

our trading framework with our neighbors would send that number even higher, generate more wealth here at home, and create an estimated 176,000 new American jobs.

It is no wonder that so many Kentuckians and so many people around the country want Washington to get it done. I hear from everybody, from family farming operations to midsize manufacturers, to Fortune 500 firms, such as UPS and Toyota, that employ thousands and thousands in my State. All of them want this fairer, better playing field in trade with Canada and Mexico.

In a little more than a week from now, it will have been a full year since President Trump signed the draft agreement along with the leaders of Canada and Mexico—1 full year—but for months now, this generational agreement has been sitting on ice over in the House of Representatives. Speaker PELOSI has refused to allow a vote.

In public, House Democrats insist and insist that they care about more things than simply impeaching the President. They insist that they want to work together and legislate, but actions speak louder than words, and apparently, thus far, House Democrats have preferred to block 176,000 new jobs for American workers rather than put impeachment aside and get along with the White House for 5 minutes. It appears there is no governing priority—no matter how bipartisan, no matter how beneficial to American families—that will not take a backseat to impeachment.

Month after month, every time she has been asked about this subject, the Speaker of the House has offered the same empty rhetoric. She is always close to allowing the vote. Her conference is always “almost there, almost there,” but we have been almost there for months and months with no outcome in sight. Lots of talk but zero results.

Back in February, the Speaker was asked about the USMCA. She said, “I’m optimistic.” That was last February.

We heard the same thing in May and in June. “We want to pass this bill.” We heard the same thing through the summer and in September and in October. “Every day we’re becoming closer,” she said. A few weeks ago the Speaker said: “I think we are close . . . the last mile,” and she called this “the easiest trade deal that we’ve ever done.” A few days ago, the Speaker insisted, yet again, a vote was “imminent.” That was a few days ago.

This has been the House Democrats’ wild goose chase. This is what our American families, American job creators, and our partners in Mexico and Canada have had to put up with. Every time the Trump administration meets the Speaker halfway, she tries to move the goal post another 10 yards. She literally has not even updated her own talking points since Valentine’s Day—textbook obstruction.

Just in case anybody did not yet understand that the real roadblock here is partisan politics, I understand the Speaker hosted Richard Trumka yesterday, head of the AFL–CIO, a power player in leftwing Big Labor. He came to the Capitol to quell the uprising of the Democrats’ own Members who can’t believe this thing still hasn’t passed. How ironic. We are talking about a trade deal that would create more American jobs, and Democrats are considering outsourcing their judgment to Big Labor special interests, who, to my recollection, have not supported a single major trade deal in living memory.

Let’s get this straight. It sounds like the head of the AFL–CIO—an organization that has never supported any trade agreement—is now the guy who gives the go-ahead on USMCA? We are talking about a trade deal, and Democrats are considering outsourcing their own jobs to the head of AFL–CIO—really? I wish I were making this up.

Reporters got ahold of the chairman of the House Ways and Means Committee yesterday, and he literally said the deal would move forward “if we can get Richard Trumka to agree.” So the head of the AFL–CIO—an organization that has never supported a trade agreement—is now the guy who has to green-light the USMCA, which would create 176,000 American jobs. No wonder they have a problem in the House. The chairman of the Ways and Means Committee literally said that this major trade agreement will move forward only if this major Democratic campaign contributor gives them permission.

Well, it appears that even some House Democrats are getting fed up with the absurdity. Here is what one of them said yesterday:

[Trumka] still says we’re at the five yard line. . . . So it feels like we’ve been at the five yard line for a while.

No kidding. This is the biggest opportunity the House Democrats have had in the entirety of their first year in power to do something significant and substantive for American families—to actually pass something new and real that can become law and strengthen our Nation. In other words, the USMCA is House Democrats’ final exam for their whole first year in power. And unless something turns around very quickly, after nearly a year of happy talk and empty promises, their leadership seems determined to flunk that exam. All impeachment, all the time—and even the most obvious win for American workers and small businesses gets blocked. That will be Democrats’ progress report if USMCA goes nowhere. Obviously, I hope that is not how this story ends.

Mexico has passed it. Canada is waiting on us. I believe a bipartisan majority of the Senate is ready to pass it. Our workers, our job creators, and our neighbors are just waiting on Speaker PELOSI. This is no time to kill a national victory out of political spite.

This is no time to outsource your judgment to special interests. The Speaker should allow a vote, and the House should send us the USMCA.

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 CALENDER

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 Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

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. 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 Democratic leader is recognized.

APPROPRIATIONS

Mr. SCHUMER. Mr. President, with government funding set to expire tomorrow, the House of Representatives passed a continuing resolution yesterday to fund the government through December 20. It is now up to the Senate to pass the continuing resolution without much fuss and send it to the President’s desk before the deadline.

As the Republican leader and I work to set the time for that vote, we must look ahead. The continuing resolution will give appropriators additional time to get a bipartisan appropriations process back on track before the end of the year. The Senate has been able to process several noncontroversial appropriations bills, bipartisan, but several more can’t move forward until the Democrats and the Republicans both all agree on the allocations. You can’t do it with one party. That leads to trouble. In recent days, we have made some progress, and I hope the talks between both sets of appropriators—House and Senate, Democratic and Republican—will continue in good faith and in earnest after we finish the continuing resolution.

