awareness, and disseminate suicide prevention best practices. They are, literally, on the frontlines.

But, as you can imagine, this isn't an easy job. This is a hard job, and there are reports that many of these prevention coordinators throughout the VA system are overworked and unable to keep up with their many responsibilities. What we are focused on here is that we want to make sure that the people who are helping our veterans are also taken care of and adequately resourced so that they can do the best job in terms of helping our veterans.

The VA must have a skilled and resourced workforce available, trained to recognize the warning signs of a veteran in crisis, and then be able to work with that veteran, hopefully successfully, to connect them with lifesaving resources before it is too late.

That is what the Support for Suicide Prevention Coordinators Act requires. That is what Senator TESTER and I worked on together to bring this out of the Veterans' Affairs Committee, and, hopefully, if we get that right, then, it has a positive impact on lessening this high rate of suicide among our veterans.

Senator TESTER mentioned what is in this, but it is not just additional resources. It is also a comprehensive study by the GAO to make sure that our coordinators are resourced and have a strategy to make sure they can do their jobs most effectively to impact our veterans.

It is an overall look at the VA system of preventing veteran suicide with a focus on these frontline coordinators who do really, really important work. They are not always recognized.

For those who are doing that work, I commend you, the Senate commends you, and I think we are going to have an overwhelming vote here in a couple minutes that will make sure of your ability to do this really, really important job for our veterans and for our Nation and that you are going to be able to do it better.

I applaud the leadership on both sides of the aisle for bringing this bill to the floor, and I encourage my colleagues to vote in favor of this legislation. Let's get it on the President's desk for his signature soon, and we can take another step—another step—to make sure that we are taking care of our veterans and are trying to address this horribly tragic situation where far too many veterans in America are taking their own lives.

## LEGISLATIVE SESSION

### SUPPORT FOR SUICIDE PREVENTION COORDINATORS ACT

The PRESIDING OFFICER (Mr. LANKFORD). Under the previous order, the Senate will proceed to legislative session to consider H.R. 2333, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2333) to direct the Comptroller General of the United States to conduct an assessment of the responsibilities, workload, and vacancy rates of Department of Veterans Affairs suicide prevention coordinators, and for other purposes.

Thereupon, the Senate proceeded to consider the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. SULLIVAN. Mr. President, 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.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

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

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 390 Leg.]

YEAS—95

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

NOT VOTING—5

| | | |
|---|---|---|
| Bennet | Paul | Warren |
| Booker | Sanders | |

The bill (H.R. 2333) was passed.

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the VanDyke nomination.

The Senator from Texas.

UNANIMOUS CONSENT REQUEST—S. 1416

Mr. CORNYN. Mr. President, as all America knows, climbing healthcare costs continue to keep the American people up at night. A Kaiser Foundation poll in September found that the No. 1 health concern of the American people is prescription drug pricing. A whopping 70 percent of those polled think lowering prescription drug costs should be a top priority—a top priority—for Congress, making it the No. 1 item on our to-do list, but our friend and colleague from New York, the minority leader, objected last time I offered unanimous consent to take up and pass a bill, which I will describe here momentarily.

I hope, given the intervening time and further reflection, he will not do so today, and we can get this bill passed and address this top priority of the American people.

The good news is, Republicans and Democrats both agree we need to do something about it. I have the honor of serving on both the Finance and Judiciary Committees, where we have been looking into this problem and some of the potential solutions.

There are pharmaceutical CEOs who earn big bonuses as sales go up. I am not opposed to them receiving compensation, but pharmacy benefit managers who negotiate backdoor rebates that drive up out-of-pocket costs are a problem because of the lack of transparency.

What I find very seriously concerning as well is anti-competitive behavior when it comes to patents by drug manufacturers. There are two practices, in particular, that the legislation I intend to offer a unanimous consent request on would address.

One is called product hopping, which occurs when a company develops a reformulation of a product that is about to lose exclusivity. Let me just stop a moment and say that one of the ways we protect the investment and the intellectual property of American innovators is to give them exclusivity over the right to sell and license that intellectual property, including drugs. That encourages people to make those investments. In turn, it benefits the American people and the world, literally, by creating new lifesaving drugs, and that is a good thing. There is a period of exclusivity, and after that expires—after that goes away—then it opens that particular formulation up to generic competition; meaning, the price will almost certainly be much lower and more affordable to the American people.

This issue of product hopping is gamesmanship, as I will explain. First of all, before the drug loses exclusivity, the manufacturer pulls the drug off the market. This is done not because the new formula is more effective, but it will block generic competitors.

The second issue is patent thicketing, which occurs when an innovator uses multiple, overlapping patents or patents with identical claims that make it nearly impossible for competitors to enter the market. This is nothing more and nothing less than

abuse of our patent system, and it is coming at a high cost for patients who rely on affordable drugs.

Earlier this year, I introduced a bill with our friend and colleague from Connecticut, Senator BLUMENTHAL, who happens to be a Democrat, to address these anti-competitive behaviors. Our bill is called the Affordable Prescriptions for Patients Act, and it streamlines the litigation process by limiting the number of patents these companies can use in court. So companies are spending less time in the courtroom and, hopefully, more time innovating these new lifesaving drugs, while opening up these drugs once they lose their exclusivity to generic competition and more and more affordable prices for consumers.

This legislation does not stifle innovation; it doesn't limit patients' rights; and it doesn't cost taxpayers a dime. In fact, the Congressional Budget Office estimates it would lower—lower—Federal spending by more than a half a billion dollars over 10 years. This is just savings to the Federal Government for Medicare and Medicaid. Undoubtedly, it would show significant savings for consumers with private health insurance as well.

I am sure it comes as no surprise, then, that this legislation passed unanimously out of the Judiciary Committee; not a single Senator opposed it. That happened in June. This is December, and there has been no movement since then.

We have tried to be patient because we know there are other bills coming from the Health, Education, Labor, and Pensions Committee. There is a bill coming out of the Finance Committee on which the Presiding Officer and I sit. My hope is that we would have been able to make progress on a larger package, but here we are at the end of the year, and there has been no movement. We have been more than patient, but I think there comes a time when patience ceases to be a virtue, particularly when it comes to providing something that would benefit the American people.

There are no concerns about the policies laid out in the bill, as you can see by some of the comments reflected in this chart. Again, our colleague, the Democrat from Connecticut, Senator BLUMENTHAL, said: ''This bill offers a positive, solid step toward ending abuses in the use of patents.''

Senator DURBIN, who is the Democratic whip, a member of leadership, said:

> It is a bipartisan measure that passed the Senate Judiciary Committee. I not only voted for it, I cosponsored it, and I believe it should pass and should become the law of the land.

So imagine my surprise when the Democratic leader objected to a unanimous consent request to pass it a couple of weeks ago. He even went so far as to call this ''a manipulative charade'' and ''a little game,'' which is strange because he also called it a good bill. His biggest criticism was it didn't do enough, but as I pointed out then, if you sit around waiting for the big bill to get passed, nothing happens in the meantime, and it is a loss to the American people.

I think it is past time for us to take up this legislation, get it passed, get it signed by the President. Our friends in the House of Representatives have already passed two bills, which, put together, essentially reflect the same policy.

I can't think of any other reason for the Democratic leader to object than pure politics. He doesn't want anybody to get a ''win.'' That also goes for the Senator from Iowa, when she had offered a bill to reauthorize the Violence Against Women Act. She happens to be on the ballot in 2020 as well. The only rationale I can possibly think of that the Democratic leader would continue to object to these bipartisan consensus bills is just that he doesn't want somebody to be able to score a point on this side because he feels like that will disadvantage his candidates in the next election and advantage us.

There comes a time when we need to put those election considerations to the side and focus on making good policy. I happen to believe good policy is good politics.

The truth is, the Democratic leader, in objecting to the passage of this legislation, does have one very big and powerful cheerleader behind him; that is, the drug companies. The drug companies love it when bipartisan legislation gets blocked on the Senate floor for whatever reason. The truth is, they hate this bill, and they don't want to see anything done on this issue. Inadvertently or not, the Democratic leader seems to be providing them a lot of cover right now.

My constituents didn't send me to Washington to play these endless games. They sent me here to get results, and that is exactly what I aim to do.

Mr. President, I ask unanimous consent that as in legislative session, the Senate proceed to the immediate consideration of Calendar No. 132, S. 1416. I ask unanimous consent that the committee-reported substitute be withdrawn; that the Cornyn amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, my good friend, the Senator from Texas, is just engaged in a gimmick to cover up all that he hasn't done on making drug costs lower. Now, 99 percent of what the public wants is not being allowed on the floor by his leadership when he was the whip, by this leadership, and now he wants to get well with a bill that is very small.

Open up the floor to debate. We will debate all the big things that will really reduce prices, which people want, and we will debate his bill. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CORNYN. Mr. President, I point out to my friend from New York, I am not the leader or the floor manager of legislation. That is up to Senator MCCONNELL, the Senator from Kentucky. Obviously, there has been foot-dragging on important things like appropriations bills, the USMCA—the important trade agreement with Canada and Mexico—and now there is impeachment mania that has consumed the House of Representatives and has crowded out our ability to get other things done; hence, my loss of patience after waiting since June to get this bill passed.

This isn't a case of my wanting to get well; this is a case of wanting to make the American people well by providing them access to low-cost generic alternative drugs and preventing Big Pharma from engaging in the sorts of gamesmanship that keep drug prices up and keep the American consumer down.

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

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

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

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

HEALTHCARE

Mr. CASEY. Mr. President, I rise this morning, or I guess this afternoon, to talk about a couple of issues. I will start with healthcare and talk about the Supplemental Nutrition Assistance Program, as well as another piece of legislation we are considering in the next couple of days.

Let me start with healthcare. There is a lot to talk about here. We don't have time for all of it today, but a number of things are happening on the healthcare front that I think most Americans are aware of but maybe have not heard a lot about recently.

I would argue there are three basic threats to healthcare right now—not just healthcare for some but, in large measure, healthcare for all. One is a lawsuit, which is being litigated in the Fifth Circuit Court of Appeals. It is a lawsuit that would wipe out the Affordable Care Act, and that lawsuit has already prevailed at the district court level. It is now before the appellate court, and if that lawsuit were to prevail, the Affordable Care Act—or I

should say it by its full name—the Patient Protection and Affordable Care Act would be declared unconstitutional. That would have ramifications not only for those 20 million who got covered—coverage they didn't have before—but also the tens of millions who have protections they never had before the act was passed in 2010.

If you have a preexisting condition, for example—roughly, one out of two Americans has a preexisting condition—if you have one, you should be very concerned about the result of that lawsuit, the determination of which could be made in a matter of days or weeks. That is a big threat. That is the biggest threat to healthcare for virtually every American or at least every American family.

The second big threat to healthcare is what the administration has undertaken since day one of the Trump administration, and that is the sabotage of the existing system in this regard, especially with respect to the insurance exchanges. What the administration has done is try to take administrative action, action by agencies under the President's jurisdiction, to undermine the exchanges.

How do they do that? Well, they cut the advertising. So when they advertise to say that you can shop for a health insurance plan on the exchanges, they cut the advertising budget by 90 percent. They left 10 percent there. I guess we are supposed to be happy with that.

So they cut advertising by 90 percent. Then they started attacking the contracts for navigators. These are individuals all across the country who sit with people and say: Let me help you go through the options you might have for purchasing insurance or changing your insurance plan.

For example, right now, we are in an open enrollment period, so folks can change their health insurance plans until Sunday—basically, December 15. It would be nice to have a navigator—an assistant, in a sense—sitting next to you if you are making those decisions about your healthcare.

So threat No. 1 to healthcare is the lawsuit; threat No. 2 is the sabotage; and threat No. 3 has not quite played out yet, but I don't know a Member of the House or the Senate in the Republican caucus in either Chamber who is not against the threat—the cuts to Medicare and Medicaid proposed by the administration.

I thought it was bad when the administration—or I should say, House Republicans—back in the spring of 2018 proposed a cut of $1 trillion to the Medicaid Program over 10 years. That was bad enough. That was dangerous enough. But the administration went further than that. The administration's proposal and, I have to say, unless it is contradicted, the official position of Republican Members of Congress is a 10-year cut to Medicaid of $1½ trillion—$1½ trillion. That means the official Republican position in Congress—unless they say they disagree with the President, and I haven't heard any Member say that yet—is that the Medicaid Program should be cut by $150 billion each and every year for 10 years. That is the proposed cut. That is Medicaid.

By the way, Medicaid is the kids' disabilities and nursing home program, for shorthand. Most of the people helped by Medicaid are folks in nursing homes, low-income children, children from low-income families, and children with disabilities who have a substantial stake in this.

When you consider those three threats—the lawsuit, the sabotage, and the budget cuts—all are bad news, but then when you start getting into the details of each, you realize one aspect of this, which I wanted to raise today, and that is the adverse impact on children.

We are told by the Georgetown University Health Policy Institute Center for Children and Families—I am holding up a November 2019 summary of a report, a back and a front. I will not read all of it and I will not enter it into the RECORD because there is a lot of detail here that we probably can't enter into the RECORD. I do want to read into the RECORD a couple of highlights from it, though. These folks have been doing research on children's health insurance for many years and have spent their lives working on this. The headline reads ''The Number of Uninsured Children is on the Rise.''

The United States of America, which finally, decades after passing the Medicaid Program, which was a great advancement in children's health insurance, then added to that with the enactment in the 1990s of the Children's Health Insurance Program—it had the letter ''S'' before it, the SCHIP program—which really was adopting programs that have been adopted in my home State of Pennsylvania and a few others.

That same country which made a great advancement for children's health with Medicaid—tens of millions of kids—then made a greater advancement with the Children's Health Insurance Program and then made even more substantial gains when we passed the Patient Protection and Affordable Care Act and substantially drove down the number of uninsured Americans. Basically what happened was that about 20 million people got healthcare coverage in about 6 years—not even a decade. A number of those Americans were children.

As we were substantially driving down the uninsured rate, what has happened in the last 2 years? The uninsured rate is going up. The Census Bureau told us in September that the uninsured rate is going up by 2 million people—to be exact, 1.9 million people. A big share of the 1.9 million people who are now uninsured—that number is going up instead of down, as it had been for most of the decade—a lot of those are children.

Here is a summary of finding No. 1 in this report by the Georgetown University Health Policy Institute Center for Children and Families, November 2019. It is by Joan Alker and Lauren Roygardner. ''The number of uninsured children in the United States increased by more than 400,000 between 2016 and 2018, bringing the total to over 4 million uninsured children in the nation.''

That same Nation which made great advancements by lowering the number of uninsured children is now going in the wrong direction.

Finding No. 2: ''These coverage losses are widespread, with 15 states showing statistically significant increases in the number and/or the rate of uninsured children.''

The following States are listed: Alabama, Arizona, Florida, Georgia, Idaho, Illinois, Indiana, Missouri, Montana, North Carolina, Ohio, Tennessee, Texas, Utah, and West Virginia. That is significant. Those States are represented in some cases by two Democratic Senators, sometimes two Republican Senators, and sometimes Senators of both parties. So it is happening in a widespread fashion. The rate of uninsured children is going up.

Finding No. 3: ''Loss of coverage is most pronounced for white children and Latino children (some of which may fall into both categories).''

The other category where the number is going up substantially is younger children, under the age of 6. So we are not just talking about children losing coverage; we are talking about that number being more pronounced for children under the age of 6.

