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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, we lift our hearts to You. Lord, please shower Your mercy on our Nation, as we seek to deal with the Las Vegas mass shooting. Please show mercy to the victims and their families. Lord, in spite of this horrific act, give us faith to believe that evil will not ultimately prevail in our world. May this tragedy motivate us to plant and water seeds of peace as we cultivate a greater respect for the laws of seedtime and harvest. Cut in pieces the cords of wickedness that seek to bind us.

Today, guide our Senators and use them as ambassadors of reconciliation in our Nation and world.

Eternal God, although we walk in the midst of trouble, stretch forth Your hands and revive us with Your might.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### MOMENT OF SILENCE FOR THE VICTIMS OF THE LAS VEGAS ATTACK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate now observe a moment of silence for the victims of the Las Vegas attack.

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

The Senate will now observe a moment of silence for the victims of the attack in Las Vegas.

(Moment of silence.)

The PRESIDING OFFICER (Mr. YOUNG). The majority leader is recognized.

### LAS VEGAS MASS SHOOTING

Mr. MCCONNELL. Mr. President, the news we awoke to this morning was heartbreaking. What happened in Las Vegas is shocking, it is tragic, and for those affected and their families, it is devastating. It is hard to even imagine their pain. I hope they will know that we are praying for them now. I hope they will find strength in the love and kindness of those around them in these hours of such darkness and pain. I hope they will see that our country is standing by their side today.

Many Americans are still in shock. Others have begun to wonder why someone would do something this terrible. Investigators will continue their dedicated work in search of answers, but what is clear now is that this is a moment for national mourning and for prayer.

Just a moment ago, President Trump led the country in observing a moment of silence. As he noted this morning, we are all grateful for the courageous efforts of the first responders. They always put their lives on the line to save others. They do so with a selflessness that reminds us of the inherent courage and mercy that remains possible within each of us—light amidst the dark, hope in times of terrible grief.

The same is true of the national spirit of compassion that shines through our country in the moments when it is needed most. Whether it is lining up to donate blood or signing up to volunteer

their time, our fellow Americans are always there to offer what they can when others are in need.

We thank these Americans and law enforcement and the first responders for everything they have done. We thank them for their efforts that continue now.

We again send our condolences to everyone affected by this terrible tragedy.

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Ajit Varadaraj Pai, of Kansas, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2016.

The PRESIDING OFFICER. The Senator from Utah.

### LAS VEGAS MASS SHOOTING

Mr. HATCH. Mr. President, there are a number of issues I wish to speak on today, but first I wish to extend my most sincere condolences to the victims of violence in Las Vegas.

What we witnessed last night was a tragedy without precedent. Today, our thoughts are with all those folks who have lost—the families, loved ones, and

• This “buller” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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friends whose lives will never be the same as a result of this shooting.

Our hearts are with all of you, and so are our prayers. We love you. We stand by you today. We ask that God will stand by you always.

#### REMEMBERING ELDER ROBERT D. HALES

Mr. President, I wish to pay tribute to Elder Robert D. Hales, a member of the Quorum of the Twelve Apostles of the Church of Jesus Christ of Latter-day Saints.

With his family gathered around his bedside, Elder Hales passed away peacefully yesterday afternoon in between sessions of LDS General Conference. More than a beloved leader, he was a caring family man, a powerful role model, and a close friend whom I will miss dearly. Today, I wish to pay tribute to Elder Hales as we remember a life well-lived.

Elder Hales was born on August 4, 1932, to Rulon and Vera Hales. He grew up on Long Island in a diverse neighborhood, which allowed him to become familiar with a variety of different cultures. Although raised on the east coast, Elder Hales always maintained strong western roots. He would speak fondly of the summers he spent in Utah bailing hay, riding horses, tending sheep, and herding cattle in the mountain pastures. Although Elder Hales would later become an accomplished businessman, he was no stranger to manual labor, and he credited his early days working on the farm as the source of his strong work ethic.

During his teenage years, Elder Hales distinguished himself as a student and excelled as a pitcher for his high school baseball team.

After enrolling at the University of Utah, he returned home to New York for the summer and met Mary Crandall. It was love at first sight. They married a year later in the Salt Lake Temple on June 10, 1953.

Following his graduation from college, Elder Hales joined the U.S. Air Force, where he served as a fighter pilot. His squadron's motto was "Return With Honor." In his own words, "The motto was a constant reminder to us of our determination to return to home base with honor after we had expended all of our efforts to successfully complete every aspect of our mission."

"Return With Honor" would become the credo by which Elder Hales lived his life, expending every effort as a faith leader, father, and friend to better himself, bless others, and build the Kingdom of God.

Yesterday afternoon, after decades of dedicated service as a minister of Jesus Christ, he completed his mortal mission and returned with honor to our heavenly home. The challenge he leaves behind is for all of us to do the same.

To the very end, Elder Hales was a model of selfless service. Even in his later years, beset by illness and old age, he continued to carry out the responsibilities of his apostolic office without hesitation and without com-

plaint. Elder Hales decided when he was still a young man that he would never let anything get in the way of his church service.

Following his career in the Air Force, Elder Hales enrolled at Harvard Business School, where he was called to serve as Elders Quorum president, one of the most demanding leadership positions in the LDS Church. Because of his heavy course load, Elder Hales could have easily declined the calling, but he gladly accepted it. His wife Mary guided him in making this decision. When Elder Hales said he might fail his classes if he agreed to serve as the Elders Quorum president, Mary said:

Bob, I would rather have an active priesthood holder than a man who holds a master's degree from Harvard. We'll do both.

With Mary's unwavering support, Elder Hales served successfully as an Elders Quorum president in addition to earning his MBA. He would later go on to work as a high-level executive at multiple national corporations.

From this formative experience, Bob and Mary learned that God would provide for them as long as they put the gospel first. That is why Elder Hales did not hesitate to leave his business career behind when he was called to serve as a mission president and later as an apostle in the Church of Jesus Christ of Latter-day Saints.

Elder Hales provided a model of servant-leadership for all of us to follow. He was a true disciple of Jesus Christ, putting the welfare of others before self and the Kingdom of God above all. He was gracious and loving, thoughtful and kind. In all things, Elder Hales exemplified humanity and humility, which was the hallmark of his life.

While millions of us grieve his passing, we take peace and comfort in knowing that his service continues on the other side.

I knew him very well, played golf with him, thought he was one of the great men in my life. I am going to pay tribute to him and his family here today in front of the whole United States Senate and the country. He was one of the most worthwhile people I ever met. We are going to miss him.

#### REFORM OF CRIMINAL INTENT REQUIREMENTS

Mr. President, with the time I have remaining, I wish to address an issue that remains critically important as well—overcriminalization and the need to reform criminal intent requirements in our Federal criminal code.

Like many of my colleagues, I believe Congress has criminalized far too much conduct and has mandated overly harsh penalties for too many crimes. A number of my colleagues have sought to address these problems by cutting prison sentences, altering statutory minimums, or releasing prisoners early for good behavior. But as we seek to reform the criminal justice system, we must be careful not to overlook one of the major roots of the problem: the lack of adequate criminal intent requirements in Federal statutes.

"Mens rea" is a Latin phrase meaning guilty mind. One of the time-honored, fundamental features of our criminal law is that for a person to be found guilty of a crime, he or she must have committed the act with criminal intent or mens rea. In the English common law, this principle was summarized in the idea that the act is not culpable unless the mind is guilty. Mens rea requirements protect individuals who commit an illegal act without knowing that their action was wrong or unlawful.

To give an example, a person who mistakenly retrieves the wrong coat from a coatroom does not become a thief merely because he took something that wasn't his but looked like his. Only if he knows that the coat belongs to someone else does he commit a criminal act.

Unfortunately, many of our current criminal laws and regulations contain inadequate mens rea requirements, and some contain no mens rea requirement at all. This leaves individuals—innocent individuals—subject and vulnerable to prosecution for conduct they believed to be lawful at the time.

In recent years, as Congress and Federal agencies have criminalized more behavior, they have often been vague about mens rea requirements or even silent about mens rea altogether.

In a 2014 Tennessee Law Review article, Michael Cottone investigated how many Federal criminal statutes there are in the U.S. code. Mr. Cottone explained that "tellingly, no exact count of the number of federal statutes that impose criminal sanctions has ever been given." Most scholars agree that there are approximately 5,000 Federal statutes that impose criminal sanctions, but those criminal statutes do not include the nearly 300,000 Federal regulations that also carry criminal penalties.

With so many criminal laws on the books, it is far too easy for Americans to break Federal laws unwittingly, with no understanding whatsoever that their behavior happens to be illegal. For example, did you know it is a Federal crime to write a check for an amount of less than \$1 or that it is a Federal crime to allow a pet to make a noise that frightens wildlife on Federal land? Even more incredibly, did you know it is a Federal crime to keep a pet on a leash that exceeds 6 feet in length on Federal land?

These are only a few examples of unlawful activities that reasonable people could not reasonably be expected to know. What is worse, many of these unlawful activities are punishable by time in prison. This is not only ridiculous, but it is immoral. The lack of adequate mens rea requirements in our Federal criminal code subjects innocent people to unjustified punishment.

To address this issue, I reintroduced the Mens Rea Reform Act of 2017. Today I wish to express my sincere appreciation to the Heritage Foundation and the Federalist Society for highlighting the need for mens rea reform

and for supporting my efforts to protect innocent people. They are not the only ones. Anybody who looks at this has to say: Are we going to send people to jail when they didn't know what they were doing was wrong? It makes anybody stop and think: Is that right? Should we do that? Is that fair?

Likewise, I wish to thank Senators RAND PAUL, TED CRUZ, MIKE LEE, and DAVID PERDUE for joining me as co-sponsors on this bill. Our bill sets a default intent requirement of willfulness for all Federal criminal offenses that lack an intent requirement. Additionally, the bill defines willfulness to mean that a person acted with knowledge that his or her conduct was unlawful.

Naturally, our bill does not apply to any offenses that Congress clearly intended to be strict liability offenses. Our proposal has garnered widespread support from a variety of organizations, including the National Association of Criminal Defense Lawyers, Koch Industries, the Federal Defenders, the U.S. Chamber of Commerce, and the Heritage Foundation—just to name a few.

Importantly, our bill does not remove any crimes from the books, nor does it override any existing mens rea standards written in statute. Moreover, it does not limit Congress's authority to create new criminal offenses, including strict liability offenses.

Mens rea really is a simple issue. Individuals should not be threatened with prison time for accidentally committing a crime or for engaging in an activity they did not know was wrong. If Congress wants to criminalize an activity and does not want to include any sort of criminal intent requirement, Congress should have to specify in statute that it is creating a strict liability offense.

I believe this simple legislative solution will go a long way in reducing harsh sentences for morally innocent offenders. It will also push back against the overcriminalization of innocent behavior. As I have said many times, any consideration of criminal justice reform or sentencing reform is incomplete without reforms to mens rea requirements.

#### FOREIGN JUDICIAL PROCEEDINGS

Mr. President, on a final note, I wish to express my concern about a provision in U.S. law that allows foreign litigants to come into U.S. courts and gain access to documents and other evidence for use in foreign judicial proceedings.