At the same time, there are several very important issues the Democrats are trying to address in the continuing

resolution that the Senate Republicans refuse to address. Most notably, the Republicans objected to restoring expired funding for the minority-serving institutions, including historically Black colleges and universities, Tribal colleges and universities, Hispanic-serving institutions, Asian American and Native American Pacific Islander-serving institutions, and predominantly Black institutions.

These are ladders up. Such a high percentage of people of color—people in minority groups—use these colleges to create great lives for themselves. They work hard, and they study. There are no alternatives for them other than these institutions. To hold the money back, which is what the other side is doing, is so wrong. It is so unfair.

The Democrats will not stop fighting the fight to help these institutions, and we are committed to securing this funding in any way we can. These are American dream institutions. If you believe in the American dream, you shouldn't be holding this money back.

TURKEY AND SYRIA

Mr. President, on Syria, the Defense Intelligence Agency—it is like the CIA, but it is for the Defense Department; it is very well respected and very non-partisan and is great in many ways—released a new assessment yesterday that confirms, unfortunately, many of our worst fears. If people haven't seen this assessment, it is really important. I would urge people to look at it.

What did the assessment indicate?

President Trump's own Defense Department wrote that President Trump, by his precipitously withdrawing our troops from northern Syria, has given ISIS a lifeline.

In the chaos that has followed Erdogan's military offensive—an offensive, unfortunately, that President Trump green-lit, much to the consternation of people on both sides of the aisle—ISIS has had room to rebuild. Not only did the assessment suggest that the Islamic State is “postured to withstand” the recent death of its leader, Abu Bakr al-Baghdadi, but it concluded that the Islamic State “exploited the Turkish incursion and subsequent drawdown of U.S. troops to reconstitute capabilities and resources within Syria and”—my emphasis but their words—“strengthen its ability to plan attacks abroad.”

By President Trump's giving in to Erdogan, ISIS has been able to “strengthen its ability to plan attacks abroad.” Every American should hear that. Let me repeat. Because President Trump abruptly withdrew U.S. troops from northern Syria, ISIS has been able to strengthen its ability to plan attacks abroad. That is not an assessment from some outside group or agency; that is the assessment of the Defense Intelligence Agency, which is part of the Pentagon. The Trump administration needs to get a handle on this situation fast.

Despite this new damning assessment, we still have no idea what the

President plans to do to ensure the enduring defeat of ISIS. President Trump has welcomed President Erdogan to the White House, but he hasn't produced a plan to defeat ISIS. This is an administration run amuck. This is security. This is vital to America. There is no plan about ISIS, but there is the greeting of Erdogan—a dictator whose desire to go after ISIS isn't close to ours. He would much rather go after the Kurds—our main protector from ISIS other than the United States itself.

Meanwhile, there are now reports that Russian forces have taken control of the former U.S. military base in northern Syria. The pictures of Russia's entering that deserted base because American soldiers were told they had to leave by the President is not a picture Americans want to see. It is incredible. The President continues to demonstrate an uncanny ability to get steamrolled by autocrats like Erdogan and like Putin without getting a thing in return.

It has been nearly 2 months since the President announced the withdrawal of U.S. troops, and we still don't know what comes next. We all know that a small band of terrorists far away is more than capable of inflicting great damage on our shores, and the intelligence assessments have now confirmed that ISIS has been able to strengthen its ability to do just that.

President Trump, what is your plan to defeat ISIS and protect the United States?

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. President, on the NDAA, the Defense authorization bill, the annual defense bill, which passed this Chamber months ago, has been stalled in the process of reconciling the Senate's version with the House's version.

One of the snags, it now appears, is the Republican leader's unwillingness to include a strong package of sanctions directed at any foreign nation that should try to interfere in our elections. That is right. One of the reasons the national defense bill has not been sent to the President's desk is because Majority Leader McConnell and his Republican colleagues do not want to include a strong deterrent to interfering in American elections.

Earlier this month, all leading U.S. national security officials—Attorney General Barr, Secretary of Defense Esper, Acting Secretary of Homeland Security McAleenan, Acting Director of National Intelligence Maguire, FBI Director Wray, and U.S. Cyber Command Commander Nakasone—released a statement that read the following:

Our adversaries want to undermine our democratic institutions, influence public sentiment and affect government policies. Russia, China, Iran, and other foreign malicious actors all will seek to interfere in the voting process or influence voter perceptions.

Those are not my words. They are from the leaders of this administration, including the Secretaries of Defense and State and the head of the NSA.

We know that Putin interfered in the 2016 elections. We know he is trying to do it again. That is clear. We need to send an unmistakable message to President Putin and other foreign actors—China and Iran—that we will not tolerate any interference in our elections.

Unfortunately, Leader McConnell seems to have missed that memo. How he could ignore a statement by the leaders of the administration he supports is beyond me. The Republican leader has repeatedly downplayed the threat to our democracy from foreign actors like President Putin. He has repeatedly blocked commonsense, bipartisan legislation to protect our elections and is now blocking the inclusion of tough, mandatory sanctions on Russia or on any other foreign country that seeks to interfere in our elections.