This also includes children in low- to moderate-income families who earn between 138 percent and 250 percent of the poverty level, meaning a little more than 29,000 bucks to 53,000 bucks annually—''bucks'' is my word, not the report's word—$29,435 to $53,325 annually for a family of three. So these folks who are struggling in a lot of ways—low-income families trying to climb that ladder to get to the middle class, in many cases working two or three jobs, trying to make ends meet—at least in many cases, their children had coverage, and now children in those families are losing coverage.

Point No. 4 and the last point: ''States that have not expanded Medicaid to parents and other adults under the Affordable Care Act have seen increases in their rate of uninsured children three times as large as states that have,'' meaning States that expanded Medicaid. The expansion of Medicaid was part of that advancement I talked about.

The three threats to healthcare are bad enough. It is especially bad when you consider that the Americans who are carrying the heaviest burden of that uninsured rate going up are, in fact, children.

The second thing I want to raise is the Supplemental Nutrition Assistance Program. We had a great effort undertaken in the 2018 farm bill. There were

efforts by some to cut the Supplemental Nutrition Assistance Program, which we used to know as food stamps. Fortunately, those efforts to cut the program and to knock people off of the SNAP program were unsuccessful.

We came together in a bipartisan effort in both the House and the Senate, and the President signed it into the law just about a year ago—December 2018. The ink was barely dry on his signature when his administration and the Department of Agriculture started to think of other ways to do the same thing to SNAP they couldn't do by way of legislation.

So where are we? Well, we have had basically three proposals over the course of the last year by the administration that would take 4 million people out of the SNAP program, kick 4 million people off the program.

Here is what one of those proposals would do: According to the U.S. Department of Agriculture's own estimates, the proposed changes to one part of SNAP called categorical eligibility would eliminate millions from the Supplemental Nutrition Assistance Program, and it could also leave nearly 1 million children without access to free school meals. I don't know about everyone here, but I think that is a step in the wrong direction.

The Supplemental Nutrition Assistance Program is important not only for those families—many of them working families, many of them with a child in the household who needs food assistance, who faces food insecurity without SNAP—many of those same families might have a child and an individual with a disability in the same household or one or the other. That is the SNAP program.

By the way, everyone else in the country benefits when people spend those SNAP dollars because when you provide those dollars and folks buy food, guess what happens. You guessed it. The economy gets a jump-start from that activity. The SNAP program isn't about just the people who are directly benefiting. I think we have an obligation to help them, for sure. We all benefit when there is economic activity. There is more than a bang for the buck in the SNAP program; you spend a buck, and you get a lot more than a buck in return.

This is all in the context of where we are with a lot of families. We hear a lot on the floor of this Chamber and I am sure on the floor of the other body, the House, about ''Well, certain people shouldn't get this benefit,'' and some make an argument against that.

It is interesting that in the SNAP program for many years now, not just for the last couple of years, the payment error rate in that program has been way down, the lowest levels ever. Why? It is because of good efforts to detect fraud, and also technology allows payments to be tracked. The payment error rate is at its lowest level ever. Yet we still have efforts undertaken to knock people out of the program. That is not just insulting, it is very dangerous to people's lives.

I hope Members of the Senate will tell the administration to back off those proposals that have been undertaken to knock literally, if you have the effect of all three proposals, 4 million people off of the program, many of whom are children.

This all happens in the context of those healthcare issues I raised before. The same child or the same family who might have their SNAP benefits cut or taken away might be the same family who is losing their coverage because of cuts to Medicaid and Medicare or because of the uninsured rate going way up in a country that was driving it way down. Both are happening at the same time.

BIPARTISAN AMERICAN MINERS ACT OF 2019

Mr. President, I want to raise another issue, and then I will conclude. This is about coal miners across the country but in particular in a couple of States, like my home State of Pennsylvania, and I know this is true of Kentucky and Virginia and West Virginia, just to name several—or I should say the main States we are talking about here.

The Bipartisan American Miners Act of 2019, S. 2788—I know Senator MANCHIN and others have spoken about this. We are trying to get this legislation or some version of this passed by the end of this year. I won't go through all the details of the legislation, but it attempts to help on the miners' pension issue—and these are obviously retired coal miners—as well as the healthcare for those same miners, those same families.

I will make a comment about what this means. Many of those same families had to wait way too long—several years—before this body acted to provide a measure of relief to some of those retired miners on healthcare. The job isn't done yet on healthcare but even more so on pensions.

The point I have always made here is that our government made a promise to them decades ago. In fact, it was the time when President Truman was in office in the late 1940s. We made a promise to coal miners at that time.

In that whole intervening time period, those decades, they kept their promises. Many of them were sent overseas to fight in wars, from World War II, to Korea, to Vietnam and beyond. They kept their promise to the country by fighting for their country. They kept their promise to their employer by going to work every day in the most dangerous job in the world, likely. I am not sure there is one that is more dangerous. They kept their promise to their families to go to work and to support them, sometimes on that one income of a coal miner.

In my home area of Northeastern Pennsylvania, the novelist Stephen Crane—he is known for the ''Red Badge of Courage,'' but what he is not known for as much is an essay he wrote about coal mining in the late 1800s—1890s to be exact. He described all the ways a coal miner could die in a coal mine. He described the coal mine as a place of inscrutable darkness, a soundless place of tangible loneliness, and then walked through the ways a miner could die.

I know we have advanced from the 1890s—thank God we have—but there are still coal miners in the recent history of this country who have lost their lives. All they have asked us to do—they haven't asked us to come up with some new fancy plan for them and their families; all they have asked us to do is to have this government—the executive branch and the legislative branch—keep the promise to coal miners and their families with regard to healthcare and pensions. Both of those parts of our policy are promises.

So when we work on this between now and the end of the year to try to find a solution, we will be only meeting that basic obligation of keeping our promise to retired coal miners and their families like they kept their promise to their country.

I yield the floor.

The PRESIDING OFFICER (Mr. ROMNEY). The Senator from Kansas.

TRIBUTE TO KELLY MCMANUS

Mr. MORAN. Mr. President, today, I want to take a moment to recognize the contributions of Kelly McManus. She is a member of my staff. She is U.S. Army MAJ Kelly McManus, who has spent the last year working in my personal office as part of the U.S. Army Congressional Fellowship Program.

Before Kelly departs my office here at the end of the year to return to the Big Army, I rise to express my appreciation to Major McManus for all of her hard work and dedication and service to our Nation.

Kelly's 10 years of service in the U.S. Army have developed her leadership abilities and shaped her perspective on major defense issues of national significance. These assets and attributes have made her an invaluable asset to our team as we work to serve Kansans, servicemembers, and veterans.

Before joining our office, Kelly's assignments had taken her around the world in service of our country. She deployed to both Iraq and Kuwait to support operations New Dawn and Spartan Shield, from 2011 to 2012, served as the medical planner for the Allied Land Command in NATO headquarters in Izmir, Turkey, and reported to Wiesbaden, Germany, to serve on the personal staff of the U.S. Army Europe headquarters commanding general, LTG Ben Hodges.

Kelly has also served stateside, leading her detachment through deployment in Fort Dix, NJ, in support of Hurricane Sandy relief efforts and commanded a medical company in the 2nd Infantry Division at Joint Base Lewis-McChord in Washington State.

Kelly joined our team in January 2018. From day one, she embraced Kansas, its people, and the challenges they face day in and day out. On her first official trip to Kansas, she visited our

military installations and talked with soldiers and airmen to learn about their life experiences. She made it a priority to spend time in Kansas and to learn from the Kansas people so that she could bring their thoughts and ideas back to the Nation's Capital. These personal conversations with Kansans and Kelly's experience in the Army have helped to drive meaningful policy.

She led our efforts to secure maternity leave for those serving in the National Guard and Reserve after talking with an expectant mother in the Kansas National Guard. She has also sought to increase access to suicide prevention programs and destigmatize the notions surrounding mental illness.

In addition, her experiences in serving in uniform have been instrumental to my efforts to support our veterans. Over the past year, I have continually been impressed by Kelly's leadership and professionalism. At every opportunity, she has proven herself to be an important and fully integrated member of my team, carrying the equal weight and responsibility of my personal staff. Her seamless communications and her skill in tackling issues big and small have been a great benefit to our office and the people that we serve. Kelly has exceeded all of my expectations and has demonstrated a commitment to excellence that has been nothing short of outstanding.

A testament to her leadership over the past year was her promotion to major in July. It was my honor to be part of her promotion ceremony and to have the privilege to pin her new and deserving rank on her uniform.

It will be sad when she leaves our office at the end of the month, but I know she will serve the Army well next year in the Army's Budget Liaison Office, where I am confident she will be a highly effective ambassador to Congress for the Army.

Kelly is one of the most impressive military officers I have had the honor of knowing, and I hold her in the highest regard, personally and professionally. She is a significant asset to our country and to the U.S. Army. Kelly represents the best that the Army has to offer, and I know that she will continue to be a benefit to the future of our Nation. There is no group of people I hold in higher regard than those who serve our Nation, and I want to reiterate my gratitude to Kelly for her dedication and service to our country.

Once again, thank you, Kelly, for all you have done for Kansans this year and what you will continue to do for our Nation. You have been a model of selfless service and leadership. I know you will continue to do great things throughout your Army career and your life in service, wherever that path my lead you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING BERKLEY BEDELL

Mr. GRASSLEY. Mr. President, I come to the floor today to pay tribute to an extraordinary Iowan with whom I shared a decades-long friendship—a very prominent Democrat from my State.

Over this past weekend, former Iowa Congressman Berkley Bedell passed away at the age of 98. For nearly a century of life, Berkley took his grandmother's advice to heart: ''You can do almost anything within reason if you will only set your mind to it.''

From an early age, Berkley Bedell set his mind to a high standard of achievement. He set an example for the rest of us. He practiced what he preached and he made a difference in this world.

As a child raised during the Great Depression, Berkley became a soldier in the U.S. Army. He was, obviously, a World War II veteran, an entrepreneur, a job creator, a philanthropist, a policy influencer, and, most of all, a devoted husband and father.

What I left out is how I got acquainted with him. He was a fellow Member of the House of Representatives during my early years and for some time after I came to the Senate. Our decades-long friendship began when Berkley and I were elected to serve Iowans in the House of Representatives in 1974. Soon after the orientation for new Members, Barbara and I developed a close relationship with Elinor and Berkley. This friendship remained for the next 45 years.

Looking back, those were lonely days for a freshman Republican House Member. That is when the Watergate scandal upended the midterm elections. Voters elected 91 new House Members to that Congress. I happened to be the only Republican in the Iowa congressional delegation. Among our so-called Watergate class of 1974, I was joined by Iowans Tom Harkin, Michael Blouin, and Berkley Bedell. We were all freshman Members of Congress. We joined then with more senior Members from the State of Iowa—Neal Smith, who went on to serve 36 years in the House, and Ed Mezvinsky. The Democrat Senators from Iowa were Dick Clark and John Culver. Berkley would go on to represent Iowa's Sixth Congressional District for six terms, from 1975 to 1987. Even though he lived about another 32 years after that, I presume he would have served a lot longer if his health had held out.

Although Berkley and I didn't share the same political points of view, we did share a common approach for representative government, meaning with dialogue and feedback from Iowans that was very necessary if we were going to represent them properly. Most often, the forums for that were our respective townhall meetings.

Throughout our service together in Congress, party labels didn't displace our ability to work with and for Iowans. As one example, during the farm crisis of the 1980s, which was much worse than this farm crisis we have right now, we used our voices to raise public awareness and steer help to struggling farm communities in our home State. We did everything possible to shape farm policy and restore hope to thousands of farm families who were coping with double-digit inflation and with the farm debt crisis.

As a Federal lawmaker, Berkley took his oversight work seriously. Even though I take oversight seriously, I didn't do it in quite the way he did. His was kind of an unorthodox approach. He just ventured, willy-nilly, into a Federal bureaucracy here or a Federal bureaucracy over there. He took the liberty of dropping by in person at these agencies. He would go up to people and ask: What is your job? I don't know exactly the questions he asked, but in knowing Berkley the way I did, I think he probably wanted to have very calm conversations with them to determine what they did and maybe even see if they were doing it right, particularly if they were spending the taxpayers' money right. He did this to keep tabs on how these Federal employees in these various bureaucracies were serving the Nation and, particularly, serving Iowans. Now, that is what I would call an in-the-flesh gut check—a very different type of oversight from what I have done.

Berkley was born in Spirit Lake, IA. I assume he lived his entire life in Spirit Lake, IA, except for the period of time he was in the military and until he spent some retirement time in Florida. Spirit Lake, IA, is a close-knit farming community in Dickinson County. His neck of the woods is located in the Iowa Great Lakes region—a regional destination for fishing, boating, and outdoor recreation. I will bet the Presiding Officer has been there many times.

The area is fondly known as the University of Okoboji, where generations of families go year after year to vacation and enjoy life. By the way, the University of Okoboji is not really a university but is very much a selling point for that part of the State, from an economic development point of view, and it has worked very successfully.

As I just described, this is where Berkley's insatiable work ethic took root. It guided him for his nearly 100 years of life on Earth. Through philanthropic good works, he leaves behind a legacy of conservation, stewardship, and historic preservation. With his wife, he helped to launch the Okoboji Foundation more than three decades ago. Since then, the foundation has awarded millions of dollars to scores of nonprofit organizations in that lakes region of Iowa.

In other words, Berkley believed in paying it forward. He cared deeply about giving back to his community for future generations to enjoy. As you would expect an Iowan to do, he rolled up his sleeves, opened his wallet, and pitched in to make a difference. By my measure, his represents a life well lived, and he lived life well.

As I mentioned earlier, Berkley and Elinor became steadfast friends with Barbara and this Senator. We shared an abiding mutual respect, and we cherished their gracious regard for that friendship. After the Bedells moved to Florida in their retirement, Barbara and I enjoyed an annual gift from the Bedells each February. It was a very simple annual gift but one that had a lot of meaning to it—more than the material it represented. They sent us a box of oranges from their home in the Sunshine State. Just as regularly as a clock, we received these over many, many years.

Through these many years, their annual Christmas letter was something that we looked forward to. In many years, in personal notes in those very letters, they even thanked us for our friendship. Berkley also stayed in touch with a friendly Valentine note each year to Barbara, my wife. With Berkley's passing, we are saddened to know that these tokens of friendship have now come to an end.

Berkley's story is an inspiration for younger generations of Americans who are pursuing their dreams. It is never too early to dream big. This was how Berkley Bedell was dreaming as a 16-year-old: He became an entrepreneur. Berkley launched a fishing tackle business with Jack, his brother. It was called the Berkley Fly Company. I am told he started the company with $50 from paper route money. He started tying fly fishing lures in his bedroom.

Pouring years of sweat equity into the family business boosted the local economy and created jobs in his beloved Iowa Great Lakes. His tenacious leadership developed a strong workforce for what was then called Berkley Industries. That company, which is now called Pure Fishing, is today one of the leading fishing tackle manufacturers in the world.

At 98 years young, Berkley didn't let age slow him down by any stretch of the imagination. He remained active in public policymaking and immersed in electoral politics in Iowa. Usually, at least once a year, he called on me here in Washington, in the Hart Office Building, to tell me about some legislative issue he was interested in, and we worked together on some of those legislative issues. Everything here in Washington is so political, so this may sound very unusual, and maybe it is unusual today: Despite our differences in political philosophies—he was a Democrat; I am a Republican—we both appreciated how crucial it was to engage the next generation in civic life.

