) PROCESS.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration, in consultation with the Attorney General, shall establish a process to permit the enrollment of certain law enforcement officers in TSA PreCheck.

(b) COMPONENTS.—In establishing the process required under subsection (a), the Attorney General and the Administrator shall ensure that—

(1) eligible applicants for TSA PreCheck provide verification of active employment through coordination with their sponsoring agency;

(2) active employment in good standing is required—

(A) at the time an application is submitted; and

(B) at the time an application is approved;

(3) interim disciplinary status is not accepted for purposes of paragraphs (1) and (2); and

(4) approved applicants are assigned a trusted traveler number.

(c) ELIGIBLE LAW ENFORCEMENT OFFICERS.—An individual shall be eligible to participate in TSA PreCheck under the process established under subsection (a) if he or she—

(1) is a public safety officer for a public agency (including a court system) that receives Federal financial assistance;

(2) is a law enforcement officer for a public agency; or

(3) occupies another position, as deemed appropriate by the Attorney General and the Administrator.

(d) FEES.—Any individual who enrolls in TSA PreCheck through the process established under subsection (a) shall submit any fee required to cover the costs of participation in such program. Notwithstanding section 3302 of title 31, United States Code, such fee shall be retained and used by the Transportation Security Administration.

(e) TERMINATION; RENEWAL.—

(1) TERM.—If an individual remains eligible for membership in TSA PreCheck under the requirements established by the Transportation Security Administration, his or her participation in TSA PreCheck shall terminate on the date that is 5 years after the date on which such enrollment is approved unless such enrollment is renewed in accordance with applicable law.

(2) REVOCATION.—An individual's participation in TSA PreCheck that was initiated through the process established under subsection (a)—

(A) shall be revoked if the underlying employment is terminated or suspended, as determined by the sponsoring agency; and

(B) may be revoked, at the discretion of the Attorney General and the Administrator, based on the termination of the underlying employment if such termination is a result of—

(i) a voluntary change of the individual's employment; or

(ii) the expiration of the term of service in a particular position to which an individual was appointed.

SEC. 5. REPORT ON EXPANDED ENROLLMENT FOR TRUSTED TRAVELER PROGRAMS.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection and the Administrator of the Transportation Security Administration, in consultation with the Attorney General, the Director of the National Background Investigations Bureau of the Office of Personnel Management, and other appropriate departments and agencies of the Federal Government, shall submit a report to Congress on the feasibility of expanding the enrollment processes established under sections 3 and 4 to the Trusted Traveler Programs listed in subsection (b).

(b) TRUSTED TRAVELER PROGRAMS.—The programs listed in this subsection are—

(1) Global Entry;

(2) SENTRI;

(3) NEXUS; and

(4) any travel facilitation program that is similar to any of the programs listed in paragraphs (1) though (3) and has been designated by the Secretary of Homeland Security to be included in the report required under subsection (a).

By Mr. DURBIN (for himself, Mr. REED, and Ms. WARREN):

S. 1354. A bill to require certain protections for student loan borrowers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1354

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Student Loan Borrower Bill of Rights''.

SEC. 2. HIGHER EDUCATION ACT OF 1965 AMENDMENTS.

(a) STUDENT LOAN INFORMATION BY ELIGIBLE LENDERS.—Section 433 of the Higher Education Act of 1965 (20 U.S.C. 1083) is amended—

(1) in subsection (b)—

(A) in paragraph (12), by striking ''and'' after the semicolon;

(B) in paragraph (13), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(14) a statement that—

''(A) the borrower may be entitled to servicemember and veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws; and

''(B) a Servicemember and Veterans Liaison designated under section 128(e)(16)(K)(i) of the Truth in Lending Act (15 U.S.C. 1638(e)(16)(K)(i)) is available to answer inquiries about servicemember and veteran benefits, including the toll-free telephone number to contact the Liaison pursuant to such section.''; and

(2) in subsection (e)—

(A) in paragraph (2), by adding at the end the following:

''(D) A statement that—

''(i) the borrower may be entitled to servicemember and veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws; and

''(ii) a Servicemember and Veterans Liaison designated under section 128(e)(16)(K)(i) of the Truth in Lending Act (15 U.S.C. 1638(e)(16)(K)(i)) is available to answer inquiries about servicemember and veteran benefits, including the toll-free telephone number to contact the Liaison pursuant to such section.

''(E) A statement that a repayment specialist office or unit designated under section 128(e)(16)(J)(i) of the Truth in Lending Act (15 U.S.C. 1638(e)(16)(J)(i)) is available to answer inquiries related to alternative repayment options, including the toll-free telephone number to contact the specialist pursuant to section 128(e)(16)(J)(iii) of such Act.''; and

(B) in paragraph (3), by adding at the end the following:

''(F) A statement that—

''(i) the borrower may be entitled to servicemember and veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws; and

''(ii) a Servicemember and Veterans Liaison designated under section 128(e)(16)(K)(i) of the Truth in Lending Act (15 U.S.C. 1638(e)(16)(K)(i)) is available to answer inquiries about servicemember and veteran benefits, including the toll-free telephone number to contact the Liaison pursuant to such section.

''(G) A statement that a repayment specialist office or unit designated under section 128(e)(16)(J)(i) of the Truth in Lending Act (15 U.S.C. 1638(e)(16)(J)(i)) is available to answer inquiries related to alternative repayment options, including the toll-free telephone number to contact the specialist pursuant to section 128(e)(16)(J)(iii) of such Act.''.

(b) TERMS AND CONDITIONS OF LOANS.—Section 455 of the Higher Education Act of 1965 (20 U.S.C. 1087e) is amended by adding at the end the following:

''(r) PREPAYMENT AND PAYMENT APPLICATION.—

''(1) IN GENERAL.—A borrower may prepay all or part of a loan made under this part at any time without penalty.

''(2) PREPAYMENT.—

''(A) IN GENERAL.—If a borrower pays any amount in excess of the amount due for a loan made under this part, the excess amount shall be a prepayment.

''(B) APPLICATION OF PREPAYMENT.—If a prepayment equals or exceeds the monthly repayment amount under the borrower's repayment plan with respect to a loan made under this part, the Secretary shall—

''(i) apply the prepaid amount according to the terms of the promissory note signed by the borrower; and

''(ii) upon request of the borrower, advance the due date of the next payment and notify the borrower of any revised due date for the next payment.''.

(c) CONTRACTS.—Section 456 of the Higher Education Act of 1965 (20 U.S.C. 1087f) is amended—

(1) in subsection (a), by striking paragraph (3) and inserting the following:

''(3) RULES OF CONSTRUCTION.—

''(A) CONSORTIA.—Nothing in this section shall be construed as a limitation of the authority of any State agency to enter into an agreement for the purposes of this section as a member of a consortium of State agencies.

''(B) COMPLIANCE WITH STATE AND FEDERAL LAWS.—Nothing in this section shall be construed as altering, limiting, or affecting any obligation by an entity with which the Secretary enters into a contract under this section to comply with any applicable Federal or State law, including any Federal consumer financial law, as defined in section 1002(14) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481(14)).

''(C) AUTHORITIES.—Nothing in this section shall be construed as altering, limiting, or affecting the authority of a State attorney general or any other State regulatory or enforcement agency or authority to bring an action or other regulatory proceeding arising solely under the law of such State.''; and

(2) by adding at the end the following:

''(d) APPLICABILITY OF PROVISIONS UNDER THE CONSUMER FINANCIAL PROTECTION ACT OF 2010.—

''(1) CONSUMER FINANCIAL PRODUCT OR SERVICE.—A consumer financial product or service offered by an entity with which the Secretary enters into a contract under this section for origination, servicing, or collection described in subsection (b), as part of such contract, shall have the meaning given the term in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481).

''(2) COVERED PERSON.—Any entity with which the Secretary enters into a contract under this section for origination, servicing, or collection described in subsection (b) shall be considered a 'covered person' (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)) and subject to the provisions of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481 et seq.).

''(3) POSTSECONDARY EDUCATIONAL LENDER OR SERVICER.—Any entity with which the Secretary enters into a contract under this section for origination, servicing, or collection, as described in subsection (b), and is engaged in the provision of, or offering, servicing shall be considered a 'postsecondary educational lender or servicer' (as defined in section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), and subject to the provisions of section 128(e) of the Truth in Lending Act (12 U.S.C. 1638(e)).

''(e) COMPLAINTS FROM STUDENT LOAN BORROWERS.—In awarding any contract under this section for origination, servicing, or collection described in subsection (b), the Secretary shall require, as part of such contract, any entity receiving such an award—

''(1) to respond to consumer complaints submitted to any Federal, State, or local agency that accepts complaints from student loan borrowers, including the Bureau of Consumer Financial Protection, by borrowers who owe loans made under this part; and

''(2) to share information about consumer complaints with the Secretary, the Bureau of Consumer Financial Protection, the Federal Trade Commission, the Department of Veterans Affairs, any State attorney general, or any other Federal or State regulatory or enforcement agency that compiles information about such complaints.

''(f) LIMITATIONS ON CONTRACTS.—Any entity with which the Secretary enters into a contract under this section shall be prohibited, as part of such contract, from marketing to the borrower of a loan made, insured, or guaranteed under this title a financial product or service—

''(1) using data obtained as a result of the contract or the relationship with the borrower stemming from the contract;

''(2) during any outreach or contact with the borrower resulting from the contract or the relationship with the borrower stemming from the contract; or

''(3) on any platform or through any method resulting from the contract or the relationship with the borrower stemming from the contract.

''(g) STUDENT LOAN SERVICING INTERAGENCY WORKING GROUP.—

''(1) IN GENERAL.—Not later than 30 days after the date of enactment of the Student Loan Borrower Bill of Rights, the Secretary shall establish a student loan servicing interagency working group co-chaired by the Secretary and the Director of the Bureau of Consumer Financial Protection and including the Chief Operating Officer of the Office of Federal Student Aid, the Director of the Office of Management and Budget, the Secretary of the Treasury, and the heads of any other relevant Federal departments or agencies.

''(2) ADVISORY REPORT ON RULEMAKING.—

''(A) IN GENERAL.—Not later than 120 days after the date the working group under paragraph (1) is established, the working group shall publish an advisory report making recommendations to the Director of the Bureau of Consumer Financial Protection related to the promulgation of regulations under section 128(e)(17)(A) of the Truth in Lending Act (15 U.S.C. 1638(e)(17)(A)) with respect to entities with which the Secretary has entered into a contract under this section.

''(B) PUBLIC FEEDBACK.—Following the publication of the advisory report required under subparagraph (A), the Secretary shall accept, for not less than 60 days, from the public specific feedback on the recommendations included in the report.

''(3) PUBLICATION OF FINAL RECOMMENDATIONS.—Not later than 30 days following the conclusion of the public feedback process described in paragraph (2)(B), the Secretary shall publish final recommendations for the Director of the Bureau of Consumer Financial Protection related to the promulgation of regulations under section 128(e)(17)(A) of the Truth in Lending Act (15 U.S.C. 1638(e)(17)(A)).

''(4) POLICY DIRECTION TO FEDERAL STUDENT AID.—The working group shall develop policy direction for the Office of Federal Student Aid to incorporate, into contracts awarded under this section, applicable requirements and standards promulgated under section 128(e)(17)(A) of the Truth in Lending Act (15 U.S.C. 1638(e)(17)(A)) or described in section 128(e)(17)(B)(i)(II) of such Act.

''(5) MEETINGS.—After the Secretary publishes final recommendations under paragraph (3), the working group shall meet not less often than once per year including to—

''(A) evaluate the application of regulations promulgated under section 128(e)(17)(A) of the Truth in Lending Act (15 U.S.C. 1638(e)(17)(A)) on entities with which the Secretary has entered into a contract under this section;

''(B) evaluate the Office of Federal Student Aid's implementation of policy direction developed pursuant to paragraph (4);

''(C) develop and implement an oversight plan to ensure compliance by entities with which the Secretary has entered into a contract under this section with policy direction developed under paragraph (4) and regulations promulgated under section 128(e)(17)(A) of the Truth in Lending Act (15 U.S.C. 1638(e)(17)(A)) or described in section 128(e)(17)(B)(i)(II) of such Act; and

''(D) undertake other activities to improve coordination among the members of the working group as it relates to the Secretary's administration of the Federal Direct Loan Program.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be considered to alter, limit, or restrict the Bureau of Consumer Financial Protection's obligations under chapter 5 of title 5, United States Code (commonly known as the 'Administrative Procedures Act'), including the Director's obligation to provide notice, solicit public comment, and respond to such comment when issuing regulations.''.

SEC. 3. TRUTH IN LENDING ACT AMENDMENTS.