Under current provision, 28 U.S.C. 1782, an American citizen can be subjected to invasive requests by a foreign entity even when the citizen has no ability under the laws of the foreign jurisdiction to obtain similar information from the foreign entity itself. This gives foreign entities an unfair advantage over their U.S. counterparts.

Equally problematic, U.S. persons may be compelled under Federal law to turn over business information or trade

secrets for use in Federal judicial proceedings without any guarantee that such information will be adequately protected in the foreign jurisdiction. This places U.S. businesses at risk and, again, creates an unfair playing field.

Such unfairness and lack of reciprocity is deeply concerning. Our laws should not disadvantage our own citizens and companies. Rather, we should ensure a level playing field.

In the coming weeks, I will be introducing legislation to do just that. These are important bills, and these are important ideas. I appreciate having this time to be able to express them for the country at large.

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

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

#### LAS VEGAS MASS SHOOTING

Mr. SCHATZ. Mr. President, before my planned remarks on the Federal Communications Commission, I want to say a few words about the awful events that happened in Las Vegas. Our hearts are with the families affected by the tragedy and with the city of Las Vegas, and we do send them our best wishes and our prayers. But we can do more than send our thoughts and prayers to the grieving. We can do more than thank the first responders. We can do more than lower the flag to half mast.

We can take a stand against gun violence by passing commonsense gun safety laws. Otherwise, this becomes a ritual of mass murder, mourning, and moving on. Let's stop this awful ritual. Let's stop the violence. Let's do something about it.

Mr. President, I wish to talk about the nomination of Chairman Ajit Pai to lead the Federal Communications Commission for another 5 years. When it comes to Chairman Pai, personally and professionally, I want to say that I believe in his integrity as a public servant, and I believe he is smart and qualified. But the FCC is supposed to create competition and protect consumers, and Chairman Pai isn't doing that.

First, Chairman Pai's FCC is trying to get rid of net neutrality. Net neutrality is a Federal rule that says ISPs—internet service providers—must treat all content equally. They can't discriminate by making certain kinds of content slower, charging more for other kinds of content, or blocking some content altogether.

That is the basic premise of the internet. Once you pay for your broadband internet access and then you jump on a browser, everything comes down to the same speeds. It is so foundational to the way we use the internet that it is actually hard to describe a future without net neutrality,

but it could be that you pay your ISP, and certain websites download fast.

Certain websites are almost impossible to find. For certain websites, you have to pay a premium just to be able to capture their content. Forget what you may have to pay Hulu, Netflix, and others. The ISP will essentially control your access to the internet. That is why net neutrality was so important. It is not that, in that moment, things were necessarily undermining the current internet but that, without a firm rule, these companies may have incentives to change the internet as we know it.

When Chairman Pai announced that the FCC would review the rules on net neutrality, he said: "This is a fight we intend to wage, and it is a fight that we are going to win." But that is not how the FCC is supposed to work. This is a quasi-judicial agency. They are supposed to propose a rule, allow the public to weigh in, and then the agency considers the comments before making a decision. Chairman Pai had made it clear from the beginning that he had already made up his mind. Even though there were 22 million individual comments from American citizens about what we should do with the free and open internet, he had decided in advance of that.

Unfortunately, this is part of a pattern. Right after Congress took away the FCC's ability to protect people's privacy online, he wrote an op-ed that essentially read that this is good news. It is pretty unusual to have a chairman of a quasi-judicial body weigh in on something that the legislative branch does or to completely disregard the process for public input. Chairman Pai has not yet demonstrated a willingness to stray from the party line.

One of the things I like about him is that I know that he has a big brain. We have talked policy, and when we have had private conversations, I have seen that he has liked the engagement, that he likes the job, and that he likes public service. The challenge is that there has been no instance in which he has done anything that was other than predictably Republican. That is OK for now, as it has been a relatively short tenure, but what we need in an FCC Chairman is someone who takes his own views and the facts, as the record becomes established, and makes up his own mind. He is not a Republican while he is on the FCC. His job is to apply the facts and his own judgment.

During the confirmation hearing, I asked him about the President of the United States calling the media the "enemy of the state." He would not say one way or another what he thought of those comments or how he would guide the FCC based on those comments. At some point, he needs to demonstrate some independence from his party and from the President.

With this vote, the Senate has a chance to say that the person who leads the FCC should understand, at a bare minimum, how to run a quasi-judicial agency in a nonpartisan fashion,

that he or she should value public input, and that he or she should not simply go along with what the party is asking and implement it no matter how it stacks up against the statute.

Here is another example. Earlier this year, Chairman Pai rolled back a rule in order to allow local TV stations to be bought up without any limits by one single company. This decision seemed to be for the benefit of one company, the Sinclair Broadcast Group, which just happens to be a company with strong conservative leanings. Sinclair is already the largest owner of local broadcasting stations in the United States, but now it is trying to buy another company, Tribune Media, which would expand Sinclair's reach into 72 percent of the households.

For decades, both Congress and the FCC have taken steps to protect local broadcasting because it has benefited the public interest. So, under normal circumstances, Sinclair would not be able to buy up these other stations, but Chairman Pai has changed the rules so that this company will have even more power and reach. The secondary beneficiary of this change will be the Republican Party, because Sinclair has a decades-long history of pressuring its local stations to broadcast certain news that helps the Republican cause.

We need an independent Chairman at the helm of the FCC. We need someone who will make decisions based on statute, not based on political affiliation. That is why I will vote no on Mr. Pai's nomination, but I hope that I will be proven wrong.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THANKING THE SENATOR FROM HAWAII

Mr. SCHUMER. Mr. President, first, let me thank my friend from Hawaii for his words.

I will make a statement for the record with regard to Mr. Pai, as I agree with Senator SCHATZ' vote and will be voting no, but I want to first speak about the horrible situation in Las Vegas.

LAS VEGAS MASS SHOOTING

Mr. President, there are precious few words for days like this. Last night, as everyone now knows, at a concert in Las Vegas, NV, a gunman opened fire on a crowd of 22,000, killing at least 58 and sending hundreds more to the hospital. It was the deadliest mass shooting in the history of our country.

Our collective hearts, so hardened now by the absurd frequency of these mass shootings, are broken once again. We mourn for the families of the fallen, and we pray with the families of the wounded. We have the deepest gratitude for every first responder, cop, and firefighter who rushed to the scene, as their heroism in the moment of this national tragedy has been an inspiration. Yet today we are filled with shock and horror, with sadness and rage.

The horrific massacre was perpetrated by an American on his fellow Americans and the visitors from every corner of the world, who are the very lifeblood of Las Vegas. We are left with many questions, the answers to which we will seek in the coming days and weeks.

How did this monster acquire the arsenal that he used to rain down death on a crowd of innocents? Were these guns purchased and compiled legally? What was this person's perverted motive? Was there any history of mental health issues?

What circumstances could lead a man to commit such violence upon his fellow human beings—complete strangers—what twisted reasoning, what demented logic?

There is much more that we do not know than what we do know. Some of the questions that we have today will not have clear answers. Others are, perhaps, beyond our fathoming. Yet some will have answers, and we will have to reckon with the fact that this man was able to assemble an arsenal of military-grade weapons.

As much as we might hope to, we cannot banish evil from the Earth. Congress cannot do that, and the President cannot do that. What Congress can do and what Congress must do is to pass laws that keep our citizens safe, and that starts with laws that help prevent guns, especially the most dangerous guns, from falling into the wrong hands.

We will take care of the injured—their bodies and their hearts—and nurse them back to health. We will mourn those lost with all of our collective love and support. We will bind up this new national wound. Then, we will aggressively ferret out the facts, and based on that reality, we will confront—we must confront—the deeply troubling issues that have been raised by this atrocity.

PUERTO RICO AND U.S. VIRGIN ISLANDS  
RECOVERY EFFORT

Mr. President, our friends and relatives and fellow Americans in Puerto Rico and the U.S. Virgin Islands should know that, even while we mourn and process the incomprehensible events in Las Vegas, we remain laser-focused on the needs of Puerto Rico and the U.S. Virgin Islands, and we will continue our advocacy for a more comprehensive, more sure-footed, and better coordinated response to their crisis.

Mr. President, shortly the Senate will vote on the nominee to be Chairman of the FCC, Mr. Ajit Pai.

I cannot support this nominee for the office of Chairman. The FCC is tasked with the critical role of protecting consumers and promoting innovation in the telecommunications and technological fields that are becoming more and more integral to our day-to-day lives. However, over his time at the FCC and particularly in his tenure as Chairman so far, Mr. Pai has established a clear record of favoring big corporations at the expense of con-

sumers, innovators, and small businesses.

He supported congressional attempts to reverse the FCC's 2016 broadband privacy rule, which would have prevented big cable and internet companies from profiting off of personal internet data. Now, internet service providers no longer have to obtain consumer consent before they sell or share sensitive personal data.

Most disturbingly, Chairman Pai is currently attempting to dismantle the open internet order, the net neutrality rules under which millions of consumers currently have access to a free and open internet. Net neutrality has had a huge impact on everyone who uses the internet—on communities of color, on small businesses, on schools, on civic engagement, and on our economy.

Net neutrality is not the only issue where I disagree with Chairman Pai's agenda. In his first 2 weeks on the job, Chairman Pai stopped 9 companies from providing discounted high-speed internet to low-income individuals, and he jammed through nearly a dozen industry-backed actions, including some to begin curtailing net neutrality. The most alarming part: these clandestine moves to clip the public's fundamental right to a free and open internet were done without seeking public comment first.

It is no surprise, therefore, that Chairman Pai would be willing to further undermine the FCC's protection of net neutrality, notwithstanding the views of the nearly 22 million American citizens who have commented in opposition to his net neutrality proposal.

The open internet order is working well as it is and should remain undisturbed. Mr. Pai, however, seems bent on rolling back the open internet on behalf of a few corporate friends, rather than serving the American consumer and the American economy by keeping the current protections in place.

For these reasons, I feel very strongly that I must oppose his nomination; I cannot support this agenda, which I believe imperils consumers and the internet itself.

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. MORAN. 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. MORAN. Mr. President, thank you very much.

Today, I am here to speak on behalf of a good friend and an exceptional public servant, Chairman Ajit Pai of the Federal Communications Commission.

I have admired his work throughout his service within the Commission, which dates back to 2007, when he was in the Office of General Counsel. Over

time, he was promoted to become the Deputy General Counsel of the Federal Communications Commission. In 2012, by voice vote, he was confirmed by the Senate to serve as a Commissioner, and he has continued to embody integrity, honesty, and dedication in this role, something we would expect from a Kansan.

As only the second Kansan ever to be nominated to serve on the Federal Communications Commission—the first being Bob Wells of Garden City, KS, who served from 1969 to 1971—Ajit Pai has proven himself to be a capable and talented leader and one of the smartest people whom I have ever met, especially when it comes to public policy.

I have worked with him and his staff throughout my time on the Senate Commerce, Science, and Transportation Committee and have traveled with him throughout our home State. My getting to know him on a personal level has really been a delight, something that has been a highlight of my time while serving in the Senate. He is a native of Parsons, KS, which is a small town in the southeast corner of our State, and he brings with him an understanding of the challenges that face rural America. He understands the importance of access to high-speed broadband and wireless connectivity, and I believe that his roots as a small town Kansas kid make him exceptionally qualified to advocate for rural America.

