The Senate met at 10 a.m. and was called to order by the Honorable Luther Strange, a Senator from the State of Alabama.

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.
O God, our shield, look with favor upon us. Lord, You have told us in James 4:2 that we have not because we ask not. We therefore continue to ask You to place Your healing hand on Senator JOHN MCCAIN. Astound us with Your power.

Today, we also pray that You would guide our lawmakers around the obstacles that hinder their progress, uniting them for the common good of this great land. Lord, enable them to go from strength to strength, as they fulfill Your purposes for their lives. Strive to please You, help them to stand great land. Lord, enable them to go forward for the common good of this country. Lord, guide our lawmakers around the obstacles that hinder their progress, unifying us as a nation.

PLEDGE OF ALLEGIANCE
The Presiding Officer led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).
The senior assistant legislative clerk read the following letter:
U.S. SENATE
PRESIDENT PRO TEMPORE
To the Senate:
Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

Mr. STRANGE thereupon assumed the Chair as Acting President pro tempore.

RECESS SUBJECT TO THE CALL OF THE CHAIR
The ACTING PRESIDENT pro tempore. In my capacity as a Senator from the State of Alabama, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 10:03 a.m., recessed subject to the call of the Chair and reassembled at 10:11 a.m. when called to order by the Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN
Mr. MCCONNELL. Mr. President, Senator McCain is an American hero. He is a hero to our conference. He is a hero to our country. Here in the Senate, he is a friend to almost all of us. Our collective prayers are with him now. We are thinking of Cindy and the rest of his family as well, along with his staff and the people of Arizona.

Senator McCain, as we all know, has never shied away from a fight, and I assure you he isn’t going to back down now. I know the Senator from Arizona will confront this challenge with the same extraordinary courage that has characterized his entire life, and he should know that we are all in his corner, every single one of us.

We look forward to seeing our friend again soon, and we hope he will be back in the very near future.

HEALTHCARE
Mr. MCCONNELL. Mr. President, I thank the President for having our conference over to the White House yesterday. The President and his administration understand the American people are hurting under ObamaCare. They have been long engaged in the effort to bring relief. Nobody could have been more involved in this effort than the President, the Vice President, and the entire team, with numerous phone calls and meetings. They have been all in, and I want the President and his entire team to know how much we appreciate their deep involvement in this and their commitment to getting an outcome.

Dealing with this issue is what is right for the country. The fight to move beyond the status quo of ObamaCare was certainly never going to be easy, but we have come a long way, and I look forward to continuing our work together to finally bring relief.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME
The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.
CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the nomination of Stephen Bough to be a Federal judge for the Sixth Circuit.

Mr. ENZI. Mr. President, I ask unanimous consent to speak for a few minutes as in morning business.

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

HEALTHCARE

Mr. ENZI. Mr. President, my colleagues and I have been on this floor for the last 7 years talking about the problems with ObamaCare and the need to address them.

In the early days, when ObamaCare was still being cobbled together, we talked about individuals losing their coverage. Promises were made that if you liked the plan you had, you could keep it. That turned out to be a broken promise.

In 2009 and 2010, we talked about premiums skyrocketing. Today, we are still talking about it. Premiums are more than 100 percent higher in Wyoming today than they were when the law was passed. Our insurer has fortunately been more conservative in their approach. So premiums didn’t spike the way they did in other States.

I usually enjoy being right, but in this case, I am very sad to have watched the worst possible scenario play out. Time after time, President Obama was faced with problems in implementation and in outcomes, and he would dismiss them by saying: “It just needs more time,” or, as this cartoon would dismiss them by saying: “It just happened because of politics being put before people.” 

We and the American people gave it time and money—specifically, 7 years and hundreds of billions of dollars. We are now left trying to pick up the pieces of a healthcare insurance market all across the country.

You can see here that this ambulance is ObamaCare. Behind it is its engine and other key components, and they have completely fallen apart. That is the private insurance market today. The part you don’t see here is that there is a patient in the back of this ambulance. This isn’t just about politics. This is about real people and whether they can afford an insurance premium that is in some cases higher than their rent or their mortgage payments each month.

Even before its passage, my Republican colleagues and I talked about the danger that ObamaCare posed to private insurance markets. Insurers have already left the market in droves. In Wyoming, we are down to one carrier. We lost the others to the economics of ObamaCare, and we will be lucky to keep the one we have. I know many people in our country are going to be in the position of having no insurers offering plans in their county.

How could this happen? It has happened because of politics being put before people. It was not a reciprocal commitment to take on the hard task of fixing something that you have sold as the perfect solution.

I can tell you that healthcare isn’t a simple issue. It is incredibly complex and, really, there is no one right way to tackle it. I was the ranking member of the Health, Education, Labor, and Pensions Committee when ObamaCare passed. We worked hard to find common ground. When it became clear that there was not a reciprocal commitment to address the short-term and long-term problems caused by ObamaCare, Republicans have been working on an approach that attempts to address both the short-term and long-term problems caused by ObamaCare.

We are proposing to stabilize insurance markets in the short term and to get insurance costs on a more manageable trajectory over the longer term. We are striking at the heart of ObamaCare by removing its mandates and taxes while putting Medicaid on a more sustainable footing.

Doing this isn’t easy. You may have read a little something about the challenges of moving a healthcare bill forward, and replacing ObamaCare with something better before more irreparable harm is done. Republicans have been working on an approach that attempts to address both the short-term and long-term problems caused by ObamaCare.

We have problems to solve right now. We are proposing to stabilize insurance markets in the short term and to get insurance costs on a more manageable trajectory over the longer term. We are striking at the heart of ObamaCare by removing its mandates and taxes while putting Medicaid on a more sustainable footing.

Getting something done in Washington isn’t always a pretty process, but I am proud to be working with the women and men in my conference who see that there is something larger at stake than themselves and who know that sitting this out means more harm and, perhaps, harm that can’t be undone later.

I will keep working. I am committed to passing the best product that we can deliver for the people of Wyoming and for our whole country. I look forward to continuing to work together to repeal ObamaCare and replace it with policies that will truly improve healthcare in America. I hope my colleagues will join me in this worthy endeavor.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, yesterday, several of my Democratic colleagues and I expressed our opposition to the nomination of John Bush to serve on the Sixth Circuit Court of Appeals. They were particularly concerned about his activities outside of the courtroom, especially his personal blog posts. The comments of my friend, the junior Senator from Minnesota, were representative of their concern.

He reminded us that he has been serving on the Judiciary Committee for 8 years. He said that by confirming one to the bench, the Senate would be doing something unprecedented. Specifically, my friend from Minnesota—in angst—said, “I don’t think we have been here before.”

He did. That was when he was feeling poisonous. Republicans were “corrupt.” They had done “evil things”—”evil things.” I can tell you that healthcare isn’t a simple issue. It is incredibly complex and, really, there is no one right way to tackle it. I was the ranking member of the Health, Education, Labor, and Pensions Committee when ObamaCare passed. We worked hard to find common ground. When it became clear that there was not a reciprocal commitment to take on the hard task of fixing something that you have sold as the perfect solution.

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For my Democratic colleagues who now profess to care about the judgment of judicial nominees who blog, I submit that impugning the integrity of the tribunal that has jurisdiction over their professional conduct and law license, as Mr. Bough did, is more than a few twigs shy of exhibiting sound judgment.

Mr. Bough also implied that President Bush made his Supreme Court appointments as some sort of quid pro quo. He harshly criticized sitting Supreme Court justices by name, and he claimed that the Republican nominee for President wanted only Federal judges who would disregard the law and rule in favor of the “religious right” and that he was “sucking up.”

He made a crude comment about women that I will not repeat.

Now, some of our Democratic colleagues have criticized John Bush because he said that he would try hard to be impartial as a judge. By contrast, in one of his blog posts, Stephen Bough flat-out said that he, himself, “shouldn’t be a judge.” This is commentary on himself. But every one of our Democratic colleagues on the Judiciary Committee at the time, including our Minnesota colleagues, obviously disagreed with his own judgment about himself. They all voted for him, which is especially curious in hindsight, given the superior weight our Democratic colleagues now place on blog posts. Only one Member of the Senate, Mr. Bouch, voted against Mr. Bough. These are many of the same Democrats, of course, who are supposedly aghast—aghast—at the Bush nomination. Mr. Bouch is now Federal District Court Judge Stephen Bough.

Finally, I would like to set the record straight on the subject of the slur. Mr. Bush did not use the slur in a blog post, and he did not use it flippantly. In fact, he said he has never used this term and wouldn’t.

Rather, Mr. Bush quoted by name someone else—a prominent author who had used the slur. Mr. Bush quoted him to show how various authors had viewed our hometown of Louisville over time—both those who praised it and those who criticized it. In short, Mr. Bush said that he used it to show “the good, the bad, and the ugly.”

So who was the author he quoted verbatim and by name? Why, it was noted that Mr. Thompson’s use of the slur did not prevent liberals, including Democratic officeholders, from praising him. In fact, not one but two Democratic Presidential candidates went to his funeral—George McGovern and John Kerry.

The Senate has considered a judicial nominee who did use this slur in a blog posting, who actually did use the exact same slur, in fact. The judicial nominee did not quoting any literary or published work, and this judicial nominee did not use the slur for any critical purpose. The judicial nominee used it flippantly and cavalierly. Who was the judicial nominee? It was President Obama’s judicial nominee and current Federal District Court Judge Stephen Bough, who sits on the bench right now for life, after being confirmed by the votes of our Democratic colleagues.

I hope I have at least refreshed the memory of my friend from Minnesota and some of my other Democratic colleagues.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The temporary clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Mr. SCHUMER. Mr. President, first, on a sad note but one always of hope when it comes to Senator McCain, his cancer diagnosis sent a shock wave through the Senate last night. He is indeed a dear friend to many in this body, and from the bottom of my heart, I wish him and his family well. So does every Member of this Chamber. The respect that this man has is broad and deep, both based on his service and on what he has done here in this Chamber.

I agree with what the majority leader said earlier, in that JOHN MCCAIN is an American hero. There is no one who has done more to serve his country and this Chamber than Senator McCAIN. There is no one who is more passionate in the defense of our soldiers and in our defense than Senator MCCAIN.

The same courage that he showed as a soldier he showed here. JOHN MCCAIN was a leader in the landmark 21st Century Health Care Act, the largest health care reform he had to take on tough positions to do what was right. He was fearless. His word was good. He was good at compromising, and he was good at making his views known.

With that bill, which passed this body with 67 or 68 votes—a large number of Democrats and Republicans—had it become law, our country’s economy would have been better, and our security would have been better because it was so tough on the border. We would have been in a better place for it had that bill passed.

The point I want to make is not with regard to the bill but to MCCAIN—how we were in rooms for hours and hours, day after day, and we got to see the mettle of the man.v. The more you got to know him, the better he looked, and the better he was.

So we know that, against this new battle, Senator McCAIN will fight in the only way he knows how—with every fiber of his being. We wish him and his family all the good that God has reserved for him and his family. We hope that he joins us very soon because this country needs JOHN MCCAIN now more than ever.

Mr. President, on the issue of healthcare, yesterday President Trump seemed intent on pushing forward the Republicans’ failing healthcare plan with a vote sometime early next week. We have been down the road of failed health care for 7 months, and I am not sure which version of the Republican plan we will be voting on.

Will it be repeal and replace? Will we be voting on the Senate bill that would cause 22 million Americans to lose their coverage and that would cause costs to go up and care to go down? Will it be with the Cruz amendment, which would annihilate the “pre-existing condition” requirement, in quoting my friend Senator Grassley? Or will it be repeal without replace, which would cause our healthcare system to implode, creating chaos, which would cause millions to lose insurance and millions more to have their coverage diminished?

CBO confirmed last night that repeal without replace would cause 32 million Americans—that is about a 10th of the country—to lose their insurance and cause premiums to double for the young and poor.

It was a horrible idea in January and was rejected, wisely, by our Republican colleagues. We were not involved. The door was closed on us on January 4. It is a horrible idea now.

So will that be the focus next week or will it be a new bill that has more money thrown in, as some have suggested—the same core bill of devastating cuts to Medicaid, tax breaks for the wealthy and the special interests, the cruel Cruz amendment, and an extra $2 billion slush fund? Is that going to be the bill?

We Democrats do not know what our Republican friends are planning to vote on next week. I will bet that many Republicans do not know yet either. What we do know is that a $2 billion slush fund, tacked onto a bill that gut Medicaid and other services by well over $1 trillion, is like putting an old bandaid on a bullet wound. The $200 billion in additional funding would only offset 17 percent of the bill’s total cuts to coverage. It would not come anywhere close to covering the wound that the Republicans are inflicting on Medicaid, on Americans in nursing homes, on Americans in rural areas, on those who are suffering from opioid addiction. It just will not work, and repeal without replace is even worse. All of the options are horrible options for the Republican Party, but, more importantly, they are horrible options for the American people.

It is time to start over. It is time for our Republican colleagues to drop this failed approach and work with Democrats on actually improving our healthcare system. They closed the door to them in January 4 in passing something called reconciliation, which basically says: We do not need the Democrats; we will do it ourselves. Let them open the door now that they have
Mr. President, just as the administration is flailing and failing on healthcare, they are failing on trade and outsourcing as well.

I read today that the administration has failed to secure any concessions from China on its dumping of excess steel and aluminum in our markets, which is killing jobs in my State and in many others. As well, today, the Carrier plant at which President-Elect Trump tweeted about saving jobs just laid off 300 workers in Indiana and moved the positions to Mexico. It is exactly 6 months to the day since President Trump took office. It is a shame that we are losing these good-paying American jobs. Despite all of the President’s tough talk on trade and his Commerce Secretary’s “100 days of trade talks” plan, the loss of these jobs shows that, in 6 months, the Trump administration has been unable to actually deliver results on trade, with the exception of the first U.S. beef shipment to China, which was the result of an agreement that President Obama helped to broker before the end of his term. The Trump administration has made few inroads in reducing our trade deficit or in making it easier for our companies to compete abroad.

It is all well and good to tweet about a few jobs saved at the Carrier plant, as the President-elect did last December—and I am glad he saved them—but as President, you have to actually take strong action, not go to one plant. You need policies that will protect millions of workers from the rapacious policies of China and other countries. Making America great again requires more than 140 characters per issue. The 338 jobs that are leaving Carrier today were lost when it comes to actual substance and policy, the Trump administration has done very little to change the game on trade to keep jobs in the United States—another broken promise to the American worker.

Mr. President, I reiterate my remarks from yesterday on the nomination of John Bush to the Sixth Circuit Court of Appeals. Many of my colleagues have been on the floor and have expressed just how distressing and damaging this nomination will be. His extreme record demonstrates that John Bush simply does not have the temperament to be an impartial Federal judge—the very least our system requires. I urge my colleagues to oppose his confirmation.

Thank you.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. President, I reiterate my remarks from yesterday on the nomination of John Bush to the Sixth Circuit Court of Appeals. Many of my colleagues have been on the floor and have expressed just how distressing and damaging this nomination will be. His extreme record demonstrates that John Bush simply does not have the temperament to be an impartial Federal judge—the very least our system requires. I urge my colleagues to oppose his confirmation.

Thank you.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. President, I also share Leader Schumer’s remarks and concerns about the current status of the healthcare bill as we understand it.

I urge my colleagues on the other side of the aisle to vote down the motion and so that we can have regular order and so that we can hear from stakeholders and the American people about how changes in healthcare would impact them and what ideas they have for us to be able to lower costs and make sure that all Americans have access to truly affordable, high-quality care.

Mr. President, I also rise to oppose the nomination of Attorney John K. Bush to serve on the U.S. Court of Appeals for the Sixth Circuit.

An independent and impartial judiciary is critical to our democracy and to our march toward progress. Our Founders established our court system to serve as an independent arbiter that would protect the rights of every American and ensure equal justice under our laws. Unfortunately, it is clear that Mr. Bush lacks the impartiality and commitment to equal justice for every American that is needed to qualify for a lifetime appointment on the Sixth Circuit Court of Appeals.

President Trump’s nomination of Mr. Bush represents yet another attempt by this administration to undermine the rights of American women to make their own healthcare decisions and to control their own destinies. To fully participate not only in our economy but also in our democracy, women must be recognized for their capacity to make their own health decisions, just as men are, and they must have the full independence to do so, just as men do. Mr. Bush has made it clear that he fundamentally disagrees with that principle and that he does not support a woman’s constitutionally protected right to have a safe and legal abortion. Hiding behind a pseudonym on an online blog, Mr. Bush has gone so far as to compare a woman’s right to make her own reproductive health decisions to slavery, saying they are “the two greatest tragedies in our country.” The fact that someone nominated for the bench would believe something like this is nothing short of appalling.

Mr. Bush has also criticized essential programs that working families depend on, referring to programs like the Women, Infants, and Children Program—otherwise known as WIC—and grants to combat violence against women as “wasteful.”

Mr. President, I also rise to oppose Mr. Bush’s nomination because of his concerns with Mr. Bush’s record when it comes to the rights of LGBTQ Americans. Mr. Bush has made clear that he is vehemently opposed to marriage equality, calling it a “no-compromise” position. In 2011, he criticized the State Department for an announcement that led to more equal treatment of same-sex parents, and he has even used an offensive, anti-gay slur in a quote that he chose to use in public remarks. Mr. Bush’s deeply offensive public statements and his record indicate that he is an individual who is focused on extreme partisanship and who does not recognize the basic equality of all Americans. His statements and his actions tell us that he is not committed to the concept of equal justice under our laws. This is unacceptable for someone seeking a lifetime appointment to a job that requires sound judgment, objectivity, and, more than anything else, an essential commitment to fairness.

I will oppose Mr. Bush’s nomination to the Sixth Circuit Court of Appeals, and I urge my colleagues to do the same.

Thank you, Mr. President.

Mr. WHITEHOUSE. I ask unanimous consent that the clerk suggest the absence of a quorum.

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

Mr. WHITEHOUSE. 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. WHITEHOUSE. I ask unanimous consent to be allowed to speak as in morning business for up to 15 minutes. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, to the disappointment of the American
public, the world scientific community, and even to corporate giants like Goldman Sachs and Cargill, President Trump recently decided to withdraw the United States from the Paris Agreement. He cited as justification a slew of alternative facts. Some of these alternative facts came from a National Economic Resource Associates—a group we will call NERA in this speech—report that was commissioned and promoted by a group that calls itself the U.S. Chamber of Commerce. NERA’s report concluded that “the Chamber is at odds with the grassroots views of the entire business community” and that it represents the “interests of more than three million businesses of all sizes, sectors, and regions” when it interacts with Congress, its positions and actions on tobacco and climate change do not appear to reflect or communicate the positions of many of its member companies. The following analysis shows that approximately half of the companies on the Chamber’s Board of Directors have publicly taken positions on tobacco and climate change that are in conflict with the Chamber’s actions and positions. This calls into question the Chamber’s alleged transparency decision-making process, and suggests that the Chamber does not accurately represent the positions of its member companies.

Moreover, the Chamber’s lobbying is at odds with its own public positions. The organization strongly promotes anti-smoking efforts to fight international antismoking laws, regulations, and policies, and described the organization’s systematic efforts to undermine the Environmental Protection Agency’s work to address climate change and carbon pollution.

While the Chamber claims that it “reflects the grassroots views of the entire business community” and that it represents the “interests of more than three million businesses of all sizes, sectors, and regions” when it interacts with Congress, its positions and actions on tobacco and climate change are at odds with the views of its member companies. During the 2013–2014 election cycle, the Chamber spent $35 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors).

The Chamber has used its considerable resources to fight legislation and government action on tobacco and climate change at home and abroad. A series of 2015 New York Times articles exposed the Chamber’s aggressive activities helping the tobacco industry to fight international antismoking laws, regulations, and policies, and described the organization’s systematic efforts to undermine the Environmental Protection Agency’s work to address climate change and carbon pollution.

The findings in this report raise serious questions about the Chamber’s credibility and its actions on tobacco and climate policy, and indicate that the Chamber does not accurately represent the interests of its member companies, input, and knowledge of its membership.

