

A bill (H.R. 4842) to authorize the Secretary of State to provide funds for a United States pavilion at Expo 2020 Dubai, and for other purposes.

Mr. McCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

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

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Lee Philip Rudofsky, of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

S. 1699

Mr. THUNE. Mr. President, last Friday was an exciting day. I was home in Sioux Falls, SD, to mark a huge milestone for the city and for South Dakota—the unveiling of Sioux Falls' first 5G small cells. By the end of this month, Sioux Falls will have a working, albeit limited, 5G network—one of the first cities in the entire country to have one.

Most people take internet access for granted these days. We assume that anywhere we go, we will be able to access our GPS, check Facebook, or send a text message. But the truth is that there are still areas in the United States where it can be difficult to get reliable internet access. Some of those areas are in South Dakota. That is why expanding access to broadband internet in rural communities has been a priority of mine since I came to the Senate. While it can be nice to turn off our phones and take a break, in this day and age, Americans need reliable internet access.

More and more of the business of daily life is being conducted over the internet, from scheduling appointments to figuring out the shortest way from point A to point B. The internet has already become an integral part of commerce. Small businesses and farms in areas without dependable access miss out on a lot of opportunities that most businesses take for granted.

Both as chairman and as a member of the Senate Commerce, Science, and Transportation Committee, I have had the chance to draw attention to the state of broadband access in rural communities. I have conducted numerous hearings with testimony from rural broadband providers, farmers, Tribal representatives, and Federal officials both in Washington and in my home State of South Dakota.

Over the past several years, we have seen the number of Americans lacking access to broadband decrease significantly, but there is more work that needs to be done. With the advent of 5G technology, we now have to expand our efforts to make deploying 5G technology to rural communities a priority.

Most of us think today's internet is pretty fast. We get traffic updates that are basically in real time. We receive emails seconds after they have been sent. We stream our favorite shows at home or on the go. But 5G will make 4G look like dialup. It will deliver lightning-fast speeds up to 100 times faster than what today's technology delivers. That is hard to imagine. After all, as I said, today's technology seems pretty fast, but 5G will enable near-instant responsiveness from our phones and other devices.

However, 5G is about a lot more than streaming more shows on more devices or receiving emails instantly. In addition to being up to 100 times faster than current speeds, 5G will be vastly more responsive than 4G technology, and we will be able to connect 100 times the number of devices that can be connected with 4G. Because of this, 5G will enable massive breakthroughs in healthcare, transportation, agriculture, and other key industries.

5G will bring new opportunities and benefits to rural communities in particular. 5G will pave the way for the widespread adoption of precision agriculture, which uses tools like robotics and remote monitoring to help farmers manage their fields and boost their crop yields. The U.S. Department of Agriculture estimates that precision agriculture will reduce farmers' operational costs by up to \$25 per acre and increase farmers' yields by up to 70 percent by the year 2050. 5G will also make it easier for residents of rural communities to access business and educational opportunities and long-distance healthcare.

The technology for 5G is already here, and it is actually being implemented, as Friday's event in Sioux Falls demonstrates.

There is more work to be done before 5G is a reality across the United

States. In order to deploy 5G, wireless providers need access to sufficient spectrum, and they need to be able to deploy the infrastructure needed to support the technology in a reasonable and timely manner.

Last year, the President signed into law my bipartisan MOBILE NOW Act. It was legislation that I introduced to help secure adequate spectrum for 5G technology. Earlier this year, Senator SCHATZ and I reintroduced the STREAMLINE Small Cell Deployment Act to address the other part of the 5G equation, and that is infrastructure. 5G technology will require not just traditional cell phone towers but small antennas called small cells that can often be attached to existing infrastructure, like utility poles or buildings.

While the Federal Communications Commission, under Chairman Pai, has modernized its regulations on small cell siting, there is more work to be done, and that is where my bill, the STREAMLINE Act, comes in. The STREAMLINE Act will expedite the deployment of small cells while respecting the role of State and local governments in making deployment decisions.

Importantly, it will make it more affordable to bring 5G to rural areas by addressing the costs of small cell deployment. 5G has tremendous promise for rural areas, but it will only deliver on that promise if we ensure that 5G cells are actually deployed in these areas. I am proud that we have made a good start in South Dakota. Sioux Falls' mayor, Paul TenHaken, has worked aggressively to remove barriers to telecommunications investment in Sioux Falls.

Nationally, we urgently need to take action to remove the final barriers to large-scale 5G deployment. While we have made good progress in securing low- and high-band spectrum, China and South Korea are far ahead of us in opening up midband spectrum to 5G. If we don't want China or South Korea to win the race to 5G and seize the economic benefits that 5G will bring, we need to substantially increase the amount of midband spectrum available to U.S. companies, and we need to do it quickly.

We also need to take action on legislation such as my STREAMLINE Act to pave the way for the widespread deployment of 5G infrastructure. America can lead the world in the 5G revolution. The technology is here. We just need to take the final steps to bring 5G into our communities.

I look forward to continuing to work to support the nationwide deployment of 5G with all of the benefits it can bring to the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. 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.

IMPEACHMENT INQUIRY

Mr. SCHUMER. Mr. President, the House of Representatives continues to interview key witnesses as part of its impeachment inquiry. Each witness has reportedly added details and context to the central focus of the inquiry; that the President allegedly pressured a foreign leader to interfere in domestic politics and used the power of his office for personal political gain.

The House must follow the facts where they lead and continue the investigation until all the facts come out. When and if there is a potential trial in the Senate, it will be our job to impartially look at all the evidence and come to our own independent judgment.

I remind my colleagues of this fact because in recent days a few of my colleagues seem to be jumping to conclusions. We all know about our colleagues in the House Republican caucus who have made a show of storming classified hearings, even though many of them could participate in those hearings, who have shifted their defenses of the President on a nearly daily basis, who only weeks ago made the idea of no quid pro quo the linchpin of their argument in support of the President but now admit that the President might have engaged in a quid pro quo, but there is nothing wrong with that.

In the House, the shifting sands of argument to embrace, to almost kneel at the feet of the President is appalling. They contradict themselves. They turn themselves into pretzels before all of the facts come out because they just blindly want to say that the President is right. That is not how the Constitution asks us to conduct ourselves as legislators.

In the Senate, we are beginning to get that germ of coming to conclusions before we hear all the facts, before a trial occurs. That nasty germ is spreading. Senior Members said yesterday that they will refuse to read any transcript from the House investigation because they have written the whole process off as a bunch of BS. If they were using taxpayer dollars, much needed foreign aid—an important part of our foreign policy tool—to gain an advantage on a political rival, if that is true, that is BS? Our Senate Judiciary chairman knows better, but his blind loyalties, his abject following of whatever President Trump wants, it seems, make him say things like that.