Ajit came to Wichita just this past week to explore ideas and explain policy opportunities to close the digital divide within local broadband providers that work in Kansas communities I serve. The lack of broadband connectivity in parts of rural Kansas has lasting economic, educational, and public health impacts, and Ajit Pai has prioritized incentive-based solutions like the Connect America Fund and Mobility Fund to close this divide in a fiscally responsible and competitively driven way.

Outside of supporting high-speed broadband build-out to unserved or underserved areas, Ajit created the Broadband Deployment Advisory Committee to promote broadband deployment across America, including removing regulatory burdens and barriers and improving permitting and the right-of-way process through regulatory reform.

While in Kansas, he was also able to see the great work that was being done to implement the Next Generation 9-1-1 technology in our home State. As we know, improving these communications systems is absolutely necessary to ensure adequate emergency services to rural and urban Americans alike, and we see that today and over the last several months with the disasters and tragedies that have occurred in our country.

Ajit has also proven himself to be a leader who is committed to free markets, clearly understanding that regu-

lations should be balanced with pro-growth economic principles that do not unduly harm employers or stifle innovation. To this end, Ajit Pai announced his intentions to stand up a new Office of Economics and Data within the FCC to provide economic analysis of the policies and functions of the agency. We are looking for thoughtful, data-backed input to the agency that should lead to market-driven policy decisions the Commission can then hang their hat on.

Critical issues before the FCC today require this type of expertise; things such as efficient and effective broadband deployment, quality spectrum management that schools and libraries desperately need, as well as hospitals that also desperately need this spectrum, and fostering innovation just in the general sense. If we want a growing economy with more jobs, better jobs, higher paying jobs, we need access to the latest technologies across the country.

As the currently appointed Chair of the FCC, Ajit has improved openness and transparency within the Commission, eliminated onerous and duplicative regulations holding up that innovation, and has protected consumers from illegal and fraudulent robocalls. One recent decision under his leadership that has received so much attention from consumer advocates, industry representatives, and policy academics is the FCC order Restoring Internet Freedom Notice of Proposed Rulemaking.

Under Chairman Pai's leadership, the Commission has collected tens of millions of comments regarding the agency's proposal to roll back the 2015 open internet order and has extended the deadline so more interested parties can be heard. This input collection, coupled with fundamentally improving the rulemaking processes, has increased the Commission's culture of openness and transparency, something I certainly support and would continue to encourage.

I believe the Federal Government must ensure a fair and open internet that is not blocked or slowed. I do not want outdated utility-style regulations to the internet that were established for telephone companies in the 1930s. Instead of leaving this important regulatory framework open to interpretation and change with every new administration, Congress—the U.S. Senate—and our Commerce Committee should and must craft bipartisan legislation that preserves the fair and open internet.

Chairman Pai has taken thoughtful steps toward a long-term solution by seeking to eliminate the harmful 2015 regulations hindering broadband deployment and harming an innovative internet ecosystem.

Ajit Pai has repeatedly proven himself to be a public servant of the highest caliber, with strong integrity and character. I am proud to recommend his swift confirmation to the Federal

Communications Commission and call on my colleagues to support his nomination. Ajit Pai is an intelligent, articulate public servant who has the character and integrity that is required at the Federal Communications Commission. I support his nomination and ask my colleagues to do the same.

I yield the floor.

Mr. McCONNELL, Mr. President, as I noted last week, the nominee before us, FCC Chairman Ajit Pai, has led a fascinating life with two defining features: hard work and success.

He understands communications policy from just about every angle—no wonder, given his deep and impressive resume.

He comprehends the needs of rural communities in states like mine, a product of his own rural upbringing.

He has dedicated himself to issues like advocating for Americans' First Amendment rights and bringing more openness and more accountability to the FCC, an agency that, too often, has earned a reputation for secrecy.

Chairman Pai is just the kind of person we need over at the FCC.

I was glad to see the Senate advance his nomination last week.

I look forward to confirming him to a new term later this afternoon.

Mr. DURBIN, Mr. President, I come to the floor today to voice my concern regarding the nomination of Ajit Pai to serve as a Commissioner of the Federal Communications Commission.

Many of my colleagues are planning to speak about the threat Mr. Pai poses to a free and open Internet, but what brings me to the floor is a different looming threat to the public interest: the proposed Sinclair Broadcast Group merger with Tribune Media Company. If approved, the Sinclair-Tribune merger would create the Nation's largest television broadcast company in history, reaching over 70 percent of households nationwide. There is reason for concern.

Mr. Pai's track record at the FCC has shown that he will not hesitate to put the needs of industry ahead of the best interests of consumers. Under his leadership as Chairman, the FCC acted to reinstate an outdated loophole known as the UHF discount that would make it easier for companies to get around rules limiting national media ownership. These rules are essential in maintaining the trust Americans have placed in their local broadcasters and ensuring consumers benefit from programming representing diverse viewpoints.

What was Mr. Pai's motivation for putting this loophole back in place? I will just say this: The loophole was reinstated in April, and Sinclair announced its acquisition of Tribune in May.

My concerns about the merger are not solely grounded in Sinclair's practice of mandating its stations distribute its self-produced conservative content, as troubling as that is. Rather it is that no single company should be

able to decide what 72 percent of the country's news looks like. The Sinclair-Tribune merger undermines competition and threatens local broadcasting as a trusted and diverse voice for its viewers in Illinois and across the country.

Because of Mr. Pai's deregulatory campaign and repeated failure to put the best needs of the consumer first, I will oppose his nomination to serve a second term as a Commissioner for the Federal Communications Commission.

Mr. LEAHY. Mr. President, in 2015, the Federal Communications Commission, FCC, did something that can be all too rare Washington: It listened to the American people. After a record number of Americans spoke in favor of clear rules to protect a free and open Internet, the FCC voted to adopt strong net neutrality protections that accomplished this goal. These protections, which ensure that innovation and free speech can flourish online, are currently under threat as the FCC now moves to repeal them. On net neutrality and on many other key telecommunications policy issues, Chairman Pai has stood against consumers, startups, and small businesses. Today I choose to stand with them and with millions of Americans who support net neutrality by opposing his reappointment.

Vermonters have been clear that they want strong FCC rules in place to ensure that the Internet remains the ultimate platform for economic opportunity and free expression. These protections are particularly important for small businesses, which compete on the internet's global stage against the largest companies in the world. The Vermont Country Store is a great example of a small company that has taken advantage of the promise of an open Internet. Family-owned with a rich history dating back to 1897, the internet offered new opportunities to extend the company's reach. As fifth generation storekeeper Cabot Orton said when he testified in Vermont about the FCC's effort to craft net neutrality protections in 2014:

We don't want to imagine an America with two Internets: a fast one for giant corporations and a slow one for everybody else. We don't want to imagine being held for ransom by telecom behemoths and cable monopolies just to reach our customers with the same speed and convenience that global conglomerates enjoy . . . A small business website that is no longer protected from giant Internet toll-keepers would have one choice: pay to play. Failing that, a company becomes the proverbial tree falling in the forest with no one there to hear it.

Chairman Pai has shown total disregard for the concerns of businesses like the Vermont Country Store. In proposing to repeal the existing net neutrality protections, he makes no mention of their importance to the small business community. Instead of recognizing the very real impact on small businesses of stripping away these protections, Chairman Pai claims that there are no possible harms these

protections could be designed to prevent.

This is particularly clear when he discusses the current rule banning harmful paid prioritization agreements that would create the type of two-tiered internet small businesses fear. Chairman Pai claims that there was no need for this rule because some large internet service providers, ISPs, said they "had no plans" to engage in this kind of behavior. This is despite the fact that at least one major ISP said outright in its 2014 FCC filing that it wanted the "flexibility" to charge websites for priority access and that, even though it had no plans for these arrangements, they "should be permissible and should be tested."

I introduced legislation to ban pay-to-play deals online before the FCC adopted its rule because of the harm they would cause small businesses like the Vermont Country Store. I find Chairman Pai's failure to understand the importance of a level playing field for small businesses extremely disconcerting.

Not only is Chairman Pai ignoring the small business community by barreling ahead to repeal net neutrality protections, he is also ignoring the clear will of the American people. Over 22 million Americans have submitted comments in the proceeding he started to repeal these critical protections, shattering records at the FCC. Poll after poll has found overwhelming bipartisan support for net neutrality. In Washington, Chairman Pai calls net neutrality protections burdensome and unnecessary. In Vermont, we just call them common sense.

Vermonters also value their privacy rights and want basic protections in place to protect their personal data. In 2016, over Chairman Pai's objections, the FCC put in place important privacy protections to prevent ISPs from selling their sensitive information, including their web browsing history, without their consent. These rules also included basic data security and data breach notification requirements. We have seen how important it is to hold companies to basic data security and breach notification standards in the wake of the total disregard Equifax showed for protecting sensitive consumer information.

Unfortunately, Chairman Pai was a strong supporter of the resolution of disapproval passed by this Congress that permanently repealed the FCC's privacy and data security protections. At a time when the personal information of every single American is under constant threat, Chairman Pai thought it was simply too much to ask for ISPs to take reasonable steps to secure their subscribers data and notify them if a breach occurs.

Chairman Pai's approach to rural broadband, which is one of the most pressing issues for Vermonters, also raises cause for concern. Just recently, he has proposed to effectively lower the speed standard used to measure wheth-

er Americans have access to adequate broadband service. As someone who represents a rural State, ensuring that we accurately measure how many Americans lack this essential service is critical. Under the current standard set by the previous FCC, 39 percent of rural Americans lack access to true high-speed broadband service. In contrast, only 4 percent of urban Americans lack access.

I supported the FCC's decision to set a high minimum broadband speed to use as the baseline for comparing rural and urban areas. All Americans deserve the same quality of broadband service, whether they live in the Northeast Kingdom of Vermont or the heart of Kansas City. Rural Americans should not be held to a lower standard simply so that Chairman Pai can rig the numbers to falsely claim that he has closed the digital divide once and for all.

Chairman Pai has shown far too often in his time at the FCC that he will side with Goliath over David and that he will ignore the overwhelming sentiment of the American people. With the fate of the open internet and many other critical telecommunications issues at stake, I must oppose Chairman Pai's nomination.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### LAS VEGAS MASS SHOOTING

Mr. CORNYN. Mr. President, today we mourn the loss of at least 50 lives in Las Vegas, the victims of senseless violence at an outdoor concert near the Mandalay Resort and Casino. The lives of fellow Americans were taken in a barbaric manner that defies all justification, excuse, or even explanation. That these events have become almost commonplace in modern society makes them no less shocking or morally reprehensible.

The date and location—a country music festival on a Sunday afternoon—make the act seem doubly cruel. Thousands of innocent spectators were there from around the country enjoying themselves, with security being the furthest thing from their minds, until the shots rang out.

As news reports have now indicated, the event is one of the deadliest mass shootings in modern U.S. history. It and other forms of violence continue to tear apart the fabric of our country, and the scars left among the victims' families and loved ones will be painful and permanent.

My prayers go out to all those in Nevada who have not slept since yesterday and who are still grappling with the aftermath of the shooting, the families tending to loved ones in hospitals, as well as the first responders and law

enforcement officers who ran toward, not away from, the gunfire and who are now nursing various wounds. Here in Washington, we will continue to monitor the situation. We will continue to keep the fallen in our prayers in the days ahead.