I hope, for the sake of the Defense bill and for the sake of our elections, the Republican leader will relent and allow a package of tough sanctions to be included.

Unfortunately, election security is not the only issue holding up the Defense bill. The Republican leader is blocking many other important provisions.

The Democrats want to extend family leave benefits to all Federal employees. The majority leader and the Republicans are blocking that. This is a new world. Family leave is necessary to everyone. Here we have a chance to do it for Federal workers, and our Republican friends are saying no.

The Democrats want to clean up our communities and military installations that have been poisoned by PFAS and other contaminants, but the majority leader and our friends, the Republicans here in the Senate, are blocking that.

The Democrats want to send a signal to the Trump administration that it does not have a blank check to wage a war and that only Congress can approve major military operations. Majority Leader McConnell and the Republicans are blocking that as well.

There are hosts of important issues that are holding up the final passage of the national defense bill. These are just a few of them. I strongly urge my Republican friends and, especially, Republican Leader McConnell to work with us to address these provisions. The Democrats want to see that this bill gets done and that it gets done in a way that safeguards our elections, our troops, our communities, and advances America's interests around the globe.

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

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

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, there are various options available for graduates of high schools across the United States. Some of them choose to go to college or university, but even making that choice gives you a lot of options.

There are basically two categories of schools, though, that I want to address in this statement this morning. One category is called for-profit colleges and universities, and the other is the traditional not-for-profit colleges and universities, which would include your community colleges and public universities and many not-for-profit, private universities.

But I want to focus this morning on the for-profit colleges and universities in the United States. People sometimes can't make the distinction between which is which. Some of the big names in the for-profit industry include the University of Phoenix. That is one you probably heard of. DeVry University is another one you might have heard of.

There are some defining characteristics of these schools. They, of course, are in business to make money, and they have a different economic model than many of the other universities.

I have met the CEOs of for-profit colleges and universities and found that in some cases they have limited or no experience when it comes to education. They are investors. They are business people. The idea of education is a secondary part of why they were chosen.

There is an important statistic—in fact, two statistics—that I want to preface my remarks with, and these will be on the final, I might add, for those who are following this statement.

The numbers 9 and 33—9 and 33. Why are they important? Nine percent of postsecondary students go to for-profit colleges and universities—9 percent—but 33 percent of all the federal student loan defaults in the United States are students from for-profit colleges and universities—9 percent of the students, 33 percent of federal student loan defaults.

What is going on here?

Well, what is happening here, unfortunately, is that many of these students are signing up for the for-profit schools that they think are legitimate colleges and universities, and, frankly, they are dramatically overcharging them.

Every analysis we have gone through says that the tuition at these for-profit schools far exceeds what students are likely to pay, certainly, in a community college and in the case of many public colleges and universities. So they have a big tuition bill to start with, and they have poor results.

What kind of results? Students graduate believing that they are being trained or educated to do a certain profession, and then they find out that they can't do the job or they don't qualify for the job, or they get so deeply in debt on the way to graduating, they give up and quit—the worst of all possible outcomes.

So that is the preface on these for-profit colleges and universities. I have come to this floor many times over the years to talk about this industry because we treat it in the eyes of the public like higher education across the board, and yet it is much, much different. It is for profit as opposed to not for profit, and, frankly, the results of that education leave a lot to be desired.

It has been more than 5 years since the for-profit giant Corinthian College collapsed. Their economic model didn't work. For years, Corinthian had lied, inflating its job placement rates and engaging in high-pressure tactics to lure students into enrolling, often leaving them with massive student loan debt and a diploma that didn't work to find a job.

But Corinthian was not unique. As I have said many times, it turned out to be the canary in the coal mine. Since Corinthian College, we have seen the collapse of several other major predatory for-profit colleges and universities. They include ITT Tech, Westwood, Education Corporation of America, and Dream Center. Nearly every major for-profit college company has been the subject of extensive investigations and lawsuits for unfair and deceptive practices similar to Corinthian College.

Check with the attorney general of your home State about that for-profit college and university, and, almost without fail, you will find that they have been investigated for misleading and deceiving the students who go to school at their universities.

I have long said that we shouldn't leave the students holding the bag for the misdeeds of these institutions because, you see, we are complicit. The Federal Government is part of the problem.

How do these schools reach the point where you can take out a Federal student loan to attend? We accredit them. We recognize their accreditation. We tell the world and the families and the students that these are legitimate schools. Depending on that, these students who sign up for a better experience, are often misled, deceived, and overcharged. Ultimately, a third of them are in default on their student loans because they can't pay them back.

There is a provision in the Higher Education Act known as borrower defense. It gives the students the right to have their Federal student loans discharged by the Secretary of Education if they have been defrauded or subject to deception by these schools.

After Corinthian's collapse, this little known, rarely used provision in the law became a hot topic. All of a sudden, here were large numbers of students who had been defrauded and deceived by Corinthian College and went deeply into debt, and now the college goes out of business.