Yesterday, Leader McCONNELL stepped over the line, in my judgment, when he said that if an impeachment vote were held today, the President would be acquitted. Instead of speculating about the hypothetical trial or writing off the entire process before it has even concluded, how about we all wait for the facts to come out? That is our job.

Facts can be stubborn things. Just yesterday we learned that a key figure provided supplementary testimony that he told a top Ukraine official that U.S. military assistance was conditioned on an announcement by Ukraine that it was opening the investigations President Trump requested. Instead of leaping to the President's defense to declare no quid pro quo as many House Republicans did—a claim now contradicted by several witnesses—everyone should wait for the facts to come out. Fairness demands that of us.

Before I move on to another topic, there is another troubling development in this area—efforts by the White House and a Member of this Chamber to disclose the identity of the whistleblower. Let me repeat that. The White House and even a Member of this Chamber are openly advocating that Federal whistleblower protections be violated, that laws be broken, and the health and safety of the whistleblower and their family be put at risk. Shame, shame—it is just outrageous.

We are in an extraordinary moment of history when Republicans over only a few weeks have shifted from saying that no laws were broken to saying that laws were broken but it is not impeachable to outright advocating that laws be broken. This is wrong. This is against democracy. This is against the grain of this country that we have been so proud of for 200-some-odd years. Whistleblowers who stand up for the Constitution should not be targeted by the President or powerful Members of the legislative branch, for sure. And even if you don't agree with that, you have to agree that it is the law and you shouldn't break it. We are a nation of laws. President Trump should hear that. So should the junior Senator from Kentucky—please.

On a good note, I was pleased to hear that several of my Republican colleagues stood up yesterday and did the right thing. They defended the whistleblower's legal protections, including a Member of the Republican Senate leadership. Later today, I hope these Senators—and, indeed, all Senators—join Democrats in approving a resolution offered by my colleague Senator HIRONO that supports the whistleblower protections. Senator HIRONO will be asking unanimous consent to pass it, and we should, for the sake of the safety of this whistleblower, whether you like what he or she did or you don't, for the sake of rule of law, and for the sake of what balance of power is all about.

JUDICIAL NOMINATIONS

Mr. President, later today President Trump will give remarks from the White House on the Judiciary, presumably to give himself one big pat on the back for the Federal bench. He is good at that. He likes doing that. He does that almost more than governing.

As a Senator, I have now worked with four separate administrations, Democrat and Republican, on the appointment of Federal judges. I can say

with perfect confidence that over the last 3 years, President Trump has nominated and Senate Republicans have approved the most unqualified and radical nominees in my time in this body.

The list of unqualified nominees is so long that for the sake of time, let's only consider nominees for the past 3 weeks. Justin Walker, confirmed last week to the Western District of Kentucky, has never tried a case and was deemed “unqualified” to serve as a judge by the American Bar Association. Sarah Pitlyk, under consideration for a seat in the Eastern District of Missouri, has never tried a case, examined a witness, or picked a jury. Lawrence VanDyke is up after that. The ABA found that their interviewees with experience with Mr. VanDyke said he was “arrogant, lazy, an ideologue, and lacking knowledge of the day-to-day practice including procedural rules.”

How the heck do we put these people on the bench? Forget ideology for a moment. I understand that the President is not going to nominate people who might ideologically agree with me, but these people are abjectly unqualified based on their persons—who they are, how they behave in the courtroom, their knowledge, their experience. This is a lifetime appointment and one of the most important appointments we have, and when the ABA finds that a nominee was “arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules” and we go ahead and nominate him, what is the matter here?

Even more damaging, President Trump has nominated judges who are way out on the very extremes of jurisprudence. They are rightwing ideologues with views cut against the majority of Americans on nearly every issue. The judges he is nominating disagree with the vast majority of Americans on issue after issue after issue. Whether it is women's health and the right of a woman to make her own medical decisions, whether it is legal protections for LGBTQ Americans, whether it is the right of workers and collective bargaining, whether it is fair access to the ballot box and voting rights, whether it is the most common-sense gun laws and environmental protections, these nominees have views way to the right of even the average Republican, let alone the average American.

President Trump has nominated several judges who have been so extreme and overtly racist that my Republican colleagues who are loathe to oppose President Trump on anything have actually opposed him so that those few nominees didn't get on the bench. The nominations of these hard-right people are way over—hurting the average American, siding with big special interests over working Americans over and over again, finding every excuse to side with the rich and the powerful over the working class people. This is what President Trump calls an accomplishment?

I understand why the President and Leader MCCONNELL try to celebrate judicial nominees. They hardly have a legislative accomplishment to name. The truth is, when it comes to judicial picks, the President and Senate Republicans should be downright ashamed of their record.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—S. 2603

Mr. DURBIN. Mr. President, when I first came to the Senate, I was asked to serve on the Senate Judiciary Committee, and I considered it quite an honor. It is an extraordinary committee with a rich history of involvement in some of the most important issues of our time, and that has been the case for generations.

Recently, when it was reformed, I was asked on which subcommittee I wanted to serve. I chose the Immigration Subcommittee. I took it for two reasons. First, I am a lucky American. My mother was an immigrant to this country. She was brought here at the age of 2 from Lithuania. Her mother, who brought her, didn't speak English, but my mom was a pretty smart little girl. She spoke English and Lithuanian, and she was the translator for the family. They even called her into a courtroom as a little girl to translate for a person who was being charged so that they understood the law. My mother was an extraordinary woman. She had an eighth grade education, but was one of the smartest people I have ever known. I guess that is a son talking, but you might expect it.

I often thought I was lucky that she lived long enough to see me sworn into the U.S. Senate. This immigrant girl, who became an American citizen, saw her son become the 47th Senator from the State of Illinois. That is my story. That is my family's story. That is America's story. That is who we are.

We are a Nation of immigrants. But for those blessed to be able to trace back their roots to indigenous people and Native Americans, all of us have come to this country—either ourselves personally, our parents, or grandparents.

Immigration means a lot to me because I think the diversity of this country is its strength. The fact that people were willing to sacrifice so much to come to the United States of America tells me something about them. Many of them risked everything. They left everything behind—left behind their families, their places of worship, their language, their culture, their food—and came to a place they had never seen before because they heard what America was all about—a land of opportunity. So I wanted to be on that subcommittee.