#### TAX REFORM

Mr. President, turning to the legislative business at hand, the last time Congress enacted tax reform was 1986. Back then, I was a State district judge in San Antonio, TX, the Spurs had a bad losing streak, and gasoline was 89 cents a gallon.

A lot has changed since 1986. We have seen parties in Congress win the majority, lose it, and win again. We have seen six Presidents come and go, bringing us to this moment, this year, with the President committed to providing Americans with real tax relief and the promise of a resurgent economy. After countless meetings, hearings, and conversations amongst Members who represent varying and diverse constituents, Republicans in the House and the Senate and the administration have joined together to unveil a unified framework for tax reform.

In the more than 30 years since our Tax Code has become overhauled, it has become the punch line in a bad joke. No one will defend it. Everyone knows it needs to be fixed. Over time, the code has become more complex and is now riddled with deductions, credits, and loopholes advocated by an army of lobbyists and special interests, so much so that the majority of Americans now pay somebody else to prepare their taxes because it is too complex for them to figure it out on their own, but with renewed focus and determination, we are committed to taking this framework and using it to enact real reforms to simplify a Tax Code that has grown so complex over the years, but that is not the main reason.

The main reason we need tax reform is that the Tax Code has become the enemy of a growing, prosperous economy; the enemy of more take-home pay, and the enemy of America's competitiveness in a global economy. It is self-inflicted harm, and we can and must do better.

Our first priority should be to reduce taxes for all American families, not one socioeconomic class or another—everyone. With a simpler, fairer, and more competitive Tax Code, we can raise living standards so people who earn the money can make decisions on how best to spend it themselves—on their children's education, on their home, on a car they need in order to get reliable transportation to get to and from work, or just maybe putting a little bit of money away for retirement.

I think about the newly graduated teacher in Houston's public schools who is worried about stagnant wages, the entrepreneur in Austin with a great business idea who needs investors to succeed, or a single parent in San Antonio who is living paycheck-to-pay-

check. Ultimately, this is about empowering all citizens to pursue the American dream. This is about reducing government's big bite out of our wages each month and about small businesses spending more time growing and creating jobs.

By coming to the aid of hard-working American and Texas families, we will reawaken the sleeping giant that is our economy by incentivizing investment and job creation.

I know these are lofty goals. If it were easy, we would have done it more recently than since 1986. I know some of our colleagues across the aisle and some in the public are already questioning this framework. Some have wasted no time lobbing accusations, but they don't even bother to do their homework first. They are engaging in the same kind of class warfare many have come to love to wage here in Washington, DC, but those tactics are deeply cynical and deeply untrue.

Here is their lie. They say our tax plan cuts taxes for the wealthy and hurts the poor, even though the actual plan hasn't been written yet. Some claim they already know what the bill says, and they don't. That is entirely predictable in this political environment and wholly false. Let me tell you why.

First, we will cut taxes for all American families without shifting the burden from higher income households to lower or middle-income households. To accomplish this, the framework creates a large zero tax bracket by doubling the standard deduction. The first \$12,000 of income for an individual and \$24,000 for a couple would be tax-free.

Let me say it again. If you are a couple who makes \$24,000 or less, you will pay zero Federal income tax, which is effectively a zero tax bracket. Additionally, the proposed individual rates are collapsed into three, at 12 percent, 25 percent, and 35 percent. So instead of seven tax brackets, which we have now for individuals, we will have four, including the zero tax bracket. This framework also enhances the child tax credit. It repeals the death tax that has hurt small businesses and their families; it has broken up family farms and ranches. And it repeals the special interest tax breaks that primarily benefit the wealthy.

The other refrain some critics have already started making is the claim that our tax plan gives big tax cuts to job creators. As I said, in addition to closing the special interest loopholes, nearly everyone will see some sort of benefit, and job creators will take that benefit and invest in their businesses. They will hire more people, and they will improve wages and growth in the economy, from which we will all benefit. So why would our Democratic colleagues oppose that?

Our unified framework is a template that will be used by the tax-writing committees to put the nuts and bolts together for tax reform. As a member of the Senate Finance Committee, I

look forward to working with Chairman HATCH, Ranking Member WYDEN, as well as colleagues in the House—Ways and Means Chairman KEVIN BRADY, Speaker RYAN, and others—on these ideas. I even look forward to working with our Democratic colleagues if they will join us.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from New Mexico.

Mr. UDALL. Thank you, Madam President, for the recognition.

#### LAS VEGAS MASS SHOOTING

Today is a day of mourning for Las Vegas and for America. My heart goes out to all those touched by the ruthless and cowardly shooting last night.

One of the victims was Lisa Romero, a secretary at Miyamura High School in Gallup, NM. The students knew her well as Ms. Lisa, and she was adored by everyone at the school. Her loss will be deeply felt. I send my condolences and prayers to her family, as well as her school family, and to everyone in Gallup, NM.

I also want to recognize the true bravery of first responders—the police, the fire fighters, the EMTs—some of whom risked their own lives to save others. There are heroes in America, and we saw them in action last evening.

Las Vegas, NV, and New Mexico share a kinship. Nevada is a sister Western State. Many New Mexicans have family in Las Vegas, and New Mexicans are reeling because of this tragedy. As westerners and as Americans, we must always come together to support the victims, thank our first responders, and focus resources and policy on preventing future massacres.

Madam President, I rise in opposition to the renomination of Mr. Ajit Pai to the Federal Communications Commission.

Mr. Pai, both as FCC Commissioner and now as Chairman, has not been a vigorous watchdog for free speech. He has not put the people's right to information first. In fact, he has put corporate interests first, and he has opposed policies outright that ensure underserved communities have access to essential technology. I strongly oppose his renomination to the Commission.

Let's begin with his responsibility to guard First Amendment rights. President Trump has relentlessly attacked NBC, CBS, ABC, CNN, the New York Times, and the Washington Post. He called these established and esteemed news outlets "fake news." He even called them "the enemy of the people."

Earlier this year, in February, during a Senate Commerce Committee hearing—this was an oversight hearing—I asked Chairman Pai pointblank whether he agreed with the President that these mainstream news organizations were the enemy of the people. He refused to answer, refused to disagree with this patently outrageous and anti-American statement.

His written answers were better, but even then Chairman Pai did not demonstrate that he could stand up to



power and defend First Amendment rights. Democrats on the Commerce Committee sent a letter asking again whether he believed the media were the enemy of the people, and he qualified his answer in the negative by writing that “the President has made clear he was referring to ‘fake news’ [as the enemy of the people].” I wish that were true, but it is not. The President referred to well-respected, mainstream media organizations.

The FCC must unequivocally stand up for the First Amendment, and the Chairman needs to strongly disavow the President’s unfounded attack on the media.

The FCC took a huge step forward in favor of consumers in 2015 when it passed the open internet order. That order, known as the net neutrality order, was codified. The principle underlying net neutrality is simple and fair. It means that internet service providers must treat all internet traffic equally. They cannot block access to particular websites, apps, or services. They can’t give fast lanes or special treatment to websites or apps that pay more or are favored by some companies’ executives.

Consumers benefit because internet service providers can’t “pick winners and losers in the online marketplace for services and ideas.” Those are the words of President Obama.

Our democracy benefits because the internet lowers the barriers to communication—but not if the massive companies that control infrastructure can erect new ones. As a Commissioner, Mr. Pai voted against that pro-consumer measure, and as Trump’s Chairman, he has now moved to dismantle it. The American people are outraged with the Chairman’s move to undo net neutrality. The Commission has received a record 22 million comments in that regulatory proceeding.

Who is against net neutrality? The megaproviders like Comcast and Verizon—Chairman Pai’s old employer—can benefit financially from giving advantage to selected websites. Chairman Pai’s record is that if there is a choice between consumers and big corporations, corporations win.

Let’s look at what the Chairman did recently to allow the biggest broadcast company in America to become even bigger. Congress has put into law a limit on the market share that ultra-high frequency or UHF stations can own, and that limit is 39 percent. The Commission had considered that Sinclair Broadcast Group, the largest broadcast company, holds a 38 percent market share. But Sinclair wants to expand its reach and merge with another big company, Tribune Media. The \$3.9 billion deal would give Sinclair control over 200 more local television stations and expand its market to 72 percent of the television-owning households. Here is a chart that shows how expansive Sinclair’s proposed takeover would be. You can see here the current marks, and you can see down below the proportional footprint.

Traditionally, the FCC has interpreted its rules to prohibit Sinclair from making that deal, but Chairman Pai authored an order in April reinterpreting FCC policy to allow Sinclair to grab almost three-quarters of the market, and Sinclair happens to be well known for its friendly coverage of President Trump. It even requires local broadcast outlets to regularly carry national commentary from a former Trump campaign and White House media surrogate, and its executives have been complimentary of Chairman Pai personally.

Congress intended for there to be a multiplicity and diversity of voices and opinions on the airwaves. Congress explicitly wants to prevent one media organization from having an outsized influence over the Nation.

I have strong reservations about Chairman Pai’s leadership and values. Free speech, media ownership rules, and net neutrality are essential to a healthy democracy, and the Chairman is equivocating or moving backward on all fronts. For these reasons, I oppose this nomination.

Nevertheless, if he is confirmed, I hope we can find common ground and work together. One area where we could do that is rural and Tribal broadband in the West. In my home State of New Mexico, rural areas, pueblos, and Tribes do not have access to the internet that is anywhere near adequate. Approximately 63 percent of people living on Tribal land lack access to acceptable fixed broadband speeds, compared to only 17 percent of the U.S. population as a whole. The gap is even higher for residents of Tribal lands in rural areas, with approximately 85 percent of Tribal people lacking access.

We all know that in today’s world, broadband internet is essential to virtually all successful economic and commercial activity. It is essential to everyday life in America. As a member of the Commerce Committee, I will continue to push the FCC to do all it can to close the digital divide.

Broadband expansion is not a question of political ideology; it is a question of political will. The Federal Government played a big role in expanding electricity and telephone service to every American. We, as a country, have made major investments. We must do the same for rural broadband. Senate Democrats have made a number of concrete proposals recently. I hope we can work with our Republican colleagues on these. I urge Chairman Pai to take them seriously.

Members of the Commission must be 100 percent committed to principles of free speech, to protecting consumers and the underserved. Mr. Pai’s record does not give me sufficient confidence that he shares that commitment, and, therefore, I urge all of my colleagues to reject his nomination.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

LAS VEGAS MASS SHOOTING

Mrs. CAPITO. Madam President, I come here today to talk about the nomination of FCC Chairman Ajit Pai, but before I begin, I think all of us have incredibly heavy hearts in our homes, in our States, in the country, and in the world, as the horrifying events of Las Vegas really begin to sink in.

I just saw an article come across the news line in my home State of West Virginia with one of the first identifications of the victims. Her name was Denise Burditus. She is from Martinsburg, WV. She and her husband Tony were at the concert together. They have been married 32 years. They were high school sweethearts and were there vacationing and at the concert. Tony wrote on his Facebook page that his wife died in his arms. So we have lost a mother of two, and soon to be a grandmother of five, to this horrible tragedy. My heart sinks for them and for everyone. I really don’t have the words to say to comfort or explain or understand, except that I feel deeply sad and sorry, and I pray for them and their families.