I. Introduction

The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent $35 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors).

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The findings in this report raise serious questions about the Chamber’s credibility and its actions on tobacco and climate policy, and indicate that the Chamber does not accurately represent the interests of its member companies, input, and knowledge of its membership.

I. Introduction

The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). The United States Chamber of Commerce is the largest lobbying organization in the country. According to OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors).
that were "outside" or independent of can-
didate's campaign committees.

The Chamber has attacked U.S. climate policies with similar zeal. According to The New York Times, in early 2014, a group of 50 corporate lawyers, coal lobbyists, and Re-
publican political strategists gathered at the Cham-
ber's headquarters to develop strategies to dismantle the President's Clean Power Plan—before President Obama had even introduced a draft proposal of it. The Chamber has been vocal about its oppo-
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taken by anyone to comply with the Paris Agreement, but that was what they used. Second, NERA only modeled the cost side.

You have heard the phrase “cost-benefit equation.” They only looked at the cost side of the ledger and never look at the benefit side. This is phony accounting when you only look at one side of the ledger.

NERA, of course, has a history of producing misleading reports for its industries. In 2015, it released a report for the National Association of Manufacturers on the proposed ozone standard, claiming it would cost as much as $140 billion per year. On the cost side, EPA estimated it would cost a fraction of what NERA estimated, less than 12 percent. The economic consulting firm Synapse analyzed the NAM report and found it “grossly overstated compliance costs, due to major flaws, math errors, and unfounded assumptions... these assumptions and other flaws led NERA to overstate compliance costs by more than 700 percent.”

That is just on the cost side. Once again, they didn’t even bother to look at the benefits. It is a one-side-of-the-ledger policy analysis. Of course, the chamber commissioned NERA to do the same thing for it on climate: overestimate the costs and ignore the benefits. In this world of climate denial, this is a classic maneuver.

Citigroup said: “We have been outspoken in our support for the Paris agreement and have had a dialogue with the Chamber about how its views and advocacy on climate policy are inconsistent with Citigroup’s position.” Similar distancing came from Dow and Ford.

Over the weekend, the Washington Post ran a piece, “Is the most powerful lobbyist in Washington”—that is the so-called U.S. Chamber of Commerce—“losing its grip,” exploring this tension around climate in more detail. The article said: “[P]erhaps the most nettlesome issue for the Chamber has been climate change.” It calls out the chamber’s claims to be neutral on the Paris Agreement, while actually providing ammunition for foes of the agreement.

The article highlights the chamber’s climate denial efforts, including its 2009 proposal to hold a public trial on climate science—what it dubbed “the Scopes monkey trial of the 21st century.” New Mexico-based utility PNMRN Resources actually quit the chamber because that idea was so preposterous. The Washington Post identified 8 of the CEOs that signed an ad in the New York Times supporting the Paris Agreement as chamber members, including GE, Microsoft, and Walt Disney. The CEOs of these companies publicly criticized President Trump’s decision.

Microsoft’s Brad Smith said: “We’re disappointed with the decision to exit the Paris Agreement. Microsoft remains committed to doing our part to achieve its goals.”

GE’s Jeff Immelt said: “Disappointed with today’s decision on the Paris Agreement. Climate change is real. Industry must now lead and not depend on government.”

Walt Disney’s Bob Iger said: “As a matter of principle, I’ve resigned from the President’s Council over the #ParisAgreement withdrawal.”

The chamber is out of step with its own members on climate change, maintaining a scientifically untenable position as every university in our state knows. Who is pulling the chamber’s chain? It is hard to tell since the chamber hides from the public who its donors are, but I suspect the answer is the same as to why the Republicans continued to revive the hated, zombie healthcare bill despite huge public disfavor for it.

Mr. President, that brings me to the nomination of John Bush to the U.S. Court of Appeals for the Sixth Circuit. The chamber’s rigid anti-climate stance is part of a fossil fuel political program that holds this Chamber in a state of intimidation and inaction on climate change. As Congress cowards before this fossil fuel political presence, we are now advancing the nomination of a climate denier to the Federal bench.

John Bush was not nominated because of any track record of distinguished performance or demonstrated commitment to public service. To the contrary, his most notable achievements seem to be a series of wildly offensive blog postings and public statements, denying that climate change is real and mocking it, comparing a woman’s right to choose to the evil of slavery, casually using vile slurs against gay people. On and on goes the list.

Bush has written a number of posts dealing with environmental issues in which he insists on placing the terms “global warming” and “climate change” in quotation marks, insisting that they do not really exist. Tell that to your home State universities.

With this appalling track record, why was he nominated? It is not hard to figure that out. He is here because of his special interests, mischief they perform comes from and of course to see to it that these big interests are never held accountable to the American people. That is the signal he sends.

Bush has flagged that he will rule the right way for the big special interests that fund the Republican Party, and the special interests’ big reward is his nomination and confirmation. He has shown that he is familiar with the recipes when it comes time to cook the decisions.

My Democratic colleagues and I respect any President’s desire and prerogative to fill the vacancies in the executive and judicial branches. Even though I understand we will not see eye to eye with our colleagues across the aisle on every nominee, Senate Democrats have given the President’s nominees a very fair shake. This is no normal nominee. This is a freak who lowers the bar on judicial nominees forever.

If Mr. Bush wants to exercise his Fifth Amendment right to spout offensive, ignorant, and hateful nonsense as some kind of nutty Breitbart blogger, he is free to do so, but that is not the measure—or has not until today been the measure of a Federal judge for the U.S. Court of Appeals.

Mr. Bush is patently unqualified for this position, well outside any version of the mainstream, and his appointment can reasonably be predicted to bring dishonor and preordained partiality to the judiciary. I regret we are at this point.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). Under the previous order, all postcloture time has expired.

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

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

The PRESIDING OFFICER. The yeas and nays are demanded.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senator from Arizona (Mr. McCain).

Mr. DURBIN. I announce that the Senator from Michigan (Mr. STABENOW) is necessarily absent.

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

The result was announced—yeas 51, nays 47, as follows:
The nomination was confirmed.

Mr. ENZI. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s action.

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

EXECUTIVE CALENDAR

Mr. ENZI. Madam President, I ask unanimous consent that the Senate take up the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I ask unanimous consent that the Senate take up the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

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Mr. ENZI. Madam President, I ask unanimous consent that the Senate take up the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. NELSON: Madam President, I want to discuss this nomination.

I am here to add my voice to those of my colleagues who oppose the nomination of David Bernhardt to be Deputy Secretary of the Interior. There are a host of reasons—from his history of censoring scientists to his denial of climate change—but I am going to limit my remarks to his allegiance to the oil industry and, specifically, his disregard for the importance of a moratorium on any drilling in the eastern Gulf of Mexico.

During his confirmation process, he gave some very troubling responses to questions about the moratorium from the ranking member, Senator CANTWELL. She asked: “Do you support the current moratorium in relation to offshore drilling in the Eastern Gulf of Mexico?”

He responded: “I am aware that, in response to the President’s and the Secretary’s actions aimed at increasing offshore production while balancing conservation objectives.”

First of all, when it comes to the eastern gulf, there is no good way to increase offshore production while balancing environmental concerns. The gulf—the eastern gulf is still recovering from the horrific 2010 Deepwater Horizon explosion, which fouled the gulf all the way east into most of the Panhandle of Florida.

Secondly, as I have explained time and again, it makes no sense to drill in an area that is critically important to the U.S. military and is the largest testing and training area for the U.S. military in the world, where we are testing our most sophisticated weapons systems and where we are sending our fighter pilots who need the open space to train. That is why they have the F-22 training at Tyndall Air Force Base. That is why they have training for pilots on the F-35 at Eglin Air Force Base. That is also why the Chief of Staff of the Air Force wrote in a letter just recently, “The moratorium is essential for developing and sustaining the Air Force’s future combat capabilities.”

I ask unanimous consent to have the two letters printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:


Hon. MATT GAETZ,
House of Representatives, Washington.

DEAR REPRESENTATIVE GAETZ: Thank you for your letter dated March 24, 2017, regarding maintaining the moratorium on oil and gas activities in the Gulf of Mexico beyond 2022. Since military readiness falls under my purview, I have been asked to respond to your letter on behalf of the Secretary of Defense. That said, let me be clear: the DoD cannot—and I cannot—overstate the vital importance of maintaining this moratorium.

National security and energy security are inextricably linked and the DoD fully supports the development of our nation’s domestic energy resources in a manner that is compatible with military testing, training, and operations. As mentioned in your letter, the moratorium on oil and gas leasing, preleasing, or any other related activity in any area east of the Military Mission Line in the Gulf of Mexico, is being considered for inclusion in the National Defense Authorization Act for Fiscal Year 2018.

The Air Force fully supports the development of our nation’s domestic energy resources in a manner that is compatible with the military testing, training, and operations. The complex of eastern Gulf of Mexico operating areas and warning areas provides critical opportunities for advanced weapons testing and joint training exercises. The moratorium on oil and gas leasing, preleasing, or any other related activity in any area east of the Military Mission Line in the Gulf of Mexico, I understand this provision being considered in the National Defense Authorization Act for Fiscal Year 2018.

The moratorium on oil and gas leasing, preleasing, or any other related activity in any area east of the Military Mission Line in the Gulf of Mexico, is being considered for inclusion in the National Defense Authorization Act for Fiscal Year 2018.

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Mr. NELSON. The letters—one from the Office of the Secretary of Defense and the other from General Goldfein, the Chief of Staff of the Air Force—are actually drilled and/or in producing for exactly the opposite.

Mr. NELSON. The letters—one from the Office of the Secretary of Defense and the other from General Goldfein, the Chief of Staff of the Air Force—are actually drilled and/or in producing for exactly the opposite.

One could ask, Why couldn’t the cruise missile weave around oil rig activities? Well, look at the new miniature oil rigs that are off the coast. It is not one, but a swarm, which takes up a big footprint that we are testing. This is just one example of a weapons system that needs a lot of open space. This is a national asset. We don’t want to give it up. That is why the top brass in the Pentagon is asking that we extend this moratorium so that those expensive investments in telemetry can be made.

We should not put someone in charge at the Department of the Interior if he has an open objection to what is obviously needed for national security and if he has demonstrated a history of siding just with special interests. It would be a bad decision when it comes to the national security of this country.

I am going to open the nomination, but that is just one reason, one item, on an ever-growing list of concerns that this Senator has with the Department of the Interior these days.

On June 29, Secretary Zinke announced that the Department was seeking public comment on a new 5-year plan for offshore oil and gas leasing. In case anyone has forgotten, the current 5-year plan was just finalized 6 months ago and is supposed to go through 2022. Why would the Department spend more taxpayer money to go through the whole process all over again? The only reason this Senator can see is that the oil industry wants more acreage. They are going after the eastern Gulf of Mexico, despite the fact that the Department of Defense is asking for exactly the opposite.

By the way, they ought to take from the very productive sections of the Gulf of Mexico off of Louisiana. There are actually acres under lease, but of all those acres under lease, how many are actually drilled and/or in production? It is a small percentage of the acreage under lease that is actually drilled. So why don’t we take advantage of the existing leases, particularly in the central gulf, which is where the oil is? That is where all the sediments over millions of years came down the Mississippi River, settled in what is today the Everglades, compacted it, and made it into oil. That is where the oil is.

Now, remember, also out there in the eastern gulf, this is the area that is off limits, that is now the Everglades Test and Training Range. The Air Force wants to extend that moratorium from 2022 by 5 years—out to 2027—in order to protect it for all of these reasons we have been discussing. It is all of that open space, and we ought not give it up.

I will give you another example of the short memories over at the Department of the Interior.

After the 2010 BP oil spill, it became clear that the relationship between offshore oil and the Navy was a problem so the Minerals Management Service was divided into two separate agencies in the Department of the Interior—the Bureau of Ocean Energy Management, which regulates lease sales, and the Bureau of Safety and Environment Enforcement, which is supposed to ensure that safety standards are followed. Less than a decade later, people seem to have forgotten all of that, and they want to put the two back together again. It is another example of what is wrong with the Department of the Interior. When the administration is trying to roll back the safety rules, like the well control rule that was finalized in November of last year. This long-overdue rule seeks to prevent what went so tragically wrong on the Deepwater Horizon rig from ever happening again.

Every day, it seems like the administration is coming up with a new way to put the gulf at risk. The Navy has decided to increase its training in the central gulf, which is supposed to protect the gulf at risk and Florida’s coast line and tourism-driven economy at the same time. It is not just the Air Force. It is not just the Navy. It is the entire national security of the country by messing up the largest testing and training range for the U.S. military and the world. It is utilized by all branches of service. As a matter of fact, when they stopped the Atlantic fleet of the Navy from doing all of its training off of Puerto Rico on the Island of Vieques, all of that training came to the gulf. The Navy squadrons come down for 2 weeks at a time to the Naval Air Station Key West, with the airport actually being on Key West, and when they lift off on the runway, within 2 minutes, those F/A-18s are over restricted airspace so they do not have to spend a lot of time and fuel in getting to their training area.

I have heard from business owners, and I have heard from residents across the entire State of Florida. They do not want drilling in the eastern gulf. They have seen what can happen when the inevitable spill happens. We lose an entire season of tourism, and all of that revenue goes away, along with that loss. Why do they know that?

The BP oil spill was off of Louisiana, but the winds started carrying the oil slicks to the east. It got as far east as Pensacola Beach, and the white, sugary sands of Pensacola were covered in black oil. That was the photograph that went around the world. The winds pushed it to the east, and the tar mats came over and got onto the beach at Destin. We were desperately trying to keep the oil from going into the Choctawhatchee Bay at Destin like it had already gone into Panama Bay at Pensacola. The winds kept pushing it to the east, and the tarballs ended up all over the tourism beaches of Panama City. Then the winds did us a favor—they reversed, and they started taking it back to the west.

So there was oil on some of the beaches, but what happened for an entire year of the tourist season? The tourists did not come to the gulf beaches, not only in Northwest Florida but all down the peninsula, all the way to Marco Island, for at least an entire tourist season. That is why people are so upset about any messing around.

This Senator brings this to us as I have spoken of what has happened and have stood up for over the last four decades in order to fight to prevent those kinds of spills from happening again off the coast of the State of Florida.

Yet now we have, right here, an issue in front of us, something that could threaten the Department of Defense’s mission for being ready to protect this Nation. In that case, my recommendation to the Senate is not to vote for the Bernhardt nomination for Deputy Secretary of the Interior because of his history and because of how he responded to Senator CANTWELL in the committee.

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.

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

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

Ms. CANTWELL. What is the pending business?

The PRESIDING OFFICER. The Bernhardt nomination is pending.

Ms. CANTWELL. I thank the Chair. Madam President, I rise today to speak about the Bernhardt nomination to be Deputy Secretary of the Interior.

The Deputy Secretary plays an important role in forming and carrying out the administration’s policy on a broad range of issues. These issues include our Nation’s public lands, our national parks, our national wildlife refuges, our water resources, mineral and energy development on public lands and Federal waters, carrying out our trust responsibilities to our Tribal nations, and working with our Territories and Freely Associated States.

The Deputy Secretary also performs very important functions as it relates...
to the Secretary or in the Secretary’s absence. In virtually all matters, the Deputy Secretary has the authority of the Secretary. That is why I look at this position with such an important critique, because we know in past positions there have been conflicts, and we know that the nominees bring to the Department of the Interior; they hold a number of senior political positions in the Department during the Bush administration beginning in 2006.

After leaving the Department in 2009, he returned to a successful private practice. For 8 years, he has represented a wide range of clients, including oil and gas companies, mining companies, and water supply interests in California, just to name a few. If he is confirmed, as we have seen over the same companies at the Department of the Interior; that is, he will be making decisions on the same matters that he lobbied for at the agency, and now he will be on the other side of the table and be able, period of time, to make decisions in those areas.

So, as I said at his confirmation hearing—I’m not suggesting that just working for the private sector disqualifies someone, but when you have a wide range of issues that you have worked on in the private sector and now you are going to be on the other side of the table, it brings up concerns.

The President of the United States traveled the country when he was campaigning and said he wanted to drain the swamp from special interests, and he is no stranger to the Department of the Interior. He is a registered lobbyist, his law firm represented Westlands in four different lawsuits against the Department of the Interior.

In November 2016, he joined the Trump transition team, and Mr. Bernhardt deregistered as a lobbyist for Westlands yet continued to work for them in some capacity.

As the ranking member of the Energy and Natural Resources Committee, I raised concerns about these issues with the nominee during his confirmation hearing. He has submitted required financial disclosure and ethics forms, but there are specific questions we want to make sure are addressed.

He has declined to comment on recusing himself beyond just the 1-year period required by the ethics rules. I know Mr. Bernhardt says he will comply with whatever the organization and agency requires, but we don’t have the time, given the long list of conflicts of interest and given that past case representation, to constantly know every issue and every meeting and every oversight to make sure that undue influence is not being pressured at the Department of Interior.

The President of the United States, who is also the President pro tempore of the Senate, told the Times just yesterday in a conversation about the Attorney General: “If he was going to recuse himself, he should have told me before he took the job and I would have picked someone else.” Well, I hope that is not the issue here. I hope this agency isn’t running fast toward somebody who just won’t recuse themselves in hopes that they will get someone who will do the bidding of these interests and not take into consideration the complexity, the legal structure, and the challenges that dealing with these issues takes.

In fact, as late as March of this year, Mr. Bernhardt’s firm was submitting invoices to Westlands for lobbying charges with itemized expenses. Documents show he was engaged in regular contact with congressional offices and working on legislation and efforts to inform administration policy at the same time he was serving on the Trump transition team.

Even the appearance that Mr. Bernhardt was still lobbying on behalf of clients that do business with the Department of the Interior at the same time he wants to help lead it violates some of the concerns we have been expressing.

I remain concerned about his record on behalf of these corporations at the expense of the environment, and his tenure at the Department of the Interior and many other challenges. The Department’s responsibilities and jurisdictions are just too vast. They are too important to the American people to just green-light someone who I believe will be very engaged in doing this job. So I urge my colleagues to oppose this nomination.

Just today, a complaint was filed with a U.S. Attorney about this nominee’s alleged lobbying activities based on new records available pursuant to California public records law. I want answers from the nominee. We are going to continue to ask questions.

In the meantime, I ask my colleagues to oppose this nomination. Make sure we get the answers we need before the nomination of David Bernhardt can continue.

I thank the Presiding Officer.

The floor is open to the floor. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Without objection, it is so ordered.

Mr. GARDNER. Madam President, it is my honor to come to the Senate floor today to talk in support of a fellow Coloradan’s nomination to be the Deputy Secretary of the Department of the Interior—David Bernhardt. I am very excited about his nomination, I strongly support his nomination, and believe that my fellow Coloradan will do an absolutely incredible job for Colorado and the entire country at the Department of the Interior.

I had the great honor just a month or more ago of welcoming David to the committee and welcoming his beautiful family there with him that day. I remember his oldest son Will about the connection that my family and our oldest child will always have with Will, because when my wife Jaime was working at the Department of the Interior, our oldest daughter Alyson spent some time in the daycare with David Bernhardt’s son Will at the same daycare and the same work Jaime and David did at the Department of the Interior, working together

Jaime and David did at the Department of the Interior.
all those years. But there is more than that. There are more connections I will share, between David Bernhardt and me, and one of the many reasons why I support him.

I have known him personally and professionally for nearly two decades. We both grew up in rural Colorado. I am from the Eastern Plains of Colorado, and Mr. Bernhardt is from the Western Slope. I am from the flatlands, and he is from the mountains. We share a lot of common interests in rural development and saving small towns.

We both began our public service 1 year apart, interning in the Colorado State Legislature for a member of the Colorado State Legislature name just as Russell George, who would go on, eventually, to become the Colorado speaker of the house. I will never forget when I began. It was in the second term of then-State Representative to be Deputy Secretary. I worked for him on Tuesdays and Thursdays in an internship through Colorado State University. He said: You should reach out and meet last year’s intern because I think he could help you figure out the ropes around here and what you should know about the internship. He gave me the phone number for David Bernhardt. So I followed in the footsteps of David Bernhardt at the capitol, and I am excited to see the work that he continues to do.