Berkley's leadership and legacy will be remembered for generations to come. I am proud to have called him a very good, good friend.

Barbara and I extend our condolences to his sons, Ken and Tom, and to Joanne, his daughter.

Your dad made a big footprint in his life's journey.

As my former colleague in the House of Representatives, Berkley later became my constituent when I was elected to serve here in the U.S. Senate. I never knew Berkley Bedell to stop advocating for his community or for the good of our Nation. It became Berkley's lifelong hallmark to leave God's green Earth better than he had found it for generations to come.

I wish Godspeed to my good friend Berkley Bedell, who joins Elinor, his beloved wife, in eternal life.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, I was in my office and just learned, by Senator GRASSLEY's floor speech, about the passing of Berkley Bedell, and I just wanted to add my voice to his.

He was a wonderful man. I served with him in the House of Representatives. Spirit Lake was his home area in Iowa. He was a really knowledgeable man when it came to issues of agriculture, and I didn't learn until many years later that he was a very successful businessman in the fishing tackle business, if I remember correctly, and sporting goods. He had many interests.

He was a spirited, friendly, good person who worked hard at his job and was a credit to the U.S. House of Representatives, regardless of party, and I think Senator GRASSLEY's remarks reflect that.

I am going to miss his annual Christmas card. He and his wife—she passed away just recently, as well—would send a card about the comings and goings of their big, old family. It was a big oversized card, and I always looked forward to it.

I feel honored to have been able to serve with him. I thank my colleague and friend Senator GRASSLEY from Iowa for paying tribute to him.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 2 minutes.

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

THE WORLD BANK AND CHINA

Mr. GRASSLEY. Mr. President, last week, despite the objections of the United States, the World Bank adopted a plan for lending more than $1 billion annually to China.

China is the world's second largest economy, and its per capita income is well above the level at which countries are supposed to graduate from needing World Bank assistance. American tax dollars should not be used, even indirectly, for lending to wealthier countries, particularly when they violate human rights.

China seeks legitimacy through international institutions for its bad practices, including for its own predatory lending through the Belt and Road Initiative. Despite what the recent World Bank Group's Country Partnership Framework reads, China is not an example developing countries should follow.

To sum up on this point, China has the second largest economy in the world, and it still wants to be considered a developing country and lend taxpayers' dollars around the world in order for there to be a greater Communist influence. As taxpayers, we should not stand for that to happen.

78TH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR

Mr. President, on another point, this past weekend marked the 78th anniversary of Japan's attack on Pearl Harbor—a raid that plunged the United States into World War II. Almost 2,500 U.S. soldiers lost their lives that day.

I am proud of the many Iowans who have served and sacrificed for our great country. Earlier this year, three of these people returned to Iowa to be laid to rest—Robert J. Bennett, William L. Kvidera, and Bert E. McKeeman.

I honor them and all of our servicemembers for their sacrifices in serving our people, protecting our constitutional rights and the freedom and liberties we have.

I yield the floor.

NOMINATION OF STEPHEN HAHN

Mr. DURBIN. Mr. President, I am going to take a chance this afternoon and vote for one of the President's nominees. Some of my colleagues have come up to me and said I am making a big mistake, and I hope I am not.

His name is Stephen Hahn. He is a medical doctor and an oncologist from MD Anderson in Texas, and he has been named to serve as the Food and Drug Administration Commissioner.

This is a relatively small agency by Federal standards that has a major-size impact on the lives of Americans and beyond. I think it is one of our most important agencies. It regulates so many things relating to safety and quality of life, and Dr. Hahn would come to this position at an auspicious moment in our history.

I refer, of course, to the fact that we are now battling a vaping epidemic across the United States of America.

The Presiding Officer, from Utah, and I have worked on this together, and I thank him for his leadership in this regard.

I look at Dr. Hahn and I think of all the questions that I have asked him. I had a face-to-face meeting with him in my office and then had him on the phone last night for another half hour, and he was very patient in answering my questions.

I asked him about the vaping crisis we face, the epidemic that we face. He readily concedes that this is something he feels very strongly about.

The latest disclosure from the youth tobacco report suggests that 28 percent or more of high school students across the United States are currently using e-cigarettes or vaping. Yesterday, I had a group of high school students from New York who asked to see me, and they said: Senator, you are wrong. It is over half.

A majority of the students in high school now are using JUUL devices, or vaping devices, and these flavors, and they have developed nicotine addictions, which have become controlling in their lives and it affects the way they feel and the way they perform as students.

That is why it is so important, from my point of view, for Dr. Hahn to make this a major priority. He assured me that he would. He reminded me that he is a lung cancer doctor, and we had a long conversation about my father, who died of that disease, and tobacco and the impact it had on his life. I felt sincerity on the part of the doctor when he was discussing this.

We talked about working with Dr. Azar, who has been an ally in this conversation about controlling vaping devices and cigarettes.

He said that regardless of how I voted for him, he would look forward to working with me. I am going to vote for him as the new FDA Commissioner. It is a leap of faith because I am not certain where the President of the United States is at this moment.

The Presiding Officer was at a meeting a couple of weeks ago in the White House, and I have commended him for the questions he asked there, hoping to hold the President and First Lady to their promise of September 15 to really take on this epidemic of vaping and e-cigarettes. I don't know at this moment whether he is going to continue in that effort or whether the vaping industry has diverted him to a different point of view.

Dr. Hahn may find himself in a compromised position soon, and I told him as much. If it comes to the point where the President has abandoned his effort against vaping and the industry is going to prevail, then, I am afraid that Dr. Hahn is going to be wearing the collar for some of the things that follow. Even though he may not even agree with the President's conclusion, he will be working for the President as part of his administration.

Dr. Hahn said to me: I don't want to be known in history as the head of the FDA who saw this epidemic grow dramatically when it comes to vaping by young people.

I am going to give him my vote, and I do it with the hope that he will have a persuasive voice with Dr. Azar and the administration to move in the right direction.

I applauded President Trump—which is unusual from my side of the aisle—when he made his initial decision to take action against e-cigarettes, and I would like to applaud him again. I hope he will resume this effort. I hope the First Lady, who rarely gets engaged in issues but seems to feel very strongly about this, will join us in persuading the President to keep true to his promise of September 15.

I will be supporting Dr. Hahn's nomination for FDA Commissioner.

REMEMBERING THE REVEREND DR. CLAY EVANS

Mr. President, last Friday night was an amazing evening. I went to the Fellowship Missionary Baptist Church on the South Side of Chicago, not too far from where the White Sox play baseball.

There was a Friday night memorial service for the longtime pastor of that church, the Reverend Clay Evans. He actually divided the service up and said, Friday night is for the politicians and government people; Saturday morning will be the memorial service for the members of the church. A lot of people showed up on Friday night because a lot of us considered Clay Evans to be a friend.

He was more than a friend. He was a legend. The Reverend Clay Evans died peacefully at his home the day before Thanksgiving at the age of 94. Let me tell you a little bit about him.

If you ever had the good fortune to witness the Reverend Dr. Clay Evans preach, you were lucky. With his rousing sermons, his soulful baritone voice and ''the Ship,'' which is what he called the legendary Fellowship Missionary Baptist Church choir behind him, Reverend Evans was mesmerizing.

His sermons gave hope to the downhearted. His singing could bring you to your feet. His Sunday services were so moving and so uplifting that the legendary Sam Cooke used to come and attend for inspiration.

Even in Chicago, the birthplace of modern Black gospel music, the home of Mahalia Jackson, James Cleveland, Mavis Staples, and so many others, the Reverend Clay Evans stood out for the power of his preaching.

But it wasn't just his beautiful voice that drew people in. Clay Evans was a man of faith, integrity, and moral courage. In the 1960s, he helped persuade Dr. Martin Luther King to come to Chicago and use it as his base as Dr. King sought to expand the civil rights movement. It was not a popular position at the time, believe me.

Chicago power brokers, fearful of the unrest in the streets, warned Black ministers: Don't let Dr. King into your churches. Many of them listened to that warning and turned him away—not Clay Evans.

He invited Dr. King to speak at his church. He opened the doors of the ''Ship'' to Operation Breadbasket, the Southern Christian Leadership Conference's economic justice project. Then, he persuaded other Chicago ministers and churches to join him.

He paid a price for it. Offers of construction loans he needed to build his church were withdrawn when he made this controversial decision. Building permits were withheld for several years.

But Chicago, over time, became more just. Thanks to the work of Reverend Evans, Dr. Martin Luther King, and the man whom Evans ordained, the Reverend Jesse Jackson, and many others, Operation Breadbasket helped to open up thousands of jobs for Black Chicagoans in previously all-White grocery chains and companies.

Years ago, Reverend Evans told a Chicago Tribune reporter: ''I try to embody the principles of Christianity, and for me that means being dedicated to freedom and equality.'' For him, faith was not just what you believed; it was the way he lived.

Clay Evans was born in 1925 into a large, church-going family in Brownsville, TN. His family were sharecroppers. He was one of nine kids. At night, he liked to listen to jazz music on the radio.

He moved to Chicago in 1945, part of the Great Migration that has enriched that city in so many ways.

The most successful man he knew in Brownsville, TN, was an undertaker, and that is what Clay Evans thought he would become in Chicago, but he couldn't afford the tuition for mortuary school. He took jobs where he found them. He worked at a pickle factory, as a window washer. He drove a truck delivering pies. He was working at the Brass Rail cocktail lounge in downtown Chicago when they prompted him to join in song and marveled at his voice. He might have been a successful nightclub performer, but he felt called to the ministry.

He attended the Chicago Baptist Institute and was ordained a Baptist minister in 1950. He would later study at both the Northern Baptist Theological Seminary and the University of Chicago Divinity School.

He founded the Fellowship Missionary Baptist Church in 1958 and served as pastor for 42 years. He used radio and later TV to bring his ministry to homes throughout the Midwest and South and to introduce Black gospel music to the Nation.

Fellowship Missionary Baptist Church, or ''The Ship,'' as it is affectionately known, quickly became one of the most influential churches in Chicago.

He helped to launch the careers of nearly 90 up-and-coming young ministers, including Mother Consuella York, the first woman to be ordained a Baptist minister in the city of Chicago.

He ordained the Reverend Jesse Jackson, and, in 1971, the two ministers cofounded Operation PUSH to encourage African-American self-help.

Carved into his wooden pulpit was one of his favorite sayings: It is no secret what God can do. What God did through his servant Clay Evans helped to increase hope and justice in Chicago and far beyond.

I remember when, as a downstate Congressman, I made my early trips to

Chicago to meet the movers and the shakers. Reverend Clay Evans was high on that list, and, as luck would have it, at one of the dinners we were seated next to one another. He leaned over to me—I knew exactly who he was—and he said: Congressman, I am Reverend Clay Evans.

I said: That is not what I heard. I heard you are Reverend Chicago.

He laughed and he looked down. He said: Well, they call me that from time to time.

That is the kind of respect that he commanded, not just because of his ministry but also because he was such an integral part of the faith scene in that big city.

We got to be friends, and I was always looking forward to the times we could get together.

With a choir led by his sister, Lou Della Evans-Reid, Pastor Evans produced and recorded over 40 gospel albums—11 that charted on and 2 that topped the Billboard Gospel Albums Chart.

His first No. 1 gospel hit was called ''I'm Going Through,'' released in 1993. The title song talks about staying on the righteous road, no matter how steep the climb, how large the obstacles.

Reverend Evans would sing:

I'm going through. I'm going through no matter what they may do. The world behind, heaven in view, I'm going through.

The Reverend Clay Evans walked that righteous road. He overcame obstacles and widened the road so others could follow. He is certainly going to be missed, and the crowd of speakers Friday night is just evidence of the many lives that he touched.

My wife Loretta and I want to offer our condolences to his wife of nearly 74 years, Lutha Mae, their children, their grandchildren, and their great-grandchildren, and all of those in the family of Clay Evans who tried to maintain a warm smile at a time of sadness for many of them.

What he has left behind is something that we will all point to for years to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

FEDERAL REGULATIONS

Mr. BLUNT. Mr. President, on Monday I spoke at the annual meeting of the Missouri Farm Bureau, and, in our State, as in, frankly, almost every other State, the No. 1 economic activity in terms of value produced is agriculture.

Where we live in the middle of the country, we do better in an economy that focuses on growing things and making things than we do on an economy that focuses more on giving advice—not that we don't want to give a lot of advice, but the truth is we don't want to get a lot of advice, either.

So there is nothing wrong with a service-based economy, and there is nothing wrong with an important service sector in our economy, but America, in so many ways, was built on a productive economy, on an economy that produced something and something tangible. I think we have a chance to see those things happen again.

Where we are located, almost exactly in the middle of the country, the Mississippi River Valley is the biggest piece of contiguous agricultural land in the world. Compared to the near competitors in size, it is the only one of them that has its own built-in, natural transportation center.

In fact, there are more miles of navigable river in the Mississippi River Valley than in the rest of the world put together. I didn't say more river than the rest of the world put together because that wouldn't be true, but more miles of river that you can actually navigate—river you can use as an avenue of transportation and commerce than everywhere else in the world put together.

For an economy that is trying to reach out to the world or trying to efficiently compete, that is a big advantage.

So at the Farm Bureau meeting, at least three of the things the people I talked to were most interested in were regulation, transportation, and trade.

When it comes to regulation, Missouri farm families understand that many of the best things that have happened to them in the past 3 years have been the things that didn't happen. There was a terrible regulation proposed—waters of the U.S.—in which the EPA was trying to decide that their authority over navigable water would be authority over all the water. Suddenly, navigable water had become, under the Obama EPA, any water that could run into any water that could run into any water that could run into any water that eventually would run into navigable water. If that is how we want to define it, the Congress should decide that, not the EPA.

I stood on this floor many times during that terrifying time when the EPA was about to take over anything that related to water, from the new sidewalk in front of your house to whether you pave your driveway to whether you could set a utility pole without EPA approval.

With the Farm Bureau map of Missouri, I think 99.7 percent of our State would have met the new EPA definition of the water the EPA would regulate. The other 0.3 percent, I think, were sinkholes that went directly back into the middle of the Earth. So virtually 100 percent of all Missourians would have been affected by that.

It would have slowed the economy in an incredible way because the EPA could never have exercised effectively the jurisdiction they were asking for. The good news is, it didn't happen.

The Trump administration moved forward with a Clean Water Act that made more sense. They listened to rural America. They listened to the people who build houses, to the people who provide power, and to the people who provide jobs, and they said: We are not going to go in that direction.

Then there was the Obama Clean Power Plan, which sounds like a good thing. Clean power—I am not opposed to that, and I don't know anybody who is. We want power to be as clean as you can reasonably expect it to be. But the Obama Clean Power Plan was so aggressive in its approach that where I live, the average utility bill at home and at work would have doubled in about 10 years.

Well, lots of things work at today's utility rate—or some gradual increase of today's utility rate—that just frankly wouldn't work if the utility bill doubled.

That didn't happen either. In fact, we reversed course, and there is now an affordable clean energy rule making its way into law and regulation that really understands that.

Again, if you at home write your utility check and then write it out of your checkbook again, a lot of things that you would do at your house you wouldn't be able to do if you had to pay your utility bill twice. Frankly, the job you may have may not be there if you had to pay your utility bill twice.