The second reason I wanted to be on the subcommittee is that the immigration laws of the United States are a disaster. They are terribly broken. They do not serve our Nation, either in terms of security or bringing the diver-

sity we need for our future. I have known this for a long time.

It was 6 or 7 years ago that we put together a group of Senators, four Democrats, four Republicans. John McCain was leading the Republicans with LINDSEY GRAHAM, MARCO RUBIO, Jeff Flake. On the Democratic side was Senator SCHUMER, who just spoke on the floor; Senator MENENDEZ of New Jersey; Senator BENNET of Colorado; and I. We sat down for months, night after night, looking at every section of the immigration law—this broken law—to say: How will we change this? How can we reach political compromises and serve the best needs of this Nation? And we came up with it.

We came up with this comprehensive bill and brought it to the floor of the Senate, and it passed with 68 votes. We finally found a bipartisan answer—just exactly what the American people sent us to do.

We sent our work product over to the House of Representatives, and they refused to even consider it. They wouldn't bring our bill up for a vote. They wouldn't debate it, wouldn't offer an amendment, an alternative substitute—nothing. And here we sit with this broken immigration system.

I want to describe to my colleagues—or at least those listening in the Senate—one of the issues that came up recently. Here is what it comes down to. There are people who come to the United States to work. Many of them come on what is known as an H-1B visa. It is a specialty visa, and it says that in this situation, this company cannot find an American to fill the job and wants to bring a talented person from another company on a temporary visa to work. Thousands come under this program each year. Many of them come from the country of India. They are trained engineers, by and large, but they are also doctors, and they are professionals who are needed in communities all across our country.

Well, we have run into a problem because once they are here and have been here for some time, many of them want to stay. That in and of itself is a good thing, as far as I am concerned. If they are productive employees making a business profitable, creating new jobs in the process, I want them to stay. Some of them were actually educated in the United States and are using that education, working here, but now they want to be permanent residents in this country.

There is a difficulty in the problem because we limit the number of people who can apply for what is known as green cards—employment-based visas—each year. The limitation is 140,000. It may sound like a lot, but believe me, there are hundreds of thousands more who are seeking these visas.

We have a problem particularly when it comes to those of Indian descent. The problem is the fact that so many of them have come to fill these temporary work jobs and are applying for green cards that there are many more

applications for green cards than there are actual cards to be issued. There are only 140,000 total each year for the entire world. There are over 500,000 Indians who have come to this country and are asking for green card status. The law also says that no more than 7 percent can come from any 1 country of the 140,000. If you do the simple math of about 10,000 each year and with there being over 500,000 Indians waiting, imagine what that means. It means that many of them will never live long enough to qualify for a green card. So this has become very controversial. Many of them are desperate, and they should be, for their plights are now so uncertain.

It is complicated by the fact that if you come here in an employment-based situation—on a temporary visa, an H-1B—you can bring your family with you, meaning your spouse and your children. Yet, if you stay here for a period of time and if your children reach the age of 21, they can no longer stay based on their parent's visa. Frankly, they are subject to deportation, and some are deported.

The other night, I met a large group of these Indians in the State of Illinois who came to me pleading for help. I want to help them. I hope they understand and those who are listening understand as well that when it comes to immigration, I am in favor of border security and of orderly immigration, but I am in favor of immigration and the diversity it brings to this country and the talent it brings to this country.

I have a bill before us, known as the RELIEF Act. It would lift that cap of 140,000 so we could absorb more people each year into our country who have been here already or who have been working here already and whose families have been established here already but who just want a chance to, ultimately, apply for citizenship. That is what my bill would do.

It would do two other things, and I want to bring these points up for those who are considering my unanimous consent request that I am about to make. I want them to understand how personal and important this is to the people I am talking about.

One of the provisions I mentioned relates to the fact that if you bring children to the United States while you are working on those temporary visas, those children are protected until they reach the age of 21, but they are then subject to deportation. I cannot tell you the emotional scenes I have witnessed in the last few weeks as these parents have introduced me to their children and have said to me: Senator, I am in this long line waiting for a green card. My 12-year-old daughter could end up being 21 years old and deported while I am still waiting. I want to take care of her. I want her to have a chance to go to school, and I want her to have a bright future. Yet her fate is tied to the fact that there are not enough green cards for me to stay in this country.

One of the provisions in the RELIEF Act that I urge my colleagues to consider when I make this unanimous consent request is that if you apply for a green card as a parent, the age of your children at that moment is basically frozen for legal purposes. Those children cannot age out while you are waiting in line if you applied while they were still minors. This will protect these children from deportation. This is one of the most important and humane things we can do.

The second thing is, if we are going to establish any standards or quotas for those who are allowed in this country to have employment-based visas and green cards, we shouldn't count the spouses and dependent children. Let's just count those who are, frankly, going to work as engineers and doctors in our communities.

The net result of the RELIEF Act is to create a realistic way to lift the cap in order to allow more to come in each year who are qualified, who have already been vetted, and who have gone through the background checks. It is not to penalize the minor children who might age out while their parents are waiting. We should make sure the spouses and dependent children aren't counted toward any ultimate quota.

The RELIEF Act would lift country caps that limit the number of green cards that go to immigrants from any particular country. These country caps have contributed to this terrible backlog that we currently have. Yet lifting these caps alone will not clear the green card backlog. Without more green cards, which is what I am calling for, the current backlog of 800,000 people total—I mentioned 500,000 were from India—who are waiting for employment-based green cards will actually increase if we don't lift the cap by 300,000 in the next 10 years.

The RELIEF Act is not novel or controversial. You will remember that earlier I talked about a comprehensive immigration bill. What I am proposing today is included in it. It is a bipartisan proposal, and it is one that, I think, we should return to in order to solve the problem.

The RELIEF Act has been endorsed by many national business, immigrant, and labor organizations, including the New American Economy, the National Education Association, the American Immigration Lawyers Association, United We Dream, Asian Americans Advancing Justice, South Asian Americans Leading Together, United Chinese Americans, the National Iranian American Council, the Institute of Electrical and Electronics Engineers, the American Hellenic Educational Progressive Association, which, incidentally, is the largest Greek-American organization, and the Ancient Order of Hibernians, which is the largest Irish-American organization.

In light of the failure of our immigration subcommittee's taking any action to solve this problem, I will ask for unanimous consent to move this bill forward.

To those who are considering whether they will accept or reject it, meet with these people in your State. Sit down with them, and hear of the plights they face today. They are trying to follow the law, and the law is not responsive.

Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2603 and that the Senate proceed to its immediate consideration. I further ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER (Mr. SASSE). Is there objection?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, in reserving the right to object, I come to the floor to, first, compliment Senator DURBIN on his remarkable story and his family's story about legal immigration to this country. It is something I support. I think we should all consider it a compliment when people want to leave the countries of their births to come to the United States, for they know what we know—that it is a great place in which to live and thrive.

I have a concern with the unanimous consent request before us, the RELIEF Act. Senator DURBIN and I have worked on a couple of immigration issues on which we have bridged the gap but have not quite gotten there.

First off, it could lay the groundwork for a significant increase in legal immigration, but I am also concerned with the mechanics we find ourselves in right now. As I understand it, the RELIEF Act has six cosponsors—all Democrats. Yet there is another bill that is moving through the Senate right now that was offered by Senator LEE. It has been offered in other Congresses, but it is actually making headway. It has 35 cosponsors, and 15 of them are Democrats. They include Senator HARRIS, of California, and Senator DUCKWORTH, the junior Senator of Illinois. I believe this is a very narrowly focused effort to address a lot of the concerns that Senator DURBIN has.

I do not believe Senator DURBIN has the support of the Senate to take this through regular order at this point, let alone through unanimous consent. I hope Senator DURBIN and others will recognize that we do have a shortage of high-skilled workers in this country and that we do need to fix a number of problems, but I don't think they can be fixed with the RELIEF Act.

I encourage Senator DURBIN to work with Senator LEE and with the 34 other Senate Members on a bipartisan basis to address this so we can bring the Fairness for High-Skilled Immigrants Act to the floor and send it to the House for its consideration.

Because of the lack of consensus on many of the provisions in the RELIEF Act, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

Mr. DURBIN. Mr. President, the Senator from North Carolina and I both serve on the Senate Judiciary Committee. What I have asked for is a hearing before the Immigration Subcommittee so Senator LEE can bring his bill forward and so I can bring my bill forward so we can try to work out the differences between us. That is usually how the Senate operates. Unfortunately, last week, on the floor, Senator LEE announced that he was opposed to having any hearing on his bill. He didn't want there to be a hearing and a markup. I think it is unfortunate. It really will not lead us to having a bipartisan agreement that might actually solve this problem.

I also think there is a fundamental flaw in Senator LEE's approach. He would take care of the issues facing those from India at the expense of the issues of the immigrants from virtually every other country, for they would be denied the opportunity to apply for green cards while we would be taking care of the backlog from this one nation. I don't think that is the way to approach this.

As the Senator from North Carolina said, if we truly believe more legal immigration of those with talents would be good for America, this is our chance to do it. At this point, I am disappointed. I have told these families who come to see me regularly that I will continue to fight for them—to give them a chance to protect their children and to have a future in America.

I hope Senator LEE will reconsider and allow for a hearing to take place so we can move this bill forward and not just exchange unanimous consent requests on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

UNANIMOUS CONSENT REQUEST—S. 2059

Mr. TILLIS. Mr. President, I come to talk about another issue of immigration that concerns me in North Carolina, and I think it is something about which every American should be concerned. It is the sanctuary policies that have been implemented in counties and cities and, at least in one case, statewide.

“Sanctuary city” sounds like a great concept as the United States is a sanctuary to which so many people seek to immigrate. Yet the policy of the sanctuary city actually breaks down the relationship between Federal authorities and local authorities. I think this is dangerous and could potentially—and not only potentially—have serious consequences in communities. I will use a few examples.

Over the past year in North Carolina, we have had over 500 people who have been released who had been arrested by local authorities. Many of them had been arrested for having committed serious crimes. They had been charged with murder, rape, indecent liberties

with a child, heroin trafficking—a very, very long list—in cities just 25 minutes from where I live, down in Charlotte, in Mecklenburg County. They arrest people but not simply because they are illegally present. In fact, you can find virtually no instance in which a local authority would arrest somebody just because one is illegally present. The people who are in these jails have been charged with crimes, and in many cases they have been serious crimes.

Two weeks ago in Mecklenburg County, the Mecklenburg County sheriff had made the decision to release four people—one who had been charged with murder, two who had been charged with indecent liberties with a minor, and one who had been charged with heroin trafficking. They had been illegally present but had not been in jail because they had simply crossed the border or had had their visas expire. They had been in jail because they had committed serious crimes.

When Immigration and Customs Enforcement hears about these folks who have been detained, they issue what they call detainer orders. A detainer order is a request to hold a person in jail for at least 48 hours so ICE can go to the jail, interview him, and determine whether they want to transfer him into ICE's custody and potentially deport him.

This is a very dangerous policy that has actually, ultimately, resulted in other people being harmed. Think about those people being released who have been charged with rape or murder or heroin trafficking. They go back into the community and cause harm to someone else.

What I have decided we need to do is to at least provide a private right of civil action to a victim of that unwise decision. If that charged murderer or heroin trafficker goes out and assaults someone or murders someone—in some cases, someone who has a DWI is charged with vehicular homicide and goes back out and while under the influence harms someone else in, say, an automobile accident—I think the person who gets harmed or, sadly, his survivor should be able to bring a case against that governmental entity that has the sanctuary policy.

For those who think sanctuary policies are safe and that only safe people are being released, this shouldn't be an issue to them—right?—because no harm is going to occur. Yet, if harm occurs, I believe the victim should have a right to seek restitution.

Our bill is fairly simple. It is called the Justice for Victims of Sanctuary Cities Act. It is a bill that reads, if you as a governmental entity refuse to cooperate with ICE and then release someone who does harm to someone else, that person has the right to sue that governmental entity.

Our governments in the United States—the local governments and State governments—have the right to say they are immune, that they can't

be sued. They have that right, and I respect that right. Yet, if they refuse to allow themselves to build their cases in court and say that what they did was appropriate and safe, then it should come at the consequence of the Federal funding for which they would otherwise be qualified to receive.

Again, if sanctuary cities are safe and if all we are doing is releasing people who are not threats to the community, this should be a nonissue for any sanctuary jurisdiction. It would only be an issue if there is a victim as a result of the jurisdiction's political decisions.

That is why we have introduced the Justice for Victims of Sanctuary Cities Act. In fact, we listened to some of the sanctuary jurisdictions, and they said: Well, we could get into legal trouble if we hold them for 48 hours, and for that reason we release them after a judge has ordered their release.

We have another bill that addresses that problem so that liability will go away. We are hearing what they have to say and trying to address it in additional legislation.