(a) IN GENERAL.—The Truth in Lending Act (15 U.S.C. 1601 et seq.) is amended—

(1) in section 128 (15 U.S.C. 1638)—

(A) in subsection (e)—

(i) in the subsection heading, by striking ''PRIVATE'';

(ii) in paragraph (1)(O), by striking ''paragraph (6)'' and inserting ''paragraph (10)'';

(iii) in paragraph (2)(L), by striking ''paragraph (6)'' and inserting ''paragraph (10)'';

(iv) in paragraph (4)(C), by striking ''paragraph (7)'' and inserting ''paragraph (11)'';

(v) by redesignating paragraphs (5) through (11) as paragraphs (9) through (15), respectively;

(vi) by inserting after paragraph (4) the following:

''(5) DISCLOSURES BEFORE FIRST FULLY AMORTIZED PAYMENT.—Not fewer than 30 days and not more than 150 days before the first fully amortized payment on a postsecondary education loan is due from the borrower, the postsecondary educational lender or servicer shall disclose to the borrower, clearly and conspicuously—

''(A) the information described in—

''(i) paragraph (2)(A) (adjusted, as necessary, for the rate of interest in effect on the date the first fully amortized payment on a postsecondary education loan is due);

''(ii) subparagraphs (B) through (G) of paragraph (2);

''(iii) paragraph (2)(H) (adjusted, as necessary, for the rate of interest in effect on the date the first fully amortized payment on a postsecondary education loan is due);

''(iv) paragraph (2)(K); and

''(v) subparagraphs (O) and (P) of paragraph (2);

''(B) the scheduled date upon which the first fully amortized payment is due;

''(C) the name of the postsecondary educational lender and servicer, and the address to which communications and payments should be sent including a telephone number and website where the borrower may obtain additional information;

''(D) a description of alternative repayment options, including Federal Direct Consolidation Loans under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.), as applicable, and servicemember or veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) or other Federal or State law related to postsecondary education loans; and

''(E) a statement that a Servicemember and Veterans Liaison designated under paragraph (16)(K) is available to answer inquiries about servicemember and veteran benefits related to postsecondary education loans, including the toll-free telephone number to contact the Liaison pursuant to paragraph (16)(K).

''(6) DISCLOSURES WHEN BORROWER IS AT-RISK.—

''(A) IN GENERAL.—Not more than 5 days after a postsecondary educational lender or servicer determines that a borrower meets the criteria established in paragraph (16)(J)(i), the postsecondary educational lender or servicer shall disclose to the borrower, in writing, clearly and conspicuously that a repayment specialist office or unit is available to discuss alternative repayment options and answer borrower inquiries related to their postsecondary educational loan, including the toll-free number to contact the office or unit pursuant to paragraph (16)(J)(iii).

''(B) OUTREACH TO AT-RISK BORROWERS.—The Director, in accordance with paragraph

(17)(A), shall promulgate rules to establish a timeline for additional live outreach by the repayment specialist office or unit to at-risk borrowers.

''(7) ACTIONS WHEN BORROWER IS 30 DAYS DELINQUENT.—

''(A) IN GENERAL.—Not more than 5 days after a borrower becomes 30 days delinquent on a postsecondary education loan, the repayment specialist office or unit designated under paragraph (16)(J) shall—

''(i) make a good faith effort to establish live contact with the borrower to discuss alternative repayment options and other options available to avoid default; and

''(ii) disclose to the borrower, in writing, clearly and conspicuously—

''(I) the minimum payment that the borrower must make to bring the loan current;

''(II) a statement, related to potential charge off (as defined in paragraph (16)(A)) or assignment to collections as appropriate, to include—

''(aa) the date on which the loan will be charged-off or assigned to collections if no payment or the minimum payment required to be disclosed pursuant to item (bb) is not made;

''(bb) the minimum payment that must be made to avoid the loan being charged off or assigned to collection; and

''(cc) the consequences to the borrower of charge off or assignment to collections;

''(III) a statement that a Servicemember and Veterans Liaison designated under paragraph (16)(K) is available to answer inquiries about servicemember and veteran benefits related to postsecondary education loans, including the toll-free telephone number to contact the Liaison pursuant to paragraph (16)(K); and

''(IV) a statement that a repayment specialist office or unit designated under paragraph (16)(J) is available to answer inquiries related to alternative repayment options, including the toll-free telephone number to contact the specialist pursuant to paragraph (16)(J)(iii).

''(B) MODIFICATIONS.—The disclosures described in subparagraph (A)(ii) may be modified subject to regulations promulgated by the Director, based on consumer testing and in accordance with paragraph (17)(A).

''(8) ACTIONS WHEN BORROWER IS HAVING DIFFICULTY MAKING PAYMENT OR IS 60 DAYS DELINQUENT.—

''(A) IN GENERAL.—Not more than 5 days after a borrower notifies a postsecondary educational lender or servicer that the borrower is having difficulty making payment or a borrower becomes 60 days delinquent on a postsecondary education loan, the repayment specialist office or unit designated under paragraph (16)(J) shall—

''(i) complete a full review of the borrower's postsecondary education loan and make a reasonable effort to obtain the information necessary to determine—

''(I) if the borrower is eligible for an alternative repayment option, including Federal Direct Consolidation Loans under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.), as applicable;

''(II) if the borrower is eligible for servicemember or veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) or other Federal or State law related to postsecondary education loans; and

''(III) if the postsecondary education loan is eligible for discharge by the Secretary;

''(ii) make a good faith effort to establish live contact with the borrower to provide the borrower information about alternative repayment options and benefits for which the borrower is eligible, including all terms, conditions, and fees or costs associated with such repayment plan, pursuant to paragraph (9)(D);

''(iii) provide to the borrower in writing, in simple and understandable terms, such information required by clause (ii);

''(iv) allow the borrower not less than 30 days to apply for an alternative repayment option or benefits, if eligible;

''(v) notify the borrower that a Servicemember and Veterans Liaison designated under paragraph (16)(K) is available to answer inquiries about servicemember and veteran benefits related to postsecondary education loans, including the toll-free telephone number to contact the Liaison pursuant to paragraph (16)(K); and

''(vi) notify the borrower that a repayment specialist office or unit designated under paragraph (16)(J) is available to answer inquiries related to alternative repayment options, including the toll-free telephone number to contact the specialist pursuant to paragraph (16)(J)(iii).

''(B) FORBEARANCE OR DEFERMENT.—If, after receiving information about alternative repayment options from the repayment specialist, a borrower notifies the postsecondary educational lender or servicer that a long-term alternative repayment option is not appropriate, the postsecondary educational lender or servicer may comply with this paragraph by providing the borrower, in writing, in simple and understandable terms, information about short-term options to address an anticipated short-term difficulty in making payments, such as forbearance or deferment options, including all terms, conditions, and fees or costs associated with such options pursuant to paragraph (9)(D).

''(C) NOTIFICATION PROCESS.—

''(i) IN GENERAL.—Each postsecondary educational lender or servicer shall establish a process, in accordance with subparagraph (A), for a borrower to notify the lender that—

''(I) the borrower is having difficulty making payments on a postsecondary education loan; and

''(II) a long-term alternative repayment option is not appropriate.

''(ii) CONSUMER FINANCIAL PROTECTION BUREAU REQUIREMENTS.—The Director shall, based on consumer testing, and in accordance with paragraph (17)(A), promulgate rules establishing minimum standards for postsecondary educational lender or servicers in carrying out the requirements of this paragraph and a model form for borrowers to notify postsecondary educational lender or servicers of the information under this paragraph.'';

(vii) in paragraph (9), as redesignated by clause (v), by adding at the end the following:

''(D) MODEL DISCLOSURE FORM FOR ALTERNATIVE REPAYMENT OPTIONS, FORBEARANCE, AND DEFERMENT OPTIONS.—Not later than 2 years after the date of enactment of the Student Loan Borrower Bill of Rights, the Director shall, based on consumer testing and through regulations promulgated in accordance with paragraph (17)(A), develop and issue model forms to allow borrowers to compare alternative repayment options, forbearance, and deferment options with the borrower's existing repayment plan with respect to a postsecondary education loan. In developing such forms, the Director shall consider and evaluate the following for inclusion:

''(i) The total amount to be paid over the life of the loan.

''(ii) The total amount in interest to be paid over the life of the loan.

''(iii) The monthly payment amount.

''(iv) The expected pay-off date.

''(v) Other related fees and costs, as applicable.

''(vi) Eligibility requirements, and how the borrower can apply for an alternative repayment option, forbearance, or deferment option.

''(vii) Any relevant consequences due to action or inaction, such as default, including any actions that would result in the loss of eligibility for alternative repayment options, forbearance, or deferment options.'';

(viii) in paragraph (12), as redesignated by clause (v), by striking ''paragraph (7)'' and inserting ''paragraph (11)'';

(ix) by striking paragraph (14), as redesignated by clause (v), and inserting the following:

''(14) DEFINITIONS.—In this subsection—

''(A) the terms 'covered educational institution', 'private educational lender', and 'private education loan' have the same meanings as in section 140;

''(B) the term 'postsecondary education loan' means—

''(i) a private education loan; or

''(ii) a loan made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., and 1087aa et seq.);

''(C) the term 'postsecondary educational lender or servicer' means—

''(i) an eligible lender of a loan made, insured, or guaranteed under part B of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.);

''(ii) any entity with which the Secretary enters into a contract under section 456 of the Higher Education Act of 1965 (20 U.S.C. 1087f) for origination, servicing, or collection described in subsection (b) of such section 456 and is engaged in the provision of, or offering, servicing, as defined in paragraph (16)(A)(iv), or collections regardless of whether the Secretary identifies the entity as a 'servicer' in such contract;

''(iii) a private educational lender;

''(iv) any other person or entity engaged in the business of securing, making, or extending postsecondary education loans on behalf of a person or entity described in clause (i) or (iii); or

''(v) any other holder of a postsecondary education loan other than the Secretary;

''(D) the term 'Director' means the Director of the Bureau; and

''(E) the term 'Secretary' means the Secretary of Education.'';

(x) in paragraph (15), as redesignated by clause (v), by striking ''paragraph (5)'' and inserting ''paragraph (9)''; and

(xi) by adding at the end the following:

''(16) STUDENT LOAN BORROWER BILL OF RIGHTS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) BORROWER.—The term 'borrower' means the person to whom a postsecondary education loan is extended.

''(ii) CHARGE OFF.—The term 'charge off' means charge to profit and loss, or subject to any similar action.

''(iii) QUALIFIED WRITTEN REQUEST.—

''(I) IN GENERAL.—The term 'qualified written request' means a written correspondence of a borrower (other than notice on a payment medium supplied by the postsecondary educational lender or servicer) transmitted by mail, facsimile, or electronically through an email address or website designated by the postsecondary educational lender or servicer to receive communications from borrowers that—

''(aa) includes, or otherwise enables the postsecondary educational lender or servicer to identify, the name and account of the borrower; and

''(bb) includes, to the extent applicable—

''(AA) sufficient detail regarding the information sought by the borrower; or

''(BB) a statement of the reasons for the belief of the borrower that there is an error regarding the account of the borrower.

''(II) CORRESPONDENCE DELIVERED TO OTHER ADDRESSES.—

''(aa) IN GENERAL.—A written correspondence of a borrower is a qualified written request if the written correspondence is transmitted to and received by a postsecondary educational lender or servicer at a mailing address, facsimile number, email address, or website address other than the address or number designated by that postsecondary educational lender or servicer to receive communications from borrowers but the written correspondence meets the requirements under items (aa) and (bb) of subclause (I).

''(bb) DUTY TO TRANSFER.—A postsecondary educational lender or servicer shall, within a reasonable period of time, transfer a written correspondence of a borrower received by the postsecondary educational lender or servicer at a mailing address, facsimile number, email address, or website address other than the address or number designated by that postsecondary educational lender or servicer to receive communications from borrowers to the correct address or appropriate office or other unit of the postsecondary educational lender or servicer.

''(cc) DATE OF RECEIPT.—A written correspondence of a borrower transferred in accordance with item (bb) shall be deemed to be received by the postsecondary educational lender or servicer on the date on which the written correspondence is transferred to the correct address or appropriate office or other unit of the postsecondary educational lender or servicer.

''(iv) SERVICING.—The term 'servicing' means 1 or more of the following:

''(I) Receiving any scheduled periodic payments from a borrower or notification of such payments pursuant to the terms of a postsecondary education loan or contract governing the servicing.

''(II) Applying payments to the borrower's account pursuant to the terms of the postsecondary education loan or the contract governing the servicing.

''(III) Maintaining account records for a postsecondary education loan.