It turns out that most of the hours they took can't be transferred any-

where. It is worthless. They were defrauded, start to finish, and now they are left holding the student loan bag.

Thousands of Corinthian students and other borrowers, mostly from for-profit colleges, began applying for this borrower defense discharge from the U.S. Department of Education. It was in the law. It led the Obama administration to undertake a new rulemaking to update the borrower defense regulation, which dated back to 1994, and to create a standard process for dealing with the inundation and to attempt to prevent future collapses.

Soon after taking office, Secretary Betsy DeVos and the Trump administration delayed implementation of the Obama rule, despite the Department's own inspector general saying that implementing the rule would "avoid costs to students and taxpayers that result from school closures."

Secretary DeVos said: I am not going to be a party to that. Her delay was challenged in court. Her decision to delay this new rule was found illegal by a Federal judge, after which the current rule went into effect, and it remains in effect today. Secretary DeVos also announced she would begin a new rulemaking to replace the current rule.

In late August, Secretary DeVos released her borrower defense rule, the new rule which she wants to put in place. It actually guts the borrower and taxpayer protections in the current borrower defense rule and makes it nearly impossible for students holding this student loan debt who have been defrauded to get relief.

How does she make it so hard?

It is estimated that the rule will provide \$11 billion less in relief to defrauded borrowers—students—than the current rule. Among other things, the new Betsy DeVos rule increases the burden on these defrauded students to gather and submit almost impossible amounts of evidence to somehow prove their claim. Student borrowers will have to provide evidence that the school intentionally harmed them.

Now, how are they supposed to do that?

The DeVos rule—the new one—requires borrowers to apply individually rather than receiving automatic discharges when they are part of a group of student borrowers who have been harmed by similar practices by places like Corinthian. In other words, you are on your own. Get your own lawyer. Lawyer up. Get some evidence together. Come see us, and maybe we will be convinced.

Student borrowers who have been cheated are not exactly the wealthiest group in America. They are often facing incredible financial difficulties and deep emotional strain, with a mountain of debt and nothing to show for it because of these for-profit schools. Now Secretary DeVos wants them to be investigators and lawyers and get their own relief one by one.

The DeVos rule also eliminates the current prohibition on class action restrictions and mandatory arbitration clauses in enrollment.

What does that mean?

Under the current rule which Secretary DeVos wants to replace, you could gather the other students from Corinthian College and work on this together as a class action claim, share whatever expenses that might be involved in proving your claim, and you couldn't be forced into an arbitration where you are likely to lose. You could have your day in court under the rule that Secretary DeVos wants to replace.

Class action restrictions and mandatory arbitration were used by Corinthian and ITT Tech and others that required students to sign away their rights to sue the school as an individual or as part of a class as a condition of enrollment.

The DeVos rule prevents students from holding schools directly accountable for their wrongdoing and seeking financial redress through the courts. It gives students no other option than to seek relief from taxpayers through borrower defense, but, as I just mentioned, it makes that process almost impossible.

And if anyone doubts the devastating effect this rule will have on the defrauded students' ability to get relief, just look at what Secretary DeVos has done to date.

Since taking office Secretary DeVos has had the authority to discharge hundreds of millions of dollars in student loan debt held by hundreds of thousands of defrauded student borrowers. Instead, she has allowed a backlog of more than 200,000 borrower defense claims from virtually every State in the Nation—student borrower defense claims coming from all 50 States—to build at the Department. She is sitting on it. She is playing slow ball. She has not approved a single claim. Although more than 200,000 claims are pending, she has not approved a single claim in more than 1 year.

Here I want to show you what is behind this. In the few cases where Secretary DeVos has been legally required to provide discharges, she has done so with extreme displeasure.

Think about that. Using her authority to help defrauded borrowers get a fresh start brings her extreme displeasure.

How do I know that?

She wrote it. Here is one of them. Recommendation to discharge. She approves it, signs it, and puts down as a comment: "with extreme displeasure."

Discharging a student loan from a for-profit institution that defrauded borrowers, she is displeased to be forced to do such a thing.

She defied a Federal court order and was held in contempt for continuing to collect from these students who had been defrauded by Corinthian.

This is not a Secretary who rewrote the borrower defense rule to help stu-

dent borrowers. In September, I introduced a resolution in the Senate to overturn the DeVos borrower defense rule; 42 of my colleagues have cosponsored that resolution.

I plan to bring the resolution to a vote on the Senate floor where we will only need a simple majority to pass under the expedited procedures provided for in the Congressional Review Act. At that time, my colleagues will have a choice. Will you stand with Secretary DeVos or with the defrauded student borrowers in your State?

There is no doubt where the American people stand. In a 2016 New America poll, the question was asked whether Americans agreed that students should have their Federal student loan debt canceled if their college deceived them, exactly what the borrower defense rule is about.

Seventy-one percent of Republicans said yes, 87 percent of Democrats. On average, 78 percent of Americans understand it is fundamentally unfair to penalize these students, having been defrauded by a school that this U.S. Government said was doing business honestly and professionally. When you break the numbers down, it is clear. The overwhelming majority of people in this country stand by the students, but not by Secretary DeVos.