But I think this is a bill that makes sense, and I think it is something that law enforcement, county commissions, and city councils should take a look at.

I think they should work with ICE. Here is the last reason why I think working with ICE is very important: ICE has a legal responsibility to pursue these people if they are released by the local government.

Here is what happens. You release somebody who is charged with murder or vehicular homicide or heroin trafficking or rape. You release them in the community, and ICE has to go pursue them in the community.

So instead of allowing ICE to go into a jail and have a safe transfer from one jail into the ICE detainee system, they have to actually create a task force. They have got to go into a community, and they have to apprehend them. They have a statutory responsibility to do that.

Ironically, in some of those instances, the very law enforcement agency that released them now has to go into the field and back them up if it is a dangerous situation when they are trying to apprehend this person whom ICE has a legal responsibility to apprehend.

I think this is a commonsense bill. Hopefully, it is one that will give sanctuary cities some pause before they release somebody charged with murder or rape or heroin trafficking—a potentially dangerous person—back into the community, whom the Federal authorities have to pursue no matter what.

Mr. President, as in legislative session, I ask unanimous consent that the Committee on Judiciary be discharged from further consideration of S. 2059 and the Senate proceed to its immediate consideration.

I ask unanimous consent that the bill be considered read a third time and passed and that the motion to recon-

sider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, there is more to the story. What he just described to you seems pretty obvious: A dangerous person, subject to deportation, why release them into the community? That is a perfectly valid point, one that we ought to be discussing and debating. But there is more to the story, and here is what it comes down to: Why did the major city police chiefs across the United States oppose what the Senator from North Carolina has just suggested? Because they know that if the Federal Government and its immigration authorities are going to use local police to enforce immigration laws, it is going to change their ability to keep communities and neighborhoods safe.

Now, why would I say that? Let me give you an example. It was just about 4 months ago when ICE officials pulled over a young woman and said to her: Are you here in the United States legally? She said: I am; I am protected by a program call DACA.

They said: We want to go to your home.

They went to her home, and her grandmother was there. They asked her grandmother for proof of her citizenship. Her grandmother had overstayed her visitor's visa. They deported her grandmother.

So the local police are fearful that if they are now going to be recruited to enforce immigration laws, they will not get cooperation in the community when it comes to fighting crime.

Let me give you an example that is timely. On Halloween night, in a section of Chicago, the little kids were out with their parents in a Hispanic neighborhood, walking along, and a little girl, 7 years old, named Giselle Zamago was shot twice. She barely survived. They got her to the hospital, and they saved her life. She is making a miraculous recovery.

What is important about this story and relevant to what the Senator from North Carolina asks is the fact that now community members have come forward to the police to help them find the shooter. They have arrested a 15-year-old gang member. This gang member was aiming at a 32-year-old gang rival standing next to the little girl, and he wasn't worth a damn when it came to shooting a gun. This poor little girl was shot.

What the police in Chicago are telling me is that we need the community to be willing to talk to the police and not be afraid somebody is going to follow someone home and check whether their grandmother is here legally in the United States.

That is why the whole question of sanctuary cities is boiling up and why

the police chiefs in major cities have basically said: This is too simplistic. Let's sit down and do this carefully, not as the Senator from North Carolina has proposed.

The last point I want to make is this. If you visit the Senate Chamber this week in Washington and want to see deliberation on legislation, you are out of luck. There are no bills—no substantive legislative bills—scheduled to be considered on the floor of the U.S. Senate this week, but it is not an unusual week. We hardly ever take up legislation in the committees and bring it to the floor for debate in the Senate.

So the real question I have is why the Senator from North Carolina—who is in the Republican majority, who serves on the Senate Judiciary Committee, who could ask for a markup of his bill if he wished—has decided instead to bypass the whole process and just say: I want to take this bill straight to the Senate with no debate. He is in the majority. We could bring this bill to the floor for debate and for amendment. We could bring it before the committee for a markup, but he chose not to do that.

Sadly, it is a commentary on what has happened to the Senate floor. It has become a legislative graveyard. We just don't do what the Senate used to do—debate amendments, deliberate, agree on things, and compromise. It doesn't happen anymore under Senator MCCONNELL. It is unfortunate. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from North Carolina.

Mr. TILLIS. Mr. President, maybe just to add another chapter to that story, first, we did have a hearing on this bill about 2 weeks ago in Judiciary. That is the first step before you move to a markup.

I will be asking for a markup on this bill because I think it is a bill that is a commonsense bill. It is a bill that actually has a safe-harbor provision for people in the community who may be illegally present who want to work with law enforcement. We are listening to the concerns that law enforcement have expressed. We have addressed them, like so many times we have addressed these sorts of matters before.

So we will have a markup on the bill, we will have a vote out of committee, and I hope that we have a vote on this floor, because at the end of the day, some of the examples that Senator DURBIN noted are sad and should be avoided, but the real sad examples are the people who are dying, being raped, and being poisoned by people who were detained and could have been transferred into ICE custody and deported to make our communities safer, including the communities of illegally present people, who are less safe as a result of the current sanctuary policies.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I am going to yield to the Senator from

Iowa who has waited patiently on a separate issue that he and I are working on together and allow him to speak first if he wishes.

The PRESIDING OFFICER. The Senator from Iowa.

#### PRESCRIPTION DRUG COSTS

Mr. GRASSLEY. Mr. President, I thank Senator DURBIN. He and I are working on something that successfully passed the Senate last year and was not agreed to by the House of Representatives. So we are back to bring some transparency to pricing of drugs, and that is what I want to speak about now.

I am here to share a secret with the American people. It is about prescription drug pricing. As chairman of the Senate Finance Committee, it is no secret that one of my biggest priorities is to rein in the soaring costs of prescription medicine. It is no secret that Americans are having a hard time paying for medicine. It is no secret that Big Pharma doesn't want us to change the status quo.

In fact, Big Pharma is spending big money to stop Congress and the Trump administration from legislating a cure of these high prices. That is the secret. They want to keep drug pricing a secret from the American people. So what does that mean? It means that Big Pharma wants to keep secrecy baked in when it benefits Big Pharma.

Right now, the very murky drug pricing supply chain is a mystery to consumers. There seems to be no rhyme or reason to what consumers will owe at the pharmacy counter when they pick up their prescriptions. American taxpayers, American seniors, and this U.S. Senator are fed up with the lack of consumer information when it comes to pharmaceuticals. That is why I am working to inject some Midwestern common sense into prescription drug pricing.