''(IV) Communicating with a borrower regarding a postsecondary education loan on behalf of the postsecondary educational lender or servicer.

''(V) Interactions with a borrower, including activities to help prevent default on obligations arising from postsecondary education loans, conducted to facilitate the activities described in subclause (I) or (II).

''(B) SALE, TRANSFER, OR ASSIGNMENT.—If the sale, other transfer, assignment, or transfer of servicing obligations of a postsecondary education loan results in a change in the identity of the party to whom the borrower must send subsequent payments or direct any communications concerning the loan—

''(i) the transferor shall—

''(I) notify the borrower, in writing, in simple and understandable terms, not fewer than 45 days before transferring a legally enforceable right to receive payment from the borrower on such loan, of—

''(aa) the sale or other transfer, assignment, or transfer of servicing obligations;

''(bb) the identity of the transferee;

''(cc) the name and address of the party to whom subsequent payments or communications must be sent;

''(dd) the telephone numbers and websites of both the transferor and the transferee;

''(ee) the effective date of the sale, transfer, or assignment;

''(ff) the date on which the transferor will stop accepting payment; and

''(gg) the date on which the transferee will begin accepting payment; and

''(II) forward any payment from a borrower with respect to such postsecondary education loan to the transferee, immediately upon receiving such payment, during the 60-day period beginning on the date on which the transferor stops accepting payment of such postsecondary education loan;

''(III) provide to the transferee all borrower information and complete payment history information for any such postsecondary education loans; and

''(ii) the transferee shall—

''(I) notify the borrower, in writing, in simple and understandable terms, not fewer than 45 days before acquiring a legally enforceable right to receive payment from the borrower on such loan, of—

''(aa) the sale or other transfer, assignment, or transfer of servicing obligations;

''(bb) the identity of the transferor:

''(cc) the name and address of the party to whom subsequent payments or communications must be sent;

''(dd) the telephone numbers and websites of both the transferor and the transferee;

''(ee) the effective date of the sale, transfer, assignment, or transfer of servicing obligations;

''(ff) the date on which the transferor will stop accepting payment; and

''(gg) the date on which the transferee will begin accepting payment;

''(II) accept as on-time and may not impose any late fee or finance charge for any payment from a borrower with respect to such postsecondary education loan that is forwarded from the transferor during the 90-day period beginning on the date on which the transferor stops accepting payment, if the transferor receives such payment on or before the applicable due date, including any grace period;

''(III) provide borrowers a simple, online process for transferring existing electronic fund transfer authority; and

''(IV) honor any promotion or benefit available or granted to the borrower or advertised by the previous owner or transferor of such postsecondary education loan.

''(C) MATERIAL CHANGE IN MAILING ADDRESS OR PROCEDURE FOR HANDLING PAYMENTS.—

''(i) IN GENERAL.—If a postsecondary educational lender or servicer makes a change in the mailing address, office, or procedures for handling payments with respect to any postsecondary education loan, the postsecondary educational lender or servicer shall notify the borrower in writing and through the borrower's preferred or designated method of communication not less than 45 calendar days in advance of such change.

''(ii) BORROWER PROTECTION WINDOW.—If a change described in clause (i) causes a delay in the crediting of the account of the borrower made during the 90-day period following the date on which such change took effect, the postsecondary educational lender or servicer may not impose on the borrower any negative consequences, including negative credit reporting, lost eligibility in borrower benefits, late fees, interest capitalization, or other financial injury.

''(D) INTEREST RATE AND TERM CHANGES FOR CERTAIN POSTSECONDARY EDUCATION LOANS.—

''(i) NOTIFICATION REQUIREMENTS.—

''(I) IN GENERAL.—Except as provided in clause (iii), a postsecondary educational lender or servicer shall provide written notice to a borrower of any material change in the terms of the postsecondary education loan, including an increase in the interest rate, not later than 45 days before the effective date of the change or increase.

''(II) MATERIAL CHANGES IN TERMS.—The Director shall, by regulation, establish guidelines for determining which changes in terms are material under subclause (I).

''(ii) LIMITS ON INTEREST RATE AND FEE INCREASES APPLICABLE TO OUTSTANDING BALANCE.—Except as provided in clause (iii), a postsecondary educational lender or servicer may not increase the interest rate or other fee applicable to an outstanding balance on a postsecondary education loan.

''(iii) EXCEPTIONS.—The requirements under clauses (i) and (ii) shall not apply to—

''(I) an increase based on an applicable variable interest rate incorporated in the terms of a postsecondary education loan that provides for changes in the interest rate according to operation of an index that is not under the control of the postsecondary educational lender or servicer and is published for viewing by the general public;

''(II) an increase in interest rate due to the completion of a workout or temporary hardship arrangement by the borrower or the failure of the borrower to comply with the terms of a workout or temporary hardship arrangement if—

''(aa) the interest rate applicable to a category of transactions following any such increase does not exceed the rate or fee that applied to that category of transactions prior to commencement of the arrangement; and

''(bb) the postsecondary educational lender or servicer has provided the borrower, prior to the commencement of such arrangement, with clear and conspicuous disclosure of the terms of the arrangement (including any increases due to such completion or failure); and

''(III) an increase in interest rate due to a provision included within the terms of a postsecondary education loan that provides for a lower interest rate based on the borrower's agreement to a prearranged plan that authorizes recurring electronic funds transfers if—

''(aa) the borrower withdraws the borrower's authorization of the prearranged recurring electronic funds transfer plan; and

''(bb) after withdrawal of the borrower's authorization and prior to increasing the interest rate, the postsecondary educational lender or servicer has provided the borrower with clear and conspicuous disclosure of the impending change in borrower's interest rate and a reasonable opportunity to reauthorize the prearranged electronic funds transfers plan.

''(E) PAYMENT INFORMATION.—

''(i) STATEMENT REQUIRED WITH EACH BILLING CYCLE.—A postsecondary educational lender or servicer for each borrower's account that is being serviced by the postsecondary educational lender or servicer and that includes a postsecondary education loan shall transmit to the borrower, for each billing cycle during which there is an outstanding balance in that account, a statement that includes—

''(I) the interest rate, principal balance, minimum monthly payment, and payment due date for each loan;

''(II) the outstanding balance in the account and each loan at the beginning of the billing cycle;

''(III) the total amount credited to the account and each loan during the billing cycle;

''(IV) the total amount of unpaid interest for the account and each loan;

''(V) the amount of any fee added to the account during the billing cycle, itemized to show each individual fee amount and reason for each fee;

''(VI) the address and phone number of the postsecondary educational lender or servicer to which the borrower may direct billing inquiries;

''(VII) the amount of any payments or other credits during the billing cycle that

was applied respectively to the principal and to interest for each loan;

''(VIII) the manner, pursuant to subparagraph (G), in which payments will be allocated among multiple loans if the borrower does not provide specific payment instructions;

''(IX) whether each loan is in deferment or forbearance;

''(X) information on how to file a complaint with the Bureau and with the ombudsman designated pursuant to section 1035 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5535) and the Department of Education;

''(XI) for any borrower considered to be at-risk, as described in subparagraph (J)(i), a statement that a repayment specialist office or unit designated under subparagraph (J) is available to answer inquiries related to alternative repayment options, including the toll-free telephone number to contact the specialist pursuant to subparagraph (J)(iii); and

''(XII) any other information determined appropriate by the Director through regulations promulgated, based on consumer testing and in accordance with paragraph (17)(A).

''(ii) DISCLOSURE OF PAYMENT DEADLINES.—In the case of a postsecondary education loan account under which a late fee or charge may be imposed due to the failure of the borrower to make payment on or before the due date for such payment, the billing statement required under clause (i) with respect to the account shall include, in a conspicuous location on the billing statement, the date on which the payment is due or, if different, the date on which a late fee will be charged, together with the amount of the late fee to be imposed if payment is made after that date.

''(F) APPLICATION OF PAYMENTS.—

''(i) APPLY PAYMENT ON DATE RECEIVED.—Unless otherwise directed by the borrower, a postsecondary educational lender or servicer shall apply payments to a borrower's account on the date the payment is received.

''(ii) PROMULGATION OF RULES.—The Director, in accordance with paragraph (17)(A), may promulgate rules for the application of postsecondary education loan payments that—

''(I) implements the requirements in this section;

''(II) minimizes the amount of fees and interest incurred by the borrower and the total loan amount paid by the borrower;

''(III) minimizes delinquencies, assignments to collection, and charge-offs;

''(IV) requires postsecondary educational lenders or servicers to apply payments on the date received; and

''(V) allows the borrower to instruct the postsecondary educational lender or servicer to apply payments in a manner preferred by the borrower.

''(iii) METHOD THAT BEST BENEFITS BORROWER.—In promulgating the rules under clause (ii), the Director shall choose the allocation method that best benefits the borrower and is compatible with existing repayment options.

''(G) ALLOCATION OF PAYMENTS AMONG MULTIPLE LOANS.—

''(i) ALLOCATION OF UNDERPAYMENTS.—Unless otherwise directed by the borrower, upon receipt of a payment that does not satisfy the full amount due for each postsecondary education loan, the postsecondary educational lender or servicer shall allocate amounts in a manner that minimizes negative consequences, including negative credit reporting and late fees, and, where multiple loans share an equal stage of delinquency, the postsecondary educational lender or servicer shall first allocate payment to the postsecondary education loan with the smallest monthly payment, and then, after satisfying that monthly payment, to each successive loan bearing the next highest monthly payment, until the payment is exhausted. A borrower may instruct or expressly authorize a postsecondary educational lender or servicer to allocate payments in a different manner.

''(ii) ALLOCATION OF EXCESS AMOUNTS.—Unless otherwise directed by the borrower, upon receipt of a payment exceeding the total amount due among all the borrower's postsecondary education loans, the postsecondary educational lender or servicer shall satisfy the amounts due for each loan, and then allocate amounts in excess of the minimum payment amount first to the postsecondary education loan balance bearing the highest annual percentage rate, and then, once that loan is repaid, to each successive postsecondary education loan bearing the next highest annual percentage rate, until the payment is exhausted. A borrower may instruct or expressly authorize a postsecondary educational lender or servicer to allocate such excess payments in a different manner.

''(iii) ALLOCATION OF EXACT PAYMENTS.—Unless otherwise directed by the borrower upon receipt of a payment that exactly satisfies the monthly payments for each loan, the postsecondary educational lender or servicer shall allocate payments to satisfy each monthly payment.

''(iv) PROMULGATION OF RULES.—The Director, in accordance with paragraph (17)(A), may promulgate rules for the allocation of payments among multiple postsecondary education loans that—

''(I) implements the requirements in this section;

''(II) minimizes the amount of fees and interest incurred by the borrower and the total loan amount paid by the borrower;

''(III) minimizes delinquencies, assignments to collection, and charge-offs;

''(IV) requires postsecondary educational lenders or servicers to apply payments on the date received; and

''(V) allows the borrower to instruct postsecondary educational lenders or servicers to apply payments in a manner preferred by the borrower, including excess payments.

''(v) METHOD THAT BEST BENEFITS BORROWER.—In promulgating the rules under clause (iv), the Director shall choose the allocation method that best benefits the borrower and is compatible with existing repayment options.

''(H) LATE FEES.—

''(i) IN GENERAL.—A late fee may not be charged to a borrower for a postsecondary education loan under any of the following circumstances, either individually or in combination:

''(I) On a per-loan basis when a borrower has multiple postsecondary education loans.

''(II) In an amount greater than 4 percent of the amount of the payment past due.

''(III) Before the end of the 15-day period beginning on the date the payment is due.

''(IV) More than once with respect to a single late payment.

''(V) The borrower fails to make a singular, non-successive regularly-scheduled payment on the postsecondary education loan.

''(ii) COORDINATION WITH SUBSEQUENT LATE FEES.—No late fee may be charged to a borrower for a postsecondary education loan relating to an insufficient payment if the payment is made on or before the due date of the payment, or within any applicable grace period for the payment, if the insufficiency is attributable only to a late fee relating to an earlier payment, and the payment is otherwise a full payment for the applicable period.

''(iii) PAYMENTS AT LOCAL BRANCHES.—If the loan holder, in the case of a postsecondary education loan account referred to in subparagraph (A), is a financial institution that maintains a branch or office at which payments on any such account are accepted from the borrower in person, the date on which the borrower makes a payment on the account at such branch or office shall be considered to be the date on which the payment is made for purposes of determining whether a late fee may be imposed due to the failure of the borrower to make payment on or before the due date for such payment.