As I mentioned, Mr. Bernhardt worked with my wife Jaime at the Department of the Interior, and, at one point, we were just around the corner from one another. His personal background and public and private sector professional experiences prove that he is a strong voice for the West and extremely well-qualified for the nomination to be Deputy Secretary. He has extensive insight on western water policy, natural resource policy, and Indian affairs, just to name a few. Those who have worked with Mr. Bernhardt commend him for his integrity and knowledge on the issues under the jurisdiction of the Department of the Interior.

In 2008, after the Department reached the largest Indian water rights settlement in the Nation’s history, Secretary Kempthorne personally acknowledged Mr. Bernhardt’s work as then-Solicitor and stated: ‘His effective coordination—both within Interior as well as with the local, tribal, state and congressional leaders—was essential to the success we celebrated today.’

The country will indeed benefit from returning to public service. That Mr. Bernhardt’s integrity and ability are two of his strongest qualities for his nomination. Public service requires certain sacrifices. I certainly appreciate Mr. Bernhardt’s and his family’s acceptance of the nomination that will be considered by this body today.

I hope the Senate process has not become a broken process, which disincentivizes qualified people—like Mr. Bernhardt, who is held in high professional regard—from serving and from returning to public service. That is why I hope his nomination today receives strong bipartisan support.

As the Senate takes up the vote on this nomination, I urge my colleagues to hold this nominee to the same practice, the same process to which we hold all nominees who are under consideration before the U.S. Senate.

There are a number of individuals and organizations that support David Bernhardt. The Southern Ute Indian Tribe in Colorado has written a letter of support for his nomination; the Colorado River District supports David Bernhardt’s nomination; the Colorado Water Congress, a very important organization made up of environmentalists and water users and municipalities, supports David Bernhardt’s nomination; the Colorado River District supports David Bernhardt’s nomination.

Why are these important? Because these are people who have worked with him throughout his career, from the time he was an intern for Russell George in the State legislature to the time that he worked with Scott McNinch, to the time he worked at a law firm, to the time he worked at the Department of the Interior, all the way up until today.

The National Congress of American Indians supports David Bernhardt as Deputy Secretary of the Interior; Ducks Unlimited applauds the nomination of David Bernhardt as Deputy Secretary of the Interior; the Boone and Crockett Club supports David Bernhardt’s nomination; the National Wildlife Federation supports David Bernhardt as Deputy Secretary of the Interior. The list goes on and on.

Here is a letter from a wide variety of organizations: the International
Snoball Manufacturer Association, the Recreational Vehicle Industry, environmental organizations that have done great work in conservation, the National Shooting Sports Foundation. These are groups, organizations—
not partisan efforts, but organizations that rely on Democrats and Republicans.

The Indian Nation supports David Bernhardt’s nomination. These are Re-
publicans, Democrats, and Independents across the country who believe David Bernhardt would do an incredible job at the Department of the Interior.

Here is a letter of support for David Bernhardt from the chief of the Penob-
scot Nation. The National Cattlemen’s Beef Association supports the nomi-
ation of David Bernhardt. The list goes on and on.

To my colleagues today, from those who know him best, I ask support for David Bernhardt, Deputy Secretary of the Department of the Interior, and stress the importance of a strong bipartisan vote today to show support for our western States that have so much need at the Department of the Interior. The need needs to be done so that we can start once again getting to the work of the people. I yield the floor.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomi-
ation of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The roll call was ordered.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. McCAIN), the Senator from Kansas (Mr. Moran), and the Senator from Nevada (Ms. Sasse).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. Leahy) and the Senator from Michigan (Ms. Stabenow) are necessarily absent.

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

The yeas and nays resulted—yeas 56, nays 39, as follows:

Alexander  Bareso  Blunt  Boozman  Burr  Capito  Cassidy  Cochran  Collins  Corker  Crapo  Cornyn  Cotton  Daines  Donnelly  Ernst  McConnell

YEAS—56

Federal  Gardner  Graham  Grassley  Hatch  Heinrich  Hekmati  Hensley  Hoeven  Inhofe  Johnson  Kinz  Kyn  Lankford  Lee  Mcconn  McNach

NAYS—39

Baldwin  Blumenthal  Booker  Brown  Cantwell  Cardin  Carper  Casey  Coons  Cortez Masto  Duckworth  Durbin  Test  Feinstein

Leahy  McCain  Moran  Stabenow

Alexander  Bareso  Blunt  Boozman  Burr  Capito  Cassidy  Cochran  Collins  Corker  Crapo  Cornyn  Cotton  Daines  Donnelly  Ernst  McConnell

NAYS—39

Baldwin  Blumenthal  Booker  Brown  Cantwell  Cardin  Carper  Casey  Coons  Cortez Masto  Duckworth  Durbin  Test  Feinstein

Leahy  McCain  Moran  Stabenow

[Rollcall Vote No. 165 Ex.]

July 20, 2017

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 39.

The motion is agreed to.

The Senator from Utah.

The PRESIDING OFFICER. The motion is agreed to.

The Senator from Utah.

The Senate confirmed 69 percent of his nominations. Today marks 6 months since President Trump took the oath of office, and the Senate has been able to confirm only 23 percent of his nomina-
tions.

Here is how they do it. The Senate is designed for deliberation as well as for action. As a result, the Senate must end debate on a nomination before it can confirm that nomination. Doing so informally is fast. Doing it formally is slow.

In the past, the majority and minority formally agreed on the necessity or length of any debate on a nomination, as well as when a confirmation vote would occur. The first step in the Democrats’ obstruction campaign, therefore, is to refuse any cooperation on scheduling debates and votes on nominations. The only option is to use the formal process of ending debate by invoking cloture under Senate rule XXII. A motion to end debate is filed, but the vote on that motion cannot occur for 2 calendar days. If cloture is invoked, there can then be up to 30 hours of debate before a confirmation vote can occur.

The Democrats’ obstruction playbook calls for stretching this process out as long as possible. While informal cooperation can take a couple of hours, the formal cloture process can take up to several days.

The late Senator Daniel Patrick Moynihan once said that you are enti-
tied to your opinion, but not to your own set of facts. I would state, then, to let the confirmation facts do the talk-
ing.

President Trump and his three predece-
cessors were each elected with the Senate controlled by his own political party. This is another illustration right here. At this point in the Clinton and George W. Bush administrations, the Senate had taken no cloture votes—nothing, not even one. This is the only moment since President Obama took office, the Judiciary Com-
mittee chairman said he wished that the Senate could have put the new Jus-
tice Department leadership in place more quickly. Just 3 months into President Obama’s first term, the chairman argued that, “at the beginning of a presidential term, it makes sense to have the President’s nominees in place earlier, rather than engage in needless debate.”

Well, actions speak much louder than words. With a Republican in the White House, Senate Democrats have turned our role of advice and consent into the most aggressive obstruction campaign in history.

This chart is an illustration. Democrats complained about obstruc-
tion when, during the first 6 months of the Obama administration, the Senate confirmed 69 percent of his nominations. Today marks 6 months since President Trump took the oath of office, and the Senate has been able to confirm only 23 percent of his nomina-
tions.

To my Democratic colleagues: If 69 percent is too low, what do you call a confirmation pace that is two-thirds lower?

Democrats do not have the votes to defeat nominees outright. That is why the centerpiece of their obstruction campaign is a strategy to make con-
firming President Trump’s nominees as difficult and time-consuming as possi-
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necessary to end debate from a super-majority of 60 to a simple majority. It now takes no more votes to end debate than it does to confirm a nomination. In other words, the Senate did not take cloture votes during previous administrations on the grounds doing so could have prevented confirmation.

Today, Democrats are forcing the Senate to take dozens of cloture votes even though doing so cannot prevent confirmation. At least half of these useless cloture votes taken so far would still pass even under the higher 60-vote threshold.

Earlier this week, 88 Senators, including 41 Democrats, voted to end debate on President Trump’s nominee to be Deputy Secretary of Defense. We have seen tallies of 67, 81, 89, and even 92 votes for ending debate. Meanwhile, these needless delays are creating critical gaps in the executive branch.

A clear example is the nomination of Makan Delrahim, a former Senate staffer who currently works on both sides, is a wonderful guy, and who everybody knows is honest. But this clear example is the nomination of Delrahim to head the Antitrust Division at the Department of Justice. Antitrust enforcement is a critical element of national economic policy. It protects consumers and businesses alike, and, without filling these important posts, uncertainty in the market reigns. This is a particular problem at a time of common concern over mergers and acquisitions. Yet Mr. Delrahim, like dozens of others, has been caught in the maelstrom of delays. Mr. Delrahim was appointed out of the Judiciary Committee on a 19-to-1 vote. Everybody there knows how good he is, how decent he is, how honorable he is, and how bipartisan he has been. He is supremely qualified and enjoyed broad support throughout the Senate as a whole. Yet his nomination, like so many others, languishes on the floor because of Democratic obstruction. Indeed, it has taken longer to get Mr. Delrahim confirmed than any Antitrust Division leader since the Carter administration. Keep in mind that this is a former staffer of ours who served both Democrats and Republicans.

Regarding the delay of Mr. Delrahim’s confirmation, I ask unanimous consent to have two news articles printed in the RECORD.

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

[Senate Record, July 12, 2017]

[From Law360, New York, July 14, 2017]

WAIT TO CONFIRM TRUMP’S ANTITRUST CHIEF LONGEST IN 40 YEARS

[By Eric Kroh]

It has taken longer for the administration of President Donald Trump to get its top antitrust lawyer in place at the U.S. Department of Justice than any since President Jimmy Carter, leaving the division running a limited clip some six months into Trump’s tenure.

As of Friday, it has been 175 days since Trump’s inauguration, and his nominee for assistant attorney general in charge of the DOJ’s antitrust division, Makan Delrahim, has yet to be approved by the full Senate despite pressing matters such as the government’s review of AT&T’s proposed $85 billion deal to acquire Time Warner Inc. announced in October.

Also pending are two picks for Republican seats on the Federal Energy Regulatory Commission, which usually has five members but currently has just one. Since February, the commission has lacked a quorum to conduct official business such as approving en- ergy infrastructure projects. The nominees, Neil Chatterjee, a McConnell aide, and Robert Powelson, each were approved on a 20-3 vote by the Senate Energy and Natural Resources Committee last May.

Mr. Trump may have made a tactical misstep by not moving to fill an open Democratic FERC seat at the same time he announced theorney general on May. For government commissions made up of members from both parties, usually look to pair Democratic and Republican nominees, which gives both sides a more forward with the nominations. Mr. Trump in late June announced his intention to nominate Richard Glick, a Democratic Senate staffer, to an open FERC seat, but he hasn’t done so yet.

Other pending nominees include Boeing executive Patrick Shanahan to be deputy secretary of defense, the No. 2 slot at the Pentagon, and Kevin Hassett to be the chairman of the Council of Economic Advisers.

Dozens of other nominees have been working their way through Senate committees and could be in line for full Senate consideration in the coming weeks. Those include Christopher Wray for FBI director as well as two nominees for the Nuclear Regulatory Commission.

[By Brent Kendall and Natalie Andrews]

WASHINGTON—A congressional battle over President Donald Trump’s nominations for a range of influential positions is escalating and becoming more acrimonious, creating additional uncertainty over when some notable government vacancies might be filled.

Mr. Trump has been slower than recent presidents to roll out nominees. But for an array of political reasons, including Senate Democrats are using procedural tactics to slow the confirmation process to a crawl—at least in part to object to the lack of open hearings on health-care legislation, Democratic leaders say.

More than 30 nominees are sitting on the sidelines waiting for a final Senate confirmation vote. Those include several picks for the Justice and Treasury departments, as well as commissioners at the Federal Trade Commission. The current nominees at the head of its queue aren’t high-profile, and some have bipartisan support.

Today, Senate floor action include Makan Delrahim, in line to lead the Justice Department’s antitrust division. Mr. Delrahim, a deputy White House counsel who served a government lawyer in the George W. Bush administration, was approved by the Senate Judiciary Committee five weeks ago on a 19-1 vote.

Among its current pending matters, the antitrust division is deep into its review of AT&T Inc.’s proposed $85 billion deal to acquire Time Warner Inc., a transaction announced in October.

Also pending are two picks for Republican seats on the Federal Energy Regulatory Commission, which usually has five members but currently has just one. Since February, the commission has lacked a quorum to conduct official business such as approving energy infrastructure projects. The nominees, Neil Chatterjee, a McConnell aide, and Robert Powelson, each were approved on a 20-3 vote by the Senate Energy and Natural Resources Committee last May.

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It has taken longer for the administration of President Donald Trump to get its top antitrust lawyer in place at the U.S. Department of Justice than any since President Jimmy Carter, leaving the division running at a limited clip some six months into Trump’s tenure.

As of Friday, it has been 175 days since Trump’s inauguration, and his nominee for assistant attorney general in charge of the DOJ’s antitrust division, Makan Delrahim, has yet to be approved by the full Senate despite pressing matters such as the government’s review of AT&T’s proposed $85 billion deal to acquire Time Warner Inc. announced in October.

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[From Law360, New York, July 14, 2017]
On the rung below, only two of five deputy assistant attorney general positions are currently filled at the antitrust division. Though the division is largely staffed by career employees, it has been humiliated under acting directors, the lack of a confirmed head and the vacancies at the deputy level could be a sign that the administration doesn’t prioritize antitrust matters, according to Christopher L Sagers of the Cleveland-Marshall College of Law at Cleveland State University.

"It doesn’t seem like this particular White House has been as interested in the day-to-day administration of government as it has been in political issues," Sagers said. "I don’t think that’s particularly well for antitrust enforcement.

Trump did not take especially long to nominate Delrahim. It had been 66 days since his inauguration when Trump announced his choice on March 27. Former President Barack Obama was relatively speedy with his pick, naming Christine A. Varney to the position a mere two days after taking the oath of office. On average, though, the six presidents before Trump took about 72 days to announce nominations.

However, it has taken an unusually long time for Delrahim to make it through the logjam of nominations in the Senate. As of Friday, it has been more than four large-deal decisions. Following Delrahim’s confirmation, the acting assistant attorney general Andrew Finch will serve as his principal deputy. Last month, the DOJ named Donald G. Dunlap to head the deputy assistant attorney general openings, leaving three vacancies remaining.

While it’s preferable to have a full slate of officials and antitrust division review deals, go to court and police cartels until those seats are filled, Murino said.

"They’ve gone through this before, maybe just not for this length of time," she said. "There is a slew of really talented career people that do not change with the political administration. As long as those people are in place, they will keep the trains running on time."

Mr. HATCH. Mr. President, Mr. Delrahim’s appointment is just one example among many. This particular example points to a wider point. Democrats are deliberately slow walking dozens of confirmations in a cynical effort to stall the President’s agenda and hurt the President, but they are hurting the country, and they are hurting the Senate. They are hurting both sides.

I don’t want to see Republicans respond in kind when Democrats become the majority and when they have a President.

It won’t surprise anyone to hear that they are not limiting their obstruction campaign to executive branch nominees. In fact, looking at the judicial branch shows that this is part of a long-term obstruction strategy. In February 2001, just days after the previous Republican President took office, the Senate Democratic leader said they would use "any means necessary" to obstruct the President’s nominees. A few months later Democrats huddled in Florida and the New York Times described it, "to change the ground rules" of the confirmation process. And change the ground rules is exactly what they did

For two centuries, the confirmation ground rules called for requiring time-consuming rollcall votes for controversial nominees so that Senators could record their opposition. Nominations with little or no opposition were confirmed more efficiently by voice vote or unanimous consent. But Democrats have literally turned the confirmation process inside out. Before 2001, the Senate used a rollcall vote to confirm just 4 percent—4 percent—of judicial nominees and only 20 percent of those rollcall votes were unopposed nominees.

During the Bush Administration, after Democrats changed the ground rules, the Senate confirmed more than 60 percent of judicial nominees by rollcall vote, and more than 85 percent of those rollcall votes were on unopposed nominees.

Today, with a Republican President in office, Democrats are trying to change the confirmation ground rules. The confirmation last week of David Nye to be a U.S. district judge was a prime example. The vote to end debate on the Nye nomination was 97 to 0. In other words, every Senator, including every Democrat, voted to end the debate. Most people with common sense would be asking why the cloture vote was held at all and why the delay. But Democrats did not stop there. Exit 2 hours of unanimous cloture vote, they insisted on the full 30 hours of postcloture debate time provided for under Senate rules. To top it off, the vote to confirm the nomination was 100 to 0.

I don’t want anyone to miss this. Democrats demanded a vote on ending a debate none of them wanted, and then they refused to end the debate they had just voted to terminate—all of this on a nomination that every Democrat supported. That is changing the confirmation ground rules.

Only four of the previous 275 cloture votes on nominations had been unanimous. In every previous case, whatever the reason was for a cloture vote in the first place, the Senate proceeded promptly to a confirmation vote.

In 2010, for example, the Senate confirmed President Obama’s nomination of Barbara Keenan to the Fourth Circuit 2 hours after unanimously voting to end debate.

In 2006 the Senate confirmed the nomination of Kent Jordan to the Third Circuit less than 3 hours after unanimously ending debate.

In 2002 the Senate confirmed by voice vote the nomination of Richard Carmona to be Surgeon General less than 1 hour after unanimously ending debate.

The Nye nomination was the first time the Senate unanimously invoked cloture on a U.S. district court nominee. This was the first time there was a unanimous vote to end debate on any nomination on which the minority refused to allow a prompt confirmation vote.

Here is another chart that shows the percent confirmed by rollcall vote during the Clinton administration, the George W. Bush administration, and the Obama administration. Here we have the Trump administration, and, as you can see, they are not confirming his nominees even if they are qualified and the Democrats admit it. No matter how my friends across the aisle try to marginalize the subject, these facts are facts.

While the Senate used time-consuming rollcall votes to confirm less
than 10 percent of the previous three Presidents’ executive branch nominees, under President Trump, it is nearly 90 percent.

I admit the Democrats are bitter about the Trump win. I understand that, everybody on their side expected Hillary Clinton to win. Many on our side expected her to win as well. But she didn’t. President Trump is now President, and he did win, and he is doing a good job of delivering people up here to the Senate for confirmation.

This is how the confirmation process is supposed to work.

The Constitution makes Senate confirmation a condition for Presidential appointments. This campaign of obstruction is exactly what the Senate Democrats once condemned. Further poisoning and politicizing the confirmation process only damages the Senate, distorts the separation of powers, and undermines the ability of the President to do what he was elected to do.

I hope our colleagues on the other side will wise up and realize that what they are doing is destructive to the Senate, harmful to the Senate, and it is a prelude to what can happen when they get the Presidency. I don’t want to see that happen on the Republican side.

**TAX REFORM**

Mr. President, to change the subject, I would like to speak about the effort to reform the Tax Code. Last week, I came to the floor to give what I promised would be the first in an ongoing series of statements about tax reform. Today, I would like to give the second speech on that subject in this series.

As I have said before, while there are tax reform discussions ongoing between congressional leaders and the administration, I expect there to be a robust and substantive tax reform process happening in the Senate, one that will give interested Members—hopefully from both parties—an opportunity to contribute to the final product. I anticipate that, at the very least, the members of the Finance Committee will want to engage fully in this effort.

I have been working to make the case for tax reform for the last 6 years, ever since I became the lead Republican on the Senate Finance Committee. This current round of floor statements is a continuation of that effort.

Last week, I spoke on the need to reduce the U.S. corporate tax rate in order to grow our economy, create jobs, and make American businesses more competitive. Today’s topic is closely related to that one. Today, I want to talk about the need to reform our international tax system.

Over the last couple of decades, we have enjoyed a rapid advancement in technology and communication, which has been a great benefit to everyone and has improved the quality of life for people all over the world. Unfortunately, our tax system has failed to evolve along with everything else.

For example, in the modern world, business assets have become increasingly more mobile. Assets like capital, intellectual property, and even labor can now be moved from one country to another with relative ease and simplicity. These relatively immobile—those that cannot be easily moved—are becoming increasingly rare. The Tax Code needs to change to reflect that fact.