As you can see, I am working with my friend Senator DURBIN. We have teamed up before on issues that naysayers said couldn't get done.

You might recall that President Trump signed our FIRST STEP Act into law last year. The landmark reforms are protecting public safety, saving taxpayer dollars, and bringing fairness to the criminal justice system.

Today, we are teaming up once again to fix an injustice with prescription drug advertising.

Big Pharma spends billions of dollars a year advertising to the U.S. consumers. The FDA regulates what these direct-to-consumer ads must tell consumers. For example, advertisers must include in their ads potential side effects. You hear it all the time on TV—things about nausea, diarrhea, depression, weight gain, or even death if you might buy one of their drugs.

But let me tell you what seems to scare Big Pharma to death—price transparency. They do not want to tell consumers how much a drug costs when they saturate the airwaves with advertising that shows happy families

enjoying the grandkids, celebrating birthdays, and going on vacations.

Senator DURBIN and I believe that Americans have a right to know about the price of drugs, like they need to know the side effects of drugs or the value of drugs. Consumers should then know what the advertised drug costs.

It happens that the Trump administration agrees with Senator DURBIN and this Senator on that point, but, of course, Big Pharma sued to stop the Department of Health and Human Services' regulations from taking effect.

It is up to Congress, then, to change the law. That is what Senator DURBIN and I are here to talk about today.

Almost exactly 1 year ago, I said here on the floor of the Senate that it is time for Big Pharma to talk turkey on this subject. Yet here we are again, 1 year later, and Big Pharma has ridden the taxpayers' gravy train for another 12 months, and part of that gravy train is keeping the price of drugs off of the television screens when they advertise all of the value of the drugs and the dangers and the side effects of those drugs.

As Americans get ready to count their blessings around the Thanksgiving table a couple weeks from now, I hope they can count on all 100 Members of the Senate to approve the Durbin-Grassley bill.

There is no good reason to oppose it unless you would rather keep secrets for Big Pharma.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me thank my colleague from Iowa.

Senator GRASSLEY and I are friends, colleagues, and we work together on a lot of issues. We come to this body with different political philosophies, but occasionally our ideas converge, and this is one of them.

We know that the pharmaceutical industry spends \$6 billion a year on television advertising. If you have never seen a drug ad on TV, I know one thing for sure: You don't own a TV. You can't get away from them. Every time you turn around, there is another ad. And what are they telling you in the ads? Don't take this drug if you are allergic to this drug.

How are you supposed to know that?

You may die if you take this drug. They tell you everything under the Sun, except a very fundamental fact, as Senator GRASSLEY has pointed out: How much does this cost?

Xarelto—I know it takes a long time for the drug Xarelto to finally reach the point where the average consumer, the average American, can even spell it, let alone pronounce it, so they can go ask their doctor for it. And do you know how much Xarelto costs—this blood thinner—each month? It is about \$520 a month. But it is not the most heavily advertised drug on television.

At least a few months ago, the most heavily advertised drug was HUMIRA.

Psoriatic arthritis? Remember that ad that showed the person with the little red spot on her elbow, and they said if you take HUMIRA this may help relieve psoriasis, the patchy skin and such?

Now, there are serious cases of psoriasis—don't get me wrong—but the notion that we would take Humira to clear up psoriasis belies reality. Here is the reality. Humira costs \$5,500 a month. Now, I am not going to win any bathing suit contests nor have perfectly clear skin, but it is beyond anybody's mind that we would spend \$5,500 a month to get rid of the little patch on your elbow.

Why won't they tell us what it costs? Because they know it is a stunning number, \$5,500 a month. So what Senator GRASSLEY and I did a year ago was to say to the pharmaceutical companies: Go ahead and run your ads, but in the ad, disclose how much your drug costs.

I think it is going to create pressure on these pharmaceutical companies when they decide to raise Humira to \$6,500 a month. The American consumers are going to know in fact what is going on. We passed it. We passed our bill in the Senate. We sent it over to the conference committee, and it died over in the House of Representatives. But things have changed in the House. There is a new Democratic majority there. I think we have got a better chance of passing it.

Later on today, I am going to ask for unanimous consent on this very simple bill directed to consumer advertising to say to pharmaceutical companies: Disclose in your ad how much your drug costs. That is it. Just disclose it. We have come up with the price that they have to declare each year as their standard price for the drug. Disclose that price to the American people. We think that folks will slow down deciding to buy Humira at \$5,500 a month to deal with a little red patch on their elbow. It is beyond belief.

So later on, I will make this unanimous consent, and I ask for unanimous consent now—since I appear to be the only one on the Senate floor now—to speak on a different topic for a moment.

The PRESIDING OFFICER. Without objection.

#### IMMIGRATION

Mr. President, it was 19 years ago I introduced a bill called the DREAM Act. And the DREAM Act said if you came to the United States under the age of 18, if you grew up in this country, went to school, no problems with the law, you ought to be given a chance at some point later in life to earn your way to legal status and citizenship.

That was the bill. It was introduced, as I mentioned, about 19 years ago. It has never become the law of the land, but at one point, I went to one of my Senate cosponsors that happened to be running for President, named Barack Obama, and said to him: Can you do anything as President to help in this

situation? So many of these young people who are undocumented, they are living in the only country they have known, and they have no future because of their immigration status.

He created the DACA program, and under the DACA program, if you qualified as I just described, you would come forward and pay \$500 or \$600 for a filing fee, go through a criminal background check, and if you were approved, you would be allowed to stay in the United States for 2 years at a time under this DACA protection, renewable every 2 years. And you would be able to stay without fear of deportation and be allowed to legally work in this country.

President Obama agreed to do it, and when he did, 800,000 young people came forward and received DACA protection. For the longest time, President Trump would give speeches talking about these wonderful young people who deserved to have a chance to have a future in the United States. Then in September of 2017, he changed his mind. When he changed his mind, unfortunately, he eliminated the DACA program.

Now, it is being contested in court, and next week, 6 days from now, across the street, in the Supreme Court, they are going to argue whether the President had the power to end this program. As you might imagine, there are almost 800,000 young people who are listening carefully to those arguments and waiting for the decision of the Supreme Court. They currently have temporary protection because of the pending lawsuit. But if they lose in the Supreme Court, they will be subject to deportation. That would be a sad outcome, and in many cases, it would be a tragic outcome.

I am hoping that my colleagues in the Senate will follow this carefully. This is one thing we ought to agree on. Senator LINDSEY GRAHAM, conservative Republican from South Carolina, is my cosponsor of the DREAM Act, and he has joined with me in saying that we ought to make legal status available to these young people through the DREAM Act. I hope that ends up being the case.