''(I) BORROWER INQUIRIES.—

''(i) DUTY OF POSTSECONDARY EDUCATIONAL LENDERS OR SERVICERS TO RESPOND TO BORROWER INQUIRIES.—

''(I) NOTICE OF RECEIPT OF REQUEST.—If a borrower submits a qualified written request to the postsecondary educational lender or servicer for information relating to the servicing of the postsecondary education loan, the postsecondary educational lender or servicer shall provide a written response acknowledging receipt of the qualified written request within 5 business days unless any action requested by the borrower is taken within such period.

''(II) ACTION WITH RESPECT TO INQUIRY.—Not later than 30 business days after the receipt from a borrower of a qualified written request under subclause (I) and, if applicable, before taking any action with respect to the qualified written request of the borrower, the postsecondary educational lender or servicer shall—

''(aa) make appropriate corrections in the account of the borrower, including the crediting of any late fees, and transmit to the borrower a written notification of such correction (which shall include the name and toll-free or collect-call telephone number of a representative of the postsecondary educational lender or servicer who can provide assistance to the borrower);

''(bb) after conducting an investigation, provide the borrower with a written explanation or clarification that includes—

''(AA) to the extent applicable, a statement of the reasons for which the postsecondary educational lender or servicer believes the account of the borrower is correct as determined by the postsecondary educational lender or servicer; and

''(BB) the name and toll-free or collect-call telephone number of an individual employed by, or the office or department of, the postsecondary educational lender or servicer who can provide assistance to the borrower; or

''(cc) after conducting an investigation, provide the borrower with a written explanation or clarification that includes—

''(AA) information requested by the borrower or explanation of why the information requested is unavailable or cannot be obtained by the postsecondary educational lender or servicer; and

''(BB) the name and toll-free or collect-call telephone number of an individual employed by, or the office or department of, the postsecondary educational lender or servicer who can provide assistance to the borrower.

''(III) LIMITED EXTENSION OF RESPONSE TIME.—

''(aa) IN GENERAL.—There may be 1 extension of the 30-day period described in subclause (II) of not more than 15 days if, before the end of such 30-day period, the postsecondary educational lender or servicer notifies the borrower of the extension and the reasons for the delay in responding.

''(bb) REPORTS TO BUREAU.—Each postsecondary educational lender or servicer shall, on an annual basis, report to the Bureau the aggregate number of extensions sought by the such postsecondary educational lender or servicer under item (aa).

''(ii) PROTECTION AGAINST NEGATIVE CONSEQUENCES.—During the 60-day period beginning on the date on which a postsecondary educational lender or servicer receives a qualified written request from a borrower relating to a dispute regarding payments by the borrower, a postsecondary educational lender or servicer may not impose any negative consequences on the borrower relating to the subject of the qualified written request or to such period including—

''(I) providing negative credit information to any consumer reporting agency (as defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a));

''(II) lost eligibility for a borrower benefit;

''(III) late fees;

''(IV) interest capitalization; or

''(V) other financial injury.

''(J) REPAYMENT SPECIALISTS FOR AT-RISK BORROWERS.—

''(i) AT-RISK BORROWERS.—A postsecondary educational lender or servicer shall designate an office or other unit to act as a repayment specialist regarding postsecondary education loans for—

''(I) any borrower who—

''(aa) becomes 30 calendar days or more delinquent under the postsecondary education loan; or

''(bb) notifies the postsecondary educational lender or servicer pursuant to paragraph (8)(C) that the borrower is having difficulty making payment;

''(II) any borrower who requests information related to options to reduce or suspend the borrower's monthly payment, or otherwise indicates that the borrower is experiencing or is about to experience financial hardship or distress;

''(III) any borrower who has not completed the program of study for which the borrower received the loans;

''(IV) any borrower who is enrolled in discretionary forbearance for more than 9 of the previous 12 months;

''(V) any borrower who has rehabilitated or consolidated 1 or more postsecondary education loans out of default within the prior 24 months;

''(VI) a borrower who seeks information regarding, seeks to enter an agreement for, or seeks to resolve an issue under a repayment option that requires subsequent submission of supporting documentation;

''(VII) a borrower who seeks to modify the terms of the repayment of the postsecondary education loan because of hardship; and

''(VIII) any borrower or segment of borrowers determined by the Director or the Secretary to be at-risk.

''(ii) TRAINING.—Staff of the repayment specialist office or unit designated under clause (i) shall—

''(I) receive rigorous, ongoing training related to available repayment plans, loan forgiveness, and cancellation and discharge options; and

''(II) be trained to—

''(aa) assess the borrower's long-term and short-term financial situation in discussing alternative repayment options with borrowers;

''(bb) inform borrowers, when there is sufficient information to determine that a borrower may be eligible, about closed-school discharge, discharge under defense to repayment, or total and permanent disability discharge prior to informing the borrower about any other options for repayment; and

''(cc) inform borrowers about alternative repayment options, prior to discussing forbearance and deferment.

''(iii) TOLL-FREE TELEPHONE NUMBER.—Each postsecondary educational lender or servicer shall maintain a toll-free telephone number that shall—

''(I) connect directly to the repayment specialist office or unit designated under clause (i);

''(II) be made available on the primary internet website of the postsecondary educational lender or servicer, on monthly billing statements, and any disclosures required by paragraph (6); and

''(III) not subject borrowers to unreasonable call wait times.

''(iv) COMPENSATION.—Staff of the repayment specialist office or unit designated under clause (i) shall not be compensated on the basis of the volume of calls or accounts handled, dollar amounts collected, brevity of calls, or in any other manner that may encourage undue haste and lack of diligence or quality customer service.

''(K) SERVICEMEMBERS, VETERANS, AND POSTSECONDARY EDUCATION LOANS.—

''(i) SERVICEMEMBER AND VETERANS LIAISON.—Each postsecondary educational lender or servicer shall designate an employee to act as the servicemember and veterans liaison who is responsible for answering inquiries from servicemembers and veterans, and is specially trained on servicemember and veteran benefits under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) and other Federal or State laws related to postsecondary education loans.

''(ii) TOLL-FREE TELEPHONE NUMBER.—Each postsecondary educational lender or servicer shall maintain a toll-free telephone number that shall—

''(I) connect directly to the servicemember and veterans liaison designated under clause (i);

''(II) be made available on the primary internet website of postsecondary educational lender or servicer and on monthly billing statements; and

''(III) not subject borrowers to unreasonable call wait times.

''(iii) PROHIBITION ON CHARGE OFFS AND DEFAULT.—A postsecondary educational lender or servicer may not charge off or report a postsecondary education loan as delinquent, assigned to collection (internally or by referral to a third party), in default, or charged-off to a credit reporting agency if the borrower is on active duty in the Armed Forces (as defined in section 101(d)(1) of title 10, United States Code) serving in a combat zone (as designated by the President under section 112(c) of the Internal Revenue Code of 1986).

''(iv) ADDITIONAL LIAISONS.—The Director, in consultation with the Secretary, shall determine additional entities with whom borrowers interact, including guaranty agencies, that shall designate an employee to act as the servicemember and veterans liaison who is responsible for answering inquiries from servicemembers and veterans and is specially trained on servicemembers and veteran benefits and option under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.).

''(L) BORROWER'S LOAN HISTORY.—

''(i) IN GENERAL.—A postsecondary educational lender or servicer shall make available in a secure electronic form usable by borrowers, or in writing upon request, the loan history of each borrower for each postsecondary education loan, separately designating—

''(I) payment history, including repayment plan and payments—

''(aa) made on such loan to previous postsecondary educational lenders or servicers; and

''(bb) qualifying toward a loan forgiveness program and designating such program;

''(II) loan history, including any forbearances, deferrals, delinquencies, assignment to collection, and charge offs;

''(III) annual percentage rate history;

''(IV) key loan terms, including application of payments to interest, principal, and fees, origination date, principal, capitalized interest, annual percentage rate, including any cap, loan term, and any contractual incentives;

''(V) amount due to pay off the outstanding balance; and

''(VI) any other items determined by the Director through regulations promulgated in accordance with paragraph (17)(A).

''(ii) ORIGINAL DOCUMENTATION.—A postsecondary educational lender or servicer shall make available to the borrower, if requested, at no charge, copies of the original loan documents and the promissory note for each postsecondary education loan.

''(M) ERROR RESOLUTION.—The Director, in consultation with the Secretary, shall promulgate rules requiring postsecondary educational lenders or servicers to establish error resolution procedures to allow borrowers to inquire about errors related to their postsecondary education loans and obtain timely resolution of such errors.

''(N) ADDITIONAL SERVICING STANDARDS.—

''(i) PROHIBITIONS.—A postsecondary educational lender or servicer may not—

''(I) charge a fee for responding to a qualified written request under this paragraph;

''(II) fail to take timely action to respond to a qualified written request from a borrower to correct an error relating to an allocation of payment or the payoff amount of the postsecondary education loan;

''(III) fail to take reasonable steps to avail the borrower of all possible alternative repayment arrangements to avoid default;

''(IV) fail to perform the obligations required under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

''(V) fail to respond within 10 business days to a request from a borrower to provide the name, address, and other relevant contact information of the loan holder of the borrower's postsecondary education loan or, for a Federal Direct Loan or a Federal Perkins Loan, the Secretary of Education, or the institution of higher education who made the loan, respectively;

''(VI) fail to comply with any applicable requirement of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.);

''(VII) charge a convenience, processing, or any other fee for payments made electronically or by telephone;

''(VIII) fail to comply with any other obligation that the Bureau, by regulation, has determined to be appropriate to carry out the consumer protection purposes of this paragraph; or

''(IX) fail to perform other standard servicing duties and functions.

''(ii) BUSINESS HOURS.—Postsecondary educational lenders or servicers shall be open for borrower inquiries and outreach during and after normal business hours, including availability after 5:00 pm in all continental United States time zones and some weekend hours.

''(iii) ADDITIONAL STANDARDS.—The Director may promulgate regulations, in accordance with paragraph (17)(A), establishing additional servicing standards to reduce delinquencies, assignment to collections, defaults, and charge-offs, and to ensure borrowers understand their rights and obligations related to their postsecondary education loans.

''(O) PROHIBITION ON LIMITING BORROWER LEGAL ACTION BY POSTSECONDARY EDUCATIONAL LENDERS AND SERVICERS.—

''(i) WAIVER OF RIGHTS AND REMEDIES.—Any rights and remedies available to borrowers against postsecondary educational lenders or

servicers may not be waived by any agreement, policy, or form, including by a mandatory predispute arbitration agreement or class action waiver.

''(ii) PREDISPUTE ARBITRATION AGREEMENTS.—No limitation or restriction on the ability of a borrower to pursue a claim in court with respect to a postsecondary education loan, including mandatory predispute arbitration agreements and class action waivers, shall be valid or enforceable by a postsecondary educational lender or servicer, including as a third-party beneficiary or by estoppel.

''(P) PREEMPTION.—Nothing in this paragraph may be construed to preempt any provision of State law regarding postsecondary education loans where the State law provides stronger consumer protections.

''(Q) CIVIL LIABILITY.—A postsecondary educational lender or servicer that fails to comply with any requirement imposed under this paragraph shall be deemed a creditor that has failed to comply with a requirement under this chapter for purposes of liability under section 130 and such postsecondary educational lender or servicer shall be subject to the liability provisions under such section, including the provisions under paragraphs (1), (2)(A)(i), (2)(B), and (3) of section 130(a).

''(R) ELIGIBILITY FOR DISCHARGE.—The Director, in accordance with paragraph (17)(A), shall promulgate rules requiring postsecondary educational lenders and servicers to—

''(i) identify and contact borrowers who may be eligible for student loan discharge by the Secretary, including under section 437 of the Higher Education Act of 1965 (20 U.S.C. 1087); and

''(ii) provide the borrower, in writing, in simple and understandable terms, information about obtaining such discharge.

''(17) CONSUMER FINANCIAL PROTECTION BUREAU REQUIREMENTS.—

''(A) RULEMAKING.—The Director shall, based on consumer testing (as appropriate) and upon consideration of any final recommendations published by the Secretary under section 456(g)(3) of the Higher Education Act of 1965 (20 U.S.C. 1087f(g)(3)), promulgate regulations in consultation with the Secretary, to carry out the requirements of this subsection.

''(B) COMPLIANCE FOR CERTAIN ENTITIES.—

''(i) IN GENERAL.—The Director may promulgate regulations under subparagraph (A) to require an entity or class of entities with which the Secretary has entered into a contract under section 456 of the Higher Education Act of 1965 (20 U.S.C. 1087f) to comply with an alternative requirement or standard promulgated by the Director in lieu of compliance with any requirement or standard under this subsection if the Director determines that—

''(I) such entity or class of entities are not required by the Secretary pursuant to the contract to perform a servicing function governed by the requirement or standard, and where such function is required by the Secretary, to be performed by another entity or class of entities; or

''(II) the Secretary, in consultation with the Chief Operating Officer of Federal Student Aid, has promulgated regulations to establish an alternative requirement or standard with respect to such entity or class of entities that better benefits or protects borrowers and the Director incorporates such requirement or standard that better benefits or protects borrowers into regulations promulgated under subparagraph (A).