Also, when thinking about making something in America today—and I think there is a lot of interest in bringing manufacturing that has gone overseas back to this country for lots of reasons, but when you think about making something in America today, the first question you would ask yourself would be this: Can we do what we want to do and pay the utility bill? The second question would be this: Does the transportation work for what we want to do? If the answer to either of those questions is no, then there is no reason to ask a third question. There is no reason to talk about workforce. There is no reason to talk about tax structure in the place you are thinking about locating. There is no reason to ask any other question if you can't do what you want to do, pay the utility bill, and still have some profit.

There is no reason to talk about—if you can't do what you want to do—having a transportation system that allows you to do what you want to do. Those things are critically important, and they were critically important at the Farm Bureau meeting. They certainly understood it takes good highways, good State roads, and it takes a strong understanding of connecting highways, roads, railroads, and water together that will allow you to compete.

The last continuing resolution on this issue that we passed just a few weeks ago actually funded the fifth year of the highway bill that was passed 4 years ago. It provided for 5 years of authority but only 4 years of money.

That $7.6 billion allows the transportation systems in our States and many things in our communities to happen. It allows county bridges to be built.

Missouri would lose $350 million in Federal highway funds if we hadn't figured out how to fund that fifth year, which we did figure out just a few days ago. Knowing that is going to happen allows people to begin to look forward to other things.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. President, on trade, I was predicting on Monday that we would get to the USMCA before the end of the year. I was pleased on Tuesday when it was announced that we had an agreement between the House and the administration.

The votes had been there for a long time to pass this, but the House had to pass it first. So it is important to understand that the election has consequences. Speaker PELOSI got to decide and got to do some final negotiation, but trade is important.

Trade policy, tax policy, and regulatory policy are the three Federal policies that make a difference in how competitive we are and how strong our economy is. Certainly, when you have our No. 1 and 2 trading partners—Mexico, our No. 1 trading partner, and Canada, our No. 2 trading partner—involved, clearly, when they are the only two countries that we share a border with in the continental United States, for the neighborhood to do well, it is important.

What has happened in Mexico since NAFTA is incredible. What has happened in the United States in a positive way is also incredible. So, hopefully, we will see the continuation of the commitment to have a vote in the House this year and a vote in the Senate as soon as we meet the deadlines the law requires—the waiting periods—once we get a bill in the Senate. A lot of people are going to be relieved to know that there is more certainty about that.

TRIBUTE TO LEIGHTON GRANT

Mr. President, I also want to take a moment today to recognize Leighton Grant, for whom I asked earlier to have floor privileges for the rest of this Congress.

Leighton Grant has really been critical both to my work in appropriations and in our work on foreign policy in our office. He has handled many of our national defense matters in the 116th Congress.

Leighton's 15 years of service to our country, both in Active Duty and as a civilian in the U.S. Air Force, have allowed him to cultivate a deep understanding of national security issues that affect the State of Missouri and affect our country. His prior experience at the Pentagon, where he worked extensively on generating the Air Force's budget and strategy documents, has been particularly valuable in my work as a defense appropriator.

The air defense of the country is critical. The appropriations decisions we make are critical. The order we keep them in is critical—keeping defense lines active so that we are not stopping and starting to meet our future needs—so doing that in a reasonable way matters.

Leighton certainly understands that, and he should. He joined the Air Force in 2004 as a command and control battle management operator. He served four deployments in Iraq and Afghanistan as part of the global War on Terror. He also deployed to Qatar and Jordan, as well as to Latin America.

He holds a bachelor's degree in aeronautics, as well as a master's degree in project management. While working as our military fellow, he completed work at the Air War College and obtained a certificate of legislative studies at Georgetown University.

He has contributed greatly. He has helped support us in veteran casework, Defense appropriations, and military construction projects that will impact our State.

On Sunday night, I ran into a mom who said: I just want to thank you for all you did to get my son out of Syria. This was a young man who got caught up while hiking in Syria. She knew Leighton Grant's name because Leighton Grant took that seriously and, after several weeks of working, helped to get him out of Syria. That is the kind of thing he has helped us do. He has worked on matters that relate to Iran, Colombia, Australia, China, and other areas. I am glad to have him.

I want to thank his wife Jennifer, his daughter Marleigh, and his son Cyrus for supporting his career as he serves the Nation. I wish him and his family well as they embark on a new chapter. I hope this year of working with the Senate and Congress, with the vast breadth of issues he has helped us with, turns out to be as valuable to him as his help has been to us.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TAX CUT AND JOBS ACT

Mr. BRAUN. Mr. President, it has been almost a year since I was sworn in. I thought it was a good time to kind of reminisce a little bit about the first year of being a U.S. Senator from Indiana. I want to cite that, when you come from a place like Indiana, it is where America really works. Think about it. We still believe in balanced budgets. We have rainy day funds. We take on big issues and talk about how we are going to pay for it, not borrow the money, throw it on the backs of our kids and grandkids.

So, in being here now nearly a year, I want to reminisce back to what motivated me to stick my neck out and do it in the first place. I saw in November of 2016 that it looked like we might have a different dynamic here in our U.S. Government. I look back and see, in December of 2017, a Main Street entrepreneur, someone who has always lived by those rules of stick your neck out, take a risk. You don't really exceed mediocrity unless you do things that push the envelope a little bit now and then, but do it in the context of where it is sustainable.

I noticed, in December of 2017, we finally got some legislation across the finish line that rewards enterprisers, rewards Main Street USA. That was in the Tax Cut and Jobs Act passed then. I did not know how it was going to unfold. Of course, even our CBO said it was going to end up costing the government, not rewarding it through more enterprise, greater revenues. Well, we have now got some evidence from it. We have got the hottest economy that we have had in modern history, and, yes, we are raising record revenues, despite having lower tax rates.

Well, that sounds like the math wouldn't work out. Well, there is a point, especially in small business on Main Street, that you will not keep enterprising, you will not work hard if you end up having to send too much to a place like this that over the years did not, to me, look like it was delivering good value. So we have been vindicated; it is working.

HEALTHCARE

Mr. President, so what else has happened in this first year? That happened before I got here. I ran because I wanted to weigh in on things like the cost of healthcare. I tackled that in my own business back in 2008. I found a way to make it consumer driven to where the people that use healthcare actually have some skin in the game.

I did it in a way I wanted to emphasize wellness, not remediation. I tried as a State legislator back in 2015—served 3 years in the Indiana State House—and realized how hard that was going to be. I had three really good bills that now, ironically, are pertinent here on the main stage. I could not even get a committee hearing. The healthcare industry has dug in to the point where I think, if they don't start embracing the fact that they need to reform themselves, they could be under a drastically new system.

So we had a President that was elected that wasn't going to be happy with business as usual. I was hoping that we might parlay some of that into real results here. Well, we have worked a year on trying to reform the healthcare system, and we are really not any further ahead than what we were a year ago. That is because the system is digging in and fighting it. That doesn't mean I am going to give up. That is kind of bad news, other than the fact that 80 Senators have come forward to say, Hey, you are not doing a good job. We have got suggestions. That ought to be a real wake-up signal that you get with it.

JUDICIAL NOMINATIONS

Mr. President, one thing we have done here that has been immensely valuable is that we, as conservatives, have

been able to impact our court system, which got lopsided over the years, to where many laws that were passed here get into the court system and then either get overturned or get impacted in ways that did not have the original intent. We here in our own conference, I think, have addressed that imbalance, and I think here soon we will have appointed, in the 3 years that President Trump has been at the helm, the 50th circuit judge. That is impressive. We are also filling slots now that we made a change in the rules here to not only get judges appointed but also to fill a lot of the slots in our government that are vacant. So that is good news.

ECONOMIC GROWTH

Mr. President, you don't hear much about the fact that household incomes have increased more than $5,000 a family in the 3 years since President Trump was elected. It went up a total of $1,000 in the 16 years through the Bush and Obama administrations. That should be the banner, the headline, and sadly, we are mired in other discussions that I will address here in a moment.

I believe in the long run that, if we are going to change the dynamic, we will need more disruption in an institution that, in the year I have been here, I have been surprised how many people come here actually wanting more, not realizing that when you are running trillion-dollar deficits, that is a bad business partner. That is a business partner that I would hedge my bets and maybe find other ways to pay the way in the long run. Sadly, I don't think we are going to fix that component until we probably have a crisis or two, and then we solve it in that fashion.

So the budget which is, in my opinion, in the long run what we need to do here, if we want to be helpful to the American public, it has got to straighten itself out. Whether that will happen, I do not know.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. President, let's talk about some of the things that have been occupying time here, and let's talk about something that looks like, finally, it is going to get across the finish line: USMCA. We hear about trade issues. It is correct to be concerned about trade. Our focus is normally on the Chinese. I do believe this has been the time to take them on, call them out for their bad behavior when it comes to stealing intellectual property, forced technology transfers, manipulating currencies, creating gluts, dumping it on the market; no one else is doing that. Until President Trump came along, nobody else was talking about it. He was over in Europe recently, reminding our allies that, when you are running trillion-dollar deficits, you can no longer afford to be paying the bills for the rest of the world. That is business as usual, thank goodness, because we simply can't afford it anymore.

USMCA reflects arrangements between our two largest trading partners, Canada and Mexico—many inequities there, mostly because we were kind in those original agreements, but it needed to be changed because we cannot sustain that in the long run. This is going to help manufacturing. It is going to help farmers. The number of jobs it will create, even in this low unemployment context, are amazing.

When you look at that, it finally gets across the finish line, and we now, over the next couple weeks, couple months—who knows—we are dealing with what is going to happen in one of the biggest political events that has occurred in the history of this country. All I can tell you is we will get through it.

I don't think we are going to find out any more than what we know currently, but hopefully, when we do get it resolved, we are going to give full credit due to getting tasks done like the USMCA, lowering taxes, creating more enterprise across this country, and hopefully relying less on this institution in all parts of our daily lives until it sets the example that it starts to live within its means, live sustainably. And then we start tackling issues like the cost of healthcare, where we start talking about climate, when we start talking about the issues that future generations will have to deal with and that are currently paying all the bills through the money that we are borrowing, hopefully that dynamic will change, and hopefully, we will be back on track in November 2020 with the leadership that has put us in a position to actually change things here to where we do live in a way in the future that is sustainable, setting the example starting right here.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Georgia.

FAREWELL TO THE SENATE

Mr. ISAKSON. Mr. President, I always come to the well of the Senate with a purpose. I try not to talk too long, and I try to make my point and get out before I make a big mistake. When you are saying thank you to people who have done so much for you, it is almost always the time where you do make a mistake and you leave somebody out here and somebody out there and somebody out here. I am going to do a little something I have never done before. I know one thing, I will leave nobody out.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of names of my staff.

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

PERSONAL OFFICE STAFF AND INTERNS

Monica Heil, Jeremy Johnson, Jay Sulzmann, Amanda Maddox, Marie Gordon, Charles Spry, Michael Gay, Toni Brown, Jody Redding, Kathie Miller, Nancy Bobbitt, Nancy Brooks, Tommy Nguyen, Maureen Rhodes, Sheila Robinson, Andrew Blascovich, Michael Black.

Laura Gower, Will Dent, Jack Overstreet, Gus Youmans, Elizabeth McKay, Tripp Adams, Hanna Yu, Preston Miller, Kristine Nichols, Brad Williamson, Ryan Williams, Brooke Doss, Drew Ferguson, Connor Rabb, Taylor McDowell, Logan Purvis.

Caroline Maughon, Kate Hunter, Nyjel Jackson, Jason Maynard, Max Turner, Hannah Kitzmiller, Colleen O'Connell, Ken Ciarlatta, Seth MacKenney, Riya Vashi, Matt Sartor, Sahiti Namburar, Olivia Kelly, Frederick Severtson, Floyd Buford.

VA COMMITTEE STAFF

Adam Reece, Thomas Coleman, Reider Grunseth, Asher Allman, DeKisha Williams, Barry Walker, Leslie Campbell, Annabell McWherter, John Ashley, Brian Newbold, Lindsay Dearing, David Shearman, Patrick McGuigan, Jillian Workman, Emily Blair, Pauline Schmitt.

ETHICS COMMITTEE STAFF

Deborah Sue Mayer, Karen Gorman, Cami Morrison, Geoff Turley, Madeline Dang, Shane Kelly, Katharine Quaglieri, Kelly Selesnick, Charlotte Underwood, Danny Remington, Katie Jordan, Gabrielle Quintana, Taylore Presta, Taisha Saintil, Mary Yuengert.

Mr. ISAKSON. Mr. President, it contains a list of literally hundreds of people who have helped me get to where I am today in this Chamber. A few of them are in this Chamber with me right now and a lot of them were here Tuesday of last week when the Senate was very kind to give me a sendoff. In fact, I thought they were so happy I was leaving, I had done something really wrong, and I was saving them some trouble, but they were really happy because we were being happy together about the years we have had together.

I have had 15 years together with Members of the U.S. Senate, and it has been the greatest 15 years of my life. I learned as much about myself as I learned about anybody else, but I learned even more about my country, which I love so passionately.

I want to take a few minutes today to talk about a few people I want to thank for what they said about me, what they have done for me, and how they have helped me. I wish to also tell the people who may be listening to this show or watching C–SPAN today to understand there are a lot of people who make us work. We do all the mistakes by ourselves without any help, but the good things we do take a lot of help. They take a lot of strength and a lot of time and a lot of commitment.

The 100 Members of this Senate sitting here have literally hundreds of people behind them who help them do their job they otherwise couldn't do. I represent 10 million people; Senators from California, almost 30 million people; from New York, almost 15 million people. All of the States have different populations, but all of them have a lot of people who need help.

That is what Members of the Senate are there to do, along with the Members of the House, and that is to give them the help they need from the country they love and the country they were born in or became a naturalized citizen in.

I want to talk today more about the hard work—the hard work of licking stamps and envelopes when I first got

in politics. I don't do that anymore. We punch a computer key, and it says ''reply all'' or ''distribute to all'' or ''send to all.'' Technology allows us to communicate at the drop of a hat.

The biggest challenge I have every day communicating is because of what is on television beginning at midnight. President Trump usually makes a tweet about 3 o'clock in the morning, and the news starts. We get phone calls, our staff gets phone calls, and for the rest of the day we are responding to what he said at 3 a.m., knowing the next morning at 3 a.m. there will be a new tweet. There will be a new issue, and he will be setting the pace. During the afternoon, when people respond to it, their response to it will be setting the pace. All of us are reacting in the third person or for the third time. It is a challenging job.

With communications like it is and 24/7 television like it is and the media like they are, it is really a challenge. The men and women who work for me help me to make that communication. I want to, first of all, start off by thanking them.

The lady sitting to my left—on the screen, I guess that would make it your right—Miss Amanda Maddox. Amanda came to work for me a number of years ago when I stole her from one of the House Members because I knew she was the best person on the floor of the House. She was not an easy steal because I knew she was a tough lady, but I knew I needed a tough lady and somebody who could help. She has been a tremendous help for me through a lot of difficulties we never expected, neither she nor I—health challenges that I had, challenges I had in terms of my staff, training for trips I took, going on trips I took, dealing with the media during things we took on that were tough. Every day she did it with skill and aplomb. Every day she did it right, and every day she helped me look much better than I deserved.

I look in the mirror so I know what I start out with, but when I get up and open my mouth, I can do even more damage. Amanda keeps me from doing that. She is a first-class lady.

Another lady who is not here today, unfortunately, is Marie Gordon, who is in Atlanta. Marie works under Amanda. She works for me in Atlanta, GA.

They are really my communication. You heard of left brain-right brain. This is my left brain. Marie is my right brain. They make me work, and I know how many times I owe to say thank you to them, and it is more than I could ever come to. They have been wonderful to me, and I will miss them a lot as I retire, but I know they will be here to help somebody else along the same way who will take my place and do just as good a job or better.