I will stand with the defrauded students and the American people over Secretary DeVos, and my colleagues in the Senate will get a chance to vote. I hope they will, too.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from South Dakota.

JUDICIAL CONFIRMATIONS

Mr. THUNE. Mr. President, yesterday, we confirmed Robert Luck, a Florida supreme court justice, to be a U.S. Circuit judge for the 11th Circuit Court of Appeals. With Justice Luck's confirmation, the Senate has now confirmed 47 appellate court judges during this administration and 163 Article III judges overall.

That is more appellate court judges than had been confirmed at this point in any of the previous five Presidential administrations, and it is a particularly outstanding number when you consider that the Democrats have made confirming these judges as difficult as they possibly can. From day one of this administration, Democrats were determined to obstruct anything this President did, his nominations in particular.

Again and again and again, they have attempted to block nominees for no other reason than the fact that they were nominated by this President. Democrats have subjected roughly 75 percent of the administration's judicial nominees to the time-consuming cloture process. Compare that to the treatment of President Obama's nominees. At this point in President Obama's administration, roughly 3 percent of his judicial nominees had been subjected to cloture votes—just 3 per-

cent, 3 percent versus 75 percent for President Trump.

The difference in these numbers is not because this President has nominated scores of extreme nominees who Democrats felt they could not support. In fact, Democrats have repeatedly turned around and voted for the very same judges they have obstructed. In one particularly egregious example, in January of 2018, Democrats forced the Senate to spend more than a week confirming four district court judges, even though not one single Democrat voted against their confirmation. These judges could have been confirmed in a matter of minutes by voice vote, but Democrats forced the Senate to spend more than a week on their consideration, time that could have been spent on genuinely controversial nominees or on some of the important issues facing our country.

Despite Democrats' obstruction, we have continued to move forward, and as I said, yesterday, we confirmed our 163rd judge to the Federal bench. Today, we will confirm our 164th. We are putting judges on the bench with a real respect for the law and for the Constitution and a commitment to applying the law as written.

Now, those sound like basic requirements for a judge, but too often, it seems like my Democrat colleagues are interested not in judges who will uphold the law, but in judges who will act like superlegislators, rewriting the law and the Constitution when they do not fit with the Democrats' political opinions, and that is a very dangerous thing.

When judges rule based not on what the law actually says, but what they think the law should be, they undermine a fundamental principle of our system of government. Our system is based on belief in the rule of law. In the American system, the law is supposed to be the final, impartial arbiter. Cases are to be decided based on what the law says, not on what a particular judge feels.

Sure, it might seem nice when an activist judge goes outside the meaning of a law and rules for your preferred outcome. But what happens when that same judge reaches beyond the law to your detriment? What protection do you have if the law is no longer the highest authority? Equal treatment under the law, equal justice under the law, these principles can only be maintained as long as judges actually rule based on the law and not on their personal feelings or personal opinions.

My Democrat colleagues have shown a disturbing tendency to believe that their opinions are the only ones that should prevail. They disapproved of the outcome of the last election, and so for 3 years, they have done everything they can to undermine a duly-elected President. They are upset by the fact that the President got to replace a perceived swing vote on the Supreme Court, and the solution floated by more than one member of their party was to pack the Supreme Court.

For anyone who needs a refresher on an idea that most thought had been consigned to the dustbin of history decades ago, the theory of court-packing is as follows: If the Supreme Court is not deciding cases to your liking, add more Justices to the Court until you start getting the decisions that you want.

Listen to Democrats question judicial nominees, and it soon becomes apparent that their biggest concern is not finding judges who will uphold the law and the Constitution, but judges who will uphold Democrats' political opinions and preferred policy outcomes. It is a disturbing trend. It is natural to want your party to prevail and to believe that your ideas are the best ones for the country. It is another thing entirely to start acting like your opinions are the only ones that should ever prevail, regardless of election outcomes or the wishes of the American people.

I am proud that we are putting judges on the bench who will rule according to the law and to the Constitution, not their personal opinions, their political beliefs, or the political party of the individuals before their court. I am proud that we are putting judges on the bench who will help ensure that the rule of law is maintained and that everyone in their courtroom receives the equal protection of the law.

I look forward to confirming more excellent judges in the near future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

UNITED STATES-MEXICO-CANADA AGREEMENT

Mr. DAINES. Mr. President, Montanans are growing restless, as Speaker PELOSI and the House Democrats continue to slow-walk a very important trade agreement for Montana and for our country. That is the United States-Mexico-Canada Agreement.

In fact, just last week, I was in Billings to celebrate the Montana Farm Bureau Federation's 100 year anniversary—and, again, another big congratulations to the Montana Farm Bureau. As I was talking with folks at the farm bureau event, there were a lot of cowboy boots and hats. These are the farmers and ranchers of Montana, the salt of the earth folks. They are all asking the same question: Why is it taking so long? What is going on?