''(ii) REPORTS.—The Director shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Education and Labor of the House of Representatives on any regulations promulgated under clause (i).

''(18) POSTSECONDARY EDUCATIONAL LENDERS OR SERVICERS AND CONTRACTS OR SUBCONTRACTS.—

''(A) IN GENERAL.—Any person or entity that enters into a contract or subcontract with a postsecondary educational lender or servicer to perform the servicing of a postsecondary educational loan may fulfill the obligations of the postsecondary educational lender or servicer under this subsection.

''(B) JOINT AND SEVERAL LIABILITY FOR SERVICE PROVIDERS.—Any entity or person described in subparagraph (A) shall be jointly and severally liable for the actions of the entity or person in fulfilling the obligations of the postsecondary educational lender or servicer under this subsection.''; and

(B) by adding at the end the following:

''(g) INFORMATION TO BE AVAILABLE AT NO CHARGE.—The information required to be disclosed under this section shall be made available at no charge to the borrower.''; and

(2) in section 130(a)—

(A) in paragraph (3), by striking ''128(e)(7)'' and inserting ''128(e)(11)''; and

(B) in the flush matter at the end, by striking ''or paragraph (4)(C), (6), (7), or (8) of section 128(e),'' and inserting ''or paragraph (4)(C), (10), (11), or (12) of section 128(e),''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made under subsection (a) shall be effective 180 days after the date of enactment of this Act.

(2) DELAY.—The Director of the Bureau of Consumer Financial Protection shall delay the effective date of the amendments made under subsection (a) for not more than 1 additional year with respect to entities engaged in servicing pursuant to a contract awarded under section 456 of the Higher Education Act of 1965 (20 U.S.C. 1087f) pending the Secretary of Education's final recommendations required under section 456(g) of such Act related to the promulgation of regulations by the Director under section 128(e)(17) of the Truth in Lending Act (15 U.S.C. 1638(e)(17)).

SEC. 4. REHABILITATION OF PRIVATE EDUCATION LOANS.

Section 623(a)(1)(E) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)(1)(E)) is amended to read as follows:

''(E) REHABILITATION OF PRIVATE EDUCATION LOANS.—

''(i) IN GENERAL.—If a borrower of a private education loan rehabilitates such loan in accordance with section 128(e)(23) of the Truth in Lending Act (15 U.S.C. 1638(e)(23)), the private educational lender or entity engaged in servicing such loan shall request that any consumer reporting agency to which the charge-off was reported remove the delinquency that led to the charge-off and the charge-off from the borrower's credit history.

''(ii) BANKING AGENCIES.—

''(I) IN GENERAL.—If a private educational lender is supervised by a Federal banking agency, the private educational lender shall seek written approval from the Federal banking agency that the terms and conditions of the loan rehabilitation program of the lender meet the requirements of section 128(e)(23) of the Truth in Lending Act (15 U.S.C. 1638(e)(23)).

''(II) FEEDBACK.—An appropriate Federal banking agency shall provide feedback to a private educational lender within 120 days of a request for approval under subclause (I).

''(iii) DEFINITIONS.—For purposes of this subparagraph—

''(I) the term 'appropriate Federal banking agency' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

''(II) the term 'private education loan' has the meaning given the term in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).''.

SEC. 5. IMPROVED CONSUMER PROTECTIONS FOR PRIVATE EDUCATION LOANS.

Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by section 3, is further amended—

(1) by adding at the end the following:

''(19) DISCHARGE OF PRIVATE EDUCATION LOANS IN THE EVENT OF DEATH OR DISABILITY OF THE BORROWER.—Each private education loan shall include terms that provide that the liability to repay the loan shall be cancelled—

''(A) upon the death of the borrower;

''(B) if the borrower becomes permanently and totally disabled, as determined under section 437(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1087(a)(1)) and the regulations promulgated by the Secretary under that section; or

''(C) if the Secretary of Veterans Affairs or the Secretary of Defense determines that the borrower is unemployable due to a service-connected condition or disability, in accordance with the requirements of section 437(a)(2) of such Act and the regulations promulgated by the Secretary under that section.

''(20) TERMS FOR CO-BORROWERS.—Each private education loan shall include terms that clearly define the requirements to release a co-borrower from the obligation.

''(21) PROHIBITION OF ACCELERATION OF PAYMENTS ON PRIVATE EDUCATION LOANS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a private education loan executed after the date of enactment of this paragraph may not include a provision that permits the private educational lender, loan holder, or entity engaged in servicing such loan to accelerate, in whole or in part, payments on the private education loan.

''(B) ACCELERATION CAUSED BY A PAYMENT DEFAULT.—A private education loan may include a provision that permits acceleration of the loan in cases of payment default.

''(22) PROHIBITION ON DENIAL OF CREDIT DUE TO ELIGIBILITY FOR PROTECTION UNDER SERVICEMEMBERS CIVIL RELIEF ACT.—A private educational lender may not deny or refuse credit to an individual who is entitled to any right or protection provided under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) or subject, solely by reason of such entitlement, such individual to any other action described in paragraphs (1) through (6) of section 108 of such Act.

''(23) REHABILITATION OF PRIVATE EDUCATION LOANS.—

''(A) IN GENERAL.—If a borrower of a private education loan successfully and voluntarily makes 9 payments within 20 days of the due date during 10 consecutive months of amounts owed on the private education loan, or otherwise brings the private education loan current after the loan is charged-off, the loan shall be considered rehabilitated, and the lender or entity engaged in servicing such loan shall request that any consumer reporting agency to which the charge-off was reported remove the delinquency that led to the charge-off and the charge-off from the borrower's credit history.

''(B) TERMS.—No private educational lender shall offer a borrower rehabilitation of loans where the payment required to rehabilitate a defaulted private education loan is less than the monthly payment amount required upon completion of rehabilitation.'';

(2) in paragraph (1)—

(A) by striking subparagraph (D) and inserting the following:

''(D) requirements for a co-borrower, including—

''(i) any changes in the applicable interest rates without a co-borrower; and

''(ii) any conditions the borrower is required meet in order to release a co-borrower from the private education loan obligation;'';

(B) by redesignating subparagraphs (O), (P), (Q), and (R) as subparagraphs (P), (Q), (R), and (S), respectively; and

(C) by inserting after subparagraph (N) the following:

''(O) in the case of a refinancing of education loans that include a Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.)—

''(i) a list containing each loan to be refinanced, which shall identify whether the loan is a private education loan or a Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

''(ii) benefits that the borrower may be forfeiting, including income-driven repayment options, opportunities for loan forgiveness, forbearance or deferment options, interest subsidies, and tax benefits;''; and

(3) in paragraph (2)—

(A) by redesignating subparagraphs (O) and (P) as subparagraphs (P) and (Q), respectively; and

(B) by inserting after subparagraph (N) the following:

''(O) in the case of a refinancing of education loans that include a Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.)—

''(i) a list containing each loan to be refinanced, which shall identify whether the loan is a private education loan or a Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); and

''(ii) benefits that the borrower may be forfeiting, including income-driven repayment options, opportunities for loan forgiveness, forbearance or deferment options, interest subsidies, and tax benefits;''.

SEC. 6. KNOW BEFORE YOU OWE.

(a) AMENDMENTS TO THE TRUTH IN LENDING ACT.—

(1) IN GENERAL.—Section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by sections 3 and 5, is further amended—

(A) by striking paragraph (3) and inserting the following:

''(3) INSTITUTIONAL CERTIFICATION REQUIRED.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), before a creditor may issue any funds with respect to an extension of credit described in this subsection, the creditor shall obtain from the relevant institution of higher education where such loan is to be used for a student, such institution's certification of—

''(i) the enrollment status of the student;

''(ii) the student's cost of attendance at the institution as determined by the institution under part F of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.); and

''(iii) the difference between—

''(I) such cost of attendance; and

''(II) the student's estimated financial assistance, including such assistance received under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) (except for Federal Direct PLUS Loans made on behalf of the student) and other financial assistance known to the institution, as applicable (except for loans made under the Public Health Service Act (42 U.S.C. 201 et seq.)).

''(B) EXCEPTION.—Notwithstanding subparagraph (A), a creditor may issue funds, not to exceed the amount described in subparagraph (A)(iii), with respect to an extension of credit described in this subsection without obtaining from the relevant institution of higher education such institution's certification if such institution fails to provide within 15 business days of the creditor's request for such certification—

''(i) notification of the institution's refusal to certify the request; or

''(ii) notification that the institution has received the request for certification and will need additional time to comply with the certification request.

''(C) LOANS DISBURSED WITHOUT CERTIFICATION.—If a creditor issues funds without obtaining a certification, as described in subparagraph (B), such creditor shall report the issuance of such funds in a manner determined by the Director.''; and

(B) by adding at the end the following:

''(24) PROVISION OF INFORMATION.—

''(A) PROVISION OF INFORMATION TO STUDENTS.—

''(i) LOAN STATEMENT.—A creditor that issues any funds with respect to an extension of credit described in this subsection shall send loan statements, where such loan is to be used for a student, to borrowers of such funds not less than once every 3 months during the time that such student is enrolled at an institution of higher education.

''(ii) CONTENTS OF LOAN STATEMENT.—Each statement described in clause (i) shall—

''(I) report the borrower's total remaining debt to the creditor, including accrued but unpaid interest and capitalized interest;

''(II) report any debt increases since the last statement; and

''(III) list the current interest rate for each loan.

''(B) NOTIFICATION OF LOANS DISBURSED WITHOUT CERTIFICATION.—On or before the date a creditor issues any funds with respect to an extension of credit described in this subsection, the creditor shall notify the relevant institution of higher education, in writing, of the amount of the extension of credit and the student on whose behalf credit is extended. The form of such written notification shall be subject to the regulations of the Bureau of Consumer Financial Protection.

''(C) ANNUAL REPORT.—A creditor that issues funds with respect to an extension of credit described in this subsection shall prepare and submit an annual report to the Bureau of Consumer Financial Protection containing the required information about private student loans to be determined by the Bureau of Consumer Financial Protection, in consultation with the Secretary.''.

(2) DEFINITION OF PRIVATE EDUCATION LOAN.—Section 140(a)(8)(A) of the Truth in Lending Act (15 U.S.C. 1650(a)(8)(A)) is amended—

(A) by redesignating clause (ii) as clause (iii);

(B) in clause (i), by striking ''and'' after the semicolon; and

(C) by adding after clause (i) the following:

''(ii) is not made, insured, or guaranteed under title VII or title VIII of the Public Health Service Act (42 U.S.C. 292 et seq. and 296 et seq.); and''.

(3) REGULATIONS.—Not later than 365 days after the date of enactment of this Act, the Director of the Bureau of Consumer Financial Protection shall issue regulations in final form to implement paragraphs (3) and (23) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by paragraph (1). Such regulations shall become effective not later than 6 months after their date of issuance.

(b) AMENDMENTS TO THE HIGHER EDUCATION ACT OF 1965.—

(1) PROGRAM PARTICIPATION AGREEMENTS.—Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by striking paragraph (28) and inserting the following:

''(28)(A) Upon the request of a private educational lender, acting in connection with an application initiated by a borrower for a private education loan in accordance with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)(3)), the institution shall within 15 days of receipt of a certification request—

''(i) provide such certification to such private educational lender—

''(I) that the student who initiated the application for the private education loan, or on whose behalf the application was initiated, is enrolled or is scheduled to enroll at the institution;

''(II) of such student's cost of attendance at the institution as determined under part F of this title; and

''(III) of the difference between—

''(aa) the cost of attendance at the institution; and

''(bb) the student's estimated financial assistance received under this title (except for Federal Direct PLUS Loans made on behalf of the student) and other assistance known to the institution, as applicable (except for loans made under the Public Health Service Act (42 U.S.C. 201 et seq.));

''(ii) notify the creditor that the institution has received the request for certification and will need additional time to comply with the certification request; or

''(iii) provide notice to the private educational lender of the institution's refusal to certify the private education loan under subparagraph (D).