Our current corporate tax system imposes a heavy burden on businesses’ assets, which creates an overwhelming incentive for companies to move their more mobile assets offshore, where income derived from the use of the assets is taxed at lower rates.

The collective result has been a massive erosion of the U.S. tax base and, more importantly, decreased economic activity here at home. The tax code of the country from which a company earns its income at the rate set by the source country is incorporated offshore. Let me repeat that: the tax code of the country from which a company earns its income at the rate set by the source country is incorporated offshore.

Here’s a good example of how our tax system has failed. After the takeover of United Technologies by France’s Thales, the United States lost $65 billion in tax revenue. The resulting combined entity is incorporated offshore, which creates an overwhelming incentive to move intellectual property and other valuable assets out of the United States.

As I noted last week, there is no shortage of lower tax alternatives in the world for companies incorporated in the United States. It does not take a rocket scientist to understand this concept. All other things being equal, if there are two countries that tax businesses at substantially different rates, companies in the country with higher tax rates will have a major incentive to move taxable assets to the country with lower rates. That dynamic only moves in one direction, as there are not many companies that are looking to move to higher tax countries, like the United States, from lower tax jurisdictions. This is not just a theory; this has been happening for years.

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The report by Senators Portman and Schumer, our ranking minority leader, which examined these issues thoroughly and produced a report in 2015. In that report, after noting that most industrialized countries have lower corporate rates and territorial systems, this bipartisan group of Senators said: “This means that no matter what jurisdiction a U.S. multinational is competing in, it is at a competitive disadvantage.”

The report by Senators Portman and Schumer and the members of their working group also referred to something called the lock-out effect. Simply put, the lock-out effect refers to the incentives U.S. companies have to hold foreign earnings and make investments offshore in order to avoid the punitive U.S. corporate tax. This is not a dodge or a tax hustle on the part of these companies; they are simply doing what makes sense. The Tax Code essentially tells U.S. companies: You can have $100 in Ireland, say, or you can have $65 in the United States.
Well, no surprise here—companies generally opt to have $100 in Ireland.

Currently, a huge amount of capital—as much as $2.5 trillion or maybe even more—that is held by U.S. multinational companies is effectively locked in the United States and is unavailable for investment here at home. However, as Senators SCHUMER and PORTMAN and their colleagues on the international tax working group noted, those funds can easily be used to grow the economies of those foreign countries and the United States and we have kept their tax codes up to date.

These are massive problems, and if we are going to put together an effective tax reform package and be competitive, we will have to find a way to tackle these issues. The most obvious way, of course, would be with a combination of reducing our corporate tax rates, transitioning to a territorial tax system, and ensuring protection of the U.S. tax base from things like earnings stripping and profit shifting. That approach, as it turns out, has bipartisan support.

These matters represent a significant portion of our tax reform efforts, and we already know it is one on which Republicans and Democrats can agree, at least in concept. In other words, there is ample reason for our Democratic colleagues to join Republicans and for Republicans to join Democrats in the tax reform discussions.

These issues are not just important for faceless corporations or tax planners; they are important for American workers who are up and down the income scale. Anyone who is hoping to have a job and opportunities here in the United States and not somewhere else has an interest in reforming our international tax system. If we pass up this current opportunity to address these issues, people should expect to see more and more economic activity and investments in headquarters and supporting staff of more household-name companies moved outside the United States.

With bipartisan recognition of the need for reform and agreement on international concepts already having been displayed, we owe it to the American people to work together and fix this problem.

As I have said multiple times, I hope my friends on the other side of the aisle will be willing to work with us on tax reform even if they decline—and, sadly, we have seen some indication that they will—Republicans will need to be ready to take steps to fix these problems. I think we will be ready. Indeed, I think we are more than up to the challenge. I hope we do something about these important issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

HEALTHCARE

Mr. MURPHY. Mr. President, I thank the Senator from Georgia for the recognition.

Colleagues, the new CBO score is out on, I guess, version 4.5 or 5.5—it is hard to keep track of the bill to repeal the Affordable Care Act—and nothing has changed. This proposal, which is a moral and intellectual dumpster fire, is still a disaster.

Here is what the CBO says about the bill. Without being, you know, behind closed doors by my Republican colleagues. The CBO says that, immediately, 15 million people would lose coverage by next year. That is a humanitarian catastrophe. It is something this country has never witnessed before. And losing coverage in that short a period of time. Our emergency rooms would be overwhelmed as they would be unable to deal with the scope of that kind of humanitarian need. Ultimately, the number would rise to 23 million at the end of the 10-year window. We know it will be far bigger than that in the second 10 years because that is when the worst of the Medicaid cuts will happen, but 22 million is a lot of folks. It is no different than what went down to their constituents, which was 23 million, or in the House’s bill, which somehow got a majority vote in that place despite 24 million people losing health insurance, according to the CBO.

Today, 80 percent of Americans are covered by health insurance. The CBO says that number will go all the way down to 82 percent. I have heard my friend Senator CORNYN complain on this floor a year ago that the ACA will have millions of Americans uncovered. This would make it even worse.

When you get down to look at what happens to individual Americans, it gets even more frightening. Let me give an example of how this bill would dramatically increase premiums on individuals who are currently insured through the private market.

A lot of the coverage losses happen because of this assault on Medicaid, and individuals who have private coverage would not be able to afford it any longer. If you are a 64-year-old who is making, let’s say, $55,000, that is over three times the Federal poverty level. In a lot of places, you can live on $56,000. Today, that individual is paying about a $6,700 premium. Under the Republican healthcare bill, that individual would be paying $18,000 in premiums. That is an increase of 170 percent. That is just one individual.

The bottom line is that, if you are older and you are less wealthy, you are going to be paying a whole lot more under this proposal.

Despite all of the guarantees made by Republicans and this President that under their plan, costs would go down, that deductibles would go down and premiums would go down, the CBO says the exact opposite. It says that, especially if you are sort of middle-income and are 50 or older, your premiums will go up dramatically.

This is a terrible bill. It does not solve a single problem that the Republicans said they were trying to fix. More people lose insurance, costs go up, and quality does not get better. This is a terrible piece of legislation.

We are at this very frightening time in the negotiations when changes are being made to this bill not to improve policy but to try to win individual votes that is what is happening as we speak. Behind closed doors, small changes are being made to this bill to try to win the votes of individual Senators, giving them specific amounts of money for their State, and their State alone, in order to win their vote. That is shameful, and it is a way to reorder one-fifth of the American economy. We are talking about 20 percent of the U.S. economy. And changes are being made to this bill right now that have nothing to do with good healthcare, that have only to do with winning individual votes to try to get to 50, because Republicans refuse to work with Democrats—refuse to work with us. So instead of building a product that could get bipartisan support, Republicans are now down to a handful of their Members and are trying to find ways to deliver amounts of money to those Members’ States in order to win their vote.

There is a special fund in the latest version of the bill for insurance companies in Alaska that was not in the previous version of the bill. Now, all of these provisions get written in a way that if you are an average, ordinary American who decides to take a couple of weeks off of your job, you would never know that it was a specific fund for Alaska because it doesn’t say “Alaska.” It sets up a whole bunch of requirements that a State has to meet to get this special fund for insurance companies, and only one State fits that description, and it is Alaska.

There is a change in this bill from previous law that addresses States that were late Medicaid expanders, States that were kind of marginally late. Medicaid expansion allowed for under the Affordable Care Act but did it late in the process. The previous version didn’t give those States credit when establishing the baseline for the new Medicaid reductions, but miraculously this new bill has a specific provision to allow for two States that were late Medicaid expanders to be able to get billions of additional dollars sent to their State. Those States are Alaska and Louisiana—two States.

There is a new provision in the latest version of the bill that makes a very curious change to the way in which DISH payments are sent to States—that is the Disproportionate Share Hospital Program that helps hospitals pay for the costs for people without insurance. Not coincidentally, it is a change that was advocated by one Senator from one State: Florida. The change will disproportionately benefit the State of Florida, and it is now in the new version.

These are not changes that help the American healthcare system. They are not changes that benefit my State or...
the State of the majority of Members here. Some of these changes don’t benefit 98 of us; they only benefit 2 of us. And they are in this version of the bill in order to win votes, not to make good policy.

We heard word this morning of a new fund that was invented in the middle of the night last evening that would supposedly help States that are Medicaid expansion States transition their citizens who are currently on Medicaid to the private market. Now there are reports that it is a $200 billion fund, and that is a lot of money. It sounds like a lot of money, and it is a lot of money, but it would represent 17 percent of the funds that are being cut to States, and it would only be a temporary bandaid on a much bigger problem. Why? Because CBO says definitively that the subsidies in this bill for people who want to buy private insurance are so meager that virtually no one who is kicked off of Medicaid will be able to afford those new premiums. That is why the numbers are so sweeping in their scale—22 million people losing healthcare insurance.

So even if you get a little bit of money to help a group of individuals in a hasty, crowded transition when that money runs out—and they are back in the same place. All they are doing is temporarily postponing the enormity of the pain that gets delivered. And once again, this provision being offered only States with Medicaid expansion populations is being targeted in order to win votes, not to make good policy. And once again, this provision that money runs out—and it will—they are doing is temporarily postponing what we want, which is the end to this madness—an administration that is trying to sabotage health care and destroy the healthcare our citizens get. But that could be a compromise. It is not illegal to meet with us. There are 48 of us; there are not 12 of us. My constituents in Connecticut deserve to have a voice in how one-fifth of the American economy is going to be transformed.

I know a lot of my Republican friends want to do this. I have talked with Republican Senators who say: Well, when this process falls apart, we want to work with you. It is falling apart, because the only way Republicans are going to get the 50 votes is by making these shameful changes—specific funding for祐atic States in order to get a handful of votes—and that is not how this place should work. Maybe that is how things happened here 100 years ago, but it is not how things should happen today.

So once again, I will beg my Republican colleagues to stop this partisan closed-door exercise and come and work with Democrats. We can do this together. We can own it together. We will have plenty of other stuff left to fight about if we find a way to agree on a path forward for America’s healthcare system.

Mr. President, I yield the floor.

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

Mr. WYDEN. Mr. President, before he leaves the floor, I want to commend my colleague from Connecticut for a very thoughtful speech. I think he has made the case that the challenge ahead is real, and I’m so glad that he stood up to stop something that is especially ill advised, and second, to then move to a better way that really focuses on sunlight and bipartisanship. So I thank my colleague for his very thoughtful comments.

THINKING ABOUT SENATOR MCCAIN

Mr. President, I am here to speak about healthcare, but before I turn to that subject, I want to spend a few minutes talking about our wonderful colleague JOHN MCCAIN.

Some of the most satisfying moments I have had in public life have been serving with John McCain. When the U.S. Senator from Arizona’s first new U.S. Senator in almost 30 years—I had the honor of being chosen to serve on the Senate Commerce Committee, which was chaired by John McCain. And what an exhilarating way to be involved in that committee. We tackled big, meaty, important issues of the future—the question of multiple and discriminatory taxes on Internet commerce. We focused, for example, on Enron and what went wrong there and we got a lot of the consumers ripped off. We dug into consumer rights. John McCain was an early advocate for saying that if you rode on an airplane, it didn’t mean you ought to sacrifice basic consumer rights, and some of those same issues are getting more attention today.

Then, of course, we built on this floor the Y2K measure. When everybody was so concerned about what would happen if the clock were to end, Senator McCain and me had the honor of being his Democratic partner in putting together a bill. We had the benefit of incredible work from the private sector and first responders and smarter Federal policies. We all know that some of the catastrophic predictions about Y2K didn’t come to pass.

John McCain did some extraordinary work at that time. As a young U.S. Senator, what a thrill it was to be able to be involved with a real American hero on some of these first experiences I had in the Senate.

As we begin to absorb the news of last night, what struck me is that now we are counting on John McCain’s legendary strength to give cancer its toughest fight ever—toughest fight ever.

I just wanted to come to the floor today and say we are rooting for you, dear friend. We are rooting for you and Cindy and your wonderful family, and we are thinking about you this afternoon.

HEALTHCARE

Mr. President, it is my sense that if you thought the TrumpCare debate in the Senate had met its end on Tuesday, it is pretty obvious you ought to be thinking again. The zombie stirs once more.

The latest attempt by the majority to cobble together 50 votes, according to reports, comes down to $200 billion slush fund in front of Senators from States that expanded Medicaid under the Affordable Care Act.

As the ranking Democrat on the Senate Finance Committee, I am pleased that the President joined the committee this year. We have studied this one-time slush fund, and the theory, of course, is that it is supposed to be enticing enough for a Senator to vote for a bill that still slashes Medicaid to the bone.

Let’s be realistic about what the slush fund represents in the context of
the overall plan. Senate Republicans are steering tens of millions of Americans toward a cliff and are offering the world’s smallest pillow to break the fall.

Before I go further on the specifics of what’s in the bill, I want to take a step back and take a look at what the American people have been subjected to over the course of this debate. The reason I want to do this is that, even by Beltway standards here in Washington, this is the absolute worst of this city.

In the crusade to repeal the Affordable Care Act, the ACA, there has been the AHCA—the House TrumpCare bill. That is the one that earned the big victory ceremony with the President of the United States in the Rose Garden. Next, we had the BCRA—the Senate TrumpCare bill. Then, there was a second version of the BCRA. Then, along came something called the ORRA, the bill I have called “repeal and ruin, which got its start back in 2015. This morning, the public got a look at a third version of the BCRA. My sense is, if you are having coffee in Coos Bay, OR, or in Roseburg over lunch or something like that, your head is going to be spinning with this next one.

I also want to make sure folks know about the strategy that has come out of the White House over the last few days. The President first endorsed the Senate’s TrumpCare bill, but then it was downed. While we sat here, the morality watched the administration sabotage the Affordable Care Act, the President said that everybody ought to just sit back and watch what happens. Then it was back to calling for the Senate majority to pass TrumpCare.

Nobody in this Chamber, with the possible exception of Senate Majority Leader MITCH MCCONNELL, can claim to really know what is coming down the pike on American healthcare. So with the health and well-being of hundreds of millions of Americans at stake, this shadowy, garbled, and wretched process really just leaves your jaw on the floor. Senate Republicans seem to be speeding toward a vote on something. As I mentioned, there is the prospect of this $200 billion slush fund being dangled out there to help round up votes. My sense is that this slush fund is of zero consolation to the millions of Americans at stake, this shadowy, garbled, and wretched process really just leaves your jaw on the floor.

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One of the priorities that those Senators—and some of those colleagues on the other side of the aisle; they were cosponsors of this bill, and many of the Democratic sponsors are still here. There was bipartisan agreement that there should be an airtight, loophole-free commitment to protecting people with preexisting conditions. As I said, seven Democrats, seven Republicans signed off on that bill. A number of them from both sides still serve in the U.S. Senate today.

Now what is being discussed is an approach that healthcare is unaffordable for millions of people with preexisting conditions, really taking a big step back—and I have heard my colleague speak about this, commenting on TV shows and the like—toward the days when healthcare in America was for the healthy and the wealthy. That is what you get if you don’t have airtight protections for those with preexisting conditions. If you don’t have what we had in our original bill by seven Democrats, seven Republicans—loophole-free protections for those with preexisting conditions. If you don’t have it, you are marching back to the days when healthcare was for the healthy and the wealthy. What is the future? Families are worried, for example, about how they are going to pay for the care of an older family member. Are they going to be able to take care of elderly parents and grandparents when long-term care through Medicaid is cut.

Make no mistake about what this slush fund really does; it just plays a little bit of the pain for a short time in States that expanded Medicaid. But the slush fund is going to run dry. That is a fact. State budgets are going to get hit like a wrecking ball. That is the reason so many Governors are so unhappy with what is on offer.

There is no escaping the consequences of whatever the Senate passes. If you had objections to TrumpCare yesterday—if you are watching this, remember that you are watching this, remember that you are watching this, remember that you are watching this, remember that you are watching this, remember that you are watching this—remember that the next time you hear that the Senate Republican bill lowers costs or puts the patient at the center of care. If this bill becomes law, that individual will have no reliable medical coverage if they develop an injury or diagnosis away from personal bankruptcy. How does that figure compare to the system on the books today, you might ask? Under the Affordable Care Act, that same individual’s deductible is $800.

The other option being put forward by Senate Republican leaders is a repeal-only strategy, and they claim it would have a 2-year transition. But the numbers from the Congressional Budget Office make clear that the idea of a 2-year transition after a repeal bill passes is a fantasy.

“Repeal and run” means that 17 million Americans lose coverage in the first year; 32 million Americans lose coverage within a decade; premiums in the private marketplace will go through the roof. How does that figure compare to the system on the books today, you might ask? Under the Affordable Care Act, that same individual’s deductible is $800.

The numbers I am talking about are real lives. I was the director of the Gray Panthers senior citizens group for almost 7 years before I was elected to this Congress. That is why I am here.

As I started to see government reports and the like, I came to realize that those reports—all those facts and figures on pieces of paper, long sheets of paper, figure after figure—are not really what this debate is all about. This is a debate about people, about their hopes and aspirations and what they want for the future. Families are worried, for example, about how they are going to pay for the care of an older family member. Are they going to be able to take care of elderly parents and grandparents when long-term care through Medicaid is cut.

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America. What is not known is very often seniors need not just that care, but they need home and community-based care. They need a continuum of services so they get the right kind of care at the right time.

The President is looking at this bill. They are saying this is going to make my prospects for being able to afford care—whether it is nursing homes, home and community-based services—an awful lot harder to figure out in the days ahead.

We have young people who have been through cancer scares. We have single parents who work multiple jobs to put food on the table. This is what I am hearing about at home. When I had the good fortune of being chosen Oregon’s first new Senator in almost 30 years, I made a pledge that I would have an open meeting, open to everybody in every one of my State’s counties. We have 36 counties in Oregon.

This year, so far, I have had 54 open-to-all town meetings. Each one of them lasts 90 minutes. There are no speeches. People say what they want. They ask a question. It is the way the Founding Fathers wanted it to be. They are educating me, and I am trying to them trying to come back to Washington, DC, which often strikes them as a logic-free zone—I am trying to take their thoughts back to Washington, DC. Frankly, my highest priority has been to find common ground with people of common sense on the Finance Committee, especially in the healthcare area, because long ago I decided if you and your loved ones don’t have your health, nothing else really matters.

At those 54 town meetings—they have been in counties where Donald Trump won by large numbers or Hillary Clinton won by large numbers—each one of those meetings has been dominated by the fears of Americans of all walks of life, of all political philosophies worried about what is going to happen to their healthcare.

Frankly, their worry seems to be just as great in rural communities that President Trump won by large majorities because Medicaid expansion in my State has been enormously helpful. So many Oregon communities, under 10,000 in population, have been able to use Medicaid expansion at a hospital to maybe hire another person. It has really been a lifeline. They have an awful lot of interest in 55 and 65. They are going to be charged five times as much as young people here, and they are going to get fewer tax credits to deal with it.

In all of these counties—counties won by Donald Trump, counties won by Hillary Clinton—fear about healthcare has been front and center. People are fearful and obviously would like some clarity, some sense of what is coming next.

One of our colleagues whom I do a lot of work with, Senator Thune—a member of the Finance Committee and his party’s leadership—spoke to a reporter a little bit ago. He couldn’t say what the Senate would take up, if the first procedural vote passes next week, whether it would be TrumpCare or a straight repeal bill.

My sense is, everybody is being asked to walk into this abyss on healthcare but particularly colleagues on the other side of the aisle. To be in the dark about what is on offer a few days before a vote that affects hundreds of millions of Americans, one-sixth of the economy, is going to be in the dark, someone like myself, the ranking Democrat on the Senate Finance Committee that has jurisdiction over Medicare and Medicaid and tax credits, strikes me as very odd, even by the standards of the beltway.

The American people are now left guessing about what comes next. The only guarantee, should the first procedural vote succeed, is that both options on the table are going to raise premiums, make care unaffordable for those with preexisting conditions, and leave tens of millions of Americans without health coverage.