Today, Madam President, I want to talk about the nomination and reappointment of Ajit Pai as the Chairman of the Federal Communications Commission. Chairman Pai has been an important partner in my quest to bring rural America and much of my State online. I was very lucky to meet Chairman Pai several years ago. Without question, he has been a champion.

Without question, high-speed internet access has allowed us to connect with one another on a scale we never could have imagined a decade ago. No other technology has become so critical to our daily lives. It is the backbone for our innovation, competition, and economic growth. From starting a business to digital learning and telemedicine, broadband access is critical to the strength of our economy and our communities. Unfortunately, for all the potential opportunities that broadband can offer, not having access to this important service can create insurmountable barriers.

Better connecting States like mine—West Virginia—through improved broadband has become one of my top priorities. Without this, our rural areas risk being left behind. The digital divide exists in this country, and rural Americans are the ones who are on the wrong side of the divide. Small communities and businesses across West Virginia and elsewhere in rural America lack this fundamental infrastructure.

No one understands these issues more than Ajit Pai. Chairman Pai grew up in rural Kansas. He told me that sometimes when he goes home to visit his parents, he cannot get connected in his own hometown. He knows the challenges facing rural communities.



I have had the pleasure of hosting Chairman Pai and his staff multiple times in West Virginia. Most recently, Chairman Pai came to Wardensville in Hardy County, WV, where we have good connectivity and where we have actually been able to create new businesses and opportunities for a small town such as Wardensville. Following our visit, we traveled just 20, 30 miles over to Hampshire County, where getting high-speed internet has been far more challenging. There, Chairman Pai met Eric Hott of Kirby, WV, who has a small chocolate business. Eric is having trouble following up with orders and attracting new customers because he can't get consistent broadband access.

Last August, I held a roundtable discussion with Chairman Pai in Fayette County, WV, focusing on the digital divide and the impacts on tourism. We visited Adventures on the Gorge. I even convinced him to join me on a bridge walk across the beautiful New River Gorge. This outdoor recreation destination is one of West Virginia's most beautiful and premier tourist destinations, but the small businesses there are hampered by the lack of connectivity.

We heard firsthand from business owners who can't grow their business because of poor internet connectivity. It is hard to attract a talented workforce to live and visit in these more rural parts of our States. A local restaurant owner shared their difficulty in notifying customers of available tables through their online system. They lost business because of this.

During each of the Chairman's visits, we discussed possible solutions to promote greater access and competition. Chairman Pai is a great listener. He listens to what the issues are, and those include reducing barriers to investment, streamlining the regulatory environment, encouraging public-private partnerships, and ensuring accountability on behalf of the taxpayer.

Following his tour across the country, during which he stopped in West Virginia, Chairman Pai proposed a digital empowerment agenda right down the alley of the issues we just talked about—to grant Americans living in communities of all sizes, from urban cores to smaller, rural towns, with these online opportunities. Chairman Pai's agenda highlighted a variety of specific measures the FCC, Congress, and State and local governments could make to simplify broadband deployment.

Broadband access will be the result of partnerships between private, local, State, and Federal agencies and organizations. We need to have this collaboration to eliminate duplicative and outdated programs so that States like mine can efficiently deliver broadband to our rural communities efficiently and cost-effectively.

By listening to communities like ours—and remember, I said Chairman Pai is a great listener—the Chairman

has built a plan for achieving widespread broadband access that meets the unique demands of our rural communities.

The FCC plays an imperative role in addressing these issues in large and small States, particularly rural States like mine.

In the 21st-century economy, robust telecommunication networks are increasingly important for today's users and the foundation of future innovations.

Under his leadership at the FCC, he has already taken steps toward modernizing the Commission's role and promoting digital empowerment. Since the beginning of his tenure, the Commission has hit the ground running, enacting a broad strategic vision to close the digital divide, to modernize the Commission's rules, promote innovation, protect consumer and public safety, and improve the Commission's daily operations.

Under Chairman Pai's leadership, the Commission has made significant investments to deliver broadband service to underserved and unserved areas of the country. I am confident that rural America will see more progress with his continued leadership, and today I am very proud to support his renomination to the FCC as he ascends and retakes the chairmanship of a very important part of our communications and telecommunications network.

With that, I yield back.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### LAS VEGAS MASS SHOOTING

Ms. WARREN. Madam President, I wish to begin by offering my condolences to the victims of the massacre in Las Vegas last night and to their loved ones. I am heartsick for the residents of Las Vegas and everyone around the country who woke up to the horrendous news of last night's attack and who is worried sick about whether their family members, friends, and neighbors are OK.

Thoughts and prayers are good, but they are simply not enough. Thoughts and prayers are not enough when more moms and dads will bury their children this week. Thoughts and prayers are not enough when sons and daughters will be forced to grow up without their parents.

Attacks like the one last night have happened all too often in America. Enough is enough. We have to have a conversation about how to stop gun violence in America, and we need to have that conversation right now.

Madam President, I want to take some time to discuss the vote we will be taking shortly on the nomination of

Ajit Pai to serve as the Chair of the Federal Communications Commission, or the FCC.

One thing that last night showed us is the importance of connections. Every day, moms and dads pick up their phones to check in on their kids, students go online to do research on homework assignments, and families sit together to watch the newest hit television show or movie. It is just a fact—media and telecommunications services play a vital role in helping American households connect with their loved ones, communities, and the world around them.

The FCC makes sure those services are available and accessible to all Americans, whether they live in a rural community or in a large city—at least that is what the FCC is supposed to do. There are a lot of powerful companies that want to change that picture, companies that want to change the rules so they can line the pockets of their corporate executives and their wealthy investors. Those powerful companies have launched an all-out assault on every branch of our government with only one goal: to make sure the government works for them and for their buddies. If it leaves everyone else in the dirt, they don't much care.

As powerful companies know, it is good to have friends on the inside, and they have invested a lot of money in making friends. Giant corporations have spent unlimited amounts of money to elect politicians who will promote their views and to flood Congress with lobbyists who will work around the clock to destroy laws and rules that the industry doesn't like and to reshape those laws to suit corporate interests. But electing politicians and inflating Congress with lobbyists isn't enough. Their Republican buddies in Congress can only do so much. Powerful corporations need weak agencies that will not hold them accountable, so they work to fill those agencies with their allies—friends who can undo the rules that giant corporations don't like, friends who will not go after those companies when they throw the rules out the window to make an extra buck.

The FCC is one of the agencies that have been on their hit list for a long time, and now they see their opportunity to execute a corporate takeover of the FCC. They started at the top with Ajit Pai, President Trump's pick to chair the FCC.

Since his appointment as Chair of the FCC, Chairman Pai has worked at breakneck speed to transform the FCC from an agency that works in the public interest to a big business support group.

Chairman Pai started with net neutrality protections—rules that help keep the internet free and open by preventing giant broadband companies from discriminating against certain internet users and turning the internet into another service that caters to those who can pay top dollar. Like his big broadband buddies, Chairman Pai

opposes net neutrality. Once President Trump was elected, Chairman Pai declared that the days of net neutrality protections were numbered, and now he is working hard to reverse those rules.

Chairman Pai has more items on his agenda. He is working to weaken the FCC's Lifeline Program, which helps low-income households across the country pay for phone and broadband service. Chairman Pai has also halted the FCC's efforts to demand some accountability from private prison phone companies that charge sky-high rates to prisoners and their loved ones. Chairman Pai thinks it is just fine for private companies to make it harder for prisoners to stay connected to their families and their communities by charging exorbitant phone fees.

Chairman Pai defends killing these strong, public-centered rules by repeating a version of the same old, tired refrain that we have heard over and over from industry: Government should stay out of the way and let big corporations do as they please because when big corporations make lots of profits, that benefits everyone. Yeah, right. That worn-out theory has been disproved time and time again. Americans know that when government is asleep at the wheel and big companies get to make the rules, those giant companies make out like bandits, while everyone else gets stuck with the bill.

That is not all. When government doesn't do its job, when it fails to protect the public interest, the big guys can grow even larger and more powerful and can translate greater economic power into greater political power, and that is where it gets very scary. Just look at Sinclair Broadcast Group. Sinclair is the largest television station owner in America, and it has made a name for itself by aggressively promoting ultraconservative views. It is infamous for forcing its stations to regularly run rightwing segments, and it melds its radical ideology with a take-no-prisoners profit-making mission, finding more and more creative ways to reduce news coverage and instead promote its sponsors' products.

Being the biggest isn't enough for Sinclair—it wants to become even more powerful, so it has put in a bid to purchase Tribune Broadcasting, another large television station owner. If government regulators don't stop the merger, Sinclair would have access to over 70 percent of American households. If the alarm bells haven't already gone off, this is where they should start ringing like crazy.

During the Presidential campaign, Sinclair was a huge supporter of then-Candidate Trump. It used its power in local television markets to spread slanted, pro-Trump news stories. Jared Kushner, President Trump's son-in-law, even bragged about reaching a deal with Sinclair to get more positive news media coverage of Trump.

The day before Trump's inauguration, Sinclair's chairman met with Pai—who was then an FCC Commis-

sioner but who was expected to be promoted to Chairman—he met with him to urge him to change the rules so Sinclair can grow even more powerful. When President Trump nominated Pai to chair the FCC, Sinclair got exactly what it wanted: Chairman Pai immediately got to work changing the rules so it would be easier for Sinclair to acquire Tribune.

Local media is sacred to many Americans. It is where we catch up on what is happening in our communities from people who know and care about our communities. A merger between Sinclair and Tribune would allow Sinclair to change that dynamic. With more local programming coming from a centralized source, there would be less information and less diversity of ideas in local reporting. That kind of concentrated power is bad for competition, and it is worse for democracy. Whether the Sinclair agenda is on the political right or the political left, no single, centralized corporation should control access to local programming for so many households.

We need a strong Chair at the FCC, a Chair who understands that the government's role is to work for American families and to hold giant corporations accountable. We do not need a Chair at the FCC who is working for the most powerful communications corporations in this country. That is why I will vote no on the nomination of Chairman Pai to be Chairman of the FCC.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

TRIBUTE TO LYLE E. STROM AND WILLIAM J. RILEY

Mrs. FISCHER. Madam President, I rise today to recognize two Nebraskans who are retiring after long careers of service to the American people: the Honorable Lyle E. Strom and the Honorable William J. Riley. Both of these judges have spent years upholding the rule of law, and their professionalism has established a strong reputation for their respective courts. They are true role models for current and aspiring lawyers and judges, and their exceptional work should be acknowledged.

Lyle Elmer Strom was born on January 6, 1925, in Omaha, NE. His mother was a schoolteacher. His father worked as an oil trader. Judge Strom has said that he didn't much care for school while he was growing up. Instead, he found himself causing more trouble than good, especially when he played football on top of the nearby grain silo with some friends.

In 1943, after being rejected by the Navy because of weak eyesight, Strom enlisted in the Merchant Marines as a radio signal operator. During his time in the Naval Reserve, he was inspired to become a lawyer after being impressed by his fellow Merchant Marines who had obtained college and professional degrees.