''(B) With respect to a certification request described in subparagraph (A), and prior to providing such certification under subparagraph (A)(i) or providing notice of the refusal to provide certification under subparagraph (A)(iii), the institution shall—

''(i) determine whether the student who initiated the application for the private education loan, or on whose behalf the application was initiated, has applied for and exhausted the Federal financial assistance available to such student under this title and inform the student accordingly; and

''(ii) provide the borrower whose loan application has prompted the certification request by a private educational lender, as described in subparagraph (A)(i), with the following information and disclosures:

''(I) The availability of, and the borrower's potential eligibility for, Federal financial assistance under this title, including disclosing the terms, conditions, interest rates, and repayment options and programs of Federal student loans.

''(II) The borrower's ability to select a private educational lender of the borrower's choice.

''(III) The impact of a proposed private education loan on the borrower's potential eligibility for other financial assistance, including Federal financial assistance under this title.

''(IV) The borrower's right to accept or reject a private education loan within the 30-day period following a private educational lender's approval of a borrower's application and about a borrower's 3-day right to cancel period.

''(C) For purposes of this paragraph, the terms 'private educational lender' and 'private education loan' have the meanings given such terms in section 140 of the Truth in Lending Act (15 U.S.C. 1650).

''(D)(i) An institution shall not provide a certification with respect to a private education loan under this paragraph unless the private education loan includes terms that provide—

''(I) the borrower alternative repayment options, including loan consolidation or refinancing; and

''(II) for the discharge of the borrower and co-borrower's, if applicable, liability to repay the loan pursuant to paragraphs (19) and (20) of section 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)).

''(ii) In this paragraph, the term 'disability' means a permanent and total disability, as determined in accordance with the regulations of the Secretary of Education, or a determination by the Secretary of Veterans Affairs that the borrower is unemployable due to a service connected-disability.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the effective date of the regulations described in subsection (a)(3).

(3) PREFERRED LENDER ARRANGEMENT.—Section 151(8)(A)(ii) of the Higher Education Act of 1965 (20 U.S.C. 1019(8)(A)(ii)) is amended by inserting ''certifying,'' after ''promoting,''.

(c) REPORT.—

(1) IN GENERAL.—Not later than 24 months after the issuance of regulations under subsection (a)(3), the Director of the Bureau of Consumer Financial Protection and the Secretary of Education shall jointly submit to Congress a report on the compliance of—

(A) private educational lenders with section 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)), as amended by subsection (a); and

(B) institutions of higher education with section 487(a)(28) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)), as amended by subsection (b).

(2) CONTENTS.—The report under paragraph (1) shall include information about the degree to which specific institutions utilize certifications in effectively—

(A) encouraging the exhaustion of Federal student loan eligibility by borrowers prior to taking on private education loan debt; and

(B) lowering student private education loan debt by borrowers.

SEC. 7. CENTRALIZED POINT OF ACCESS.

Part G of title IV of the Higher Education Act of 1965 (20 U.S.C. 1088 et seq.) is amended by adding at the end the following:

''SEC. 493E. CENTRALIZED POINT OF ACCESS.

''Not later than 2 years after the date of enactment of the Student Loan Borrower Bill of Rights, the Secretary shall establish a centralized point of access for all borrowers of loans that are made, insured, or guaranteed under this title that are in repayment, including a central location for account information and payment processing for such loan servicing, regardless of the specific entity engaged in servicing.''.

SEC. 8. EDUCATION LOAN OMBUDSMAN.

Section 1035 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5535) is amended—

(1) in the section heading, by striking ''**PRIVATE**'';

(2) in subsection (a)—

(A) by striking ''a Private'' and inserting ''an''; and

(B) by striking ''private'';

(3) in subsection (b), by striking ''private education student loan'' and inserting ''postsecondary education loan'';

(4) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''subsection'' and inserting ''section'';

(B) in paragraph (1), by striking ''private'';

(C) by striking paragraph (2) and inserting the following:

''(2) coordinate with the unit of the Bureau established under section 1013(b)(3), in order to monitor complaints by borrowers and responses to those complaints by the Bureau or other appropriate Federal or State agency;''; and

(D) in paragraph (3), by striking ''private'';

(5) in subsection (d)—

(A) in paragraph (2)—

(i) by striking ''on the same day annually''; and

(ii) by inserting ''and be made available to the public'' after ''Representatives''; and

(B) by adding at the end the following:

''(3) CONTENTS.—The report required under paragraph (1) shall include information on the number, nature, and resolution of complaints received, disaggregated by postsecondary educational lender or servicer, region, State, and institution of higher education.''; and

(6) by striking subsection (e) and inserting the following:

''(e) DEFINITIONS.—In this section:

''(1) BORROWER.—The term 'borrower' means a borrower of a postsecondary education loan.

''(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 140 of the Truth in Lending Act (15 U.S.C. 1650).

''(3) POSTSECONDARY EDUCATION LOAN.—The term 'postsecondary education loan' means—

''(A) a private education loan, as defined in section 140 of the Truth in Lending Act (15 U.S.C. 1650); or

''(B) a loan made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., and 1087aa et seq.).''.

SEC. 9. REPORT ON PRIVATE EDUCATION LOANS AND PRIVATE EDUCATIONAL LENDERS.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Director of the Bureau of Consumer Financial Protection and the Secretary of Education, in consultation with the Commissioners of the Federal Trade Commission and the Attorney General of the United States, shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Education and Labor of the House of Representatives on private education loans (as that term is defined in section 140 of the Truth in Lending Act (15 U.S.C. 1650)) and private educational lenders (as that term is defined in such section).

(b) CONTENTS.—The report required by this section shall examine, at a minimum—

(1) the growth and changes of the private education loan market in the United States;

(2) factors influencing such growth and changes;

(3) the extent to which students and parents of students rely on private education loans to finance postsecondary education and the private education loan indebtedness of borrowers;

(4) the characteristics of private education loan borrowers, including—

(A) the types of institutions of higher education that they attend;

(B) socioeconomic characteristics (including income and education levels, racial characteristics, geographical background, age, and gender);

(C) what other forms of financing borrowers use to pay for education;

(D) whether they exhaust their Federal loan options before taking out a private education loan;

(E) whether such borrowers are dependent or independent students (as determined under part F of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.)) or parents of such students;

(F) whether such borrowers are students enrolled in a program leading to a certificate, license, or credential other than a degree, an associates degree, a baccalaureate degree, or a graduate or professional degree; and

(G) if practicable, employment and repayment behaviors;

(5) the characteristics of private educational lenders, including whether such creditors are for-profit, non-profit, or institutions of higher education;

(6) the underwriting criteria used by private educational lenders, including the use of cohort default rate (as such term is defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m));

(7) the terms, conditions, and pricing of private education loans;

(8) the consumer protections available to private education loan borrowers, including the effectiveness of existing disclosures and requirements and borrowers' awareness and understanding about terms and conditions of various financial products;

(9) whether Federal regulators and the public have access to information sufficient to provide them with assurances that private education loans are provided in accord with the Nation's fair lending laws and that allows public officials to determine lender compliance with fair lending laws; and

(10) any statutory or legislative recommendations necessary to improve consumer protections for private education loan borrowers and to better enable Federal regulators and the public to ascertain private educational lender compliance with fair lending laws.

SEC. 10. REPORT ON POSTSECONDARY EDUCATION LOAN SERVICING.

Not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Consumer Financial Protection and the Secretary of Education shall submit a joint report to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Financial Services of the House of Representatives, and the Committee on Education and Labor of the House of Representatives on servicing of postsecondary education loans, including—

(1) any legislative recommendations to improve servicing standards; and

(2) information on proactive early intervention methods by postsecondary educational lenders or servicers to help distressed postsecondary education loan borrowers enroll in any eligible repayment plans.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 192—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN STATE OF NEVADA V. LACAMERA

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 192

Whereas, in the case of *State of Nevada* v. *Lacamera*, Case No. 19FN0945X, pending in the North Las Vegas Justice Court in Nevada, the prosecution has requested the production of testimony from Ariana Morales, an employee of the office of Senator Catherine Cortez Masto;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former Members and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Ariana Morales, an employee of the Office of Senator Catherine Cortez Masto, and any other current or former employee of the Senator's office from whom relevant evidence may be necessary, are authorized to testify in the case of State of Nevada v. Lacamera, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Senator Cortez Masto and any current or former employees of the Senator's office in connection with the production of evidence authorized in section one of this resolution.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution authorizing the production of testimony and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. President, this resolution concerns a request for evidence in a criminal action pending in Nevada State court. In this action the defendant is charged with threatening or attempting to intimidate public officials in voicemails he left with the Las Vegas office of Senator CORTEZ MASTO. A preliminary hearing is scheduled for May 8, 2019.

The prosecution is seeking testimony from one of the Senator's staff assistants who listened to the voicemails at issue. Senator CORTEZ MASTO would like to cooperate with this request by providing relevant employee testimony from her office.

The enclosed resolution would authorize that staffer, and any other current or former employee of the Senator's office from whom relevant testimony may be needed, to testify in this criminal action, with representation by the Senate Legal Counsel.

SENATE RESOLUTION 193—DESIGNATING MAY 18, 2019, AS ''KIDS TO PARKS DAY''

Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. BOOKER, Mr. PORTMAN, Ms. HIRONO, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 193

Whereas the 9th annual Kids to Parks Day will be celebrated on May 18, 2019;

Whereas the goals of Kids to Parks Day are—

(1) to promote healthy outdoor recreation and environmental stewardship;

(2) to empower young people; and

(3) to encourage families to get outdoors and visit the parks and public land of the United States;

Whereas, on Kids to Parks Day, individuals from rural and urban areas of the United States can be reintroduced to the splendid national, State, and neighborhood parks located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States, young and old, should be encouraged to lead more healthy and active lifestyles;

Whereas Kids to Parks Day is an opportunity for families to take a break from their busy lives and come together for a day of active, wholesome fun; and

Whereas Kids to Parks Day will—

(1) broaden an appreciation for nature and the outdoors in young people;

(2) foster a safe setting for independent play and healthy adventure in neighborhood parks; and

(3) facilitate self-reliance while strengthening communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 18, 2019, as ''Kids to Parks Day'';

(2) recognizes the importance of outdoor recreation and the preservation of open spaces to the health and education of the young people of the United States; and

(3) encourages the people of the United States to observe Kids to Parks Day with appropriate programs, ceremonies, and activities.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CRAPO. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, May 7, 2019, at 10 a.m., to conduct a hearing entitled ''Privacy rights and data collection in a digital economy.''

COMMITTEE HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, May 7, 2019, at 10 a.m., to conduct a hearing entitled ''Making electronic health information available to patients and providers.''

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, May 7, 2019, at 2:30 p.m., to conduct a hearing on the following nominations: Dale Cabaniss, of Virginia, to be Director of the Office of Personnel Management, and Michael Eric Wooten, of Virginia, to be Administrator for Federal Procurement Policy.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, May 7, 2019, at 10 a.m., to conduct a business meeting and hearing entitled ''Intellectual property and the price of prescription drugs.''

SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

The Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, May 7, 2019, at 10 a.m., to conduct a hearing.

APPOINTMENTS

THE PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 116th Congress: the Honorable BENJAMIN L. CARDIN of Maryland; the Honorable SHELDON WHITEHOUSE of Rhode Island; the Honorable TOM UDALL of New Mexico; the Honorable JEANNE SHAHEEN of New Hampshire.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 106–286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: the Honorable DIANNE FEINSTEIN of California; the Honorable JEFF MERKLEY of Oregon; the Honorable GARY C. PETERS of Michigan; the Honorable ANGUS S. KING Jr. of Maine.

AUTHORIZING TESTIMONY AND REPRESENTATION IN STATE OF NEVADA V. LACAMERA

Mr. KENNEDY. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 192, submitted earlier today.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 192) to authorize testimony and representation in the State of Nevada v. Lacamera.

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

Mr. KENNEDY. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 192) was agreed to.

The preamble was agreed to.

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

KIDS TO PARKS DAY

Mr. KENNEDY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 193, submitted earlier today.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 193) designating May 18, 2019, as ''Kids to Parks Day''.

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

Mr. KENNEDY. I further ask 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. 193) was agreed to.

The preamble was agreed to.

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

COMMENDING THE GOVERNMENT OF CANADA

Mr. KENNEDY. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 61, S. Res. 96.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 96) commending the Government of Canada for upholding the rule of law and expressing concern over actions by the Government of the People's Republic of China in response to a request from the United States Government to the Government of Canada for the extradition of a Huawei Technologies Co., Ltd. executive.

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

Mr. KENNEDY. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 96) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 6, 2019, under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, MAY 8, 2019

Mr. KENNEDY. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, May 8; 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 Bianco nomination under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators MENENDEZ and WHITEHOUSE.

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

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent to speak for up to 20 minutes.