I want to, personally, publicly, thank Amanda and Marie for what they have done and how they made me look good.

A harder job is getting me around with my current difficulties I am having in terms of movement.

Where is Logan?

Logan is on the floor somewhere. He is my pusher. He is not the kind of pusher you are thinking about. He is my wheelchair pusher. He doesn't sell anything else but wheelchairs, but he does a great job with it and gets me in a lot of bad places I am not supposed to be able to get into, but he does it safely. We haven't had any accidents, and he makes me look good. I could not do without Logan and his talent and his willingness to get up early hours to get me in a truck or get me in an airplane or get me in my own car and get me to the places I need to go safely and on time and get me back home to see my wife if we are in Atlanta or back here to see my many supporters in the office when they need me.

He is my instant communication man. That means he is also my right brain. He is in there thinking ahead to make sure we have enough time to get where we need to go and have enough places to stop for the restroom, which when you are in a wheelchair, that is something you have to think about from time to time and all the other little parts of life you take for granted until you can't do them anymore. When somebody helps you do them, they are a lifetime friend, and Logan Purvis is a lifetime friend for me in what he does.

There is a real tall guy somewhere in the room who is good golfer. His name is Trey Kilpatrick. Trey has been with me for 10 years. He started with me in my third reelection or second reelection—one of my reelections—in the first half of this century. Sometimes elections seem like a century, not a day or not an hour but a century.

Trey has done everything. He has made appointments; he has substituted for me; and he does an excellent job of that. He has given me advice on what not to say. When he does this, I know what it means. I know what it means from my wife, too, but when Trey does it, it means to shut up, you dummy. He gets me to shut up in time and not say a bad thing. That is a valuable person.

He is also valuable because I can't play golf anymore, but I let him play in my stead, and he is a scratch golfer. For those of you who are listening or watching this, that means he will beat anybody who tries to beat him, and I hope to get half the money. If I don't get half the money, I just enjoy seeing him and his great talent.

He has his third child coming pretty soon, so he is producing some good voters for us in about 15 or 20 years from now. I appreciate that as well. I appreciate Sally, his wife, and the sacrifice she has made to let him take as much time out of his life and her life as I have taken out of their lives.

I appreciate those who have made me look good. They made me look good all the time, and I appreciate what they have done to help me along the way with my service in the U.S. Senate.

There is another person I want to talk about for 1 minute. I will do it some more tomorrow. I will break it up, so I am not taking up all of the time of the Chair, but I want to take as much as I can right now to talk about Joan Kirchner Carr. I have a unique situation with the chief of staff. Joan Kirchner is my chief of staff. Her name is now Joan Carr. She changed her name because she married my previous chief of staff. She came with me as a deputy chief of staff and fell in love with my chief of staff, and they fell in love with each other. He is now the attorney general of Georgia. She married my chief of staff.

I actually have pretty good luck for somebody who wants to get married. If you come to my office, you will find a husband or wife or something like that. That is not a bad thing to happen in Washington, DC.

Joan has been fantastic. She wrote for AP. She covered me when I was almost a little guy. I first got elected in 1976, and she was working for AP at that time in the Georgia Legislature and wrote speeches about all the people who were in the legislature, and I was one of them. I was the minority leader. I was the minority leader of a group of 19 Republicans who had 161 Democrats opposing them. Custer had better odds than we did. We didn't have good odds at all. She was a great writer, a great reporter, and I fell in love with her—not in the physical sense but in the platonic sense—because I knew how good she was at what she did.

Over the years, she impressed me so much, I brought her along on whatever campaign I had. I brought her along to help me in the office I had. She ultimately became my press secretary, my deputy chief of staff, my chief of staff, and my best friend. When you can cover all those bases at one time, you are doing pretty good, and Joan does exactly that.

I am so grateful for all those who have helped me along the way, all those who gave a lot, all those who gave a little but mostly those who gave of themselves. Politicians are always asking for money; they are always talking about money; and they are always promising money. Money is fine, but that doesn't get you much of anything—but relationships are impossible to replace. You take a good relationship with somebody who has worked hard to help you get where you want to go, there is nothing better or more valuable in life. No contribution of money is worth anything more than just that act of love or that act of kindness or act of support that gets you where you are going.

From this one guy who is leaving the U.S. Senate under his own power, but not as much as I used to have, I enjoyed my 15 years more than you would ever know, and I want to thank all those people who helped me get here and made it possible for me, particularly those I pointed out now and will point out later in my speeches this week. May God bless them, may God bless all of you, and may God bless the United States of America.

I yield back.

The PRESIDING OFFICER (Mr. COTTON). The Senator from West Virginia.

TRIBUTE TO JOHNNY ISAKSON

Mrs. CAPITO. Mr. President, I am pleased to be on the floor with my colleagues to honor our friend and our colleague, JOHNNY ISAKSON from Georgia. I could almost tell you he is probably hating this about now, but I want to get my two cents in. I don't need to read off his impressive resume or thank him for his service in the Georgia National Guard, his successful real estate business, his extensive public service, and all that he has done and accomplished in Congress.

I want to talk about JOHNNY ISAKSON, my friend. You hear everybody in this body get up and we say: My colleague and my friend. Sometimes I am not sure we are really talking about friends, but I want to tell you, JOHNNY, I am not making this up. I am talking about you as my friend. I am not just being polite. You know me better than that.

I will tell a little story, and he has heard me tell it, but when I was first elected to the House of Representatives in the year 2000, I was walking down the aisle, probably our first vote, had no idea really what I was doing, didn't know anybody in the 435-Member body, and I must have had it written all over my face because I was wandering, and this hand reaches out, and he says: Why don't you sit down here next to me, and we can talk about what is going on.

That was my introduction to JOHNNY ISAKSON. We talked about what was going on on the floor. We talked about who his friends were. We talked about the fact that my mother's family was from Perry, GA, and I had some Georgia blood running through these veins.

JOHNNY, as we have heard, doesn't care if you have been here 20 years or if you have been here 20 minutes, he wants to be a friend. I heard him say that the other day; that he has friends and then he has future friends. I have actually thought about that a lot over the holiday weekend. He doesn't care if you are a Republican or Democrat, from the North or the South—South will probably help a little bit—East or West, he has an innate ability to put everybody at ease. He doesn't count anybody as an enemy. We have been to the Prayer Breakfast. We have shared our highs and lows together in our respective lives. He never cares who gets the credit. He just cares about getting things done. I think you have seen that through everybody's wonderful tributes to JOHNNY. He brings people together. That is hard to do, but he leads by example. He has been a great example to me. You have been a great example to me. My colleague from North Dakota, Senator JOHN HOEVEN, has called you ''Mr. Congeniality of the Senate.'' I can't think of a better analogy. You are Mr. Congeniality, but you are also a very forceful, strong person with a steel spine to know what is right and what is wrong.

The Bible asks, ''What does the Lord require of you?'' JOHNNY is living that answer: to act justly, to love mercy, and to walk humbly with God. We could use a few more humble walkers around here, I think. We could sure use more JOHNNY ISAKSONs.

You will be there cheering us on, I know, because your heart is with your many friends who are here. I will miss seeing you coming around the corner because our offices are very close. I will miss our car rides together and our golf games together. I will miss that extended hand in friendship, but I know that you will still be extending it from your home with your family and your many, many friends.

I am really happy to be here. This is happy for me because I think it is happy for you. I think that as much as you probably regret leaving and feel there is more work to be done, you can go in peace and love and know that you have happy days ahead of you and a lot of well-wishers on the way.

JOHNNY, thanks a lot. Thanks for extending that hand of friendship. It meant so much to me then, as it does today. Good luck and Godspeed.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today to join my colleagues, like the Senator from West Virginia, and pay tribute to our friend Senator JOHNNY ISAKSON.

It has been an incredible privilege to work with Senator ISAKSON. Senator ISAKSON and I got to know each other first through the bipartisan Senate Prayer Breakfast and then serving together on the Health, Education, Labor, and Pensions and Finance Committees. I have always appreciated his commitment to bipartisanship, problem-solving, and getting results for the people in his home State of Georgia and for people all across our country. Because of that commitment, Senator ISAKSON and I have worked together to cosponsor a number of pieces of legislation, including efforts to improve care for veterans and to make hearing aids available over-the-counter. We also partnered together to pass a resolution designating March 25 ''Cerebral Palsy Awareness Day.''

In addition to being kind, thoughtful, and bipartisan, one thing stands out to me about Senator ISAKSON the most: his bravery in speaking out on issues regarding human dignity. He demonstrated that bravery early on in his career as a State senator who spoke out against a local anti-gay resolution. At a time when standing up for the rights of people of all sexual orientations wasn't easy or convenient, he did. That took real courage.

In addition, I am in awe of Senator ISAKSON's bravery in sharing publicly his family's experience losing his grandson Charlie to an overdose. By opening up and sharing this tragedy, Senator ISAKSON helped reinforce that this crisis affects families from all walks of life. His public discussion has and continues to make a real difference as we work to break down the stigma that comes with addiction. I know he has continued working here in the Senate to prevent more families from experiencing a loss like his own.

I am also grateful for Senator ISAKSON's leadership on behalf of our country's veterans. In June, Senator ISAKSON led a bipartisan Senate delegation to Normandy to mark the 75th anniversary of the D-Day landings. During that visit, I saw firsthand JOHNNY's incredible kindness and commitment to our country's veterans. I also saw how quickly he dismissed compliments and thanks directed his way to ensure that others got credit for their part in his success. I know that carries over to his tireless efforts and hard work on behalf of veterans as chairman of the Veterans' Affairs Committee.

Above all, I appreciate Senator ISAKSON's friendship. He has represented the people of Georgia in the Senate with dignity, determination, and grit, as well as a really good sense of humor. He has made a real difference.

As Senator ISAKSON confronts a health challenge of his own right now, I am confident that he will face it with the bravery, humility, and humor he has exemplified throughout his life and here in the Senate.

Senator ISAKSON, we will all miss you terribly, but we are looking forward to traveling to Georgia to see you and to continue the many conversations that have made us all better people and better Senators and makes this country a better place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Mr. President, I know I am not in the right order, but since we have a gap here, I thought I would just jump in.

I am honored to be here today for the JOHNNY ISAKSON memorial tribute part two. Being the lower person in the Senate on the totem pole here, I didn't get a chance to talk last week, but I did sit through the Senators' remarks, which I found very compelling.

I have found JOHNNY ISAKSON to be very compelling. You know, there are times when you watch a movie or a TV show, and there are these special moments when two people meet, and there is one person who has that spark, who has that magic, and when they touch, when they embrace with a hug or a shake of the hands, all of a sudden, the other person realizes they are talking to somebody very special. That is JOHNNY ISAKSON. That moment is built around JOHNNY ISAKSON.

From the first time I had the chance to meet him on January 3, 2018, I knew all of those things that are being said about his bipartisanship, about his friendliness, and about how he wants to work with people and how he cares about people were absolutely true. I could tell by the first handshake and the ''Welcome to the Senate, DOUG.''

I will say that I think meeting me and having that spark was a real test

of Senator ISAKSON more than anybody in this body because you have to understand that when we first met, it was about 5 days before his beloved Georgia Bulldogs were going to face the University of Alabama in the national championship game.

For those who don't know this, I am telling you, you can think of ''partisanship'' and ''tribalism'' as political terms here in Washington, DC, but if you ain't experienced football partisanship and football tribalism as far as SEC rivals, you ain't experienced nothing. So the fact that JOHNNY ISAKSON embraced me, a Democrat from his neighboring State of Alabama, was very, very special and something I will always cherish.

I truly mean that, JOHNNY. I have watched you as a member of the HELP Committee with me. I have watched you in so many hearings and listened to you and your wisdom. That wisdom often came from personal experiences. Whether it was business or education or whether it was the tragedy with your grandson, everything about what you have done in the U.S. Senate has been personal.

I think that is something we should all strive to do. Everything we do in this body needs to be personal because for all of our constituents, it is personal to us. It is personal to our States and personal to everyone, but we don't always seem to act that way. A lot of times, we act in a way that it seems to be more political than personal. I have never seen that in Senator ISAKSON. I have seen that time and again, where everything he has spoken about—whether or not I agreed with him was not the issue. I could tell that what he was speaking of was personal, that it meant something to him, and that he knew how it was going to affect those in the State of Georgia and across the United States.

I can remember last year when we were moving toward trying to find a way to help farmers in south Georgia and south Alabama who had been so devastated by Hurricane Michael. This was crossing party lines. He and Senator PERDUE and I talked a lot about how this was affecting people and people's lives and how frustrating it was for all of us to see the politics kind of take over for a period of—I don't know—4 or 5 months while these farmers suffered. That is the JOHNNY ISAKSON who reaches across the aisle. That is the JOHNNY ISAKSON who cares about people. That is the JOHNNY ISAKSON who goes to funerals and sits in the back of the room and then works to make sure he does the right thing for all those who could be affected.

JOHNNY, I am going to miss you a lot. I enjoy our talks about football. I enjoy kidding you. I enjoy your ribbing me. But more importantly, I just enjoy the camaraderie. I enjoy the warmth, the feeling that I belong here. I, a Democrat from Alabama, belong in this body—maybe not after 2020. I ain't going to push you that far, JOHNNY, OK? I get that. But for me, there has always been a sense that you belong in this body and you have a voice, and it is an important voice. We need more of that.

We need to make sure everything JOHNNY ISAKSON said is remembered in this body. We are about to go through some rough seas. The ship of state, as I have said before, is about to chart some rough seas. We need to remember the words of Senator ISAKSON as he leaves this body to make sure we continue to do the work.

I think what we have done these last couple of weeks is reflective of the legacy of JOHNNY ISAKSON. Whereas what was going on in the House and what was dominating in the media—we still got an NDAA done, we still got the FUTURE Act done, and we are still, over in the House, negotiating USMCA. Things in this body can work if we work together and we make sure that whatever happens after the first of the year does not interfere with our ability to relate to each other and to our constituents and for the people of America.

JOHNNY, I have been honored and privileged to serve with you. It will always be one of the greatest honors in my life to have been able to have served in this body with you. I wish you and your family nothing but the best in the future. I hope that you will continue to contact me during the football games and throughout so that we can commiserate the good, the bad, and the ugly about Georgia and Alabama football. I love you, and I appreciate you. Thank God you have been here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I agree with my colleague from Alabama, Senator JONES. Senator JONES and I haven't been here as long as some of our other colleagues have been, but I think it is probably fair to say that when Senator JONES and I have a colleague who is departing or if the Presiding Officer has a colleague who is departing, there will be one day of farewell. Maybe there will be an hour's window in which we can come to the floor to say thank you or there will be a reception in the Mansfield Room. I think it is fair to say, as has my colleague Senator JONES, that I have been in line for a long time to get to this day to say thank you to JOHNNY ISAKSON.

These tributes started when Senator ISAKSON first announced he would be retiring from the Senate. It is very fitting that they continue through this day because of the work he has pursued and because of his accomplishments but also because of the humanity that rests in his heart. All of us are better off because of his work.

In my knowing him, I hope that a little bit of JOHNNY ISAKSON rubs off on all of us and that we can be here today, knowing that we are a better institution, better leaders, and better public servants because of his model.

Senator ISAKSON has done a lot of things that have been discussed on the Senate floor. I don't know how much I can add, but I am going to add a few things to the kind words that have been said. So many people have said such great things.