I would like to close by telling a story on the floor here about this young man. His name is Ernestor De La Rosa. This is the 118th story I have told on the floor of the Senate about Dreamers, people protected by DACA. He is, as I said, the 118th example I can give to my colleagues in the Senate and those following this debate as to why we need to have DACA or the DREAM Act as the law of the land.

Let me tell the story. Ernestor was brought to the United States from Mexico when he was a child. He grew up in the Midwest in Dodge City, KS, and came to the United States legally. He applied for a green card while he was still in legal status. He wanted to become a lawful permanent resident, but the line for green cards was too long. You might remember an earlier statement I made in debate today. The

line was so long that Ernestor's visa expired before he received his green card. Under the laws of America, he was undocumented.

It is not well-known that millions of undocumented immigrants came to the United States legally in the first place, but they are unable to become permanent legal residents because our immigration system is broken.

Here is what Ernestor says about it: "We all hear comments about 'Get back in line and do it legally.' Well, we tried. But the system right now is so complex that it takes up to 20 years to attain legal status."

When he first arrived, Ernestor, from Mexico, did not speak or read English, but he worked hard and became an honor student in his school. He earned an associate's degree from Dodge City Community College and a bachelor's degree from Fort Hays State University and a master's in public administration from Wichita State University.

Because of his immigration status, Ernestor was not eligible for any Federal financial aid as a student. How did he get through school? He worked two jobs. Here is what he says about that experience: "Often kids my age enjoy the college lifestyle, hanging out with friends and partying. But I wasn't able to do that. I was so disciplined, I said to myself I cannot fail a class, because I am going to have to pay out of my pocket take it again."

What is Ernestor doing today? He is the assistant city manager of Dodge City, KS. He manages a budget of more than \$55 million and directly oversees 20 employees. He is responsible for his city's legislative affairs, working with Federal, State, and local representatives on issues such as housing, transportation, and energy.

Here is what he says about his job: "I love this profession because I am able to make a difference in my community and advocate to meet the needs of our residents. It is rewarding and fulfilling to serve this great city."

Imagine that. Ernestor came to Dodge City unable to speak or read English. Now, he is the assistant city manager. This is his story, but it is also America's story. Without DACA, which protected him, gave him a right to this job, none of this would have been possible.

Ernestor's dream is to become an American citizen and to advance from assistant city manager to city manager, so he can continue to make a difference in people's lives, but that can only happen if we do something here on the floor of the United States Senate.

The U.S. House of Representatives passed a measure called the American Dream and Promise Act that would provide for Dreamers, as mentioned earlier, and would provide for this young man. Senator McCONNELL refuses to allow us to debate this bill on the floor of the United States Senate. It is unfortunate.

Next week, guys like Ernestor and hundreds of thousands of Dreamers are

going to be focused right across the street on the Supreme Court. They are counting on the Supreme Court to do the right thing and reject President Trump's repeal of DACA.

They are counting on us who serve in the Senate to solve this crisis that the President has created and give this young man and thousands like him a chance. It would be an American tragedy to deport this young man after all he has achieved and send him back to Mexico, where he hasn't lived since he was a little boy.

Will the majority leader give him a chance? I hope so. The Senate should give the American Dream and Promise Act a vote.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

#### GLOBAL HOSTAGE ACT

Mr. COTTON. Mr. President, this week marks the 40th anniversary of the Iran hostage crisis, when 66 Americans were seized by an armed mob fueled by the anti-American ravings of Iran's revolution clerics. Fifty-two of those Americans were held captive for 444 days, during which time they were paraded on television and used as pawns by Iran's theocratic dictators.

Those Americans would finally come home safely, thanks to a pressure campaign of financial sanctions and trade embargoes by the United States and their partners, but not everyone came home safely from Iran. Before the crisis ended, five American airmen and three marines lay dead, killed in an ill-fated rescue mission necessitated by Iran's lawless deeds.

This week's anniversary is a useful reminder of the true nature of the regime in Tehran. Behind Iran's smooth talking, Western-educated diplomats are a band of radical clerics that act more like a criminal gang than the rulers of a sovereign nation.

Consider how the regime commemorated the 40th anniversary of their crime—not with apologies, like a civilized nation might. No, with anti-American rallies where uniformed soldiers—uniformed soldiers, not clerics, not activists—uniformed soldiers led chants of "Death to America" and "Death to Israel."

In other words, Iran is unreformed and unrepentant. It still takes and holds hostages to this very day—businessmen, professors, engineers, fathers, and mothers, all just bargaining chips to the Ayatollahs. That is why I have a bill to impose new and substantial costs on these kidnapers. The Global Hostage Act would require the President to sanction foreign officials who take Americans as their hostages.

The goal of our bill is clear: If you take Americans hostage, we will make your life miserable. You will not be able to travel here. You will not be able to bank here. You will not be able to send your kids to fancy schools here. You will be treated like the pariah you are, which is precisely what the Ayatollahs remain 40 years after they took their first American hostages.

Mr. President, I ask consent that the following remarks be entered in a separate part of the journal.

The PRESIDING OFFICER. Without objection.

#### NOMINATION OF LEE PHILIP RUDOFSKY

Mr. COTTON. Mr. President, I would like to say a few words about Lee Philip Rudofsky, the President's nominee to the United States District Court for the Eastern District of Arkansas.

In a few minutes, this body will vote to move ahead with this nomination. Lee has a long and impressive resume, from Harvard Law School to the White House Office of Legal Counsel, to Kirkland & Ellis, and beyond. His early career and qualifications speak for themselves. Lee is no stranger to serving Arkansans. He was our State's very first solicitor general. Lee left a good job at Wal-Mart to take that position and face the many challenges that come with it. He also moved 3 hours from his loving wife and three young kids to work around the clock for the people of Arkansas.

That hard work paid off for all of us. According to esteemed members of Arkansas' legal community from both parties, Lee "established Arkansas Solicitor General's Office as one of the finest legal practices in the State of Arkansas."

He has subsequently become a respected professor and recruiter at one of our State's two law schools, and Lee is also a leader at his local synagogue and a member of the local chapter of the American Inns of Court.

After the Senate votes to confirm him later this week, Lee will draw from this deep well of experience as he continues to serve the people of Arkansas with devotion and distinction. He will bring to the bench his intelligence, character, and, above all, commitment to the rule of law and the administration of equal justice under the law.