Frankly, there is one answer: Speaker NANCY PELOSI and House Democrats are playing political games and holding up this trade deal. They are holding this trade deal hostage. It has been a year since the USMCA was signed by President Trump and leaders of Canada and Mexico—a year. NANCY PELOSI has had this signed trade agreement in her hands for about a year, and rather than deliver this win for our farmers and ranchers in Montana and across the United States, she is focused on one thing: impeachment—because, at the end of the day, this is about our farmers and ranchers. It is time we get the job done because, in Montana, agri-

culture is the No. 1 driver of our economy, and it is a large part of our Montana way of life.

This trade agreement is expected to create over 180,000 new American jobs and to boost our GDP by over \$70 billion. Canada and Mexico both are in high demand for our products like wheat, barley, beef. In fact, in 2018 alone, Montana had \$731 million in total exports to Canada and to Mexico. For our producers and our ag-related industries in Montana, passing this trade agreement would help provide certainty and alleviate the challenges and obstacles they have faced over a very tough season.

Mexico is ready. Canada is ready. The United States is ready. I can tell you, Montana is ready. Unfortunately, NANCY PELOSI is not. While the Democrats continue to obsess over impeaching our President, they continue to ignore the voices of our rural communities. This unnecessary reality TV show is nothing but a waste of time to stall the important work like the USMCA. Montanans are sick and tired of the politics and the partisan games being played here in Washington, DC, and frankly, I am, too.

I am grateful for the leadership of my good friend and colleague, GREG GIANFORTE, who is standing up to House Democrats and fighting boldly for the USMCA. Realize, Montana has but one Member in the U.S. House of Representatives, and he is fighting a good fight over there.

We are both fighting to ensure that the votes of Montana farmers and ranchers are heard loud and clear in both Chambers of Congress. The longer the House Democrats stall on this deal, the further we stall opportunity and economic growth in Montana and across our Nation.

To Speaker PELOSI, to my colleagues in the House, enough is enough. Let's deliver the USMCA for the American people and for Montana farmers and ranchers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, first of all, let me say that I totally agree with my friend from Montana on the importance of, after a year of deliberation—or maybe “deliberation” is too strong a word—more than a year since all three countries agreed on an agreement, that we still have not gotten a chance to vote on this agreement on the Senate floor; we have to wait for the House to do that. I want to do everything that I can to encourage the House to move forward with this. I think better trade policy can turn a good economy into a great economy, and we need to be working on that great economy.

NATIONAL ADOPTION MONTH

Mr. President, I am here today to talk about another topic. I want to talk for a few minutes about the importance of November as National Adoption Month and to recognize the celebration of National Adoption Day,

which will take place on Saturday, November 23. I am pleased to work with my colleague and Senate cochair of the Congressional Coalition For Adoption, Senator KLOBUCHAR, again, to introduce this resolution supporting National Adoption Month and National Adoption Day. This is the 5th year Senator KLOBUCHAR and I have worked together on this legislation and the 5th year where I hope our colleagues will unanimously support it and do that this week.

The Congressional Coalition on Adoption is the largest bipartisan, bicameral caucus in all of Congress, and there is a good reason for that. In the Senate Subcommittee, where agreement is really too often hard to find, the idea that every child deserves to grow up in a safe, stable home with a loving family is something that not only everybody should be able to agree with, but in the Congress, we have been able to agree with that in a broad-based sort of way.

Right now, there are more than 437,000 children in the foster care system in our country. More than 125,000 of those are children who are ready and waiting for families who want to get this adoption completed; yet the average length of time it takes a child from foster care to adoption, once the adoption decision has been made by the adopting family, is 19 months. I was in a meeting just last week with the administrator of this program in the administration who is doing everything I believe they can for the first time in a while to do what they can to reduce this wait.

I would also like to see the State Department, frankly, become for vigorous in encouraging foreign adoptions for those kids all over the world who are in need of families.

I don't disagree with the idea that if someone in Ethiopia wants to adopt an Ethiopian child or someone in Guatemala wants to adopt a Guatemalan child or someone in Russia wants to adopt a Russian child, that is all fine. But if they don't have adoptive families in the country they were born in, let's open the door in a more effective way for American families who want to be part of that.

There is some good news. For the fourth year in a row, the number of children who were adopted increased. Four years in a row, more kids were adopted than in the previous year. For the second year in a row, the number of children who entered foster families decreased. I don't want to say that in a way that takes anything away from people who are willing to be foster families, to give that security, that emotional embrace to kids who don't have that at home. Foster families serve a great purpose, but even foster families often become adoptive families, and they do this because they know that is a situation that becomes permanent. Knowing that you have a family forever makes a difference.

In my home State of Missouri, there are almost 13,000 kids in the foster system right now. I want to share a few of their stories.

Gabe, who is a 10th grader in Missouri, is a big fan of reading and big fan of watching movies. He hopes to join the military when he is older.

Natalie is 14. Natalie loves to read. She loves to draw. She loves to write. She loves to be outside. If she had a superpower, she says she would choose invisibility. This second grader really would like a permanent home. She wants to be a veterinarian someday. She is doing well in school. The thing she really needs is a home she can always go back to.

Ragan and Haylee are sisters who hope to have pets in their home. They don't have pets in their home right now. Ragan is a sixth grader who likes to laugh and draw and learn. Haylee is a fifth grader who likes to play soccer and spend time with her soccer teammates. Even sisters have different ways they look at the world. They would all like a family.