The first time Senator ISAKSON and I had an opportunity to really work together was on something that will benefit generations of Coloradans. It was the VA hospital in Colorado—something that may have shaved off some of the patience Senator ISAKSON has, which seems to be unending at times. This one, though, I am sure, took a little bit of a toll—the frustration with a very crazy collapse of a VA facility that had taken over a decade and—gosh—hundreds of millions of dollars to complete. It was a project that started out in the nineties but that didn't get done until about a year ago or so. It was a project that had started out at $300 million but that had ended up being over $2 billion.

Through it all, Senator ISAKSON was mindful of a very simple purpose, which was that this facility was to benefit the veterans who had given so much to this country. The first thing Senator ISAKSON said to me was: Don't worry. We are going to get this done, and we are going to make reforms so that this never happens again.

Under Senator ISAKSON's leadership, we have seen changes at the VA, and we have also seen changes about how new facilities are going to be completed and built so that we can avoid the kinds of mistakes that led to the delays in Colorado.

Ultimately, Senator ISAKSON knew that this would be the crown jewel in the Rocky Mountain region for veterans' service and veterans' care, and that is exactly what it continues to be. We have Senator ISAKSON to thank for the completion of that and the time on task it took to get the job done.

Senator ISAKSON held a field hearing in Aurora, CO, with, I think at the time, Deputy Secretary Sloan Gibson to find out what had happened, why the delays occurred, and then to fix it and to hold the people accountable who were responsible for the delays. That is the kind of leadership Senator ISAKSON provided.

Throughout that process, I think I threatened to rename the colonoscopy unit after a couple of people, but for Senator ISAKSON, we should name the town after him for the work he did to complete that facility.

I remember the first time I gave him a little bit of a treat from Colorado in order to thank him for his work. It was a box of Enstrom Toffee from a family company in western Colorado. It was a pretty incredible treat. I gave it to him and thought he had never had this before.

He looked at it, and he said: Oh, Enstrom Toffee. I love this stuff. I used to give this out to my clients when I was in real estate.

So I couldn't even surprise him with what I thought was a very special Colorado treat.

JOHNNY is the kind of person who has the ability to cut through problems, to cut through the smoke, to cut through the haze and the fog of a challenge and go right to the merits of it, to very concisely riff on any issue at a moment's notice, cut to the heart of a problem, and provide a solution to that problem and to that challenge.

As the old saying goes, you are known by the company you keep. When one looks around this Chamber, one sees the people who came to pay their thanks to Senator ISAKSON. It is pretty good company. He has done such great things for Georgia and for this country. I can't thank Senator ISAKSON enough for his leadership, for helping us all out in Colorado, and for making this country a better place.

Senator ISAKSON, thank you for all that you have done.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I come to the floor this afternoon to pay tribute to our good friend Senator JOHNNY ISAKSON of the great State of Georgia. I say ''ours'' because I know he is a friend to everyone in this Chamber. It was a real blow to me and, I know, to all of the Senators to hear that Senator ISAKSON wouldn't be seeking another term and that he would be leaving early.

Over the years, JOHNNY and I have had a chance to partner on a number of bipartisan initiatives. He has established a reputation in this body as an honorable and hard-working Senator who cares deeply about his constituents. Beyond that, he is just a kind person. As we think about the accolades we could say about somebody, somebody who is kind to everyone they meet, that is about as nice a thing, I think, as you can say.

What JOHNNY does has been demonstrated time and again in Congress. He develops trust and good working relationships, and he gets things done.

As chairman of the Veterans' Affairs Committee and a veteran himself, JOHNNY has taken on the difficult but critical task of making reforms to the VA to better deliver care to those who have fought for our country. Having been through some of those challenges with veterans in New Hampshire and seeing what they are facing with getting the care they need, to be able to go back to them and say that because of the work of Senator ISAKSON and Senator TESTER, we now have the MISSION Act—which is bipartisan legislation to expand care and services to veterans—has been very reassuring.

We also know that Senator ISAKSON is a fierce advocate for local priorities in his home State. I have a sister in Georgia, in Atlanta, and when I ask her about Senator ISAKSON, she speaks very positively about what she has seen that he does in Georgia.

Of course, many of us here have been reminded time and again of the importance of the Port of Savannah and its dredging needs. I can especially identify with those since we have small ports—much smaller than Savannah's—in New Hampshire, but they consistently have dredging needs, so I know how important it is to have an advocate who is there all the time, making sure that the needs of those ports are being seen to.

One of the many areas where Senator ISAKSON and I have found common ground is reforming our budget process. I think it is not a secret to anybody in this body that the Federal budget process is broken. Since 2011, I have worked with Senator ISAKSON, who had been working on trying to get a biennial budgeting process for the Federal Government. That is something that I think makes sense. Nineteen States, including New Hampshire, operate on a biennial budget. We believe that taxpayers would be better served by a process whereby Congress budgets for 2 years rather than 1 and is able to use the second year for oversight.

As we know, it is not easy to change things in Washington. I couldn't have asked for a better partner in this effort.

One of the things I have especially appreciated about JOHNNY is that he has very little time for partisan sniping, which has too often characterized much of what we do here.

One of the gestures that mattered to me and that has stood out about what his character is and how he has operated in the Senate has been the fact that he came to New Hampshire to advocate for our biennial budgeting efforts in 2013, a year when I was in cycle for reelection. It didn't matter to him. What mattered was that we were working on this issue, and it was important to the American people.

I had the opportunity to go the following year to Atlanta, and we did the same presentation in Atlanta to again show that we could work in a bipartisan way to try and address what wasn't working in New Hampshire.

I have especially appreciated that he has taken that approach on everything we have worked on together.

I know Senator ISAKSON also cares deeply about the institution of the Senate. He served as chairman of the Senate's Ethics Committee, a committee I have also been a member of, though not nearly as long as he has. I have seen closeup how he has faithfully and honorably conducted the committee's business and, again, how partisanship has not been any part of how he has approached his duties on the Ethics Committee. What has been important has been preserving the integrity of the Senate and the responsibility that each of us has as a Senator.

There have been so many ways in which JOHNNY ISAKSON has bridged the partisan divide. One of those is through food, and I think all of my colleagues would agree with me that one of the highlights of our year is when Senator ISAKSON has his bipartisan barbecue lunch, which features not just the dishes his home State is known for but, as he points out, the best barbecue in America.

In New Hampshire, we don't have a lot of barbecue, so I don't have much basis on which to judge, but I certainly would agree it is very good barbecue.

I think, as somebody who has served in the Army, he understands that the way to our hearts is through our stomachs, and we know if we keep our troops eating well that they do better, and I think the same is probably true of Senators. If we can keep eating well and collaborate when we are doing that, it is great for our morale, and it is a great way to help work better together.

In closing, I just want to say that throughout his time in Congress, JOHNNY ISAKSON has been a statesman, and he has been a gentleman of the highest order. They say that we remember people not by what they say as much as by how we feel we are treated, and I know it is fair to say, whether it is the person operating the elevator, the person who is serving us lunch, each of us as Senators, or his constituents, JOHNNY ISAKSON has made all of us feel very important, and he recognizes the value that each individual in the Senate contributes to this body. For that, I am very appreciative, and I will miss you, Senator ISAKSON.

Thank you for everything you have done for all of us.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, let me join my dear friend and colleague from New Hampshire in paying tribute to so many things about JOHNNY ISAKSON.

I know we are supposed to abide by the rules, address remarks to the Chair, and not speak to each other, and if I occasionally look over at the senior Senator from Georgia and call him JOHNNY, I will apologize in advance to the Chair and to the keeper of the rules.

I think one of the points that Senator SHAHEEN was making about the bipartisan barbecue lunch every year is that we ought to do this more often. We choose sides so many times, and for those of us on this side of the aisle, it is three times at lunch every week—Tuesday, Wednesday, and Thursday. The senior Senator from New Hampshire and I never have a chance to have lunch together because we are there with our leadership talking about what our folks are going to do.

JOHNNY ISAKSON decided at least one time a year, when he was in charge of making that decision, that he would invite Republicans and Democrats. Sometimes we got pushback from the leadership of both parties because they didn't have us captive that particular hour, and some of us who tried it didn't do it year after year after year. JOHNNY ISAKSON has done that and has been an example of bipartisanship.

I hope, JOHNNY, we are not making you weary of speechmaking, but I did want to make an extra point that perhaps others haven't made and give a quotation that Senator JOHNNY ISAKSON has made about others that he would never have made about himself because he is too modest.

I first became aware of JOHNNY ISAKSON in 1990, and he and I had not met at that point, but I was in Atlanta, GA, for some party function. JOHNNY ISAKSON was a successful businessman and a member of the Georgia senate. He was the Republican nominee for Governor that year, and it was pretty well known that he was not going to win that race. But he came before us and gave a rip-roaring talk, very impressive, and I said to myself: You know, he may not win this year, but this JOHNNY ISAKSON fellow has a future, and he is going to go places.

It turned out that the impression I had that day was correct. He would go on to serve for some time in a bipartisan way in Georgia, and then, when the Speaker of the House of Representatives resigned from office, JOHNNY ISAKSON was there to win the special election and became my colleague in the House of Representatives.

During that time when we served in the House together, we were on the deputy whip team together. And, JOHNNY, it was usually you and I sitting next to each other at each of those weekly meetings of the whip team.

I began to realize on a personal, day-to-day basis what an outstanding leader he was, what an articulate leader he was, how persuasive he was, and how able he was to actually come up with some accomplishments in the Congress.

Boy, it is hard to get a bill passed, and JOHNNY ISAKSON has gotten bill after bill after bill passed for our Nation's veterans, of which I am proud to be one—a list as long as my arms. I am proud to be a veteran. I am proud to be the father of an Air Force major and the son of an Army-Air Force veteran from World War II. We all appreciate in our family, down through the generations, the efforts that JOHNNY has made.

He has been so effective because he understands people, because he understands the business about building consensus and using strong relationships and treating each and every one of us on both sides of this center aisle with dignity and respect—the kind of respect that we would hope to be treated with always.

Senator ISAKSON enjoys poetry, as do I, and I have been known to quote a line or two from a poem, but today I want to quote from a poem entitled ''Sermons We See'' by Edgar Guest.

The reason I want to do this is that from time to time, when we have honored people JOHNNY ISAKSON admired, he would cite this poem or a verse or two from it as a way of honoring and pointing out the virtues of the person being honored. He would never be so bold as to quote the poem about himself.

I submit today for the RECORD the entire poem, and ask unanimous consent that it be admitted.

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

SERMONS WE SEE

(By Edgar Guest)

I'd rather see a sermon than hear one any day;
I'd rather one should walk with me than merely tell the way.
The eye's a better pupil and more willing than the ear,
Fine counsel is confusing, but example's always clear;
And the best of all the preachers are the men who live their creeds,
For to see good put in action is what everybody needs.
I soon can learn to do it if you'll let me see it done;
I can watch your hands in action, but your tongue too fast may run.
And the lecture you deliver may be very wise and true,
But I'd rather get my lessons by observing what you do;
For I might misunderstand you and the high advise you give,
But there's no misunderstanding how you act and how you live.
When I see a deed of kindness, I am eager to be kind.
When a weaker brother stumbles and a strong man stays behind
Just to see if he can help him, then the wish grows strong in me
To become as big and thoughtful as I know that friend to be.
And all travelers can witness that the best of guides today
Is not the one who tells them, but the one who shows the way.
One good man teaches many, men believe what they behold;
One deed of kindness noticed is worth forty that are told.
Who stands with men of honor learns to hold his honor dear,
For right living speaks a language which to every one is clear.
Though an able speaker charms me with his eloquence, I say,
I'd rather see a sermon than to hear one, any day.

Mr. WICKER. Mr. President, I will read the first two verses of ''Sermons We See'' by Edgar Guest.

I'd rather see a sermon than hear one any day;
I'd rather one should walk with me than merely tell the way.
The eye's a better pupil and more willing than the ear.
Fine counsel is confusing, but example's always clear;
And the best of all the preachers are the men who live their creeds,
For to see good put in action is what everybody needs.
I soon can learn to do it if you'll let me see it done;
I can watch your hands in action, but your tongue too fast may run.
And the lecture you deliver may be very wise and true,
But I'd rather get my lessons by observing what you do;
For I might misunderstand you and the high advise you give,
But there's no misunderstanding how you act and how you live.

Those are first two verses of ''Sermons We See.''

I am so grateful for the sermons I have been able to see as a Member of the House of Representatives, as a fellow colleague of JOHNNY ISAKSON's here in the U.S. Senate.

He has demonstrated, in the way he has acted, the way we should always act. He has shown us how to be a gentleman and how to be an accomplished gentleman in the way he has lived and the way he has worked across the aisle. How he ends this chapter gives us an opportunity to say thank you for the way he has made the Nation better and the way he has made life better for millions and millions of his fellow Americans. Thank you, JOHNNY.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Oregon.

Mr. MERKLEY. Mr. President, it is now my pleasure to also say some words of tribute to my colleague from Georgia.

When I first came here and found out about his real estate background and his interest in homeownership, I felt it was a powerful connection, in that while I was never in the real estate business, when I went back to Oregon in 1991, I found a connection with Habitat for Humanity and eventually became their director, and it was all about homeownership. So I spent a tremendous amount of time working to advance homeownership for families in Oregon. Certainly, that is what the residential rules say business is all about, and he spent decades in that world before he came to Congress.

In fact, I also felt a connection because of his service in the House of Representatives in Georgia. I only had 10 years in the Oregon House, and he had far more than that in the Georgia House of Representatives. I don't know if the Georgia House is like the Oregon House, but the Oregon House was a very functional place, where people came to the floor and listened to each other and shared ideas. They were only allowed to speak for 5 minutes so everybody could hear each other. You could borrow time from others, but if you borrowed time, then, people started to say: The longer that you speak, the less support you will have.

So it was great to have the entire group present, talking to each other, working, and talking on the floor.

That is how I envision the Georgia House, as well, which I think is a tremendous foundation for networking ideas, working with others, realizing that relationships make such a difference as we strive for policies we believe in. But the pathway involves relationships.

John F. Kennedy once said: ''Let the public service be a proud and lively career.'' When I think about my colleague's career spanning the Georgia House and Georgia Senate and the U.S. House and now the U.S. Senate, and all that he has worked on, I think of it as exactly that—a proud and lively career not only that he can be proud of but that all of us can be proud of, as evidenced by the many folks who have

come to the floor to say thank you for your service.

There was one particular event that I will never forget, and that is after the passage of Dodd-Frank. I heard that a problem had occurred related to the interest on lawyer trust accounts, known by the term IOLTA. This interest, which was not allowed to accrue directly to the company of lawyers, was dedicated by law to funding legal defense funds for noncriminal assistance to American citizens facing court proceedings so they could get a fair day in court.

So I was trying to get unanimous consent for us to fix this, and I needed a partner on the Republican side of the aisle. I was walking from one Senator to another to another. I probably went through about 15 Senators, and I would say: Have you ever heard of IOLTA?

And, universally, the answer was no. I would explain what it was and say why it might make a difference, and each time I spoke they would say: Well, it is probably not something near the top of my list to spend time on.

Then, I asked Senator ISAKSON: Have you ever heard of IOLTA?

He said: Of course, I have.

I explained to him exactly what it was and why it mattered, and I said: Would you be a partner and try to fix this so that the funds will go to the public legal defense fund? And he said yes.