After serving his country in the military, Strom graduated from Creighton

University with a B.A. in 1950. That same year, he married the love of his life, his wife Regina. Together, they had seven children. In 1953, Strom graduated from Creighton University's School of Law, finishing at the top of his class. He soon joined the prestigious firm of Fitzgerald, Schorr, Barmettler, & Brennan.

Strom started his career believing he would be a business type of lawyer. Shortly after joining the firm, however, Bob Hamer brought Strom into his litigation group because he was smart and a hard-working professional. By 1958, Strom led the litigation practice for the firm.

Over his years of private practice, Lyle Strom became a well-known, well-liked litigator in Nebraska, especially in Omaha. In 1985, after 32 years of law practice and with encouragement from Congressman Hal Daub, President Ronald Reagan appointed Strom to the U.S. District Court for the District of Nebraska. He served as chief judge of the court from 1987 until 1994 and in 1995 took senior status, allowing him the ability to continue sitting as a judge on cases over the past 22 years.

Judge Strom has always been dedicated to the craft of practicing law. He served as the president of the Omaha Bar Association from 1980 to 1981 and as president of the Nebraska State Bar Association from 1989 to 1990.

One of his biggest joys has come in the form of mentoring aspiring lawyers and young people—something he has done throughout his career. In his first decade as a lawyer, he worked as a professor at Creighton University. In his fifth, after becoming a Federal judge with a full caseload, Judge Strom served as the Creighton Law School internship program director and clinical professor of law.

Strom has also dedicated decades of service to the Boy Scouts of America and was the founder of the Inns of Court organization in Nebraska and has been closely involved with the Nebraska Mock Trial Program.

During his 64 years of practice, Judge Strom has been a model for dedication to the rule of law. His hard work and mentoring to both aspiring lawyers and young people across Omaha have made him a staple in our communities.

He has also had an eye for talent. In 1973, while still working as a litigation lawyer, Strom hired a new lawyer to the firm—William J. Riley. This began a great professional relationship between two of the top lawyers in Nebraska.

Born in Lincoln in 1947, Bill Riley obtained both his B.A. and his juris doctorate from the University of Nebraska, graduating from the law school in 1972. While in school, Riley served as the editor and chief of the Nebraska Law Review, and he graduated at the top of his class.

From 1972 to 1973, Riley clerked for the Honorable Donald P. Lay with the U.S. Court of Appeals for the Eighth Circuit, a court he would later serve on 30 years later.

It was Judge Lay who told Riley that the best tutelage he could receive as a trial attorney would be at the firm of Fitzgerald, Schorr, Barmettler, & Brennan, the firm where a legendary attorney, Lyle Strom, had led the Litigation Department since 1958. It was great advice. After Strom became a judge, it was Riley who took his place as chair of the firm's litigation department.

In 2001, Riley's professionalism caught the eye of both Nebraska Senators and the President of the United States, George W. Bush. The new President nominated him to the U.S. Court of Appeals for the Eighth Circuit. Riley was confirmed unanimously in September of 2001, becoming one of President Bush's first circuit court appointments. He became chief judge for the Eighth Circuit in 2010.

During his tenure, Riley was intimately involved in the governance and policy-setting for the entire U.S. Federal court system. He served on the Executive Committee of the Judicial Conference of the United States, an organization presided over by the Chief Justice of the Supreme Court.

Riley also served as strategic planning coordinator for the Judicial Conference, helping enact greater cyber security measures throughout the Federal court system.

Judge Riley has served our country well over the last 16 years, and on June 30, 2017, after 45 years of practicing law, Judge Riley took senior status on the Eighth Circuit. He said that now he is going to have time to relax with his wife Norma, their three children, and their nine grandchildren.

Riley has served his local legal community by teaching trial practice at both Creighton University School of Law and the University of Nebraska College of Law. He is a decorated Boy Scout leader and served as a founding member of the Robert M. Spire American Inn of Court legal mentoring program.

Before his appointment to the court, Riley served as president of the Omaha Bar Association from 2000 to 2001.

Both of these judges deserve our respect for how they approach the justice system and the law. Both are role models that I hope future lawyers and judges follow. Their careers should be applauded and their commitment to our community should be honored. I wish them the best in their retirement.

#### LAS VEGAS MASS SHOOTING

Madam President, now, if I may, I would like to express my sympathies and the sympathies of the people of Nebraska for those who have lost loved ones in Las Vegas. Our hearts are heavy. I am praying for them and for those who were injured and for their families as well.

Thank you, Madam President.

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. Madam President, I come to the floor today to speak about the vote we will have at 5:30 p.m., but I want to give my condolences to those who have been impacted by the horrific shooting in Las Vegas and to the families and the victims of this horrible incident. I want them to know that our thoughts and prayers are with them as the whole Nation turns to this situation.

My thoughts and prayers also go out to at least one Washington family who was impacted and was at this event. We may find out that there are others. We are thinking and praying deeply for their recovery, and I hope everybody will take the time to say some thoughts and prayers for those who have been impacted by this incident.

Madam President, I come to the floor to speak in opposition to the nomination of Ajit Pai to have a second term as the Chairman of the FCC. The reason why we are speaking about this vote that will happen in a short period of time is because we are concerned about the future of innovation, the future of where consumers play in the decision making of how they access content, and the future of our economy.

What I am worried about is that, in the short period of time that Chairman Pai has been at the FCC, instead of the policies that would have enabled consumers, he has taken actions that, I think, will have consumers paying more for less access and with which media concentration will be more enabled and plans to protect net neutrality in an open internet will be reversed.

This, in and of itself, is the biggest issue that I and the economy of Washington State could possibly see with this renomination; that is to say, the State of Washington and the internet and innovation that exists there could be greatly impacted by the rolling back of protections that we have now, which say that you cannot artificially throttle or slow down internet activity and hold consumers hostage to paying more.

The mission of the FCC is to promote the use and deployment of communications in the public interest, and it is the job of the Chairman to make sure that mission is carried out. Undoing the existing net neutrality laws on the books, I do not think, is in the public interest, and it will not promote the access we need. Dismantling this rule that would preserve the diversity of content will negatively impact our marketplace for a long time.

When we think about some of the issues that we have already seen and what we could see in the future, more consumers will have to pay a toll to use the internet. What we will see is that, if you want to get in the fast lane or if you want to have rapid access, you have to pay more.

Today consumers are using mobile apps to preorder coffee, to get access to healthcare information, and to make sure that we protect ourselves from attacks on everything, from our electricity grid to people's homes and security systems. I am very worried that, if the internet's arteries are officially slowed down or clogged, critical information could arrive too late to help protect consumers.

We are living in a world where people are seeing things happen then using their smart phones to collect and share information that can keep all of us safe. So this is another reason why we want to make sure that consumers can get access to and share information and are not slowed down or throttled in any way.

When we think about this and the app economy that exists in Washington State, these are the fastest growing businesses. It is part of a large organization, where, today, 1.7 million Americans' jobs are because of these apps, and nearly 92,000 of them are in the State of Washington. They have grown at an annual rate of 30 percent. The average growth rate for all other jobs is 1.6 percent. Why would we confirm someone who has already pledged to roll back the rules of an open internet, which basically will create throttling and slowing down of content that will hurt the app economy and small businesses?

Nobody wants to develop a new application that connects consumers—whether it is in healthcare or protecting people in cyber or education or, for that matter, even the Senate—if they are going to have to pay a toll to get faster access to information or to get faster access to their customers.

Dismantling net neutrality puts our economy in jeopardy. While I know some would say that it is necessary for investment, I would say that instead what we have seen in the last several years, while the open internet rules have been in place, is the type of increased investment in the internet infrastructure that is needed to support its growing importance.

I do not agree with my colleagues who think this reversing the open internet rules is necessary to grow our investments. That's just what the large cable companies tell you they need so that they can build fast and slow lanes and charge consumers more if they want access to those fast lanes.

I encourage my colleagues to vote no on Ajit Pai for a second term as FCC Commissioner. Let's get focused on making sure we protect an open internet.

I yield the floor.

The PRESIDING OFFICER. (Mr. MORAN). The Senator from Massachusetts.

#### LAS VEGAS MASS SHOOTING

Mr. MARKEY. Mr. President, I wish to start my remarks with my deepest condolences and prayers for the people of Las Vegas and for the families and loved ones of the victims of the worst

mass shooting in our Nation's history. The Nation's heart breaks that innocent concertgoers had to suffer such senseless violence. May you find the strength and love to overcome your grief, to heal, and to move forward.

We owe our gratitude to the brave first responders for their efforts last night and to the medical professionals who are working tirelessly to heal wounds and save lives right now. But enough is enough. Americans are tired of living in fear that their community will be the next Newtown, Aurora, Orlando, or Las Vegas. We must act so that we do not become numb to this preventable carnage.

This epidemic of gun violence in our country is not preordained. It is preventable. We can begin by banning these military-style assault weapons, like the AR-51, which are the guns of choice for those who seek to inflict mass casualties on civilians. These are weapons that belong in combat, not in our communities.

Unfortunately, the gun lobby prevailed on Congress to let the assault weapons ban expire in 2004, but we need it now more than ever. We must also pass legislation to ensure that all gun purchases include a background check. Ninety-two percent of Americans support expanded background checks. No one should be able to purchase a gun through Facebook or Instagram without a background check. Instagram should not be "Instagun," which it is in America today.

Let's also close the gun-show loophole that allows anyone to go into one of these Kmart's full of killing machines and buy a gun without a background check. Let's close the loophole that allows domestic abusers to buy guns. Let's close the loophole that allows straw purchasers to buy guns and flood our streets with them. Let's repeal the Protection of Lawful Commerce in Arms Act, or the PLCAA, and take away the gun manufacturers' immunity from civil liability. PLCAA should stand for "protecting lives, creating arms accountability."

We must also recognize that this epidemic of gun violence is a public health emergency, and we must treat it that way. We must fully fund this critical research agenda at the Centers for Disease Control and give the CDC the resources it needs.

We will hear lots of people say that now is not the time to politicize this tragedy, that talking about legislation is insensitive and wrong. The only thing the NRA wants more than to sell lots of gun silencers is to put a silencer on the debate about gun safety legislation. The only thing the NRA wants more than allowing nationwide concealed carry laws is to conceal the overwhelming support for background checks. The only thing the NRA wants more than to stifle smart gun technology is to stifle debate on gun violence protection.

So to anyone who says having this debate now is too soon, it is already

too late for at least 58 people in Las Vegas and the hundreds of others who were wounded. We should not wait another day. We need to pass common-sense gun safety legislation so we can hold a moment of silence for the NRA's stranglehold on American politics. We must make "NRA" stand for "not relevant anymore" in American politics and in our country. That should be our agenda here on the floor of the Senate.

What is wrong is leaving Americans in our communities unprotected yet again from gun violence. What is wrong is not having a debate and allowing the NRA to block sensible gun safety legislation. We must act so that we do not become numb to the preventable carnage for the people of Las Vegas and the people of Newtown, Aurora, San Bernardino, and every community in our country. That should be our responsibility now in this country.

Mr. President, I wish to turn my attention to the confirmation of FCC Chairman Ajit Pai, the subject of today's vote on the Senate floor.

Last week, I took to the floor to explain how, in his short tenure as Chairman of the Federal Communications Commission, Ajit Pai has stood up for big corporations and ignored American consumers.