I want to repeat a message that I and other Democratic Senators have been delivering for days. The choice between TrumpCare and straight repeal of the Affordable Care Act is false. Nobody is being forced to choose between calamity and disaster.

Democrats and Republicans absolutely can work together on the healthcare challenges facing the country. As soon as there is a willingness to stop the political circus and bring the bipartisan waivers. The theory—and I am sure my colleagues in the Chair has been thinking about these issues as well—is based on the idea we both have heard for decades— that market forces, if those market forces in Washington will just give us the freedom, we can find better ways to cover people, hold down the costs, and make what works in Louisiana work for us, and folks in Oregon can pursue what works for Oregon.

I said, at the time, that every single bill that I would be part of in this debate about fixing American healthcare would have a provision that would respond to this argument that the States are the laboratories of democracy. We would have a provision that would allow considerable flexibility for States to take their own approaches.

I continue to feel very strongly about it. I wrote an entire section of my comprehensive bill to give States flexibility, and fortunately it was included in the Affordable Care Act. There ought to be room to work on these kinds of issues. The market forces, if they have been in counties where Donald Trump won by large majorities in the middle of the country, they are saying this is going to make my situation worse. With TrumpCare, as great in rural communities that happen to their healthcare.

Everyone wants to make sure that family, that what they have. Americans for them to be in the marketplace.

The Finance Committee, especially in this debate to know there is a bipartisan interest in getting more competition and more consumers into the insurance markets. That means more predictability and certainty.

My view is, if you are serious about really helping to make the private insurance market robust, you have to stop this crusade to repeal the ACA. Insurers are making decisions right now. All eyes are on this body to bring certainty back to the marketplace.

The reality is, there is only a very short time with respect to 2018 premiums. I know there are Republican Senators who would like to tackle challenges on a bipartisan basis. The reality is, if we are sending folks in Washington will just give us the freedom, we can find better ways to cover people, hold down the costs, and make what works in New York work for us, and folks in Oregon can pursue what works for Oregon.

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Consumers said: Hey, we will see that in our pocketbook. At home we would see that at a pharmacy, at Fred Meyer or Rite Aid or Walgreens or any of our pharmacies. These are all big pharmaceutical companies, we don’t have your health, nothing else really matters.

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My view is, if you are serious about really helping to make the private insurance market robust, you have to stop this crusade to repeal the ACA. Insurers are making decisions right now. All eyes are on this body to bring certainty back to the marketplace.

The reality is, there is only a very short time with respect to 2018 premiums. I know there are Republican Senators who would like to tackle challenges on a bipartisan basis. The reality is, if we are sending folks in Washington will just give us the freedom, we can find better ways to cover people, hold down the costs, and make what works in New York work for us, and folks in Oregon can pursue what works for Oregon.

I said, at the time, that every single bill that I would be part of in this debate about fixing American healthcare would have a provision that would respond to this argument that the States are the laboratories of democracy. We would have a provision that would allow considerable flexibility for States to take their own approaches.
Let us set aside this partisan war-or-the-highway approach, opt for the alternative, which is more sunshine and more bipartisanship. I will pledge to you everything in my power on the Senate Finance Committee to bring that about.

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

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

MANUFACTURING

Mr. BLUNT. Mr. President, the White House started out this week with all kinds of activities on the White House grounds pertaining to things that we have traditionally come with manufacturing.

When we have an economy that focuses on things and growing things, that has always been the strongest economy for working American families—an economy that competes, an economy that produces. Where the Presiding Officer and I live in Louisiana and in Missouri, in the middle of the country and close to that great transportation corridor and close to the resources of the country, we always particularly thrive when we are in an economy that is focused on making things.

With all of the other discussions this week, it would be a shame to not think about those products from every State that the President talked about this week about they could make a living for themselves and lots of other people, doing just that. In fact, manufacturing employs 12.3 million people in the country today, including more than 260,000 people in my State of Missouri. There is no doubt that we benefit from those kinds of jobs.

I was glad that in 2014 we were able to get the Revitalize American Manufacturing and Innovation Act signed into law, a new opportunity for businesses to link with each other and to link with training facilities, maybe research universities. You have to have that kind of public partner, as well, to see what we could be to be even more competitive than we are. When we looked at Germany and other countries, they were not only doing this sort of thing, but they were doing it in a way that made it really hard for us sometimes to keep up with that level of interaction between innovation and manufacturing, innovation and labor.

Businesses are really very much impacted, jobs are very much impacted by the decisions that government ultimately sets the stage for. If you are going to make something in America today, the first two boxes I think you would have to check would be can you pay the utility bill and does the transportation system work with what you are trying to do. If you can’t check those two boxes, no matter how great that workforce and that location might be, you are not going to take those jobs there. So government, either as a regulator or as a provider, is going to be very involved in whether you can pay the utility bill.

That is why I was really glad to see the new director at the Environmental Protection Agency look at the power rule. The courts fortunately had already said you don’t have the authority to do that—only Congress can do what you want to do here—which is look at the power rule and look at States like many of our States in the middle of the country where, in my State, under the climate change rule would have doubled the utility bill for families and the places they work in about 10 or 12 years. By the way, nobody pays the utility bill for you. The utility bill is paid based on how many millions of kWh you use. If you have no utility bill, you could pay no utility bill and make a big government come in and pay the utility bill unless we are going to have a totally different system than we have now. The utility bill would have doubled.

I have often said that in the last three years in this fight to see that this didn’t happen to Missouri families—and I said it again on the radio this morning in an interview, thinking that this fortunately had not happened—I said: If you want to test what happens if the utility bill is allowed to double because of some needless government action—and double before it has to because you are doing things before they have to be done—the next time you pay your utility bill just as you would do if you were writing your checks out of your paycheck, pay it one more time and see what you are going to do with the rest of your family’s money that month, which suddenly you can’t do because you are paying the utility bill twice.

There are ways—when we need to transition to some other kind of utility provider if we want to transition in fuels or sources or whatever—there are many more tools can we put in the tool box. Senator WARNER and I reintroduced the BRIDGE Act to provide one more tool to create more incentive for private sector partnerships, to do things differently than we have done them before. If we are going to get different results, we have to do different things. If we do just exactly what we have been doing, we are going to get just exactly what we have been getting.

As the President focuses, I think properly, on the kinds of American jobs that create stronger families and more opportunities, we don’t want to lose
thoughts and prayers for Senator McCain.

Mr. President, while I am on the floor, I want to mention for just a minute our friend, John McCain. I know lots of prayers have been said for Senator McCain and his family. Lots of stories today have been told and traded, and lots of stories to tell. When I was in the House for 14 years, I was often in brief meetings with Senator McCain. Frankly, I never grew to appreciate him anywhere near like I did when I had a chance to begin to work with him every single day. For me, at least, he was an acquired taste. It took time to really see his strength, his tenacity, and to understand that irascibility was just part of who he is and part of his determination to make the country and the Congress and the Senate better.

It would be hard to find anyone more determined or less fearful. In fact, someone in a recent debate in the last year or so said that Senator McCain had—Mr. Bernhardt said that Senator McCain had done something because he was afraid to do the other thing. When asked about it, Senator McCain said: Well, it has been a long time since I was afraid.

He is a man who served his country day after day after day, and still does; a believer in what we stand for; some- one who has traveled all over the world, as I have had a chance to travel to dangerous spots and other places. Over and over and over again, I have seen people who are out there making things that are competitive in the world to have better opportunities. I appreciate the President and Vice President this week calling attention to that important part of what we do as we move toward transportation and infrastructure and other things.

For the American people, it has a much better likelihood of everything if we are able to get the right leaders in place. Mr. Bernhardt, a seasoned advocate for corporations who are looking to stuff their pockets while the getting is good. Mr. Bernhardt is a walking rubberstamp that President Trump wants. Mr. Bernhardt is a walking conflict of interest who has taken one spin through the revolving door, and now he is coming back around again for a second pass.

The Deputy Secretary serves at the pleasure of the President. But a Deputy Secretary—the No. 2 at the Department—is, first and foremost, bound to serve the American people and the mission of the Department. No President is only served by yes-men, and Mr. Bernhardt’s yes-man mentality was on full display during his confirmation hearing.

When my colleague from Minnesota, Senator Al Franken, questioned Mr. Bernhardt about climate change at his nomination hearing, he was all too willing to dismiss the urgency of climate change, and he pushed aside the responsibility of the Department of the Interior to act. In defiance of accepted climate science, he argued:

This President ran, he won on a particular policy perspective. That perspective’s not going to change to the extent we have the discretion under the law to follow it.

In other words, don’t bother me with the facts; we will just stick to what- ever President Trump tells us to do.

But the rest of us can’t ignore the facts. Our planet is getting hotter. The last 16 years were all among the hottest 17 years on record, and our seas are rising at an alarming rate. Our coasts are threatened by furious storm surges that can sweep away homes and devastate even our largest cities. Our economically disadvantaged communities, too often situated in low-lying floodplains, are one bad storm away from destruction. Our naval bases are under attack—not by enemy ships but by rising seas. Our food supplies and forests are threatened by droughts and wildfires that are becoming so common we barely make the evening news.

The effects of manmade climate change are all around us, and things will only continue to get worse at an accelerating pace if we don’t do something about it. We can act, and one important step is saying no to corporate raiders who are seeking to exploit public lands and gamble with our children’s future.

President Trump thinks leadership is having the power to make sure our public lands and Big Oil and Big Coal executives who are looking to stuff their pockets while the getting is good. Mr. Bernhardt, a seasoned advocate for corporate interests, seems all too eager to please this President and corporate Interests no matter the cost to the American people. If President Trump’s highest ranking agency officials are not brave enough to speak even a little truth to power about this President’s climate delusions, then, who will?

The American people deserve leadership at the Department of the Interior—leadership that is committed to ensuring that our public resources and
our public lands are preserved for future generations of Americans. The American people deserve leadership that fights back when the President seeks to cut thousands of jobs at the Department of the Interior or offers a budget that critically undermines the Department of Education and threatens our public lands.

The American people deserve leadership at the Department of the Interior—leadership that works for the people—and that is not David Bernhardt.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

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

VOTE EXPLANATION

• Ms. STABENOW. Mr. President, due to a family related matter in Michigan, I was unable to attend today’s rollocoll vote on the nomination of John K. Bush to be a United States circuit judge for the Sixth Circuit. Had I been able to attend, I would have opposed his nomination.

I also was unable to attend today’s rollocoll vote on the motion to invoke cloture on the nomination of David Bernhardt to be Deputy Secretary of the Interior. Had I been able to attend, I would have voted no on the cloture motion.

McKINNEY-VENTO HOMELESS ASSISTANCE ACT

Mrs. MURRAY. Mr. President, July 22, 2017, marks the 30th anniversary of the enactment of the McKinney-Vento Homeless Assistance Act, our Nation’s landmark law designed to prevent and address homelessness. Many communities in my home State of Washington and across the country are confronting a surge in homeless and housing-insecurcure individuals, and the resources brought to bear by McKinney-Vento are essential to continued progress. The McKinney-Vento Act also marked the first time that Congress provided dedicated funding to ensure equal educ

The law requires States and school districts to remove barriers that homeless children and youth face in receiving a high-quality education. In the years since the McKinney-Vento Act passed, hundreds of thousands of young people experiencing homelessness have received the supports they need in order to attend school, graduate, and secure a well-paying job that can provide for their families.

I am pleased to introduce an amendment and see enacted legislation to remove barriers and provide support to homeless children and youth, from early childhood through postsecondary education. Many of these laws have codified best practices pioneered by dedicated Washington State educators determined to make a difference for homeless children and youth.

I have fought and continue to fight for funding that makes a difference for homeless children, veterans, and other adults, and families experiencing homelessness. I ask my colleagues to join me in celebrating the success of the McKinney-Vento Act and recognizing how far we still have to go in order to end homelessness crisis and make sure that every child in our country has access to a quality education no matter where they live, how they learn, or how much money their parents make.

RECOGNIZING THOSE WHO SERVED ON WAKE ISLAND

Mr. CRAPO. Mr. President, today I wish to honor the servicemembers and civilians who served on Wake Island in World War II, as the last gathering of the Survivors of Wake-Guam-Cavite, Inc., is scheduled to be held in Boise in September.

Survivors of the defense of Wake Island and their families have held annual reunions and other get-togethers for the last nearly 71 years. Idaho became home to annual reunions of Wake Island survivors and their families. Many of these gatherings have been organized by Alice Ingham, whose husband was on Wake Island, but since many Wake Island survivors have now, unfortunately, passed away, the organization has decided to wind down their reunions, noting, “We would like to honor all of our Wake men—the living, the deceased, and those who never made it home from the war—with this final reunion.” The last worker from Idaho, Joe Goicoechea of Boise, passed away this past year.

The astounding example of the Americans who served on Wake Island and their families are lasting examples of courage and resolve. The history of World War II and the bravery of the American servicemembers who fought for our Nation and its allies are familiar parts of our collective national history, but an often overlooked part of this legacy is the service of the civilian workers on Wake Island who were swept into the war. The civilian workers, including many Idahoans, working for Morrison Knudsen Company, building infrastructure on the island, when it was attacked the same day as the attack on Pearl Harbor, immediately became soldiers. Their service cannot be forgotten, and those who have helped keep the memories of those who served on Wake Island alive.

In Veterans Memorial Park in Boise, a memorial honoring Americans who served on Wake Island gives the following account: “Five hours after bombing Pearl Harbor on December 7th, 1941, Japanese forces attacked Wake Island, a tiny island midway between Hawaii and Japan. The United States was constructing a runway essential for planes to refuel on their way through the area. There were 449 Marines, 68 Sailors, 6 Army Air Corps, and 1146 civilians employed by the Boise-based Morrison Knudsen Company on the island. Approximately 250 of the MK workers were from Idaho. For 15 days the military and civilians bravely defended the island from the Japanese forces. Wake Island fell to the Japanese on December 23, 1941.

“Following the battle, 96 civilian construction workers were kept on Wake Island to labor for the Japanese. When their work was complete, they were forced to dig their own graves before being executed. The remaining defenders of the island, both military and civilian, were taken as prisoners of war by the Japanese and held for 44 months. These brave heroes endured exceedingly harsh conditions, serving as slave labor for the Japanese government in Japan and China. Many died in captivity. In 1981 the civilian MK employees were granted Veteran status in recognition of their service in the War of the Pacific. . . .”

Those who survived and returned home have enriched our communities. Thank you to those who served on Wake Island and their families for the immeasurable service you have given to our country and for your enduring examples of devotion and strength.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR RICHARD E. HAGNER

• Mr. COCHRAN. Mr. President, I am pleased to commend MAJ Richard E. Hagner for his dedication to duty and service to the Nation as an Army congressional fellow and congressional liaison for the Assistant Secretary of the Army. Major Hagner was recently selected for the Army’s prestigious Advanced Strategic Planning and Policy Program and will be transitioning from his present assignment to begin doctoral studies at Vand

A native of Milwaukee, WI, Major Hagner was commissioned as an infantry officer after his graduation from
Mr. Risch. Mr. President, I am proud to stand before you this evening to celebrate the 125th anniversary of the founding of the St. Paul African Methodist Episcopal Church. First built on Court Street in Charleston, WV, St. Paul African Methodist Episcopal Church has served as a bastion of faith since its founding in 1892.

With humble beginnings, St. Paul AME first organized in the basement of the old Charleston courthouse under the leadership of Rev. Lewis McGhee, Sr. Once a year, McGhee constructed on a permanent home, and in 1897, that home was completed.

The St. Paul African Methodist Episcopal Church has been a leader of the community for its entire existence. In the early 1900s, Rev. Francis Herman Gow formed the first African American Boy Scout troop in Charleston. Reverend Gow's trailblazing did not just end there, and in 1915, Reverend Gow established the Mattie V. Lee Home to provide housing for African-American women who travelled to Charleston in search of work.

The Mattie V. Lee Home still stands today under the direction of the Prestera Center, where it serves as an addiction treatment facility. Just as the Mattie V. Lee Home continues to make a difference in the Charleston community so long after its founding date, so too does the St. Paul African Methodist Episcopal Church.

Today the St. Paul African Methodist Episcopal Church works to provide both healing and spiritual guidance in Charleston. Under the direction of Rev. John Sylvia, the church serves free weekly dinners for all interested, and associate pastor Rev. Roberta Smith was named creating RESET, a group to foster positive dialogue between law enforcement, clergy, and community of Charleston, WV.

It is through these acts of positivity and spiritual guidance that St. Paul AME has flourished in the Charleston community. I would like to thank Rev. John Sylvia and the entire congregation at St. Paul African Methodist Episcopal Church for their commitment to the Charleston community. I am proud of the work done by St. Paul AME, and I know that the church will continue to spread the Word of the Lord for many more years to come.

Mr. Peterson and Andy Huska and the employees of Rohinni who have made last-minute efforts to have the new technology ready in time for the show. The future is bright for this Coeur d’Alene based technology startup. Rohinni develops and manufactures LED lighting products. Described as “the World’s Thinnest LED lighting,” they allow light to any shape, on any surface, and for any need. The company’s products have already been applied in many different fields, including transportation and consumer electronics.

Cofounders Cody Peterson and Andy Huska first worked together creating advanced force-sensing capacitive membrane switches, touchpads, and touchscreens for the Pacinian Corporation, which Mr. Peterson founded. With their extensive experience and background in innovative technology products, they began with a new, clever concept: Using a thin slice of conductive material, they were able to disperse thousands of micro-LED diodes to create glowing surfaces. With this new direction, Rohinni was born in 2013. After further developing this innovative technique and obtaining 44 patents, including one for the world’s thinnest keyboard, Cody and Andy mastered micro-LED placement. With the help of some crucial venture capital investments 2 years later, the co-founders turned their idea into a successful company and have even expanded with a branch office in Austin, TX. Their new technology has been successfully used in many products, including fabric, television displays, mobile devices, and automotive displays.

Rohinni’s creative efforts have been recognized by several business and trade publications. As one of the founders of the Semiconductors Caucus, I recognize the impact that these emerging technologies have on the advancement of our Nation’s scientific progress, as we continue to move towards manufacturing products that are simpler in design, more efficient, lighter in weight, and smaller in size. The innovation displayed by companies like Rohinni help to preserve our global competitive edge in the electronic, semiconductor, and memory industries.

It is my honor to recognize Cody Peterson and Andy Huska and the employees of Rohinni who have made last-minute contributions to the electronics industry. You make our State proud, and I look forward to watching your continued growth and success.

Small Business of the Month for July 2017. The people of Sanders County know Communities like Plains depend on folks like Jim and Renee, for the admirable work their ministry has done to support those in need. Before becoming a pastor, Jim made a living harvesting timber, and those skills have been valuable with helping the most vulnerable members of their community stay warm during the cold Montana winters.

In addition to distributing firewood, Jim’s church harnesses the talents of many volunteers in order to provide a food bank, soup kitchen, and clothing bank. Their approach to ministry has empowered his community to help each other overcome challenges.

Communities like Plains depend on volunteers who have mentored over the years. I thank them for all the work they have done and wish them the best as their ministry continues to grow in the service of others.
EXECUTIVE MESSAGES REFERRED
In executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.
(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13581 ON JULY 24, 2011—PM 14

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

To the Congress of the United States:
Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 on July 24, 2011, is to continue in effect beyond July 24, 2017. This notice supersedes the notice regarding this topic submitted to the Federal Register on July 19, 2017.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

Donald J. Trump,

MESSAGES FROM THE HOUSE
At 10:13 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2883. An act to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity.
H.R. 360. To provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes.

At 2:57 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 218. An act to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay.
H.R. 2623. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes.