Last week, I had the privilege to meet with three families from Missouri who were here to be celebrated at the Angels in Adoption activity that occurred last week. This is something we do annually to recognize families who have gone above and beyond what you could expect in the adoption community. This was the first year there were Angels in Adoption being recognized from all 50 States and from Washington, DC. Of the three Missouri families I had a chance to spend some time with, one included Justin and Kristin Akin from Chesterfield. I actually first met Kristin when she came to my office to be an advocate for Be The Match. Be The Match is a Federally authorized and funded registry program that matches unrelated bone marrow donors with patients suffering from leukemia and from 70 other fatal blood cancers.

Kristin was here advocating for that because she and Justin had lost two sons, Andrew and Matthew, who were diagnosed with a rare disease and were unable to find matched donors. Kristin and Justin, after losing those two sons, adopted William and Christopher.

Kristin continues to be a volunteer to help other families trying to find that match. We are doing better with that program. In fact, we increased that program in our proposed budget for this year by \$5.4 million, as we increased the National Cord Blood Inventory Program also.

As important as that constant effort to do what they can so that other families didn't have happen to them what happened when they lost their two children was their decision to bring two more sons into their house and to do that by adopting.

I also had a chance to meet Zach and Joanna Holden. The Holdens began fostering in May of 2010. They were already parents of three young girls of their own, but they became foster par-

ents to make an impact on the lives of children, knowing it wouldn't be easy for their family but it would be an important thing to do for the kids they brought into their family. Through their 9 years as foster parents, the Holdens have had 30 different foster kids in their house and adopted 2 of those 30 kids through the foster care relationships they had.

In early 2012, they began a small ministry out of their garage called The Caring Closet, which later merged with Fostering Hope, another local foster care ministry. Joanna and that ministry—and the partnership now with Fostering Hope—gathered and sorted donations, put together packs of clothes, distributed them to local foster families wherever there was a need. Fostering Hope now supports children in foster care. They help foster families as they help foster kids, and they help foster care agencies across several communities in Southwest Missouri.

Jody and Mary Ann Allen-Parker also shared their incredible story with me. Nearly two decades ago, Mary Ann witnessed a tragic circumstance involving the friends of one of her sons. He explained a challenging situation he and his family were in, and he asked Mary Ann if he could move in with them. She took this child and, shortly after that, his two siblings under her care along with her own two children.

After going to court, Mary Ann was able to establish custody over those three kids as well. The oldest of them has joined the Marines and the other two are still at home with Mary Ann. She has given them the structure and focus they didn't have in their original home but they have through her, and they also have reconnected with their parents on a much different level than they ever had before.

There are lots of stories to be shared. There are lots of families who are waiting to adopt. There are lots of families who haven't thought about it yet who would be willing to adopt.

According to one survey, nearly one-quarter of the people in the United States who haven't adopted have considered being an adoptive parent. There are many concerns about adoption that aren't there once you get in, open that door, and look at what can happen when you create a forever family for somebody who needs one.

The same survey showed that over one-third of the participants believe that foster care adoption is expensive, and a majority of those considering foster care adoption indicated that receiving financial and emotional support would make a difference in deciding whether to adopt.

I will be sponsoring again this year the refundable tax credit for adoptive parents. About 50 percent of all the parents who adopt don't make enough money to pay income tax, which says a lot about them. It also says a lot about the fact that the system we have now—in which you get a tax credit, but you get a tax credit only if you pay taxes—

serves to encourage only about 50 percent of the families who are willing to stretch in unique ways and adopt kids.

Senator KLOBUCHAR and I have introduced the Supporting Adoptive Families Act to ensure adoptive families have access to pre- and post-adoption services, including mental and physical and behavioral health screenings and assistance. In February, we also introduced the Intercountry Adoption Advisory Committee Act to improve the intercountry adoption process.

Since National Adoption Day started in 2000, tens of thousands of children have been adopted. If only a few of them are adopted because this month and this day draw attention to that, that is certainly worth the effort we will make on the Senate floor this week to recognize this important month and to recognize next Saturday as National Adoption Day.

With that, I yield the floor.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Lagoa nomination?

Ms. HASSAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that 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 result was announced—yeas 80, nays 15, as follows:

[Rollcall Vote No. 360 Ex.]

YEAS—80

Alexander	Fischer	Perdue
Baldwin	Gardner	Peters
Barrasso	Graham	Portman
Blackburn	Grassley	Reed
Blumenthal	Hassan	Risch
Blunt	Hawley	Roberts
Boozman	Heinrich	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cardin	Isakson	Scott (FL)
Carper	Johnson	Scott (SC)
Casey	Jones	Shaheen
Cassidy	Kaine	Shelby
Collins	Kennedy	Sinema
Coons	King	Smith
Cornyn	Lankford	Sullivan
Cotton	Leahy	Tester
Cramer	Lee	Thune
Crapo	Manchin	Tillis
Cruz	McConnell	Toomey
Daines	McSally	Udall
Duckworth	Menendez	Warner
Durbin	Moran	Whitehouse
Enzi	Murkowski	Wicker
Ernst	Murphy	Young
Feinstein	Paul	

NAYS—15

Bennet	Hirono	Schatz
Brown	Markey	Schumer
Cantwell	Merkley	Stabenow
Cortez Masto	Murray	Van Hollen
Gillibrand	Rosen	Wyden

NOT VOTING—5

Booker	Klobuchar	Warren
Harris	Sanders	

The nomination was confirmed.