We had to persuade, collectively, a number of folks who had holds on the amendment, which we did. We finally had one Senator who was still putting a hold on it, and we met with him—I don't know if my colleague from Georgia will remember this, but we met with him—and explained our case.

He said that, well, he would think about it, and we decided to inform him that we were going to ask for a unanimous consent motion on the floor at a certain time on a certain day, and that he was welcome to come back and object if he wanted. He did come back, and he met with us at that moment and withdrew his objection, and we passed that fix.

Now, interest rates have not been as high. So the amount of funds that went into the fund were not equivalent to what they were in a previous era, but it is an example of bipartisan work. It is not blue or red work. It is work to help make something go a little better for people in the United States of America.

So to my colleague from Georgia, thank you for doing many things to make life better for the citizens of the United States of America, working with that goal in mind, not partisanship.

Bless you and your family. Thank you for your service.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

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

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

NOMINATION OF LAWRENCE VANDYKE

Mr. DURBIN. Mr. President, I oppose the nomination of Lawrence VanDyke to fill a Nevada seat on the Ninth Circuit. When my Republican colleagues decided to abandon blue slips for circuit court seats, many on our side warned that we would start to see nominees with little connection to the States in which they were nominated to sit. Those warnings are coming true. We saw it earlier this year, when the Senate approved the nomination of Daniel Bress to fill a California seat on the Ninth Circuit, even though he had barely lived or practiced in California as an adult.

Now, we are seeing it again with Mr. VanDyke, whose ties to Nevada are minimal. He did not grow up in Nevada or attend any schools there. He did not move to Nevada until 2015, after he had lost a race for the State supreme court of Montana. He did not become an active member of the Nevada Bar until October 2017. He does not have family ties to Nevada. He does not currently live in Nevada. Since he moved to Virginia 8 months ago, he has not been to Nevada even once. Mr. VanDyke's only real tie to Nevada is that he was given a job there for a few years as solicitor general, apparently as a landing spot after he lost his race in Montana.

There are many longtime members of the Nevada legal community who are well qualified to serve as a Federal circuit court judge. But none of them will get the chance to fill this seat. Instead, Senate Republicans are going to rubber-stamp someone with minimal Nevada ties for this Nevada judgeship. How would my colleagues like it if that happened to their States? Mr. VanDyke also has a deeply troubling record.

When he was Montana's solicitor general, we saw from his emails that he allowed political considerations to guide litigation decisions. For example, in a 2013 email, he urged that Montana join an amicus brief supporting the NRA in a cert petition involving a challenge to a gun law on the books. VanDyke wrote, ''I'm not sure I agree with the strategy of bringing this case to SCOTUS, but I think we want to be on the record as on the side of gun rights and the NRA.''

I am troubled that, for his judicial election campaign, he filled out an NRA endorsement questionnaire in which he said he agreed that ''gun control laws are misdirected.'' He also has a lengthy history of criticizing and undermining LGBTQ rights. This includes his 2004 column where he wrote that there is, ''ample reason for concern that same-sex marriage will hurt families, and consequently children and society.''

Mr. VanDyke is the ninth Trump judicial nominee who has been rated ''Not Qualified'' by the ABA, out of over 260 Trump nominees the ABA has reviewed. The ABA conducts a peer review process. In VanDyke's case, the ABA interviewed 60 attorneys and judges who knew him and his work.

Mr. VanDyke's peers said that Mr. VanDyke ''is arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules,'' ''does not always have a commitment to being candid and truthful,'' and ''in some oral arguments, he missed issues fundamental to the analysis of the case.'' These were scathing comments from dozens of judges and lawyers who know Mr. VanDyke and his work well.

In short, it is no surprise that both of Nevada's Senators oppose this nomination. I agree with them. I will oppose the VanDyke nomination, and I urge my colleagues to do the same.

Mrs. FEINSTEIN. Mr. President, I rise today in strong opposition to the nomination of Lawrence VanDyke to a Nevada seat on the Ninth Circuit Court of Appeals.

I ask unanimous consent to have printed in the RECORD a number of letters and other documents relevant to Mr. VanDyke's nomination following my remarks.

Mr. VanDyke's temperament and integrity have been called into question by his colleagues and the American Bar Association, which rated him ''Not Qualified'' for the Federal bench. Mr. VanDyke's record, including his opposition to rights of LGBT individuals and commonsense gun control, is far outside the mainstream.

First, I want to discuss concerns raised by Mr. VanDyke's colleagues regarding his temperament, competence, and work ethic. The American Bar Association interviewed 60 of Mr. VanDyke's colleagues, including 43 lawyers, 16 judges, and one other individual who have worked with Mr. VanDyke in the four States where he has worked and who are ''in a position to assess his professional qualifications.''

In its letter to the committee, the ABA reported that Mr. VanDyke's colleagues described him as ''arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules'' and stated that he ''has an 'entitlement' temperament, does not have an open mind, and does not always have a commitment to being candid and truthful.''

As Montana's solicitor general, Mr. VanDyke's coworkers raised similar concerns. They noted that he ''avoids work'' and that he ''does not have the skills to perform, nor desire to learn how to perform, the work of a lawyer.'' These concerns were echoed by six retired justices of the Montana Supreme Court who wrote that Mr. VanDyke ''has neither the qualifications nor the temperament to serve as a federal court of appeals judge.'' Based in part on these assessments, the ABA deemed Mr. VanDyke ''Not Qualified'' to be a Federal district court judge. The ABA

has rated 97 percent of President Trump's judicial nominees since 1989. It has a process and standards. It has rated 97 percent of President Trump's judicial nominees ''Qualified'' or ''Well Qualified.'' Mr. VanDyke, then, is a clear exception.

Mr. VanDyke's record on LGBT rights is also deeply troubling.

In a 2004 op-ed, he wrote that there is ''ample reason for concern that same-sex marriage will hurt families, and consequentially children and society.'' Lambda Legal rightly characterized this claim as a ''stigmatizing and disproven myth.'' During his hearing, and in written questions, Mr. VanDyke was given many opportunities to disavow this statement, which is not supported by the research. He declined to do so.

I asked Mr. VanDyke whether the Supreme Court's decision legalizing same-sex marriage in Obergefell v. Hodges has harmed families and children, and I presented him with research showing that the children of gay and lesbian parents do as well as children raised in opposite-sex households. Still, Mr. VanDyke refused to disavow his anti-LGBT statements.

In its letter to the committee, the ABA reported that some interviewees were unconvinced that Mr. VanDyke would be fair to members of the LGBT community. The ABA further noted that Mr. VanDyke ''would not say affirmatively that he would be fair to any litigant before him, notably members of the LGBT community.'' I am concerned based on Mr. VanDyke's record and the ABA's assessment that LGBT litigants cannot expect to be treated fairly in his courtroom.

Finally, I would like to highlight Mr. VanDyke's long history of advocating against commonsense gun control.

As Nevada solicitor general, he undermined implementation of a 2016 ballot initiative, passed by Nevada voter that would have closed a loophole by expanding background checks for private gun sales. As Montana solicitor general, he called assault weapons bans ''ineffective'' and questioned the Federal Government's authority to regulate guns in any capacity.

While running for a seat on the Montana Supreme Court in 2014, he filled out an NRA Questionnaire that highlights how far outside the mainstream his views on gun control are.

On this questionnaire, Mr. VanDyke indicated that he believes all gun control laws are ''misdirected.'' He opposed banning the possession, purchase, or sale of any firearm. He also opposed assault weapons bans and requiring background checks for guns sold at gun shows.

Mr. VanDyke even appeared to pledge loyalty to the NRA itself. He wrote on the questionnaire that he had stopped being a member of the organization because he ''didn't want to risk recusal if a lawsuit came before [him] where the NRA was involved.'' Mr. VanDyke willingly offered these views when he was seeking judicial office, and so I asked him to answer the same questions from the NRA's questionnaire as part of this nomination process. He declined to do so.

It is distressing that a nominee would offer his views on gun control to the NRA, but not to a Member of the U.S. Senate who must vote on his lifetime appointment to the Federal bench.

It is no wonder that gun safety groups, including the Giffords Law Center and the Coalition to Stop Gun Violence, fear that Mr. VanDyke has demonstrated a ''clear lack of impartiality'' and is ''incapable of serving as an impartial justice.''

The Nevada Senators strongly oppose Mr. VanDyke, in part because he lacks ties to the State. Their opposition is justified. It is hard to believe that this nominee, whose views are so far outside the mainstream and who is unqualified for the position, is the best the Nevada legal community has to offer.

Federal appeals court judges must be knowledgeable, and litigants must have confidence that these judges will treat them fairly and honestly. Unfortunately, Mr. VanDyke does not meet these basic standards. I urge my colleagues to join me in opposing his nomination.

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

NRA–PVF
National Rifle Association of America
Political Victory Fund

2014 MONTANA CANDIDATE QUESTIONNAIRE

Name: Lawrence VanDyke
Website: www.VanDykeforJustice.com
Campaign Name: VanDyke for Supreme Court
Campaign ID #: 46-5103703
Public Office(s) Held: Montana Solicitor General
Occupation: Attorney
Office Sought: Montana Supreme Court Justice
District: Seat 2
Party: Non-Partisan

For further information on Montana firearm laws, Please visit www.nraila.org and click on the ''Gun Laws'' feature located in the menu.

1. Do you agree that the Second Amendment to the United States Constitution guarantees a fundamental, individual right to keep and bear arms that applies to all Americans, regardless of where they live in the United States?

a. X Yes.

b. _____ No.

2. Which of the following statements best represents your opinion on the prevention of violent crime?

a. _____ Gun control laws will solve the crime problem.

b. _____ Gun control laws will not solve the crime problem, but they must be a part of the overall solution.

c. X Gun control laws are misdirected; the solution is the enforcement of existing laws which punish criminals who misuse firearms and other weapons in the commission of crimes.

d. _____ Other:

3. Considering current Montana firearm laws, would you support any additional restrictive state legislation regulating firearms and/or ammunition?

a. _____ Yes, I support additional restrictive state legislation regulating firearms and/or ammunition.

b. _____ Yes, I support additional restrictive state legislation regulating firearms. Please explain:

c. _____ Yes, I support additional restrictive state legislation regulating ammunition. Please explain:

d. _____ No, current state firearm laws are sufficient.

e. X No, current state firearm laws should be improved to benefit law-abiding gun owners and sportsmen in Montana.

4. Would you support state legislation banning the manufacture, possession, ownership, purchase, sale and/or transfer of any firearms?

a. _____ Yes, for all firearms. Please specify type of restrictions:

b. _____ Yes, for all handguns. Please specify type of restrictions:

c. _____ Yes, for some firearms. Please specify types of firearms/restrictions:

d. X No, I oppose banning the manufacture, possession, ownership, purchase, sale and/or transfer of any firearm.

5. Many .50 caliber firearms are used in big game hunting and target competition and the .50 caliber BMG cartridge has been used for nearly a century. Would you support legislation prohibiting the ownership and/or sale of any .50 caliber firearms or ammunition in Montana?

a. _____ Yes, I would support such legislation. Please explain:

b. X No, I would oppose such legislation.

I personally have hunted with a 50 AE Desert Eagle Pistol (.50 caliber)

6. In 1994, Congress imposed a 10-year ban on the manufacture, for sale to private individuals, of various semi-automatic* firearms it termed ''assault weapons,'' and of ammunition magazines capable of holding more than 10 rounds of ammunition, which primarily affected handguns designed for self-defense. Congress' subsequent study of the ban, as well as state and local law enforcement agency reports, showed that contrary to the ban's supporters' claims, the guns and magazines had never been used in more than about 1%-2% of violent crime. Since the ban expired in 2004, the numbers of these firearms and magazines owned have risen to all-time highs and violent crime has fallen to a 42-year low. Would you support state legislation restricting the possession, ownership, purchase, sale, and/or transfer of semi-automatic firearms and/or limits on the capacity of magazines designed for self-defense?

* Semi-automatic firearms have been commonly used for hunting, target shooting, and self-defense since their introduction in the late 1800s. All semi-automatics fire only one shot when the trigger is pulled. They are not fully-automatic machine guns, which have been strictly regulated under federal law since 1934.

a. _____ Yes, I would support such legislation for semi-automatic firearms only.

b. _____ Yes, I would support such legislation for magazines only.

c. _____ Yes, I would support such legislation for semi-automatic firearms and magazines.

d. X No, I would oppose such legislation.

7. Federal law requires federally-licensed firearms dealers to keep records of the make, model, caliber, and serial number of all firearms sold. Would you support state legislation requiring all firearm owners to register all their firearm(s) for entry into a centralized state file or database?

a. ____ Yes, for all firearms.

b. ____ Yes, for all handguns.

c. ____ Yes, for some firearms. Please specify which firearms:

d. X No, I oppose state registration of firearms.

8. Would you support the state licensing* of law-abiding citizens who own, possess and use firearms?

*Licensing, as used here, refers to state legislation requiring firearm owners to obtain a license from a government official or agency to own and possess a firearm. As a rule, firearm owner licensing laws generally require fingerprinting, photographing, and/or a background investigation of the applicant. Note: this is different from acquiring a ''permit to carry'' a concealed weapon from the state.

a. ____ Yes, for owners of all firearms.

b. ____ Yes, for owners of all handguns.

c. ____ Yes, for owners of some firearms. Please specify which firearms:

d. X No, I oppose state registration of firearm owners.

9. Federal law requires all federally-licensed firearms dealers to conduct a criminal records check prior to the sale of any firearm, whether the sale occurs at their retail store or at a gun show. Access to the FBI-run telephone-based ''instant check'' system is limited to licensed dealers only. Under federal law, individuals who only occasionally sell firearms from their personal collections are not ''engaged in the business'' of selling firearms, and are therefore (1) not required to be licensed; (2) not required to conduct records checks prior to transferring firearms; and (3) not permitted to access the records check system used by licensed dealers. Although less than 1% of guns used in crimes are purchased at gun shows (Department of Justice, Bureau of Statistics), gun control advocates are trying to ban firearms sales at gun shows by occasional sellers and private collectors, or require that any transactions involving their legal property be conducted through a licensed dealer. Would you support legislation restricting firearms sales by occasional sellers and private collectors at gun shows?

a.____ Yes, I would support such legislation. Please explain:

b. X No, I would oppose such legislation.

10. In the United States, the number of privately owned guns has risen by more than 10 million annually to an all-time high. Meanwhile, according to the National Center for Health Statistics, firearm accident deaths have decreased by 90 percent over the last century. This trend is due in part to an increasing use of NRA firearm safety training programs by tens of thousands of RA Certified Instructors, schools, civic groups and law enforcement agencies. Nevertheless, several states have recently considered legislation that would mandate the placement of locking devices on firearms kept in the home. These devices greatly restrict access to firearms for self-defense purposes and potentially increase the risk of accidental discharge of a firearm. Would you support legislation that would mandate the use of locking devices or other locking procedures for firearms stored in the home?

a. ____Yes, I would support such legislation. Please explain:

b. X No, I would oppose such legislation.