MEASURES REFERRED
The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 218. An act to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; to the Committee on Energy and Natural Resources.
H.R. 2623. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes; to the Committee on Energy and Natural Resources.
H.R. 2883. An act to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; to the Committee on Energy and Natural Resources.
H.R. 2910. An act to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2266. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled “Revisions to Regulations of Information” (RIN3538-AE97) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Agriculture, Nutrition, and Forestry.
EC–2267. A communication from the Secretary of Defense, transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.
EC–2268. A communication from the Secretary of Defense, transmitting the report of two (2) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.
EC–2269. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.
EC–2270. A communication from the Secretary of Defense, transmitting the report on the approved retirement of Vice Admiral Frank C. Pandolfe, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.
EC–2271. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a certification of the Advanced Arresting Gear (AAG) program; to the Committee on Armed Services.
EC–2272. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report of the National Security Education Program for fiscal year 2016; to the Committee on Armed Services.
EC–2273. A communication from the Acting Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, a report relative to Army Industrial Facilities Cooperative Activities with Non-Army Entities for Fiscal Year 2016; to the Committee on Armed Services.
EC–2274. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled “Minority and Women Inclusion Final Rule” (RIN2900-AA78) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Banking, Housing, and Urban Affairs.
EC–2275. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report on the National Water, Colorado River Basin, Progress Report No. 25; to the Committee on Energy and Natural Resources.
EC–2276. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval: Illinois; NAAQS Updates” (FRL No. 9964-97-Region 5) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Environment and Public Works.
EC–2277. A communication from the Director of Congressional Operations, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of
a rule entitled “Generic Aging Lessons Learned for Subsequent License Renewal Applications for Nuclear Power Plants” (NUREG–2191, Volumes 1 and 2; and NUREG–2292), a finding, adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Environment and Public Works.

EC–2277. A communication from the Board of Trustees of the Federal Dental Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board’s 2017 Annual Report; to the Committee on Finance.

EC–2279. A communication from the Board of Trustees of the Federal Dental Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board’s 2017 Annual Report; to the Committee on Finance.

EC–2280. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Report to Congress on the Nurse Education, Practice, Quality, and Retention Program” for fiscal year 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–2281. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Fiscal Year 2015 and Fiscal Year 2016 Distribution of Funds Under Section 330 of the Public Health Service Act Report to Congress’s Committee on Health, Education, Labor, and Pensions.”

EC–2282. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Elementary and Secondary Education Act of 1965, as Amended by Every Student Succeeds Act—Accountability and State Plans” ((RIN1810–AB27) (Docket No. ED–2016–OSEE–0032)) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.


EC–2285. A communication from the Chief of the Regulatory Coordination Division, Office of Policy and Strategy, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Exercize of Time-Limited Authority to Increase the Fiscal Year 2017 Numerical Limitation for the H-2B Temporary Nonagricultural Worker Program” (RIN1615–AC12) received in the Office of the President of the Senate on July 18, 2017; to the Committee on the Judiciary.

EC–2286. A communication from the Chief Financial Officer and the Chief Operating Officer of the National Tropical Botanical Garden, transmitting, pursuant to law, a report relative to an audit of the Garden for the period from January 1, 2016, through December 31, 2016; to the Committee on the Judiciary.

EC–2287. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, a report of a rule entitled “Safety Zone; Severn River, Sherwood Forest, MD” (RIN1625–AA00) (Docket No. USC–2017–0468)) received in the Office of the President of the Senate on July 18, 2017; to the Committee on Commerce, Science, and Transportation.


PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and are ordered to lie on the table as indicated:

POM–68. A joint resolution adopted by the Legislature of the State of Nevada urging the United States Congress not to repeal the Patient Protection and Affordable Care Act or its most important provisions; to the Committee on Finance.

ASSEMBLY JOINT RESOLUTION NO. 9

Whereas, In 2010, the Patient Protection and Affordable Care Act, commonly known as the Affordable Care Act, was passed by Congress and signed into law by President Barack Obama; and

Whereas, The Affordable Care Act established a comprehensive series of health insurance reforms designed to make universal, affordable health insurance coverage available to all Americans, which tests for persons with rising health care costs and ending certain common industry practices that limited access to care; and

Whereas, The Affordable Care Act expanded access to health insurance coverage by creating health insurance marketplaces, allowing children to stay on a parent’s health insurance plan until the age of 26 years, expanding Medicaid and establishing a system of tax credits and penalties designed to both encourage consumers to purchase individual health insurance coverage and provide incentives to businesses to encourage them to provide health insurance coverage to employees; and

Whereas, The Affordable Care Act prohibits an insurer from denying health insurance coverage to a person on the basis of a pre-existing condition, prohibits an insurer from rescinding coverage, eliminates lifetime and annual limits on coverage, requires all marketplace plans to provide coverage for 10 essential health benefits, including preventative care, establishes a mechanism for consumers to appeal determinations regarding coverage and establishes a system to assist consumers in navigating the health insurance marketplace; and

Whereas, The Affordable Care Act additionally provided to expand the number of primary health care providers and encourages them to serve in medically underserved areas, promotes alternative pay- for-performance methodologies designed to improve the value of care and encourages patients to use community-based resources and other services intended to reduce unnecessary hospitalization and improve emergency department use; and

Whereas, The Affordable Care Act further mandates health insurance coverage for childhood vaccines, requiring health insurance plans to cover childhood vaccines for children who are between 50 and 75 years of age, mammograms annually for women who are over 40 years of age, and regular screenings for persons at risk for cervical cancer and the human papillomavirus vaccine to prevent cervical cancer; and

Whereas, The Affordable Care Act mandates health insurance coverage for immunization vaccines for children, including, without limitation, diphtheria, tetanus, pertussis, measles, rubella, mumps, meningococcal, hepatitis A and B, human papillomavirus vaccine to prevent cervical cancer; and

Whereas, A number of leaders have proposed repealing the Affordable Care Act during the 115th Congress without a plan for a replacement, which adequately protects the thousands of Nevadans who benefit from or may not have access to health insurance coverage without the Affordable Care Act; and

Whereas, Repealing the Affordable Care Act without establishing mechanisms to preserve the significant improvements and protections afforded by the law, and without adequately providing for those who stand to lose their health insurance coverage upon repeal, will have significant detrimental effects on individuals and their families, on the health care industry in general and on the overall economic well-being of both Nevada and the nation as a whole: Now, therefore,

Resolved by the Assembly and Senate of the State of Nevada, Jointly, That the members of the 79th Session of the Nevada Legislature, the Governor of the State of Nevada, the United States Senate, the Speaker of the United States House of Representatives, and each member of the Nevada Congressional Delegation, do hereby urge Congress to fully preserve the critical benefits afforded by the Affordable Care Act which many Nevadans have come to rely upon; and be it

Resolved, That Congress should not repeal the Affordable Care Act so that these essential programs remain available to future generations of Nevadans; and be it

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States, as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives and each member of the Nevada Congressional Delegation; and be it

Resolved, That this resolution becomes effective upon passage.

POM–69. A resolution adopted by the House of Representatives of the State of Michigan supporting and encouraging the International Criminal Court to conduct an independent investigation into the human rights violations allegedly occurring in the Chechen Republic of Russia; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 79

Whereas, A formal complaint has been filed with the International Criminal Court alleging horrific harms inflicted on gay men in the Chechen Republic of Russia. The complaint cites abuses stemming from both governmental actions as well as so-called “honor killings” by members of the men’s own families; and

Whereas, The Chechen Republic of Russia has denied that any abuses have occurred, and have further denied that gay men exist within the Chechen Republic; however, the Russian authorities have begun an internal investigation into the alleged abuses; and

Whereas, Every human being has the right to life and to be free from bodily integrity abuses by their government. These basic human rights include the right to be free from torture and other forms of cruel and unusual punishment; and

Whereas, The International Criminal Court should not stand idly by if severe violations of human rights have in fact occurred against residents of one of its member nations. The International Criminal Court has the authority to open an official investigation into the alleged abuses in the Chechen Republic of Russia: Now, therefore,

be it

Resolved,

Resolved, That this resolution becomes effective upon passage.
Resolved by the House of Representatives, That we support and encourage the International Criminal Court to conduct an independent investigation into the human rights violations allegedly occurring in the Chechen Republic of Russia; and be it further
Resolved, That copies of this resolution be transmitted to the President of the International Court of Justice, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-70. A resolution adopted by the House of Representatives of the State of Colorado relating to affordable reproductive health care; to the Committee on Health, Education, Labor, and Pensions.

Whereas, Colorado has always been committed to a quality health care system and to creating policies that meet the health needs of women and families, including affordable reproductive health services; and
Whereas, Colorado was the first state to allow safe, legal abortion on a bipartisan basis in 1967; and
Whereas, The American College of Obstetricians and Gynecologists has stated that ‘‘[a] safe, legal abortion is a necessary component of women’s health care’’, and health providers and associations affirm that good access to reproductive health care depends positively and negatively impacts women’s lives and futures; and
Whereas, Reproductive health care is both safe and common. More than 90% of women have used contraception, about three in ten women will have an abortion in their lifetime, and more than half of women will have a child at some point in their lives.

Whereas, People may disagree with the decision to seek an abortion, but it is a decision that each person should make for themselves with the counsel of their health providers, their families, and their faiths; and
Whereas, Rates of maternal mortality are decreasing around the world, but increasing in the United States for women of color who face an alarming and disparate rate of pregnancy complications and maternal mortality; and
Whereas, Restrictions on the availability of reproductive health care and limits on health coverage, such as policies denying insurance for reproductive health care services, have a disparate impact on low-income women and women of color and their families; and
Whereas, Obstacles to obtaining the best method of contraception for each person’s unique health and life circumstances remain a barrier to many; and
Whereas, Low-income women and women of color face a higher rate of unintended pregnancy, so ensuring access to contraception is a critical part of helping to address health disparities in marginalized communities; and
Whereas, An inability or difficulty to conceive is not only emotionally difficult for people in a family but can be prohibitively expensive, so we must do more to help people seeking to build their families, regardless of sexual orientation or gender identity.

Whereas, There is a continued need to address inequities in health care access and ensure culturally and linguistically appropriate care of all health providers. Now, therefore, be it
Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado

That we, the members of the Colorado House of Representatives, find that:

(1) Colorado continues to be a state where all individuals’ health remains a top priority, and Coloradans resist attempts to undermine the right to access reproductive health care;
(2) Access to comprehensive and affordable reproductive health care is critical to ensure that people have the information and services to prevent unintended pregnancies, the support to have healthy pregnancies and become parents when they are ready, and the ability to raise their children in a safe and healthy environment, and to be able to care for their families with dignity;
(3) State, county, and city health departments shall promote policies to ensure access to reproductive health care, including abortion, and eliminate disparities that prevent low-income women and women of color from seeking safe, high-quality care;
(4) Both public and private health insurers should cover the full range of reproductive health care, including abortion;
(5) Facilities and professionals providing reproductive health services shall not be subject to regulations that do not have a medical benefit and that are more burdensome than those that are necessary to protect health care professionals that provide medically comparable procedures. Provision of health services shall be based on the best medical practices as developed by medical experts and supported by medical evidence.
(6) All qualified health care professionals shall be able to provide the full range of reproductive health care, including abortion, and have access to appropriate medical training; and be it further
Resolved, That copies of this Resolution be sent to President Donald J. Trump; Vice President Mike Pence; Paul Ryan, Speaker of the United States House of Representatives; Oval Office; President Pro Tempore of the United States Senate; Governor John W. Hickenlooper; Dr. Larry Wolk, Executive Director, Colorado Department of Public Health and Environment; and the members of Colorado’s Congressional Delegation.

POM-71. A resolution adopted by the House of Representatives of the State of Colorado relative to recognizing the importance of Colorado libraries; to the Committee on Health, Education, Labor, and Pensions.

Whereas, Libraries in Colorado and across the United States; Mike Pence, Vice President of the United States; John Hickenlooper, Governor of Colorado; the Colorado Association of Libraries; the Colorado Department of Education; and the members of Colorado’s Congressional delegation.

Whereas, Early learning programs, such as One Book 4 Colorado, which gives away 75,000 books each year to 4-year-olds statewide; Storyblocks.org, an online tool to help parents and their children learn early learning skills; and the statewide Summer Reading Program that encourages children, teens, and adults to read and learn for fun, are all funded through the IMLS.

Whereas, The IMLS funds support professional development programs like the Career Online High School, which, when launched this month, will help train 11,000 instructors in 17 libraries across the state earn high school diplomas and career experience, and the Highly Effective School Library program, which helps school districts train students to develop 21st century skills and meet academic standards; and
Whereas, Essential library programs and services, such as the Colorado Talking Book Library, Colorado’s historic newspaper collection, the state’s institutional libraries, state publications, and many others all receive funding support through the IMLS; and
Whereas, This vital funding from the IMLS allows every Coloradan to have access to these programs and ensures that Colorado’s rich diversity and culture is represented by libraries across the state, including the Blair-Caldwell African American Research Library in Denver’s neighborhood that is devoted to preserving and showcasing the many contributions of African Americans to Colorado and the West; and
Whereas, Colorado’s libraries serve 8.1 million people in the nation that encompasses a circulating collection, archive, and museum; and the Rodolfo “Corky” Gonzales Branch Library, designated personally and culturally rich community of West Denver; and be it
Resolved, That copies of this Resolution be sent to Donald Trump, President of the United States; John Hickenlooper, Governor of Colorado; the Colorado Association of Libraries; the Colorado Department of Education; and the members of Colorado’s Congressional delegation.

POM-72. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to pass the Trickett Wendler Right to Try Act of 2017; to the Committee on Health, Education, Labor, and Pensions.

House Concurrent Resolution No. 18

Whereas, state legislatures across the United States have passed measures known as “Right to Try” laws authorizing access by terminally ill patients to experimental drugs and other potentially life-saving methods of treatment; and
Whereas, Louisiana was, as of the date of filing of this Resolution, at least thirty-three U.S. States, including Louisiana, have established a Right to Try law; and
Whereas, Louisiana’s Right to Try law, enacted through House Bill No. 891 (Act No. 36) of the 2014 Regular Session, sets forth the following legislative findings:
(1) The process of approval for investigational drugs, biological products, and devices in the United States often takes many years.
Whereas, children and families for generations; and

Whereas, of people with a criminal history, which ne-
gate the economic mobility and other collateral consequences
ness of the offense, the time passed since the
fect automatically, regardless of the serious-

Whereas, can citizens have a criminal record; and

Whereas, General Assembly of the State of Colorado
fully should be made by a terminally ill pa-

Whereas, Try Act of 2017 and the Right to Try law of
and in accordance with state law; and

Whereas, the Trickett Wendler Right to
Try Act of 2017 and the Right to Try law of
affirm the fundamental right of a patient to illness to so
reserve his own life by accessing available inves-
vestigational drugs, biological products,
and devices; and that the decision to pursue
such a course of action is one that
fully should be made by a terminally ill pa-
tient in consultation with his physician, and
not by the government: Now, therefore, be it
Resolved by the Colorado General As-
congress as S. 204 and would codify in federal law the essen-
tial provisions of the Right of
Try laws of Louisiana and other states; and

Whereas, a key function of this legislation is to bar
the federal government from pro-
hibiting or restricting the production, manu-
facture, distribution, prescribing, or dis-
pending of an experimental drug, biological
product, or device that is intended to treat a
terminally ill patient and is authorized by
and in accordance with state law; and

Whereas, the Florida and Michigan Right to
Try Act of 2017 and the Right to Try law of
Louisiana affirm the fundamental right of a patient to illness to so
reserve his own life by accessing available investigational drugs, biological products,
and devices; and that the decision to pursue
such a course of action is one that
reasonably should be made by a terminally ill
patient in consultation with his physician, and
not by the government: Now, therefore, be it
Resolved by the Congress of the United States Congress
in accordance with the United States
Constitution, to pass the right to try and
obtain medicinal treatment in the United States;
and that in the United States, the right to
obtain medical treatment as a right
shall not be denied to any individual
because of the nature of his illness,
condition, or disease

Be it further
Resolved that the Legislature of Louisiana
does hereby memorialize the United States
Congress to pass the Trickett Wendler Right to
Try Act of 2017; and be it further
Resolved that the provisions of this Resolution be
transmitted to the presiding officers of the Senate and the House of Representatives of
the Congress of the United States and of each member of the Louisiana con-
gressional delegation.

POM-48. A joint resolution adopted by the General Assembly of the State of Colorado
designating April 2017 as "Second Chance Month"; to the Committee on the Judiciary.

Whereas, Every person is endowed with human
dignity and

Whereas, Redemption and second chances are American values; and

Whereas, An estimated 65 million Amer-
can citizens have a criminal record; and

Whereas, Eighty-six thousand people are
currently incarcerated or under the super-
vision of the Colorado Department of Correc-
tions; and the number of people that approximate
85 percent of those in state prison will be re-
leased to their communities; and

Whereas, Individuals with a criminal record have second chances; of sign-
ficant barriers, also known as collateral
consequences; and

Whereas, Many of these collateral con-
sequences can include any proven public
safety benefit, are mandatory, and take ef-
fect automatically, regardless of the serious-
ness of the offense, the time passed since the
offense, or the efforts of the individuals
amends and earn back the public's trust; and

Whereas, The inability to find gainful em-
ployment and other collateral consequences of
criminals can be any proven public
safety benefit, are mandatory, and take ef-
fect automatically, regardless of the serious-
ness of the offense, the time passed since the
offense, or the efforts of the individuals
amends and earn back the public's trust; and

Whereas, The inability to find gainful em-
ployment and other collateral consequences of
criminals can lead to the long-term depri-
mation of people with a criminal history, which neg-
avely impacts the well-being of their chil-
dren and families for generations; and

Whereas, The consequences con-
tribute to recidivism, increase victimization,
decline public safety, and result in lost eco-
nomic output for Colorado and the United States; and

Whereas, KBK Limited, BornFit, Denver Scrap Metal Recycling, Hallucination Halting Drug From The Rut, the Hornbuckle Foundation, Prison Fellow-
ship, Second Chances Denver, The Shores Treatment & Recovery, TRIBE Recovery Services, Youth for Christ, and the members of Colorado's con-
gressional delegation.

POM-74. A resolution adopted by the House of Representatives of the State of Colorado
concerning the commemoration of the birth-
day of the Reverend Dr. Martin Luther King, Jr., to the Committee on the Judiciary.

Whereas, The Reverend Dr. Martin Luther
King, Jr., was born in Atlanta, Georgia, on
January 15, 1929, graduated from Morehouse College with a Bachelor of Arts degree in
1948, graduated from Crozer Theological Seminary in 1951, and received a Ph.D. from
Boston University in 1955; and

Whereas, The Reverend Dr. King's faith, resili-
cy, and commitment to justice became known
worldwide through his speeches, writings,
and actions; and

Whereas, The Reverend Dr. King declared that
the moral responsibility to aid the oppressed did
not stop at the edge of his street, town, or
state when he wrote, "I cannot sit idly by in
Atlanta and not be concerned about what
happens in Birmingham. Injustice anywhere
is a threat to justice everywhere."; and

Whereas, Rev. Dr. King's life and work con-
tribute to the inalienable rights of man,
which he so ardently believed to be an
American value and a moral obligation;
and

Whereas, In 1957, Rev. Dr. King was elected
president of the Southern Christian Leader-
ship Conference, an organization formed to
provide leadership for the burgeoning civil
rights movement; and

Whereas, Between 1957 and 1968, Rev. Dr.
King spoke more than 2,500 times, wrote 5
books as well as numerous articles, led pro-
tests, helped register African American vot-
ers, was arrested more than 20 times, was
named Man of the Year by Ebony magazine, and
was named Man of the Year by Time magazine, and
became the symbolic leader of the African American
community as well as a world figure; and

Whereas, On August 28, 1963, Rev. Dr. King
directed the March on Washington, wherein
more than 200,000 Americans gathered in the
name of equality and civil rights and which cul-
inuated in Rev. Dr. King's historic "I Have a Dream" speech; and

Whereas, The leadership of Rev. Dr. King
was instrumental in bringing about land-
mark legislation, such as the "Civil Rights Act of 1964", which prohibited segregation in
public accommodations and facilities and banned discriminations based on race,
color, national origin, and the "Voting Rights
Act of 1965", which eliminated remaining legal barriers to voting for disenfran-
chised African American voters; and

Whereas, In 1964, Rev. Dr. King was award-
ed the Nobel Peace Prize for his tireless and
selfless work in the pursuit of justice for Af-
rican Americans and other oppressed people
in America; and

Whereas, Rev. Dr. King's 13 years of non-
violent leadership ended abruptly and trag-
ically on April 4, 1968, as he was assas-
sinated while standing on the balcony of the Lorraine Motel in Memphis, Tennessee; and

Whereas, Rev. Dr. King's life and work con-
tribute to the inalienable rights of man,
which he so ardently believed to be an
American value and a moral obligation;
and

Whereas, In 1968, Rev. Dr. King spoke more
than 2,500 times, wrote 5
books as well as numerous articles, led pro-
tests, helped register African American vot-
ers, was arrested more than 20 times, was
named Man of the Year by Ebony magazine, and
was named Man of the Year by Time magazine, and
became the symbolic leader of the African American
community as well as a world figure; and

Whereas, In 1964, Rev. Dr. King was award-
ed the Nobel Peace Prize for his tireless and
selfless work in the pursuit of justice for Af-
rican Americans and other oppressed people
in America; and

Whereas, Rev. Dr. King's 13 years of non-
violent leadership ended abruptly and trag-
ically on April 4, 1968, as he was assas-
sinated while standing on the balcony of the Lorraine Motel in Memphis, Tennessee; and

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American value and a moral obligation;
and

Whereas, In 1964, Rev. Dr. King was award-
ed the Nobel Peace Prize for his tireless and
selfless work in the pursuit of justice for Af-
rican Americans and other oppressed people
in America; and

Whereas, Rev. Dr. King's 13 years of non-
violent leadership ended abruptly and trag-
ically on April 4, 1968, as he was assas-
sinated while standing on the balcony of the Lorraine Motel in Memphis, Tennessee; and

Whereas, Rev. Dr. King's life and work con-
tribute to the inalienable rights of man,
which he so ardently believed to be an
American value and a moral obligation;
Resolved, That copies of this Joint Resolution be sent to President Barack Obama, Honorable Governor John Hickenlooper, the Congressional Black Caucus, the National Black Caucus of State Legislators, and the members of Colorado’s congressional delegation: Senators Michael Bennet and Cory Gardner and Representatives Diana DeGette, Jared Polis, Diana DeGette, Joe Neguse, Mike Coffman, and Ed Perlmutter.