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 Adrian Zuckerman, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

Mitch McConnell, John Boozman, Cindy Hyde-Smith, Pat Roberts, James M. Inhofe, Chuck Grassley, Richard C. Shelby, Roger F. Wicker, John Cornyn, Cory Gardner, James Lankford, Mike Braun, John Hoeven, Roy Blunt, John Barrasso, James E. Risch, John Thune.

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 Adrian Zuckerman, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania, 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. DURBIN. I announce that 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. DAINES). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 65, nays 30, as follows:

[Rollcall Vote No. 361 Ex.]

YEAS—65

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

NAYS—30

Baldwin	Blumenthal	Cantwell
Bennet	Brown	Cardin

Casey	Kaine	Schumer
Cortez Masto	Leahy	Smith
Duckworth	Markey	Stabenow
Durbin	Merkley	Tester
Feinstein	Murray	Udall
Gillibrand	Peters	Van Hollen
Heinrich	Reed	Whitehouse
Hirono	Schatz	Wyden

NOT VOTING—5

Booker	Klobuchar	Warren
Harris	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 30.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Adrian Zuckerman, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

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

The PRESIDING OFFICER. The Senator from Oregon.

HEALTH INSURANCE PLANS

Mr. WYDEN. Mr. President, as the ranking Democrat on the Senate Finance Committee, I can tell the Senate this morning that there is no higher priority for Senate Finance Democrats than the well-being of healthcare patients in this country and how strongly we feel about their having a right to good quality, affordable healthcare coverage.

Right now, too many of those folks are getting ripped off by an insurance lobbyist's dream—taxpayer-funded junk insurance—or by Big Pharma, which is always, always looking to engage in price gouging for one reason: They can get away with it. Take insulin. Insulin prices are up thirteenfold in recent years. The drug is not 13 times better. It is the same insulin that has been around for decades. But the reason the pharmaceutical companies do it is because they can get away with it.

This morning, I am going to take a few minutes and talk about what this really means for patients because I can tell you, this fall, there are a lot of families across this country who would rather be prepping for holidays than worrying about their healthcare. Unfortunately, the Trump administration is refusing to provide that kind of security for our patients.

To begin, let me tell you about a youngster in Oregon named Jasper. Jasper is 3, full of energy and love, and a big fan of playtime with cars and trucks and trains. He was born, however, with huge medical challenges—cystic fibrosis, cardiac and pancreatic problems, hearing loss. He needs a variety of treatments multiple times a day. It is so hard on Jasper's family. It is so

hard on Jasper. And, of course, the costs of Jasper's care are in the stratosphere. The family is fortunate to have health insurance through a parent's employer. They know how absolutely vital it is to have what they consider to be a lifeline—the protection of the Affordable Care Act.

At the heart of the Affordable Care Act are bedrock, ironclad protections for people like them—no discrimination by insurance companies against preexisting conditions. That was something we used to have some support for from the other side of the aisle. I know about that because I wrote a bipartisan bill that had airtight, loophole-free protection against what essentially was discrimination against those with preexisting conditions, and we got it into the Affordable Care Act.

Yet now we see the other side of the aisle trying to unravel those protections. They are trying to unravel the protection that we see for patients with respect to big expenses. Our approach has no annual or lifetime limits on coverage, no coverage denials that dragged people into bureaucratic nightmares, has young people covered on their parents' plan until age 26, and lots more. Those protections saved people's lives and made healthcare affordable for millions of Americans.

Unfortunately, with the support of my colleagues here on the other side in the Senate, the Trump administration wants to eliminate those protections that are so important to Jasper and families like his. My colleagues on the other side are standing by and basically doing nothing while the administration and Republican-led States are out there maneuvering in the courts to get the entire Affordable Care Act wiped out.

The so-called Texas case, which is an absurd lawsuit based on an absurd argument—an argument that wouldn't pass the smell test in a middle class school mock trial—somehow rightwing, ideological judges have kept it alive. Because this lawsuit keeps hanging around, tens of millions of Americans might lose their healthcare with hardly any warning and no fallback options to protect them.

Now Republicans have claimed they have fix-it bills they could pass in the event their allies took down the Affordable Care Act. They do read like they were written by the lawyers and the lobbyists on the payroll of the big insurance companies. If insurance companies can hike up the cost of treating a preexisting condition so high that it becomes unaffordable, it is no different from being denied coverage at the outset.

While the Texas case moves forward, the Trump administration is continuing to allow junk insurance scam artists to defraud Americans into buying worthless plans that aren't worth really the paper they are written on and certainly don't cover the healthcare Americans need.

I want to be very specific about it. This is an insurance lobbyist's dream.