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

MUELLER REPORT

Mr. MENENDEZ. Madam President, I come to the floor to once again discuss U.S. policy toward the Russian Federation. I fear this body is in the grips of a paralysis that has rendered us flat-footed in the face of a multitude of threats from Russia. This is not a paralysis due to a lack of knowledge, lack of facts, or lack of intelligence. It is a paralysis of our politics, a paralysis born out of a lack of political will to do what is necessary in the absence of Presidential leadership, a lack of will to stand up for our national security, a lack of will to defend our Democratic institutions, a lack of will to fulfill the oath that every single Member of this Chamber swore to uphold.

The inaction from this body since the beginning of the year on Russia has been astounding. It gives me no pleasure to think that political considerations could be compromising the Republican majority's willingness to respond robustly to the Russia threat, but how else can I explain why the party of Reagan has gone missing? What force, other than politics, can explain our failure to demand the administration robustly respond to Russia's seizure of Ukrainian ships in the Kerch Strait in the high seas in international waters? What force other than politics can explain our feeble response to Russia's chemical attack in the United Kingdom? What force other than politics can explain our failure to thwart Russia's hand in Syria and allow Putin to sit back and enjoy the political instability spawned in Europe by the resulting migration crisis? What force other than politics can have us playing right into Putin's hands? What force other than politics can explain the remarks made earlier today by Majority Leader MCCONNELL in which he suggested that Democratic efforts to assess the full and unredacted Mueller report are impeding the ability of this body to shore up our election security?

Well, that is really rich. I might remind the American people that it was the majority leader who, when presented by top intelligence officials in the Obama administration with Russian efforts to help President Trump's candidacy, blocked efforts to inform the public?

Look, I am not here today to talk about conspiracy or obstruction or President Trump. Make no mistake, those issues are deeply concerning, and contrary to the majority leader's words, the case is not closed. The case is not closed. However, there will be other opportunities to address these issues, and when it comes to shoring up our defenses, we are running out of time.

So as the ranking member on the Foreign Relation Committee, I am here to flash a red warning light about what the Mueller report means for our national security, what it means for America's geopolitical standing with respect to Russia, what it means for our credibility on the world stage as Democratic institutions are attacked.

I am worried that in the face of Russian aggression, we are getting lost, not in the fog of war but in the fog of politics, and our inaction today will have consequences that outlast any Presidency, haunting us for years or even decades to come.

Let's review what we know about the Russian threat and how long we have known about it. It was over 2 years ago, in January of 2017, when the Director of National Intelligence determined that Russia interfered in the 2016 election. Our intelligence community released that assessment that concluded Russia's efforts to influence the 2016 Presidential election ''demonstrated a significant escalation in directness, level of activity, and scope of effort compared to previous operations.''

They concluded that this attack was ordered by President Putin himself and that ''Putin and the Russian Government developed a clear preference for President-elect Trump.''

They concluded Russia's efforts ''[B]lend[ed] covert intelligence operations—such as cyber activity—with overt efforts by Russian Government agencies, state-funded media, third-party intermediaries, and paid social media users or 'trolls' to undermine our 2016 elections.''

In addition, our intelligence community warned that ''Moscow will apply lessons learned from its Putin-ordered

campaign aimed at the U.S. Presidential election to influence future efforts worldwide, including against U.S. allies and their election processes.''

That was more than 2 years ago. Today, thanks to the work of Special Counsel Robert Mueller, we now have a more thorough understanding of Russia's interference in 2016. While much remains redacted, the special counsel's report describes in painstaking detail the scope of Russia's interference and the sophistication of their tactics.

Here is what we know.

First, Russian officials interfered in the U.S. Presidential election in support of Putin's preferred candidate and attempted to make inroads with his campaign.

Second, the Russian Government and individuals with strong ties to the Kremlin carried out what Mueller concluded was a ''sweeping and systematic'' campaign to influence and sway the support of U.S. voters.

Third, the St. Petersburg-based Internet Research Agency, or known by its acronym IRA, sought to use social media and embedded employees to influence U.S. voters in an effort that was funded in large part by an oligarch with known links to Putin. The IRA's malign social media influence campaign was nothing short of, in his words, ''information warfare.''

The Internet Research Agency employees created fake social media personas and posed as American citizens on sites like Facebook and Twitter. These Russian operatives were keenly aware of the politics of division. They capitalized on sensitive social and political issues, from immigration policy to police brutality, in an effort to divide Americans against each other.

They targeted voters in key swing States in an effort to dissuade certain demographics from turning out on election day. They staged real political rallies by masquerading as activists, and they destroyed evidence in an attempt to avoid detection and impede U.S. investigations.

Fourth, the Mueller report confirms that Russian military intelligence deployed ''multiple'' units to engage in ''large-scale cyber operations to interfere with the 2016 U.S. presidential election.''

Officers with the GRU, Russia's intelligence agency, hacked into Democratic campaign networks and individual email accounts in order to steal emails and other sensitive information. Armed with those stolen emails, GRU officers timed the release of damaging information in order to maximize their impact. Subsequent releases were conspicuously timed in an apparent effort to help their preferred candidate.

Russian hackers also conducted cyber surveillance of at least 20 State election systems, and the Kremlin intended to use this information to cast doubt on the legitimacy of a Clinton victory.

This revelation should shake us to the core because, clearly, President Putin understands that for our democracy to work, the American people must have faith in the results of our elections. Chip away at that faith, and you chip away at our democracy itself.

Russian intelligence operatives, GRU operatives, also targeted employees of a voting technology company and successfully installed malware on their computer networks.

In a handful of States, they gained the capacity to actually manipulate and even delete voter registration data. To top it all off, Russian hackers successfully infiltrated the network of at least one county government in Florida.

Finally, following the election, Putin unleashed handpicked oligarchs to push back against anticipated U.S. sanctions. Let's remember who these Russian oligarchs are. They are billionaires handpicked by Putin who solidified his grip on power not only by oppressing the Russian people but also by systematically seizing their assets and transferring them to a select group of cronies and allies through business dealings, real estate transactions, shares of companies, shell corporations, money laundering, and more.

These oligarchs act as an extension of Putin's power. They advance Russia's economic influence and do Putin's bidding around the world. According to the Mueller report, that is exactly what they did after the 2016 election.

They reached out to the President's inner circle and members of his transition team to begin laying the groundwork for what Putin wanted in return for his help during the campaign—most prominently, protection from further sanctions and relaxation of those sanctions imposed for Russia's illegal invasion of Ukraine.

This short summary of the Mueller report's findings should be offensive to any American elected official. This short summary should spur anyone to action to shore up the security of our elections at home and counter Russian aggression abroad.

Indeed, just last week, FBI Director Wray warned that Russia continues to pose a very significant counterintelligence threat. He also said that 2018 was a dress rehearsal for the big show in 2020.

This report cries out for action. It screams for legislation, and it demands preparation in advance of 2020.

We are in trouble, people. We can argue with each other, we can score political points against each other, but the United States of America remains in Russia's crosshairs, and we must act. Putin has set his sights on us again in 2020.

The Russian Government continues to pursue the eroding of democracy as we speak across Europe. It has partnered with dictators and war criminals in the Middle East. In Venezuela, Putin clearly sees an advantage in prolonging a destabilizing conflict in our hemisphere. He and his cronies are selling arms, striking oil deals, and robbing the Venezuelan people of future prosperity all to prop up Maduro's criminal regime.

So while President Trump may claim that ''Putin is not looking to get involved'' in Venezuela, we already know he is.

The Mueller report is the wake-up call of the century. It is a clarion call to action. We must treat it as a preview of what is to come.

We already know some of the actions that are worth taking. Senator GRAHAM and I have a bipartisan bill called the Defending American Security from Kremlin Aggression Act or DASKA. I have come to this floor to talk about it again and again, but in the wake of the Mueller report, I wonder, where is our sense of urgency? Where is our outrage? Where is our sense of collective responsibility? If my colleagues take nothing else from the Mueller report, they should at least be willing and eager to respond to what Russia did to us 2 years ago and what FBI Director Wray tells us they will continue to do.

The Defending American Security from Kremlin Aggression Act will ensure our diplomats have the tools to advance our interests and stand up to the bully in the Kremlin. The bill includes new sanctions but also provisions designed to harden our democratic institutions and make us less vulnerable to attack.

Our bill would improve our ability to coordinate with Europe on the Russia challenge. It would invest in Democratic institutions in countries most vulnerable to Kremlin aggression because we must remember that Russia's attack in 2016 did not occur in a vacuum. It is part of Putin's larger mission to disrupt democracies around the world from his support for dictators from Syria and Venezuela to Russian meddling in the political affairs of our European allies.

DASKA would also increase transparency with respect to real estate sales in the United States that we know is a go-to strategy for Russian oligarchs looking to launder money.

I know many of my colleagues have no interest in learning more about the President's own business dealings with these unsavory figures and whether those relationships influence his decision making about U.S. foreign policy, but we should agree, at least, that we must do more to prevent Russia from getting American businesses and leaders financially entangled in Russia's tentacles like the NRA.

DASKA would also protect our NATO alliance. Senator GRAHAM and I have included an important provision that would prevent any President from pulling the United States out of NATO without Senate approval. To pull our Nation out of a military alliance so vital to America's security when we could have stopped it from happening would be a tragedy fit for the ages. A Senate vote was required to get us into the North Atlantic treaty, it should be required in any attempt to get us out.

This is critical to providing a sense of security and stability to our allies in NATO.

Finally, DASKA also includes new sanctions pressure on Moscow, including on Russian oligarchs complicit in the spread of Russia's malign actions. In addition, it includes increased sanctions on Russia's energy and financial sectors.

The bill has specific sanctions on the Russian shipbuilding sector to the extent that Russia continues to interfere with the freedom of navigation in the Kerch Strait or anywhere else and was complicit in the November attack.

In the final analysis, we have a few peaceful tools of diplomacy to address malign actors around the world: the court of international public opinion, insofar as a government or a leader in question cares about such things; our trade and aid as an inducement to behavior change; then there is the denial of trade or aid or access to our financial institutions, which we call sanctions.

President Putin is willing to use his military as a means of first resort to advance his interests. We are not. Therefore, sanctions are our tool of peaceful diplomacy. They are how we send the message and how we seek to defend ourselves.

Now I must state that growing up in New Jersey, I learned that if you didn't confront the bully in the schoolyard, his reign of terror would never end. He would create a climate of fear. He would create a climate of intimidation until you whacked him in the head with a 2 by 4, until you said enough is enough, until you made clear that you and your fellow students wouldn't accept that kind of behavior. If you didn't stand up for yourself, the bully would press ahead.

Ladies and gentlemen, that is what we have in Vladimir Putin. He will continue to push and push until he meets resistance, until he meets a 2 by 4. That is what we have in DASKA.

We have a responsibility in this body, a responsibility shared by all 100 Senators, to protect our national security and the integrity of our democracy. It is our most solemn responsibility. Some may not care. Some may think we have done enough to deal with the Russian threat, but our intelligence experts disagree, Bob Mueller disagrees, FBI Director Wray disagrees, and clearly those living under the threat of Kremlin aggression in Eastern Europe disagree.

This body has come together before. I have seen it. We came together in 2017 to pass the Countering America's Adversaries Through Sanctions Act, or CAATSA, but since then we have struggled to get this administration to fully implement the law. Are we supposed to just throw up our hands and say, ''Oh, well,'' and hope they will see the light or are we supposed to demand nothing less than rigorous enforcement and take legislative action if needed?

I stand firmly for the latter, and I hope a majority of my colleagues will stand with me. It is long past time we send another message to the world and, most importantly, to the Kremlin that the Senate is prepared to defend American interests. We will not tolerate intrusions by a hostile foreign power. We will not leave our democratic institutions vulnerable to further interference. We will not allow any foreign adversary to meddle in our democracy.

The breadth of Russian interference laid out by the Mueller report demands the kind of comprehensive foreign policy response put forward in DASKA. The American people deserve a markup and a full vote in the Senate to make that happen.

I will just say, as the elected leaders of this country, we owe Americans action. We owe them fulfillment of our oath. We owe them a robust and unflinching defense of our democracy and our values. Enough with the delays. Enough with the excuses. Enough with the politics.

We have legislation ready to bolster our defenses. We have strong bipartisan support for it. Let's mark up the bill now. Let's send a clear and unequivocal message to Putin that we will not tolerate a repeat performance in 2020.

I would just say that this is not about President Trump. It is not about the last election other than that they attempted to influence it and that we should recognize and want to deal with it. But it is about preserving our national security, our democracy, and our interest in the world.

Putin is unbridled. This institution, Republicans and Democrats, have always joined together to meet Russia's challenge when Russia posed a challenge. The party of Reagan is absent. The party of Reagan is absent on this. If this had been going on during the Obama administration, I would have been peeling people off of the Capitol ceiling.