I was honored to introduce Lee before the Judiciary Committee earlier this year. I am now honored, again, to speak on his behalf today. Lee is an exceptional selection for the Federal bench. I am happy to call him friend, and soon I look forward to calling him a judge.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COTTON. Mr. President, I ask unanimous consent to start the votes now.

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 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 Lee Philip Rudofsky, of Arkansas, to be United States District Judge for the Eastern District of Arkansas.

Richard C. Shelby, Mike Crapo, John Cornyn, Roy Blunt, Thom Tillis, Shelley Moore Capito, Roger F. Wicker, Lisa Murkowski, Mike Rounds, Pat Roberts, John Boozman, Mike Rounds, Rick Scott, John Barrasso, Kevin Cramer, Richard Burr, Mitch McConnell.

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 Lee Philip Rudofsky, of Arkansas, to be United States District Judge for the Eastern District of Arkansas, 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 Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 51, nays 41, as follows:

[Rollcall Vote No. 346 Ex.]

#### YEAS—51

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

#### NAYS—41

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

NOT VOTING—8

Bennet	Harris	Sanders
Booker	Isakson	Warren
Burr	Klobuchar	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 41. 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 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 Jennifer Philpott Wilson, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Mitch McConnell, John Boozman, John Cornyn, Mike Crapo, Pat Roberts, Mike Rounds, Thom Tillis, Roger F. Wicker, Cindy Hyde-Smith, Kevin Cramer, John Hoeven, Rob Portman, Dan Sullivan, Chuck Grassley, Richard Burr, John Thune, Roy Blunt.

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 Jennifer Philpott Wilson, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania, shall be brought to a close?

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent; the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 89, nays 3, as follows:

[Rollcall Vote No. 347 Ex.]

YEAS—89

Alexander	Cornyn	Hawley
Baldwin	Cortez Masto	Heinrich
Barrasso	Cotton	Hoeven
Blackburn	Cramer	Hyde-Smith
Blumenthal	Crapo	Inhofe
Blunt	Cruz	Johnson
Boozman	Daines	Jones
Braun	Duckworth	Kaine
Brown	Durbin	Kennedy
Cantwell	Enzi	King
Capito	Ernst	Lankford
Cardin	Feinstein	Leahy
Carper	Fischer	Lee
Casey	Gardner	Manchin
Cassidy	Graham	McConnell
Collins	Grassley	McSally
Coons	Hassan	Menendez

Merkley	Rosen	Sullivan
Moran	Rounds	Tester
Murkowski	Rubio	Thune
Murphy	Sasse	Tillis
Murray	Schatz	Toomey
Paul	Schumer	Udall
Perdue	Scott (FL)	Van Hollen
Peters	Scott (SC)	Warner
Portman	Shaheen	Whitehouse
Reed	Shelby	Wicker
Risch	Sinema	Wyden
Roberts	Smith	Young
Romney	Stabenow	

NAYS—3

Gillibrand	Hirono	Markey
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NOT VOTING—8

Bennet	Harris	Sanders
Booker	Isakson	Warren
Burr	Klobuchar	

The PRESIDING OFFICER. On this vote, the yeas are 89, the nays are 3. The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Jennifer Philpott Wilson, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

The PRESIDING OFFICER. The Senator from Texas.

TAX REFORM

Mr. CORNYN. Mr. President, I thought it would be appropriate to come to the floor to celebrate the second anniversary of the Tax Cuts and Jobs Act.

For years I heard from Texans who thought that the Tax Code was simply too complex, too burdensome, and that the Federal Government simply took too much of the fruits of their labor.

They were absolutely correct. Our Tax Code hadn't been reformed in more than three decades, and Republican and Democratic Presidents have long pointed out how America was at a competitive disadvantage relative to other countries because of our Tax Code.

Then, of course, there is the drag of high tax rates on our domestic economy—especially following the great recession during the Obama administration—which made jump-starting the economy a top priority last Congress.

The good news is that we delivered. The Tax Cuts and Jobs Act lowered the individual tax rates across the board for every bracket. It increased the standard deduction, doubled the child tax credit, and made tax rates for businesses more competitive. Our goal was to make our Tax Code work for the American people, not the other way around.

I know there are a lot of naysayers who said it wouldn't work. Some of them are still saying that. But I think the results speak for themselves.

First, we saw waves of positive headlines announcing that companies big and small were using their tax savings to provide pay raises, pay bonuses, 401(k) match increases, and other benefits to their employees.

I made a point of asking my constituents in Texas about their experience

under the new Tax Code, and here is some of what I heard:

Tejas Office Products is a Hispanic-owned and operated family business in Houston. They were able to hire more workers in Southeast Texas and expand their business as a result of their tax savings from the Tax Cuts and Jobs Act.

There is American Bank in Corpus Christi. They projected that they could lend an additional \$120 million over the next 5 years in the Coastal Bend, which was absolutely critical, especially following the natural disaster known as Hurricane Harvey.

Then there is Happy State Bank, my favorite name for a bank—Happy State Bank—in Amarillo, which increased wages for more than 600 of its 700 employees. It upped their starting minimum wage and increased their dollar-for-dollar retirement plan match from 6 percent to 7 percent, all of which was good news.

Well, it didn't take long for that good news in these anecdotal cases, for example, to translate into a much improved economy across the board, which helps everybody.

We have seen rapid and consistent job growth with more than 4.3 million new jobs since tax reform became law—4.3 million new jobs.

In September, the national unemployment rate fell to a 50-year low, and Texas unemployment remains below the national average at only 3.4 percent.

The thing I hear the most from employers and job creators in Texas is that they can't find enough qualified workers to fill the good jobs that exist. We have one of the tightest labor markets in decades.

Wages are going up as a result of competition for workers. The poverty rate has hit its lowest level since the turn of the century. American families are seeing more of their hard-earned dollars in each paycheck.

Despite evidence to the contrary, we are still hearing from some of the same old critics who say that tax reform was a flop. The Atlantic, for example, published a story last week with the title "The GOP Tax Cuts Didn't Work." The author claims that tax reform didn't live up to the hype and that because our economy didn't grow as much as some of the estimates believed it would, consecutive, positive growth is absolutely worthless.

Well, that doesn't make any sense at all—not to mention the fact that economic growth has outpaced even the forecast of the Congressional Budget Office prior to tax reform.

This author also mentions that the Institute for Supply Management—or ISM—manufacturing index dipped in September. But the ISM manufacturing index is a survey of purchasing managers who may be swayed by sentiment as much as actual activity. We have seen this index at a similar level before, and the economy continued to grow.