Under Ajit Pai, the FCC now stands for "forgetting consumers and competition." Here are the five reasons I gave.

No. 1, on net neutrality, I explained how Ajit Pai wants to take a "weed whacker"—his words—to net neutrality, allowing broadband providers to serve as internet gatekeepers and pick online winners and losers.

No. 2, on privacy, Chairman Pai has actively supported efforts to allow broadband providers to sell consumers' sensitive information without their consent, as well as eliminating requirements for those companies to put in place data security protections, despite the obvious need to protect personal information.

No. 3, on megamergers, Mr. Pai has paved the way for massive mergers, which will squeeze out independent programmers and lead to higher prices for consumers.

No. 4, on the E-rate, the education rate, Chairman Pai has refused to commit to protecting the E-rate, the most successful educational technology program in our country's history, which links up schools and libraries to the internet.

No. 5, on the Lifeline Program, Mr. Pai has undercut the Lifeline Program, which provides access to voice and internet service for millions of low-income Americans.

The case against Chairman Pai's nomination is clear. I want to spend a few more minutes today on the particularly critical issue of net neutrality, the chief governing principle of the internet.

Net neutrality ensures that all internet traffic is treated equally, requiring that internet service providers like AT&T, Charter, Verizon, and Comcast

do not block, slow down, censor, or prioritize internet traffic.

Today, essentially every company is an internet company. Every company has to deal with the digital revolution to be relevant in the 21st century. In 2016, almost half of the venture capital funds invested in this country went toward internet-specific and software companies. That is \$25 billion worth of investment—half of all venture capital in this country. That is good.

To meet America's insatiable demand for broadband internet, the U.S. broadband and telecommunications industry—the big companies—invested more than \$87 billion in capital expenditures in 2015. That is the highest rate of annual investment in the last 10 years. That is good.

We have hit the sweet spot. Investment in broadband and wireless technologies is very high. Job creation is very high. Venture capital investment in online startups is very high. With net neutrality rules in place, the best ideas, not merely the best funded ideas, can thrive in the 21st century.

Chairman Pai says he "likes" net neutrality, but then he says he wants to take an ax to the very order that established today's net neutrality rules. That is like saying you value democracy but don't really like the Constitution. It makes no sense. Net neutrality is the organizing principle of the internet.

Chairman Pai and the ISPs—that is, internet service providers, the big companies—keep walking around, whispering how title II is some terrible word, some terrible thing.

Let's understand how we landed here. What is title II? It gets very mysterious until you put it into very simple language. In 2010, the Federal Communications Commission attempted to put net neutrality rules in place without reclassifying broadband under title II of the Communications Act. The District of Columbia Circuit Court proceeded to invalidate those rules and said to the Federal Communications Commission: Here is how you can do it, and it will not be struck down. Here is a smart way for you to put net neutrality on the books, which will make it legal.

So the Federal Communications Commission, in correctly reading the court decision, went back, and in 2015 adopted the open internet order, which reclassified broadband as a telecommunications service under title II—under this ability to regulate. They did it, and the circuit court of appeals upheld the rules in a 2016 decision.

There it is: instructed by the court how to do it, follow the instructions, implement, done. It is now baked into the personality of the internet to have openness. The apertures are there for anyone to be able to get on, not to be discriminated against. That is what the internet should be like in the 21st century.

Title II is appropriate because it was Congress's intent to preserve the FCC's

authority to forestall threats to competition and innovation in telecommunications services, even as those technologies used to offer those services evolve over time.

We are not locked into one period of technology. As it evolves, so, too, does an evolution occur in terms of what openness means—the ability of everyone to be able to use the internet without being discriminated against.

Broadband has become the single most important telecommunications service Americans use to transmit information to one another, and it has become clear that innovators, businesses, and consumers overwhelmingly view broadband as a telecommunications service.

This is common sense to Americans around the country, with the only exception being big telecommunications lobbyists and lawyers who work to close this internet, who want to stop this incredible, entrepreneurial, democracy-enhancing set of rules that exists to ensure that this communications mechanism is not controlled by just a small number of companies.

Ajit Pai has said that he likes net neutrality, but he thinks it should be voluntary. But voluntary regulations will not work. We know that the broadband industry—your cable, your wireless, your telecommunications provider—cannot regulate themselves. They struggle to even show up on time to install or fix your service.

Do we really trust the broadband industry to resist leveraging their internet gatekeeper role and putting their online competitors at an unfair disadvantage? Of course not.

Americans have made their voices heard about net neutrality. More than 22 million Americans have written to the Federal Communications Commission in the past several months, sending a clear message of support for net neutrality. Hear that again: 22 million Americans sent a message to the Federal Communications Commission that they do not want to see a change in the net neutrality rules for our country. Yet Ajit Pai will not listen. His plan will allow broadband providers to stifle innovation, stifle entrepreneurship. His plan will allow big broadband barons to crush competition, reduce choice, and then make consumers pay more.

We cannot allow this to happen. That is why this vote we are about to take is so important. That is why I urge my colleagues to stand up for consumers and to vote no on Ajit Pai's nomination to be the Chairman of the Federal Communications Commission.

I yield back the remainder of my time.

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

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

Mr. THUNE. Mr. President, I ask unanimous consent that I be able to complete my remarks prior to the vote.

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

Mr. THUNE. Mr. President, I rise to voice my strong support for the nomination of Ajit Pai to a second 5-year term as a Commissioner at the Federal Communications Commission. Mr. Pai has served as a Commissioner at the FCC since 2012, when he was first confirmed by a voice vote in the Senate. He was designated as Chairman earlier this year.

A native of Kansas, Chairman Pai has focused on the expansion of rural broadband and the acceleration of next-generation infrastructure deployment. In recent weeks, he has worked tirelessly to help ensure that communications services are restored to the communities that have been affected by Hurricanes Harvey, Irma, and Maria. In just his 9 months since becoming Chairman, Mr. Pai has also made much needed reforms to improve transparency at the FCC and to improve the agency's processes.

I am particularly heartened by Chairman Pai's efforts to treat his fellow Commissioners fairly by instituting the process of sharing documents with other Commissioners before discussing them publicly. Additionally, under Chairman Pai's leadership, the public is now able to view the text of all agenda items in advance of Commission hearings.

With respect to the thorny issue of internet regulations, I am pleased Chairman Pai has sought to hit the reset button on the 2015 title II order because, as I had previously said, the FCC should do what is necessary to rebalance its regulatory posture under current law. At the same time, I continue to believe the best way to provide long-term protections for the internet is for Congress to pass bipartisan legislation.

Rather than prolonging the back-and-forth debate on this issue, I, once again, invite my colleagues to work with me to find a lasting legislative solution that will resolve the dispute over net neutrality once and for all.

As for the nomination before us, I can think of no better pick to lead the FCC as it works to address a host of issues at the heart of our interconnected economy. As I noted at the outset, Chairman Pai has already made much needed reforms to improve the processes at the FCC that empower fellow Commissioners. He has already shown a commitment to ensuring transparency and openness at the Commission. That gives me great confidence in the direction he will lead the agency.

Chairman Pai's approach, I believe, will lead to more long-lasting and positive results at the FCC. That is why I believe the elevation of Ajit Pai to be the Chairman of the Commission is a much needed breath of fresh air and why I believe he should be confirmed

promptly and without further delay. I urge my colleagues to support his nomination.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

All time has expired.

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

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Vermont (Mr. SANDERS), are necessarily absent.

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

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 209 Ex.]

YEAS—52

Alexander	Gardner	Peters
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Hoeven	Rounds
Capito	Inhofe	Rubio
Cassidy	Isakson	Sasse
Collins	Johnson	Scott
Corker	Kennedy	Shelby
Cornyn	Lankford	Strange
Cotton	Lee	Sullivan
Crapo	Manchin	Tester
Cruz	McCaskill	Thune
Daines	McConnell	Tillis
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	
Flake	Perdue	

NAYS—41

Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Harris	Reed
Booker	Hassan	Schatz
Brown	Heinrich	Schumer
Cantwell	Heitkamp	Shaheen
Cardin	Hirono	Stabenow
Carper	Kaine	Udall
Casey	King	Van Hollen
Coons	Klobuchar	Warner
Donnelly	Leahy	Warren
Duckworth	Markey	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	

NOT VOTING—7

Cochran	McCain	Toomey
Cortez Masto	Menendez	
Heller	Sanders	

The nomination was confirmed.

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

The Senator from Arizona.

## LEGISLATIVE SESSION

## MORNING BUSINESS

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

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

## NOMINATION OF AMY BARRETT

Mr. FLAKE. Mr. President, I rise today to discuss how we allow religious believers to participate in public life.

From the founding of our country, religious believers have played a central role in our government. The Declaration of Independence was signed by a Presbyterian minister, John Witherspoon, and Charles Carroll, the cousin of our first Catholic bishop.

The importance of religious participation was in the air the Founders breathed, and the benefits religious believers of all backgrounds contributed to the common good was understood by the Framers of the Constitution. That is why they made it clear in article VI of the Constitution that no public officers could be subject to a "religious test." This new country wouldn't be a country for Anglicans or for Congregationalists or for Quakers; it would be a country for all Americans and all faiths—all of those who are committed to the Constitution and the common good.

Unfortunately, the religious test clause is no longer just the subject of history lessons. During this Congress, there have been a number of cases where my friends in the minority have seemed to ask nominees about their substantive religious beliefs. I find this particularly troublesome because, as a Mormon, I am a member of a faith that, while it is growing rapidly, still counts fewer adherents than many other religions. It is religious liberty, espoused in constitutional provisions like article VI and the First Amendment, that has allowed my faith, despite a very difficult history, to flourish in the United States, and it is religious liberty that is threatened when we seem to evaluate the fitness of nominees for higher office on religious orthodoxy.

The most recent example of this was the recent Judiciary Committee nomination hearing of Professor Amy Coney Barrett of the Notre Dame Law School. During the hearing, she was asked repeatedly about her Catholic faith and faced what bordered on ridicule when she repeatedly stated that she would perform her judicial duties without interference from the doctrines of the Catholic faith. It was stated by one questioner: "The dogma lives loudly within you, and that's of concern." What does that statement mean in this context, if not to question Professor Barrett's judicial fitness based on her religious beliefs?

Liberal groups have been relentless in their opposition to Professor Barrett, mischaracterizing her record to paint her as some kind of fringe ideologue waiting to take orders from the Pope or others in clergy on how to decide cases. Just last week, the New York Times ran a 1500-word story on where Professor Barrett worships. As it turns out, apart from her parish church, Professor Barrett has been part of an ecumenical charismatic community.

I should note that charismatic Christianity is gaining a lot of ground among Latinos in the United States and throughout Latin America. It is a vibrant and very diverse religious tradition.

According to the Times, Professor Barrett should have disclosed her participation in this charismatic community to the Senate Judiciary Committee.

Professor Barrett's former professor and colleague, Professor Cathy Kaveny of Boston College, went so far as to ask: "[Nominees] have to disclose everything from the Elks Lodge to the alumni associations we belong to. Why didn't she disclose this?" Well, I am no law professor, but I can tell you why: because in the United States of America, it doesn't matter where you worship when you are being considered for Federal office, and that is as it should be.