Let's get to work. Let's defend our interests. Let's stand up together. Let's send Putin a message. Let's defend our democracy.

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

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

Mr. WHITEHOUSE. Before I begin, let me say how nice it was to be with the Presiding Officer in her home State at the McCain Institute this weekend.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, pick up the paper these days, and it is hard to miss the headlines about corporate America getting serious about reducing carbon emissions. Companies are purchasing renewable power. They are moving into carbon-neutral office buildings. They are purchasing electric vehicle fleets. They are developing new technologies and products for the transition to a carbon economy. Many are forcing some degree of sustainability out of their supply chains. All of this is important work and the companies that are leading in these areas deserve real applause.

But—you knew there was going to be a ''but,'' and here it is—corporations alone reducing their own carbon emissions or designing new low-carbon technologies will not win the fight against climate change. If you want to fail on climate change while looking good, that will work, but if you actually want to win—if you want to keep us between 1.5 and 2 degrees in temperature increase—you will fail.

A new report, ''The Blind Spot,'' from the Environmental Defense Fund, makes crystal clear that individual corporate efforts to reduce their own carbon emissions will not be enough. Here is what it says: ''While voluntary actions by companies to reduce greenhouse gas emissions are important, only public policy can deliver the pace and scale of reductions necessary to avoid the worst impacts of climate change.''

''Public policy''—that is us. That is Congress.

EDF is not alone. Report after report has shown that we will fail without government action. But as engaged as so much of corporate America is in greening its own operations, they are almost totally absent from the halls of Congress when it comes to climate change—AWOL, no place.

So government sits, stalled by the fossil fuel industry, and does nothing serious. As a Senator, I am an inhabitant of this political ecosystem. I observe how this works. Consider this the field report of the biologist who lives in the jungle.

The sad reality of our political ecosystem is that post-Citizens United, the power of big industries seeking influence in Congress has exploded. Where previously, big special interests had muskets, Citizens United gave them artillery. On climate change, one industry, the fossil fuel industry, is deploying its artillery of big money and big threats here in Washington like nobody else.

It is no surprise. They are defending a $700 billion per year fossil fuel subsidy just in the United States, according to the International Monetary Fund. They have a huge interest—a multihundred billion dollar interest—in preventing legislation that would reduce consumption of their fossil fuels.

So they spend hundreds of millions of dollars on lobbying and elections. They fund dozens of phony front groups and trade associations to engage in all sorts of climate denial and obstruction. They hide their influence in dark-money channels. They pollute the public sphere as badly as they pollute the atmosphere.

In our political ecosystem, they are a big and dangerous predator. Ask

former Congressman Bob Inglis. Ask former Senate candidate Katie McGinty. The fossil fuel industry is a multitentacled, well-camouflaged, and deadly political beast.

And, then, there is the rest of the business community: retail, food and beverage, financial services, tech, consumer goods, and manufacturing. Most are taking steps to reduce their own emissions, but when it comes to doing something about climate change here in Congress, they just don't show up, and the result is entirely predictable.

In an institution like Congress, whose currencies are money and influence, if one industry spends on lobbies like a beast and there is no counterweight, that industry likely carries the day. That is simple political hydraulics. It is true in sports, and it is true in battles: If one side doesn't show up, the other side owns the field. And so the fossil fuel industry owns the Republican Party.

That is why it is imperative that the rest of corporate America start showing up on climate. Many of them are here. They do lobby. They just care about other things, and their silence about climate change is deafening. The good guys are just not on the field. They are scared of retaliation. They have other priorities. They don't want to be yelled at by the Chamber of Commerce. They are getting what they want and don't want to upset the applecart. There are lots of reasons, but it doesn't change the outcome. It is not just the EDF report.

I got today the New America report ''Prospects for Climate Change Policy Reform.'' They point out that in the past, business and government usually worked together to solve environmental problems. I quote them here: ''A cross-partisan model of environmental-business engagement held sway for decades on other issues; however, companies have been less willing to provide leadership on climate policy.''

No kidding. But the fossil fuel industry is here, and it exerts a relentless barrage of lobbying, electioneering, and propaganda pressure on Congress. And it owns the field. This statement from the EDF report is really its central message: ''The most powerful tool companies have to fight climate change is their political influence.''

So when they don't show up, it makes a difference. This is the message that corporate America needs to take to heart. Republicans are not going to break this artificial, fossil-fuel-funded, climate logjam here in Congress until corporate America—the corporate America they listen to—starts to demand climate action, not on a website, not in their purchasing standards but here in Congress.

In this political ecosystem, the inhabitants know when something is real, and they know when it is corporate greenwashing, or well-intentioned peripheral stuff they can ignore. Members know who is serious.

The fossil fuel industry is deadly serious. The EDF report says that any evaluation of corporate climate policy must include an analysis of its lobbying and political spending as it relates to climate. EDF is right. Corporate America needs to be accountable for the results that it pays for, and that includes whether or not companies fund anti-climate trade associations.

This is another dirty Washington secret. Many companies subcontract lobbying and electioneering activity to trade associations. Two of the biggest trade associations—the National Association of Manufacturers and the very biggest, the U.S. Chamber of Commerce, the proverbial 800-pound gorilla—have spent decades denying that climate change was even occurring and obstructing any effort to reduce carbon pollution—decades of denial and obstruction.

Too many companies with good climate policies support them with the result that those companies' functional climate presence in Washington is opposite to what they say their policy is and opposite to what they say on their website.

The group InfluenceMap looks at corporate lobbying and ranks corporations and trade associations by their influence on climate policy. Of the 50 most influential trade associations around the world, InfluenceMap shows the Chamber and the National Association of Manufacturers to be the two worst—the two most opposed when it comes to reducing carbon pollution. Here they are, the U.S. Chamber of Commerce and the National Association of Manufacturers, right at the bottom—the very worst.

Look at those companies that are greening their own operations but are supporting the Chamber and the National Association of Manufacturers. Look at the companies that don't show up in Congress to lobby for climate action and, instead, lobby through these two who lobby against the climate action those companies claim to support. Those companies' net lobbying presence in Congress is against climate action, whatever they may claim to support. Their net lobbying presence in Congress is against climate action—directly opposed to the policies they claim to support.

There is an accountability moment that needs to come for those companies, unless they honestly believe that climate change is a hoax, that it is not real, we don't need to worry about it, and obstruction is OK. If that is their position, they are getting proper representation from the National Association of Manufacturers and the U.S. Chamber of Commerce, but if they are telling the world—and their shareholders and their customers—that they take climate change seriously, they have a little explaining to do about supporting these two enemies of climate progress, particularly, if they are not showing up in Congress to counter the denial and obstruction they are paying for.

For years, companies that go out and brag to consumers and investors about how green they are simultaneously fund climate denial and obstruction via those two trade associations. That has to stop. In fact, more and more consumers and investors are beginning to call on companies to stop this corporate doublespeak. You can't have a good climate website and fund these two organizations and face your shareholders and say you are serious.

Consumers who buy a Coke or a Pepsi don't want to be supporting the Chamber's decades-long campaign against climate action. Investors in Coca-Cola and Pepsico don't want these companies to put their reputations at risk by funding anti-climate groups. Investors don't want these companies to ignore climate change when climate change may upend their water-dependent businesses.

Coca-Cola features a powerful statement about its commitment to climate action on its website. ''Climate change is a profound challenge,'' it says, ''and we are partnering with other businesses, civil society organizations, and governments to support cooperative action on this critical issue. . . . We also recognize climate change may have long-term direct and indirect implications for our business and supply chain.''

In 2018, Coca-Cola disclosed that it gave the chamber at least $85,000—probably a good deal more.

PepsiCo is even more explicit about the need for climate action. I quote them:

> Implementing solutions to address climate change is important to the future of our company, customers, consumers and our shared world. . . . We believe industry and governments should commit to science-based action to keep global temperature increases to 2 Celsius above pre-industrial levels.''

In 2018, PepsiCo disclosed that it gave the chamber at least half a million dollars.

Coke and Pepsi's own trade association, the American Beverage Association, also gives money to the chamber.

So here are these two consumer-facing, climate-supporting companies, and both of them contribute directly to the Chamber of Commerce, and they run money through their own trade association, the American Beverage Association, into the Chamber of Commerce. And there it lies as the worst of the pair of lobbying organizations blocking climate action.

What is the net effect of all of that? The net effect is that, for all their good work reducing their own carbon emissions and reducing their supply chain's carbon emissions, here in Congress, Coke and Pepsi are net opposed to climate action.

Thankfully, some companies are beginning to realize that they can't just sit on the sidelines here in Washington and let the fossil fuel industry own Congress. Little Patagonia, the outdoor clothing manufacturer, has led the way. Bravo, Patagonia. Danone,

Mars, Nestle, and Unilever have announced a sustainable food policy alliance to pursue a price on carbon in Congress. Separately, Microsoft recently announced that it was going to lobby Congress for a price on carbon. But the fact that those companies are the exceptions I can name shows how bad the presence of corporate America is on this issue here in Congress.

I will give Microsoft some extra credit. Microsoft also stood up in Washington State to support a ballot initiative to put a price on carbon emissions. Starbucks, Amazon, Costco, and Boeing—big, supposedly green corporations in Washington State—stood by and let themselves get rolled by Big Oil, led by BP—''Beyond Petroleum,'' ha—when Big Oil spent $30 million to defeat the measure.

By the way, it is the oil CEOs who have been saying: Oh, we know our product causes climate change. We are serious about doing something about it, and what we are going to do to be serious about it is to support a price on carbon.

That is what they say. What do they do? Look at BP. Look at the oil spending in Washington. They go right in and spend their money to fight the very policy they say they support.

I know of no path to success on climate that does not include pricing carbon. It is also the right thing to do because failing to price carbon is bad economics. It is a market failure. So if you are a true free market person, you ought to get behind a price on carbon. If you are just a fossil fuel person, then OK, but admit it. There really is no path to success on climate change that does not include pricing carbon. That may be an unpleasant fact for some, but it is a fact.

Staying between 1.5 and 2 degrees Centigrade world temperature increase is another fact. We can't miss that target, but we will. We will miss that target if this corporate doublespeak doesn't change.

Work like this new report from EDF, and InfluenceMap's analysis of how these trade associations like the U.S. Chamber of Commerce and the National Association of Manufacturers obstruct climate action, may help convince corporate America that it is time to step up, get on the field, and demand that Congress take real action to limit carbon pollution.

Corporate America needs to go to its trade associations and say: Knock it off. No more U.S. chamber of carbon. No more national association of manufactured facts.

Corporate America is paying for this nonsense, and corporate America can stop it. The two-faced game of having a good climate website but having your presence in Congress be against climate action has got to stop.

Corporate America—the political force Republicans listen to—has the responsibility and the power to break the fossil fuel-funded logjam in this body. They could do it tomorrow if they wanted to. You take the leaders of corporate America in the sectors that I listed and you march them right down to the leader's office, and they say to him ''We are done with you, we are done with your candidates, and we are done with your party until you knock off the obstruction,'' and we would be out on the floor debating climate change within a week.

When corporate America takes up its responsibility and uses its power to break the fossil fuel-funded logjam in this body, change on this issue will come swiftly, and we will see bipartisan support for climate action emerge.

I was here in 2007, in 2008, and in 2009. In all of those years, there was constant bipartisan activity on climate. The pages would have been awfully young back then. It is nearly 10 years ago now. They would not recognize what is going on. I think there were five different bipartisan climate bills in the Senate—serious ones—that would have really done something significant to head off the climate crisis. All of that stopped dead in January of 2010. It was like a heart attack and a flat line on the EKG—stopped dead because the Supreme Court decided Citizens United. That opened the floodgates of political money into our politics. The fossil fuel money jumped on to that immediately. I think they saw and predicted that decision. I know they asked for it, and they were ready at the starting gun. From that moment when the fossil fuel industry dropped in on the Republican Party and said, ''Nobody is going to cross us on this any longer. You are all going to have to line up on climate denial. We will take out Republicans who cross us. We will do it to Bob Inglis, and we will do it to others. You are done with bipartisanship on this issue,'' that is when it stopped.

If the fossil fuel industry would knock it off or if these front groups like the chamber and the National Association of Manufacturers would knock it off or if the rest of corporate America would simply get in here and push back, show up, outpressure them, we could go back and we could be bipartisan in a week. We are not there yet. Most of corporate America is still avoiding this issue in Congress, but they could really make a big difference. That makes it very much still time to wake up.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:41 p.m., adjourned until Wednesday, May 8, 2019, at 9:30 a.m.