11. Recently, some employers have extended their ''gun-free'' workplace rules to employees' locked private vehicles in parking lots. Such policies effectively disarm law-abiding citizens, including concealed weapon license holders, from the time they leave their house in the morning to their return home in the evening. Would you support ''Employee Protection'' legislation that would allow law abiding citizens to keep lawfully transported firearms locked in their personal vehicles while parked on publicly accessible, privately owned parking lots (see 2013 Montana House Bill 571)?

a. ____Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. ____ No, I would oppose this legislation. Please explain:

12. Current Montana law (MCA §45–8–328) lists certain ''prohibited places,'' including banks, government office buildings and establishments where alcoholic beverages are served, where concealed weapon permit holders (and law enforcement officers) may not carry a concealed firearm. This puts law-abiding citizens at a disadvantage because, although they could carry ''openly'' in these locations, criminals will obviously ignore the law and carry concealed. Would you support legislation to repeal the restrictions on where law-abiding citizens may carry a concealed weapon (see 2013 Montana House Bill 358)?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. ____ No, I would oppose this legislation. Please explain:

13. Current Montana law allows law-abiding citizens to carry a concealed weapon for defense of themselves and others, free from government interference, anywhere outside the official boundaries of any city or town. In order to cross into a city or town and still be in compliance with Montana law, however, a law-abiding citizen must have a valid concealed weapon permit. Would you support state legislation to remove the requirement that law-abiding citizens obtain governmental permission in order to provide a means of self-protection when they cross into the boundaries of cities and towns in Montana (see 2013 Montana House Bill 304)?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. ____ No, I would oppose this legislation. Please explain:

14. Under the National Firearms Act (NFA), an individual wanting to acquire an NFA-regulated item, such as a firearm sound suppressor or fully automatic firearm, must submit the proper paperwork and fingerprints to the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE), pay a $200 tax and have a chief local law enforcement officer (CLEO) sign-off on the proper forms. Some CLEOs simply refuse to sign such forms, even for otherwise qualified applicants, because they oppose civilian possession of these items, are fearful of liability or the perceptions of anti-gun constituents, or for other subjective reasons. Legally owned NFA items are very rarely used in crime, with the total number of cases documented numbering in the single digits. This legislation would also include an immunity provision for CLEOs. Would you support state legislation that would make this process more objective by requiring CLEOs to sign such forms if the applicant is not otherwise prohibited from obtaining an NFA item?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. ____ No, I would oppose this legislation. Please explain:

15. Many public colleges and universities allow visitors with concealed handgun permits to carry concealed firearms on their campuses, yet nearly all state-funded higher learning institutions ban faculty, staff and students from carrying concealed handguns on campus—even if they have permits to carry concealed firearms. The NRA believes a person with a permit to carry a concealed firearm should be able to carry that firearm concealed anywhere he or she has a legal right to be, except in certain ''sterile'' high-security locations. Assuming each classification of individuals listed below possessed a concealed handgun permit recognized by the state, who do you believe should legally be allowed to carry a concealed handgun on state college and university campuses?

a. X All law-abiding persons, including visitors, faculty, staff and students.

b. ____ Visitors, faculty, staff and some students. Please explain:

c. ____ Faculty, staff and students.

d. ____ Visitors, faculty and staff.

e. ____ Faculty and staff.

f. ____ Each college or university should determine the policy for its campus.

g. ____ No one should be allowed to carry a concealed handgun on state college and university campuses.

16. The residents of 39 states can legally own firearm suppressors. Contrary to Hollywood portrayals, suppressors are virtually never used in crime or poaching and criminal misuse carries severe penalties. Suppressors can improve shooting accuracy, protect against hearing loss, reduce noise complaints from the public and make shooting and hunting more enjoyable. The current prohibition on hunting suppressor use, in effect, requires firearms to be as loud as they can possibly be, contrary to the manner in which virtually all other noise-emitting objects are treated. Suppressors are strictly regulated under federal law. Individual purchasers must pay a $200 federal tax; submit to an extensive background check that includes fingerprints and photographs; and obtain the approval of the chief law enforcement officer in their jurisdiction. Would you support legislation that allows the use of suppressors while hunting and allow law-abiding Montana sportsmen the freedom to protect against hearing loss, improve accuracy and reduce noise complaints?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. ____ No, I would oppose this legislation. Please explain:

17. Many states provide civil liability protection to private property owners who allow the public to hunt on their property. Shielding property owners from frivolous lawsuits eliminates a significant concern for property owners and encourages them to open their land to hunting. This enhances public hunting opportunities and assists the state in effectively managing its wildlife populations. Would you support passing or strengthening liability protections for private landowners who allow hunting on their property?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. ____ No, I would oppose this legislation. Please explain:

18. Youth/mentored hunting programs have been implemented in 29 states to help promote our hunting heritage by removing barriers to participation. This enormous case study has proven safe beyond anyone's expectations. Mentored hunting allows novice hunters—young and old—to hunt prior to completing hunter education requirements if they hunt under the close supervision of a licensed, adult hunter who meets hunter education requirements. This is the ''try it before you buy it'' concept. These programs also dramatically reduce or eliminate minimum hunter ages. Would you support a youth/mentored hunting law to help promote Montana's hunting heritage?

a. X Yes, I would sponsor/cosponsor a youth/mentored hunting law.

b. X Yes, I would support implementing a youth/mentored hunting law.

c. ____ No, I oppose implementing a mentored hunting law. Montanans will prove to be the exception to the rule of extraordinary safety established by the citizens of the 29 states that have implemented this program.

d. __ Other. Please explain:

19. For which of the following reasons do you support firearm ownership for law-abiding Montana citizens (please mark any and all that apply)?

a. X Constitutional Right.

b. X Hunting.

c. X Competitive shooting.

d. X Informal sport shooting (e.g., plinking).

e. X Defense of self, family, and home (basic human right).

f. X Collecting.

g. X Defense of state and nation.

h. X All of the above.

i. ____ None of the above.

20. Have you ever run for or held state or local elective office?

a. ____ Yes. Please specify:

b. X No.

21. Are you a member of the National Rifle Association, the Montana Shooting Sports Association, the Montana Rifle & Pistol Association or any other shooting/sportsmen's/gun rights organization?

a. ____Yes. Please specify:

b. X No.

I have previously been a member of the NRA, but am not currently a member. I don't want to risk recusal if a lawsuit came before me where the NRA was involved.

—Please see the information from the email sent to Brian Judy on Sept. 16, 2014.

—Please also see the attached article from the Great Falls Tribune dated 9/18/14. The emails referenced in the article, which are available at the website, are very illuminating regarding my defense of the 2nd Amendment while serving as Montana's Solicitor General. See especially page 93.

Candidate Signature: Lawrence VanDyke Date: 9/18/14

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AMERICAN BAR ASSOCIATION,
*October 29, 2019.*

Re Nomination of Lawrence J.C. VanDyke to the United States Court of Appeals for the Ninth Circuit.

Hon. LINDSEY GRAHAM,
*Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.*

Hon. DIANNE FEINSTEIN,
*Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN GRAHAM AND RANKING MEMBER FEINSTEIN: The American Bar Association's Standing Committee on the Federal Judiciary has received a full report on Lawrence J.C. VanDyke and a supplemental review by a former chair of the Committee. The Committee's work is based solely on a review of integrity, professional competence, and judicial temperament. Based on these criteria, a substantial majority of the Committee has determined that Mr. VanDyke is ''Not Qualified,'' and a minority determined that he is ''Qualified'' to serve on the United States Court of Appeals for the Ninth Circuit. The majority rating represents the Standing Committee's official rating. I write to offer a brief explanation of this rating.

The evaluator's Formal Report is based on 60 interviews with a representative cross section of lawyers (43), judges (16), and one other person who have worked with the nominee in the four states where he has worked and who are in a position to assess his professional qualifications. They include but are not limited to attorneys who worked with him and who opposed him in cases and judges before whom he has appeared at oral argument. The evaluator obtained detailed background materials such as more than 600 pages of publicly produced emails involving and/or written by Mr. VanDyke, news reports where Mr. VanDyke had been interviewed, and articles and opinions written about him.

Mr. VanDyke is a highly educated lawyer with nearly 14 years of experience in appellate law, including one year as a law clerk, an associate in a law firm, and as a Solicitor General for over five-plus years, first in Montana and then Nevada, two states in the Ninth Circuit where he would serve if confirmed. The Committee was tasked with balancing Mr. VanDyke's accomplishments with strong evidence that supports a ''Not Qualified'' rating.

Mr. VanDyke's accomplishments are offset by the assessments of interviewees that Mr. VanDyke is arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules. There was a theme that the nominee lacks humility, has an ''entitlement'' temperament, does not have an open mind, and does not always have a commitment to being candid and truthful.

Some interviewees raised concerns about whether Mr. VanDyke would be fair to persons who are gay, lesbian, or otherwise part of the LGBTQ community. Mr. VanDyke would not say affirmatively that he would be fair to any litigant before him, notably members of the LGBTQ community.

Even though Mr. VanDyke is clearly smart, comments were made that in some oral arguments he missed issues fundamental to the analysis of the case. There were reports that his preparation and performance were lacking in some cases in which he did not have a particular personal or political interest.

While the evaluator was careful in her interview with Mr. VanDyke not to name interviewees, the nature of the issues that gave rise to some of the negative comments had been publicly discussed and other adverse comments could be raised without identifying interviewees. The negative issues discussed in this letter were thoroughly discussed with interviewees and vetted with the nominee. Significantly, the interviewees' views, negative or positive, appeared strongly held on this nominee.

The Committee's work is guided by the Backgrounder which reflects that judgment is a component of professional competence, and that open-mindedness, courtesy, patience, freedom from bias, and commitment to equal justice under law are components of judicial temperament. Based on these principles, a substantial majority of the Committee determined that the nominee is ''Not Qualified'' to be a Ninth Circuit judge.

Very truly yours,

WILLIAM C. HUBBARD.

Mr. VAN HOLLEN. Mr. President, yesterday, I went to the Senate floor to ask unanimous consent on the DETER Act, bipartisan legislation that I authored alongside Senator RUBIO that is languishing in the Senate legislative graveyard.

The DETER Act is absolutely critical to protect our democracy from foreign interference. It serves a clear, simple, and essential purpose. It says to Russia and any other foreign power that, if they interfere in our elections and undermine the integrity of our democracy, they will face severe consequences in the form of tough sanctions. Foreign interference in our elections remains as critical a threat as ever. That is why, on November 5, seven U.S. Federal agencies jointly stated, ''Russia, China, Iran, and other foreign malicious actors all will seek to interfere in the voting process or influence voter perceptions. Adversaries may try to accomplish their goals through a variety of means, including social media campaigns, directing disinformation operations, or conducting disruptive or destructive cyberattacks on state and local infrastructure.''

The Senate endorsed the inclusion of this bill in this year's National Defense Authorization Act, unanimously passing a resolution in the fall instructing NDAA conferees to include such a provision in the conference report. However, the Republican leadership has stonewalled the inclusion of this bill in the NDAA. Instead, we are voting this week on two Ninth Circuit judicial nominees of dubious qualifications, including one who was rated ''Unqualified'' by the American Bar Association, ABA.

Circuit courts play an important role in our country. Circuit court judges review the decisions of district court judges. Instead of nominating experienced jurists, Republicans have chosen to advance two nominees, Messrs. Bumatay and VanDyke, neither of whom have absolutely any experience as judges, at the Sate or Federal level. Mr. VanDyke was harshly described by his peers and colleagues as someone who is ''arrogant and disrespectful to others, both in and outside of this office. He avoids work. He does not have the skills to perform, nor desire to learn how to perform, the work of a lawyer.'' This harsh criticism of a judicial nominee from their peers is extremely rare and factored in heavily into the ABA's ''Unqualified'' rating.

Instead of trying to confirm unqualified radical ideologues to the bench, Republicans should be working across the aisle to pass bipartisan legislation to secure our elections and address other national priorities. Failing to do so is a dereliction of our duty.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BARRASSO. Mr. President, I ask unanimous consent that the rollcall vote scheduled to begin at 4:15 begin at 4:05 p.m., immediately.

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

VOTE ON VANDYKE NOMINATION

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

Mr. BARRASSO. Mr. President, 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 senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

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

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 391 Ex.]

YEAS—51

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

NAYS—44

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

NOT VOTING—5

| | | |
|---|---|---|
| Bennet | Paul | Warren |
| Booker | Sanders | |

The nomination was confirmed.

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

## CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation.

Mitch McConnell, Thom Tillis, Richard Burr, Pat Roberts, John Cornyn, John Hoeven, Cindy Hyde-Smith, Roger F. Wicker, Marco Rubio, John Boozman, James E. Risch, John Barrasso, John Thune, Roy Blunt, Lamar Alexander, Mike Braun, Shelley Moore Capito.

The ACTING PRESIDENT pro tempore. 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 John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation, shall be brought to a close?

The yeas and nays are mandatory under the rule.

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 Kentucky (Mr. PAUL).

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

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

The yeas and nays resulted — yeas 69, nays 25, as follows:

[Rollcall Vote No. 392 Ex.]

YEAS—69

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

NAYS—25

| | | |
|---|---|---|
| Baldwin | Heinrich | Schumer |
| Blumenthal | Hirono | Smith |
| Brown | Klobuchar | Stabenow |
| Cantwell | Markey | Udall |
| Casey | Menendez | Warner |
| Duckworth | Murray | Whitehouse |
| Durbin | Peters | Wyden |
| Gillibrand | Reed | |
| Harris | Schatz | |

NOT VOTING—6

| | | |
|---|---|---|
| Bennet | Burr | Sanders |
| Booker | Paul | Warren |

The PRESIDING OFFICER. On this vote, the yeas are 69, the nays are 25.

The motion is agreed to.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that there be 2 minutes of debate equally divided between the Senator from Washington and myself and that there be 2 minutes of debate equally divided between the two leaders prior to the following vote. I further ask that the remaining votes in this series be 10 minutes each.

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

The Senator from Washington.

NOMINATION OF STEPHEN HAHN

Mrs. MURRAY. Mr. President, the Food and Drug Administration plays an important part in our families' everyday lives. When people across the country do anything from using a medical device, to getting a prescription filled, to sitting down together to eat, they rely on the FDA to keep them safe and healthy.

There is a lot at stake for our families, and it is critical that we know the FDA's leadership will uphold its gold standard of safety and effectiveness and put people's health and well-being first. I am not convinced that is the case under Hahn's leadership.

I have reviewed his records and carefully considered his answers on key issues. I want the Senate to know I was particularly concerned by his evasive response when it came to how to address skyrocketing youth e-cigarette use. Just a few months ago, the Trump administration promised it would take action and pull non-tobacco-flavored e-cigarette products from the market until after the FDA had reviewed them, only to reverse its course.

We need a leader at the FDA who will fight for our families and stand up to this administration on this important policy. When Members from both sides of the aisle asked him about this, he refused to commit to follow through on the promising step President Trump decided to abandon. So given his answers—or lack thereof, really—on this concerning issue, I am voting no on this confirmation.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. We have a vacancy at the Food and Drug Administration. So what if someone said: Wouldn't it be a good idea to go see if we can recruit the chief medical officer at the MD Anderson Cancer Center in Houston, one of the most distinguished institutions in the world, an organization that is even larger than the FDA? Wouldn't it be a good idea to go get a practicing oncologist? Wouldn't it be a good idea to get somebody who has worked at the National Institutes of Health and who has letters of recommendation from more than 80 organizations? Wouldn't it be a good idea to get someone who has been recommended and endorsed by the last five FDA Commissioners, under Presidents Trump, Obama, and Bush?

Well, we have such a person. That person came out of our committee 18 to 5—Dr. Stephen Hahn, the Chief Medical Officer of the MD Anderson Cancer Center. We should be grateful he is willing to take this job at this period of time.

I urge a ''yes'' vote, Mr. President.

## CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Stephen Hahn, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services.