POM-75. A resolution adopted by the City Council of the City of Oberlin, Ohio, to the President of the United States opposing the withdrawal of the United States from the Paris Climate Agreement; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Appropriations, without amendment.

S. 1605. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-131).

By Mr. ALEXANDER, from the Committee on Appropriations, without amendment.

S. 1609. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115-132).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. INHOFE for Mr. MCCAIN for the Committee on Armed Services.

* David Joel Trachtenberg, of Virginia, to be a Principal Deputy Under Secretary of Defense.
* Charles Douglas Stimson, of Virginia, to be General Counsel of the Department of the Navy.
* Owen West, of Connecticut, to be an Assistant Secretary of Defense.
* Ryan McCarthy, of Illinois, to be Under Secretary of the Army.

Air Force nomination of Lt. Gen. Steven L. Kwast, to be Lieutenant General.


Army nomination of Lt. Gen. John B. Cooper, to be Lieutenant General.

Army nominations beginning with Col. John B. Dunlap III and ending with Col. Andrew M. Roman, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Col. Deborah Y. Howell, to be Brigadier General.


Army nomination of Lt. Gen. Edward M. Daly, to be Lieutenant General.

Army nomination of Col. Michelle M. Rose, to be Brigadier General.

Navy nomination of Capt. Daniel W. Dwyer, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. (ih) Ross A. Myers, to be Rear Admiral.


Marine Corps nomination of Lt. Gen. Kenneth F. McKenzie, Jr., to be Lieutenant General.


Army nomination of Maj. Gen. Robert L. Caslen, Jr., to be Lieutenant General.


Navy nomination of Rear Adm. Frederick J. Roegge, to be Vice Admiral.


Marine Corps nomination of Lt. Gen. Mark A. Brilakis, to be Lieutenant General.


Army nominations beginning with Col. Michael N. Adame and ending with Col. Patrick C. Thibodeau, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017. (minus 2 nominees: Col. Robert B. Davis; Col. Andrew M. Harris)

Army nominations beginning with Col. John C. Andonie and ending with Col. Cynthia K. Tinkham, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Col. Samuel Agosto-Santiago and ending with Col. William L. Zana, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Navy nomination of Rear Adm. (ih) William R. Merz, to be Vice Admiral.

Mr. INHOFE for Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary’s desk for the information of Senators.

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

Air Force nominations beginning with William S. Clardy III and ending with Michael D. Zollars, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2017.

Air Force nomination of Lisa E. Donovan, to be Major.

Air Force nomination of Kurt L. Stallings, to be Colonel.

Air Force nominations beginning with Michael G. Rhode and ending with Scott D. Wright, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Air Force nomination of Richard L. Allen, to be Colonel.

Air Force nomination of Michael J. Silverman, to be Major.

Air Force nomination of Maltia D. Anderson, to be Colonel.

Air Force nominations beginning with Kimberly M. Kittleson and ending with Kevin C. Peterson, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2017.

Air Force nominations beginning with Cecilia A. Fiorio and ending with John M. Fuentes, which nominations were received by the Senate and appeared in the Congressional Record on June 26, 2017.

Army nominations beginning with James C. Benson and ending with Jacob S. Loftice, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Timothy D. Litka, to be Lieutenant Colonel.

Army nomination of Scott D. Blackwell, to be Colonel.

Army nominations beginning with Michael A. Adams and ending with D015118, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Todd R. Anderson and ending with John F. Yanikov, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Douglas A. Allen and ending with Thomas K. Sarroff, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Charles E. Bane and ending with Matthew D. Wegner, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Daren A. Doucet, to be Major.

Army nomination of Brandon J. Baer, to be Lieutenant Colonel.

Army nomination of Barry Murray, to be Lieutenant Colonel.

Army nominations beginning with Francis K. Agyapong and ending with Sashi A. Zickefoose, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Joseph H. Afanador and ending with D013609, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Bert M. Buell and ending with Maria R. S. Yates, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Breck S. Brewer and ending with Diana W. Weber, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nominations beginning with Daniel P. Brey and ending with Betty A. Mccroan, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Army nomination of Will B. Neubauer, to be Colonel.

Army nomination of Mark C. Gillespie, to be Colonel.

Army nomination of Joseph M. Callaghan, Jr., to be Colonel.

Army nomination of Bret P. Van Poppel, to be Colonel.

Army nomination of Aliya I. Wilson, to be Major.

Army nomination of William O. Murray, to be Lieutenant Colonel.

Army nomination of Patrick R. Wilde, to be Lieutenant Colonel.

Army nomination of Jeff H. McDonald, to be Colonel.

Army nominations beginning with Edward V. Abrahamson and ending with D012929, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Scott J. Akerley and ending with D002220, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Ryan C. Agee and ending with D01536, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.
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Army nominations beginning with Erick C. Alsen and ending with DOIS346, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Bradford A. Baumann and ending with Thomas B. Vaughn, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nomination of Jay A. Johanniswgan, to be Commandant.

Navy nominations beginning with Cameron M. Bailes and ending with Scott D. Zieglenhen, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Richard A. Ackerman and ending with Patricia R. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeremiah E. Chaplin and ending with Jeannette Sheets, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nomination of Linwood O. Lewis, to be Commander.

Navy nomination of Brian A. Evick, to be Commander.

Navy nominations beginning with Christopher M. Brazil and ending with Sheree T. Williams, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Bryce D. Abbott and ending with Shane M. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeremiah M. Anderson and ending with Ashley S. Wright, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Stacy J. G. Anderson and ending with Henry L. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Kelly W. Bowman, Jr. and ending with Robert H. Vohrer, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Lara R. Bollinger and ending with Candice C. Tresch, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Patrick P. Davis and ending with Sean C. Stevens, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nominations beginning with Jeffrey A. Alsup and ending with Terry N. Traweeck, Jr., which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

Navy nomination of Linda C. Seymour, to be Captain.

Navy nomination of Chad J. Trubilla, to be Commander.

Navy nominations beginning with Patrick R. Adams and ending with James T. Watters, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Navy nomination of Randall G. Schimpf, to be Lieutenant Commander.

By Mr. HATCH for the Committee on Finance.

*David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury. By Mr. GRASSLEY for the Committee on the Judiciary.

Christina A. Wray, of Georgia, to be Director of the Federal Bureau of Investigation for a term of ten years.

Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia.

Beth Ann Williams, of New Jersey, to be an Assistant Attorney General.

John W. Hunsaker, of Utah, to be United States Attorney for the District of Utah for the term of four years.

Justin E. Hordman, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years.

John E. Town, of Alabama, to be United States Attorney for the Northern District of Alabama for the term of four years.

By Mr. ISAKSON for the Committee on Veterans' Affairs.

*Bruoks D. Turner, of Maryland, to be an Assistant Secretary of Veterans Affairs (Congressional and Legislative Affairs).

*Michael P. Allen, of Florida, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Amanda L. Meredith, of Virginia, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Joseph L. Toth, of Wisconsin, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Thomas G. Bowman, of Florida, to be Deputy Secretary of Veterans Affairs.

*James Byrne, of Virginia, to be General Counsel, Department of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were recommended that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BLUNT (for himself, Mr. COCHRAN, Mr. CORNYN, Mr. MANCHIN, Mr. ENZI, Mr. THUNE, Mr. STRANGE, and Mrs. CASSIDY):

S. 1592. A bill to prohibit the Federal Government from requiring race or ethnicity to be disclosed in connection with the transfer of a firearm; to the Committee on the Judiciary.

By Ms. HARRIS (for herself and Mr. PAUL):

S. 1593. A bill to provide grants to States and Indian tribes to reform their criminal justice system to encourage the replacement of the use of payment of secured money bail as a condition of pretrial release in criminal cases, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. CRUZ, Mr. ROUDY, Mr. COTTON, Mr. STRANGE, and Mr. RUBIO):

S. 1594. A bill to amend the National Labor Relations Act to modify the authority of the National Labor Relations Board with respect to rulemaking, issuance of complaints, and authority over unfair labor practices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself and Mrs. SHARER):

S. 1595. A bill to amend the Hizbollah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizbollah, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 1596. A bill to amend title 38, United States Code, to increase certain funeral benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. JOHNSON:

S. 1597. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury and the Commissioner of the Social Security Administration to disclose certain return information related to identity theft, and for other purposes; to the Committee on Finance.

By Mr. ISAKSON (for himself, Mr. TESTER, Mr. ROUNDS, Mrs. McCASKILL, Mr. TILLIS, Mr. MANCHIN, Mr. HELLER, Mr. KENNEDY, Mr. FRANKEN, Mr. CRAPO, Mr. DONNELLY, Mr. INHOFE, Ms. DUCKWORTH, Mr. SULLIVAN, Mr. KAINS, Mr. DAINES, Mr. UHLS, Ms. HEITKAMP, Mr. BLUNT, Mr. PETERS, Mr. RUBIO, Mr. BROWN, Mr. ROBERTS, Mr. HINCHIICH, Mr. MORAN, Ms. HIRONO, Mr. CARDIN, Mr. BOOZMAN, Mr. CARDIN, Ms. FISCHER, Mr. NELSON, Ms. STABENOW, Mrs. SHARER, Mrs. MURRAY, Mr. BLUMENTHAL, Ms. WARREN, and Mr. CASSIDY):

S. 1598. A bill to amend title 38, United States Code, to make certain improvements in laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KAIN for himself and Mr. PORTNY:

S. 1599. A bill to require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO for herself and Mr. MEEKLY:

S. 1600. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection; to the Committee on Finance.

By Mrs. SHAHEEN (for herself, Ms. KLOBUCHAR, Mr. FRANKEN, and Ms. HARRIS):

S. 1601. A bill to amend the Fair Housing Act to establish that certain conduct, in or around a dwelling, shall be considered to be or be so pervasive as to determine whether a certain type of sexual harassment has occurred under that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND:

S. 1602. A bill to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HOEVEN:

S. 1603. An original bill making appropriations for the Departments of Agriculture and Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending
September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LEE (for himself, Mr. LEAHY, and Mr. CUCITO): S. 1604. A bill to establish a Daniel Webster Congressional Clerkship Program; to the Committee on Rules and Administration.

By Mr. CASEY (for himself, Mr. MURRAY, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Ms. WARNEN, Mrs. LEIBRAND, and Mrs. FEINSTEIN): S. 1605. A bill to improve the response to sexual assault and sexual harassment on board aircraft operated in passenger air transport services; and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself and Mr. FRANKEN): S. 1606. A bill to authorize grants for the support of caregivers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH: S. 1607. A bill to establish a pilot program to transform the Federal-aid highway program to a performance- and outcome-based program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FLAKE (for himself, Mr. PAUL, Mr. DODD, and Mr. MURPHY): S. 1608. A bill to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes; to the Committee on Rules and Administration.

By Mr. ALEXANDER: S. 1609. An original bill making appropriations for energy and water development and related activities for the fiscal year ending September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SCOTT (for himself and Mr. GRASSLEY): S. 1610. A bill to require law enforcement agencies to report the use of lethal force, and for other purposes; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself and Mr. MURPHY): S. 1611. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs, with the assistance of local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

At the request of Mr. PORTMAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 372

At the request of Mr. THUNE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 431, a bill to amend title XVIII of the Social Security Act to expand the use of telehealth for individuals with stroke.

S. 431

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 563, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 563

At the request of Mr. MORAN, the name of the Senator from Massachusetts (Ms. WARNEN) was added as a co-sponsor of S. 690, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 690

At the request of Mr. CARLIN, the name of the Senator from Michigan (Ms. PRESSLY) was added as a co-sponsor of S. 690, a bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years.

S. 708

At the request of Mr. MARKEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 708, a bill to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

S. 794

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 794, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes.

S. 794
At the request of Ms. WARREN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 952, a bill to increase the role of the financial industry in combating human trafficking.

S. 1034
At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1034, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States, and for other purposes.

S. 1122
At the request of Mrs. MURRAY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1122, a bill to amend the Occupational Safety and Health Act of 1970 to clarify when the time period for the issuance of citations under such Act begins and to require a rule to clarify that an employer’s duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation.

S. 1182
At the request of Mr. YOUNG, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1311
At the request of Mr. CORKIN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1311, a bill to provide assistance in abolishing human trafficking in the United States.

S. 1393
At the request of Mr. CORKIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1393, a bill to streamline the process by which active duty military, reservists, and veterans receive commercial driver’s licenses.

S. 1462
At the request of Mrs. SHAHEEN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1462, a bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies.

S. 1526
At the request of Mr. TESHER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1526, a bill to appropriate amounts to the Department of Veterans Affairs to improve the provision of health care to veterans, and for other purposes.

S. 1533
At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1533, a bill to appropriate title XIX of the Social Security Act to cover physician services delivered by podiatrist physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 1546
At the request of Mr. WARNER, the name of the Senator from Indiana (Mr. DONELLY) was added as a cosponsor of S. 1546, a bill to amend the Patient Protection and Affordable Care Act to provide greater flexibility in offering health insurance coverage across State lines.

S. 1552
At the request of Mr. FLAKE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1552, a bill to amend the Internal Revenue Code of 1986 to allow individuals that an employer's duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation.

S. 1558
At the request of Mr. RISCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1558, a bill to amend section 203 of Public Law 94–305 to ensure proper authority for the Office of Advocacy of the Small Business Administration, and for other purposes.

S. 1559
At the request of Mr. RISCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1559, a bill to ensure a complete analysis of the potential impacts of rules on small entities.

S. 1562
At the request of Mr. GARDNER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1562, a bill to impose sanctions with respect to the Government of the Democratic People’s Republic of Korea and any enablers of the activities of that Government, and for other purposes.

S. 1587
At the request of Mr. CRUZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1587, a bill for the relief of Liu Xia.

S. 1588
At the request of Mr. CARDIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1588, a bill to secure Federal voting rights of persons when released from incarceration.

S. 1589
At the request of Mr. CARDIN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S.J. RES. 17
At the request of Mr. CORNYN, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1909A of the Social Security Act.

S. CON. RES. 15
At the request of Ms. WARREN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing support for the designation of October 28, 2017, as “Honoring the Nation’s First Responders Day”.

S. RES. 75
At the request of Mr. PORTMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 75, a resolution recognizing the 100th anniversary of the Academy of Nutrition and Dietetics, the largest organization of food and nutrition professionals in the world.

S. RES. 160
At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 160, a resolution honoring the life and legacy of Liu Xiaobo for his steadfast commitment to the protection of human rights, political freedoms, free markets, democratic elections, government accountability, and peaceful change in the People’s Republic of China.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself and Mr. PORTMAN):

S. 1599. A bill to require the Secretary of Labor to award grants for promoting industry or sector partnerships to encourage industry growth and competitiveness and to improve worker training, retention, and advancement; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, the U.S. investment system is in critical need of an upgrade. The American Society of Civil Engineers recently graded the U.S. system a D+ given its capacity, condition, funding, future need, operation and maintenance, public safety, resilience and innovation. Any investment to improve is in our country’s infrastructure system would create millions of new jobs, requiring millions of skilled workers to fill them.

A recent study by the Center of Education and the Workforce at Georgetown University estimated that a $1 trillion infrastructure investment would create 11 million new jobs. Nearly half of these would require
Committee on the Judiciary:

SENATE RESOLUTION 225—DESIGNATING JULY 22, 2017, AS “NATIONAL DAY OF THE AMERICAN COWBOY”

Mr. ENZI (for himself, Ms. HEITKAMP, Mr. CRAPO, Mr. INHOFE, Mr. RISCH, Mr. CORNYN, Mr. TESTER, Mr. LANKFORD, Mr. HOBBS, Mr. BOSWELL, Mr. HENEDY, Mr. UDALL, Mr. THUNE, Mr. MERKLEY, and Mr. ROUNDS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 225

Whereas the cowboy is a central figure in the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American history for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged; Now, therefore, be it

Resolved, That the Senate—

(1) designates July 22, 2017, as “National Day of the American Cowboy”; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 226—DESIGNATING THE WEEK OF JULY 17 THROUGH JULY 21, 2017, AS “NATIONAL ECTODERMAL DYSPLASIAS WEEK” AND SUPPORTING THE GOALS AND OBJECTIVES OF NATIONAL ECTODERMAL DYSPLASIAS WEEK TO RAISE AWARENESS AND UNDERSTANDING OF ECTODERMAL DYSPLASIAS

Ms. BALDWIN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 226

Whereas ectodermal dysplasias is a congenital disorder that causes defects to the skin, hair, nails, teeth, and glands of an individual and can also cause harm to other body parts of an individual, such as the eyes, ears, and throat;

Whereas ectodermal dysplasias is a genetic disorder that is passed from parent to child;

Whereas a child may be the first individual in a family to be affected by ectodermal dysplasias and can then pass the condition on to the next generation;

Whereas ectodermal dysplasias is a rare disorder that affects fewer than 200,000 people in the United States;

Whereas symptoms of ectodermal dysplasias in an individual can include—

(1) the inability to perspire;

(2) lack of tears in the eyes;

(3) cleft lip and palate;

(4) sparse saliva;

(5) missing fingers or toes; and

(6) absence or malfunction of some or all teeth, known as anodontia and hypodontia, respectively;

Whereas there are more than 180 different types of ectodermal dysplasias and a specific diagnosis depends on the combination of symptoms that an individual experiences;

Whereas there is no cure for ectodermal dysplasias;

Whereas the treatment for ectodermal dysplasias varies depending on the severity of the disease, which can range from mild symptoms to extensive health issues that require advanced care;

Whereas many types of ectodermal dysplasias affect the teeth and the nature of dental and oral symptoms;

(1) are specific to each syndrome; and

(2) can include severe hypodontia and anodontia that require complex care;

Whereas an individual who suffers from ectodermal dysplasias can expect to spend approximately $150,000 on dental care alone during the lifetime of the individual;

Whereas most insurance companies provide coverage for the treatment of a congenital disease or anomaly;

Whereas most States require coverage for any necessary or restoration of body parts for a congenital disease like ectodermal dysplasias;

Whereas coverage for complex and medi- cal or necessary dental services that are required because of ectodermal dysplasias, including prosthetic teeth and bone grafts, is routinely denied;

Whereas access to health insurance coverage for medically necessary dental services relating to ectodermal dysplasias varies across the United States;

Whereas gaps in coverage for ectodermal dysplasias coverage have serious consequences for patients and their families and may lead to severe limits on proper oral function and the ability to eat or speak;

Whereas scientists across the United States are conducting research projects and...
(1) improved academic performance, such as increased school attendance, lower dropout rates, higher high school graduation rates, and higher grade point averages; (2) increased health and positive physical behavior, such as improved health factors, prevention of obesity, chronic diseases, and other health problems; (3) social well-being, such as character development, and exposure to positive role models; and (4) improved psychological health, such as decreased likelihood of substance abuse, reduced instances of behavioral misconduct, and high self-esteem; and
Whereas National Youth Sports Week highlights the following toward—(1) promoting physical activity in all segments of the community; (2) living healthy; (3) making access to physical activities easier by removing barriers to creating youth development activities; (4) encouraging youth development activities and outcomes; and (5) improving the safety of participating in physical activities. Now, therefore, be it
Resolved, That the Senate—(1) designates National Ectodermal Dysplasias Week of July 17 through July 21, 2017, as ‘‘National Ectodermal Dysplasias Week’’; (2) supports the goals and ideals of National Ectodermal Dysplasias Week to raise awareness and understanding of ectodermal dysplasias; (3) encourages the people of the United States to become more informed about— (A) ectodermal dysplasias; and (B) the role of comprehensive treatment for all symptoms of ectodermal dysplasias, including dental manifestations, in improving quality of life; and (4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the National Foundation for Ectodermal Dysplasias, a nonprofit organization dedicated to improving the lives of individuals affected by ectodermal dysplasias.

SENATE RESOLUTION 228—CALLING FOR A CREDIBLE, PEACEFUL, FREE, AND FAIR PRESIDENTIAL ELECTION IN KENYA IN AUGUST 2017
Mr. CARDIN (for himself, Mr. COONS, Mr. BOOKER, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas the United States has deep interests in Kenya’s democratic stability and regional leadership; freedom and fair elections in Kenya holds regional significance as an example for other African countries with elections scheduled in the near future; Whereas Kenya has general elections scheduled for August 8, 2017; Whereas electoral violence in 2007 and 2008 resulted in the deaths of at least 1,300 people and the displacement of 600,000 in Kenya, effectively paralyzing the country and the region for more than two months before the creation of a power-sharing government; 

Resolved, That the Senate—(1) encourages political parties, civil society, and the media in Kenya to act responsibly with their parallel vote tabulations so as not to usurp the role of the electoral commission as the official source for declaring official election results; (2) calls upon Kenyan citizens to fully and peacefully participate in the general elections and seek to resolve any disputes over results through the legal system; (3) calls upon Kenyan political candidates at the national, county, and local levels to respect the Electoral Code of Conduct and the Political Party Code of Conduct; (4) encourages political candidates, civil society, and the media in Kenya to act responsibly with their parallel vote tabulations so as not to usurp the role of the electoral commission as the official source for declaring official election results; (5) encourages civil society organizations in Kenya to continue providing critical early warning and response mechanisms to mitigate election-related violence and further strengthen democratic processes; (6) commends the key role the faith-based community has played in ensuring a peaceful pre- and post-election environment through periodically convening the Multi-Sectoral Forum to deliberate on matters of governance, election management, and looming insecurity; (7) supports efforts by the Department of State and the United States Agency for International Development (USAID), including the Bureau of Conflict and Stabilization Operations, the Bureau of Democracy, Human Rights, and Labor, and the Bureau of African Affairs, to provide election-related preparations in Kenya, including programs focused on conflict mitigation; (8) strongly encourages the President to appoint an Assistant Secretary of State for African Affairs to bolster diplomatic engagement with the Government of Kenya, the opposition, and the donor community, which has historically been critical during Kenya’s elections; and (9) calls upon the United States Government and other international partners, especially election-focused nongovernmental organizations, to continue to support Kenya’s efforts to address the remaining electoral preparation challenges and identify gaps in which additional resources or diplomatic engagement could make important contributions to the conduct of the elections.

SENATE CONCURRENT RESOLUTION 22—EXPRESSING THE SENSE OF CONGRESS ON THE USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND THE DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE
Mr. ROUNDS submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

Whereas cyber-skills and abilities for the Department of Defense Information Technology Exchange Program to Obtain Personnel with Cyber Skills and Abilities for the Department of Defense.

S. CON. RES. 22
Resolved by the Senate (the House of Representatives concurred) in the Senate:

SECTION 1. SHORT TITLE. This concurrent resolution may be cited as the “Whole of Society Cyber Personnel Cooperation Resolution of 2017.”

SEC. 2. SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE. It is the sense of Congress that—

clinal trials and are hopeful that breakthroughs in ectodermal dysplasias research and treatment are forthcoming; and
Whereas the Senate is an institution that can help raise awareness about ectodermal dysplasias to the general public and the medical community; Now, therefore, be it
Resolved, That the Senate—(1) designates National Ectodermal Dysplasias Week of July 17 through July 21, 2017, as ‘‘National Ectodermal Dysplasias Week’’; (2) supports the goals and ideals of National Ectodermal Dysplasias Week to raise awareness and understanding of ectodermal dysplasias; (3) encourages the people of the United States to become more informed about— (A) ectodermal dysplasias; and (B) the role of comprehensive treatment for all symptoms of ectodermal dysplasias, including dental manifestations, in improving quality of life; and (4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the National Foundation for Ectodermal Dysplasias, a nonprofit organization dedicated to improving the lives of individuals affected by ectodermal dysplasias.

SENATE RESOLUTION 227—RECOGNIZING “NATIONAL YOUTH SPORTS WEEK” AND THE EFFORTS BY PARENTS, VOLUNTEERS, AND NATIONAL ORGANIZATIONS IN THEIR EFFORTS TO PROMOTE HEALTHY LIVING AND YOUTH DEVELOPMENT

Mrs. CAPITO (for herself, Ms. DUCKWORTH, Mr. UDALL, Mr. DURBIN, and Mr. MORAN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 227
Whereas July 16 through 22 is “National Youth Sports Week”, a celebration of youth sports participation and all of the benefits youth derive from engagement in sports; Whereas a primary goal in youth sports is to encourage active participation by all youth in healthy physical activities according to their age, interests, and abilities; Whereas the relationship between sports skills and life skills provide young athletes with fundamental values, compassion, and the good ethics needed to succeed both on and off the playing field; Whereas, in 2008, the National Council of Youth Sports (“NYCS”) reported that there are more than 60,000,000 registered participants in organized amateur youth sports programs; Whereas youth sports offer a multitude of postive benefits to participants that extend far beyond the playing field, including— (1) improved academic performance, such as increased school attendance, lower drop-out rates, higher high school graduation rates, and higher grade point averages; (2) increased health and positive physical behaviors, such as improved health factors, prevention of obesity, chronic diseases, and other health problems; (3) social well-being, such as character development, and exposure to positive role models; and (4) improved psychological health, such as decreased likelihood of substance abuse, reduced instances of behavioral misconduct, and high self-esteem; and
Whereas National Youth Sports Week highlights the following toward— (1) promoting physical activity in all segments of the community; (2) living healthy; (3) making access to physical activities easier by removing barriers to creating youth development activities; (4) encouraging youth development activities and outcomes; and (5) improving the safety of participating in physical activities. Now, therefore, be it
Resolved, That the Senate—(1) calls upon Kenyan citizens to fully and peacefully participate in the general elections and seek to resolve any disputes over results through the legal system; (3) calls upon Kenyan political candidates at the national, county, and local levels to respect the Electoral Code of Conduct and the Political Party Code of Conduct; (4) encourages political candidates, civil society, and the media in Kenya to act responsibly with their parallel vote tabulations so as not to usurp the role of the electoral commission as the official source for declaring official election results; (5) encourages civil society organizations in Kenya to continue providing critical early warning and response mechanisms to mitigate election-related violence and further strengthen democratic processes; (6) commends the key role the faith-based community has played in ensuring a peaceful pre- and post-election environment through periodically convening the Multi-Regional Forum to deliberate on matters of governance, election management, and looming insecurity; (7) supports efforts by the Department of State and the United States Agency for International Development (USAID), including the Bureau of Conflict and Stabilization Operations, the Bureau of Democracy, Human Rights, and Labor, and the Bureau of African Affairs, to provide election-related preparations in Kenya, including programs focused on conflict mitigation; (8) strongly encourages the President to appoint an Assistant Secretary of State for African Affairs to bolster diplomatic engagement with the Government of Kenya, the opposition, and the donor community, which has historically been critical during Kenya’s elections; and (9) calls upon the United States Government and other international partners, especially election-focused nongovernmental organizations, to continue to support Kenya’s efforts to address the remaining electoral preparation challenges and identify gaps in which additional resources or diplomatic engagement could make important contributions to the conduct of the elections.

SENATE CONCURRENT RESOLUTION 22—EXPRESSING THE SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND THE DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE
Mr. ROUNDS submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 22
Resolved by the Senate (the House of Representatives concurred) in the Senate:

SECTION 1. SHORT TITLE. This concurrent resolution may be cited as the “Whole of Society Cyber Personnel Cooperation Resolution of 2017.”

SEC. 2. SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE. It is the sense of Congress that—
AMENDMENTS SUBMITTED AND PROPOSED

SA 260. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1277. STRATEGY TO IMPROVE DEFENSE INSTITUTIONS AND SECURITY SECTOR FORCES IN NIGERIA. (a) In General.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes policies and plans to fully use such programs to obtain such personnel for the Department.

(b) Matters to Be Included.—The report required by subsection (a) shall include the following:

(1) An assessment of the threats posed by terrorist and other militant groups operating in Nigeria, including Boko Haram, ISIS-WA, and Niger Delta militants, as well as a description of the origins, strategic aims, tactical methods, funding sources, and leadership structures of each such organization.

(2) An assessment of efforts by the Government of Nigeria to improve the protection of civilians in the context of—

(A) ongoing military operations against Boko Haram in the northeast region;

(B) addressing farmer-herder land disputes in the Middle Belt;

(C) renewed militant attacks on oil and gas infrastructure in the Delta; and

(D) addressing pro-Biafra protests in the southeast region.

(3) An assessment of the effectiveness of the Civilian Joint Task Force that has been operating in parts of northeastern Nigeria in order to ensure that young people are not participating in government-sponsored vigilante activity in violation of the Child Soldiers Accountability Act of 2008 (Public Law 110-340).

(4) An assessment of efforts undertaken to assess the security forces of the Government of Nigeria to improve the protection of civilians in the context of—

(A) addressing farmer-herder land disputes in the Middle Belt;

(B) renewed militant attacks on oil and gas infrastructure in the Delta; and

(C) addressing pro-Biafra protests in the southeast region.

(5) An assessment of the effectiveness of the Nigerian military or law enforcement agencies or reintegrate its members into civilian life.

(6) An assessment of the options for the Government of Nigeria to eventually incorporate the Civilian Joint Task Force into Nigeria’s military or law enforcement agencies or reintegrate its members into civilian life.

(7) An assessment of the options for the Government of Nigeria to eventually incorporate the Nigerian military and judiciary to transparently investigate human rights violations committed by the security forces of the Government of Nigeria and other security forces of Nigeria that have involved civilian casualties, including a plan to undertake tangible measures of accountability following such investigations in order to break the cycle of conflict.

(8) A plan for the United States Government to work with the Nigerian military defense institutions and security sector forces to improve detainee conditions.

(c) Updates.—Not later than 1 year after the date on which the report required under subsection (a) is submitted to the appropriate congressional committees, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees an update of the report containing updated assessments and evaluations on progress made on the plans described in the report, including—

(1) updated assessments on the information described in paragraphs (2), (4), and (6) of subsection (a); and

(2) descriptions of the steps taken and outcomes achieved under each of the plans described in paragraphs (7), (8), and (10) of subsection (a), as well as an assessment of the effectiveness of the metrics used to evaluate effectiveness for each such plan.

(d) Form.—The report required under subsection (a) and the updates required under (c) shall be submitted in unclassified form, but may include a classified annex.

(e) Appropriate Congressional Committees Defined.—In this section, the term “appropriate congressional committees” means—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(3) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have 9 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 10 a.m. in Room 226 of the Dirksen Senate Office Building, to consider the nomination hearing on Thursday, July 20, 2017, at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 10 a.m., in 215 Dirksen Senate Office Building, to consider favorably reporting the nomination of David J. Kautzer, of Virginia, to be an Assistant Secretary of the Treasury, vice Mark J. Mazur.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 9:30 a.m., to hold a hearing entitled “Nomination.”

COMMITTEE ON JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on July 20, 2017, at 9:30 a.m., in SD–226 of
the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to hold a business meeting during the session of the Senate on Thursday, July 20, 2017, off the senate floor and in conjunction with afternoon votes, to consider pending nominations.

COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Thursday, July 20, 2017, from 2 p.m., in room SH-219 of the Senate Hart Office Building to hold a Closed Hearing.

SUBCOMMITTEE ON TECHNOLOGY, INNOVATION, AND INTERNET

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Thursday, July 20, 2017, at 10 a.m. in room 235 of the Russell Senate Office Building. The Committee will hold Subcommittee Hearing on “Update on FirstNet.”

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Subcommittee on Fisheries, Water and Wildlife

The Subcommittee on Fisheries, Water and Wildlife of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, July 20, 2017, at 10 a.m. in Room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Innovative Financing and Funding: Addressing America’s Crumbling Water Infrastructure.”

ORDERS FOR MONDAY, JULY 24, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m., Monday, July 24, further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bernhardt nomination; finally, that the post cloture time on the Bernhardt nomination expire at 5:30 p.m., Monday, July 24.

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

ADJOURNMENT UNTIL MONDAY, JULY 24, 2017, AT 4 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:11 p.m., adjourned until Monday, July 24, 2017, at 4 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

JON M. HUNTSMAN, JR., OF UTAH, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE RUSSIAN FEDERATION.

DEPARTMENT OF JUSTICE

BART M. DAVIS, OF IOWA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS. VICI WENDY J. OLSON, DESIGNATED, JOSHUA J. MINKLER, OF INDIANA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS. VICI JOSEPH H. HOGGERT, DESIGNATED.

IN THE NAVY

The following nominated officers for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624.

To be commander

Clemia Anderson

JoshKinmtez E. Antontine

Janetktei A. Bucinich

Stefanie M. Bliyton

Jon D. Chmpine

Shawnna M. Chm

Janiese A. Clcikley

Leslie C. Councilor

William T. Cldie

Frasa C. Dewar

Scott E. Dunn

Maria D. Ensanda

Janine A. Epcfran

Romnie D. Fldes

Monica C. Gonzle

Bradie B. Gotte

Kk C. Hampa

Melissa J. Harnly

Scott A. Hazelcld

Samuel H. Javs

Jason C. Jones

Pamela C. Klepctnulz

Cody L. Lallatn

Asante W. Latour

Samuel Y. Levin

Carl E. R. Long, Jr.

David C. Looms

Kv Sim Lyle

Venshaw A. Monon

Sean M. Mccary

Bernard C. Mcconald

Kvp C. Mcmullen

Joshua A. Miler

Nausheen Momen

Thomas P. Murphy

Julie A. Neczyc

Margaret M. Parks

Dabrin J. Perre

John B. Price

Matthew C. Randolph

Elizabeth C. Raphael

Chad J. Rieks

Albret RiggedoRD II

Juan N. Riosard

Nathan L. Rsmam

Douglas A. Sbrrel

Emin M. Smmson

Elizabeth G. Sokey

Joseph R. Soric

Kvp L. Staff

Chrisn T. Stake

Leedja A. Svo

Jarek H. Taylor

George W. Vangh

Brian J. Wagner, Jr.

Mark D. Wlzefeld

Stacy J. Washington

Michael A. Zundul

The following nominated officers for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624.

To be commander

Eric C. Bauman

Robin C. Bennet

Kittima Bognshirnsmook

Mark A. Buckner

Laura N. Cale

Joshua E. Cohen

Caryn E. Collindcldysley

Dirk T. Fagin

Edward J. Givens, Jr.

Benjamin C. Gribson

Elizabeth M. Roche

Jacob W. Romhildz

Ian Santdclla

Ryan Santdclla

Lisa M. Senay

David M. Sme

Christopher C. Swain

Craig S. Thedwall

Sean M. Thompsom

Christopher P. Toscano

Grham C. Wincarlz

Matthew J. Wutten

The following nominated officers for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624.

To be commander

Thomas C. Ab爾man

Javier A. Agalar, Jr.

Abel E. Attenda
The following named officers for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624.

To be commander

CHRISTOPHER L. ALMOND
BRIE RC W. BARRATT
PETE R. BISSETT
BLA R. BURKE
BRANDO N. M. CARR
JUAN CHA VIRA
ANDREW D. CLINE
JAM ES D. DORM
ALAN W. F. DURKIN
TIMOTHY W. ESLER
LAVE C. ERICKSON
JACK W. E. FASS
BENJAM IN P. HOFFMAN
CARL E. KIRK
BENJAM IN P. KIRK
ROBERT E. KLEINE
DIANNE L. LAW
CHAD M. MARSHALL
ANGELIQUE S. MCBE
ANDREW W. OLE
BRYAN M. PARNELL
FREDERICO PEREZ COMERO
WILLIAM B. PITCA IEN
AARON J. HIPPLE
JACOB R. SCHMITT
JACOB W. SEGALLA
THOMAS J. SKELTON
JUSTIN D. SPIES
CORTNEY B. STINGE
BENJAMIN R. TURNER
DANIEL W. WALL

The following named officers for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624.

To be commander

ROBERT E. BRADBURY
AARON C. CARLTON
TOMAS J. COOK
JAM ES D. DANCE
JEREMY D. DURHAM
STEPHEN D. FISHER
PAUL R. GREEN
JEFFREY B. JENKINS
TAYLOR J. LONG
HARRY C. MACLENN
MARC R. MASSIE

John M. Miyahara
Michael Q. Obannon
Donald B. O'Neal, Jr.
Charles A. Owens
Ray F. Rivers
Donald W. Rogers, Jr.
Margaret A. Shimer
Ley C. Young

The following named officers for appointment to the grade indicated in the United States Navy under title 10, U.S.C., section 624.

To be commander

Thomas E. Arnold
Kassas K. Balcom
Kristina J. Bicknor
Michael, C. Bishop
Timothy J. Calvo
David M. Carrillo
Abdel R. Ceville
Tanya C. Corry
Anthony E. DeWolfa
John C. Donahhie
Andra L. Fields
David S. Fuchsz, Jr.
Emil J. Garber
Terry C. Gribshy
John F. Hagan
Jackie H. Hare
William M. Jakubowicz
Marius C. Jones
Richard J. Jones
Christopher B. Kading
Morena K. Kiffl
Christofer M. Loughman
Taqina T. Luster
Ethan P. Magdlin
Michael H. Malon
Daniel W. Mitizer
Jason A. Morgan
Owen P. Morrissey
Sean A. Neese
Que F. Nguyen
Sean J. Nulla
Leopoldo Ocho, Jr.
David J. Ocieck
Andrew M. Phillips
Nicholas C. Pollock
James A. Prosser
Jesseken Ramsey
Matthew B. Rosedo
Kevin C. Richardson
Denis J. Risley
Brandolyn N. Roberts
Christopher R. Rosemer
Franklin B. Semilla
Evan M. Shenman
Matthew J. Sheils
Jaime J. Siqueiros
Tamarat T. Siv
Joseph R. Speidi
Shane D. Stanton
Jesse K. Taulb
Douglas H. Thompon
Michael L. Tucker
Nicholas A. Ulmer
Jose L. Vargas
Angela C. Watson
Christopher T. Wilsen
Michael P. Yunker

CONFIRMATION

Executive nomination confirmed by the Senate July 20, 2017.

The Judiciary

John Kenneth Rose of Kentucky. To be United States Circuit Judge for the Sixth Circuit.