The Judiciary Committee does not require disclosure of religious affiliation, and I trust my colleagues would join me in strenuously objecting if it did.

It is ironic that a Notre Dame professor is a target of this kind of animus. Notre Dame, of course, has long been at the forefront of fighting prejudice in this country.

Early in its years, Notre Dame helped rid America of the scourge of slavery. Many artists have rendered Notre Dame professor, Father William Corby, giving the Irish Brigade general absolution during the Battle of Gettysburg.

The school then faced down the Ku Klux Klan in the 1920s. At a time when a large number of White men in Indiana were members of the Klan, Notre Dame students made it clear that the Klan's brand of nativist, anti-immigrant, anti-Catholic hate was not welcomed in South Bend.

Four decades later, Notre Dame's president, Father Ted Hesburgh, received a call about a rally at Soldier Field being organized by Dr. Martin Luther King. Hesburgh was told that Mayor Daley and Cardinal Cody had declined invitations to appear at the civil rights rally, and the organizers wondered if he would be willing to appear. In response, Hesburgh drove to Chicago, locked hands with Dr. King, and sang "We Shall Overcome."

Whether it is slavery, nativism, or Jim Crow, Notre Dame has stood up to it and has triumphed. In that same tradition, I am confident that Professor

Barrett is up to that task. What is remarkable is that I need to say this in 2017.

It bears repeating that a Roman Catholic can be a faithful steward of the law. So can an Episcopalian. So can a Mormon. So can a Muslim. Of course, so can an atheist.

We in the Senate give the President advice and consent on judicial nominations. We therefore should examine their jurisprudential views and their qualifications. We must not examine their relationships with the Almighty.

I sincerely hope this body will step back from this dangerous ledge and evaluate Professor Barrett based on her impeccable qualifications, not where she attends church.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 119, Lee Francis Cissna.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Lee Francis Cissna, of Maryland, to be Director of United States Citizenship and Immigration Services, Department of Homeland Security.

## CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Lee Francis Cissna, of Maryland, to be Director of United States Citizenship and Immigration Services, Department of Homeland Security.

Mitch McConnell, Chuck Grassley, Mike Crapo, John Cornyn, John McCain, Pat Roberts, Steve Daines, Roger F. Wicker, Mike Lee, John Boozman, Lindsey Graham, James M. Inhofe, Cory Gardner, Jeff Flake, John Thune, John Barrasso, Orrin G. Hatch.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

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

## LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.



The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 112, Eric Hargan.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Eric D. Hargan, of Illinois, to be Deputy Secretary of Health and Human Services.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Eric D. Hargan, of Illinois, to be Deputy Secretary of Health and Human Services.

Mitch McConnell, Lamar Alexander, John Cornyn, John Barrasso, Mike Rounds, Chuck Grassley, Thad Cochran, Steve Daines, Roger F. Wicker, John Boozman, Thom Tillis, John Hoeven, John Thune, Mike Crapo, Bill Cassidy, James M. Inhofe, Tom Cotton.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

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

### LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 301, Randal Quarles.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2004.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Randal Quarles, of Colorado, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2004.

Mitch McConnell, Orrin G. Hatch, James Lankford, Jerry Moran, Johnny Isakson, John Thune, Thom Tillis, Shelley Moore Capito, Mike Crapo, James E. Risch, Mike Rounds, John Barrasso, John Cornyn, Chuck Grassley, John Boozman, John Hoeven, Rob Portman.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived.

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

### LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 226, Callista Gingrich.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Callista L. Gingrich, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Holy See.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Callista L. Gingrich, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Holy See.

Mitch McConnell, Bob Corker, Johnny Isakson, Patrick J. Toomey, Richard Burr, Orrin G. Hatch, Roger F. Wicker, Tom Cotton, James Lankford, Pat Roberts, Ron Johnson, Richard C. Shelby, Cory Gardner, John Thune, James E. Risch, Deb Fischer, David Perdue.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the man-

datory quorum call with respect to the cloture motion be waived.

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

The Senator from Connecticut.

#### LAS VEGAS MASS SHOOTING

Mr. MURPHY. Mr. President, I think all of us felt a familiar knot in our stomach early this morning when we received news of what might be the deadliest mass shooting in American history. The numbers are hard to comprehend. They certainly aren't final. Fifty-eight people are dead, and perhaps over 500 have been wounded, either by the gunshots themselves or by the pandemonium that ensued once the thousands of concertgoers in downtown Las Vegas figured out they were being fired upon from above.

There is nothing wrong with sending every thought and prayer and every bit of your heart to Las Vegas, to all of the family members who lost loved ones, to those who are recovering, to the first responders, and to the community at large. It really does help. I lived through one of these as a witness in Sandy Hook. Many of those parents are still my friends. We are about the same age, and our kids are the same age. While there are absolutely no words and no gestures that can ever salve the wounds that come with losing a child—especially a first grader—it did not hurt to know that the rest of the world was thinking every single minute about that community. There was an overwhelming amount of stuff that showed up in Sandy Hook—the teddy bears that piled up in the days and weeks that followed. It was a reminder to that town that they weren't forgotten. It helps. It does. But it is not enough.

I want to just spend a few moments—I know I was preceded by a few of my colleagues—to talk about the work that we have to do here if we are to address what I would consider to be a festering, lingering paradox that exists in this country. What I mean by that is this. This is a country that leads. Almost every great magical invention in this world today—whether it be open economies, participatory democracies, communication through the internet—is essentially a modern American invention.

The reason that we were able to catapult the rest of the world in just a quarter millennium to a point of global preeminence is because we saw big problems and we solved them before anybody else did. Then we took those solutions and we exported them to the rest of the world. That is a definitional characteristic of this country—working harder than anybody else to solve big problems and then giving that solution to others so they can use it for themselves. The paradox lies here. We solved a lot of big problems: How to govern ourselves, how to order our economies, how to talk to each other, and how to save people from disease. Yet maybe the longest standing human concern is a very simple one—concern for our physical safety.



I can chart you a history of civilization based upon society's ability to protect more consistently our physical body. That is, in fact, one of the original reasons why humans found each other—to try to protect ourselves from physical harm that comes from the outside. The paradox lies in the fact that, when it comes to this country's ability to protect its citizens from physical harm, we are not a leader. We are a laggard. We are an outlier when compared to other industrialized first-world nations. You are much more likely to meet a violent death, especially by the hands of a firearm, in this country than you are in other first-world countries.

It is time for us to explore why this paradox exists. Why are we such a leader and why have we been such a leader over the course of 240 years on so many different concerns, and yet we are a laggard when it comes to protecting ourselves and our fellow citizens from physical violence? The scope of this problem is enormous. When you look at OECD countries, there are just a handful that have a higher rate of violence—and, in particular, gun violence—than the United States.

I have been down on this floor as have Senator DURBIN and others to talk about the numbers, over and over. But every day approximately 80 people lose their lives by gunfire, and two-thirds of those are suicide. But still, about 30 people every day are killed with a gun that is used by someone else. There is really no other country in the industrialized world that meets that rate of gun violence.

The mass shootings, which get the most attention, are truly epidemic. We have become normalized and regularized to 50 or 40 or 30 people losing their lives, but this happens nowhere else other than the United States at this rate. This is a uniquely American problem, and, by the way, it is not just the Las Vegases, the Orlandos, and the Sandy Hooks. We have actually had more mass shootings this year than days in the year, if you categorize a mass shooting as four or more people being shot in any one given time. Let me guarantee you, if four or more people were shot in your town or your neighborhood, that would be a cataclysmic event, and yet it happens on average more than once a day in this country. Because we have become so regularized to it, only with the moments like last night, where the scale is truly epic, do we focus on it as a Nation.

I want my colleagues to understand the pain that comes when the victims of this kind of epidemic violence see nothing but silence from this body. The hurt is deep. The scars are wide in Newtown, but they are made wider by the fact that this body, in 4½ years, has done absolutely nothing to reduce the likelihood of another mass shooting. Indeed, because we have done nothing, the mass shootings continue.

I know these are harsh words, but I believe it in my heart. I think this is

an unintentional endorsement that gets sent to these mass murderers when, slaughter after slaughter, Congress does nothing. If the greatest deliberative body in the world doesn't act in unison to condemn them through policy change, it starts to feel and look like complicity. So there is going to be another wave of unimaginable pain that will sweep across Las Vegas and the country as we learn about who these victims were and, perhaps, as the numbers mount. They will, over time, be just as angry and just as furious at this body as those parents in Sandy Hook are today that we do nothing to try to reduce the likelihood of these shootings. Compassion is important, but it is not enough.

I read a little passage of the Bible to my 5-year-old son every night. I am the furthest thing from a theologian, but I know that sprinkled throughout the Bible are references to the fact that prayer has to be matched with action—with works. James says: "Show me your faith apart from your works, and I will show you my faith by my works." Thoughts and prayers need to be matched by action, and that is our job. Our job, frankly, is not just to send good thoughts. The reason why we exist is to act, to change the laws of the Nation, and to address challenges that our constituents face. Since the beginning of time, the most important challenge our constituents have faced—the human race has faced—is that of physical security.

So before I turn this over to my colleagues, let me just run down very quickly through the arguments that are going to be used over the next few days to continue to do nothing. The first is already in operation today, and it is a critique I hear very often. It is often lodged at me personally. It is this: To talk about policy change in the wake of a mass shooting is to politicize it, to cheapen it. I reject that argument in full force because the reality is that every single day there is a mass shooting. Every single day 80 people die from gun violence. Unfortunately, the news media doesn't pay attention to that regular carnage.

If we aren't talking about policy change the day after a mass shooting in this country, then you are never talking about policy change, because a mass shooting happens, on average, every day. Unfortunately, the ones in which 8 people are shot or 12 people are shot do not get national attention.

Second, whether we like it or not, the world's attention—the country's attention—is positioned on this question of how we protect our country from harm in the immediate aftermath of these mass shootings. It is an enormous gift to the gun lobby, to the forces of status quo, if we cannot talk about how to change our laws to make people safer when everyone's mind is on that question. When a murder occurs, there is not a 48-hour waiting period before the police can try to investigate who did it and how to hold them

accountable. So why can't we get immediately to the question of why these shootings are happening and try to solve it?

Also, others today are saying that legislation is a pointless exercise because you can't regulate away evil. There is truth to that. There are evil people in the world who are regularly doing very bad things, and there is no way that a set of laws can stop people from doing harm. But I would argue in some way, shape, or form, that the very nature of government is an attempt to try to regulate the effect of evil on citizens. Our laws against murder, arson, rape, and assault are attempts to try to make sure that people are protected from evil, from bad people. So why can't we have a conversation about how to make sure that people who are contemplating mass violence, at the very least, do the least violence possible?

It is not coincidental that these epidemic mass shootings, in which 50 or 60 or 40 people have died, largely have happened after the expiration of the assault weapons ban. Now that it is much easier to get your hands on a gun that is much more accurate and much more lethal, the likelihood of large numbers of people dying, as happened last night, is much greater.

An AR-15 style weapon does something different to a human body than a pistol does. That is why 20 kids were shot in Sandy Hook, and not a single one of them survived.

Laws do work. Just look at a State like Connecticut, which requires universal background checks, doesn't allow you to buy assault weapons, and requires you to get a permit before you can carry it. When we passed that set of laws, it resulted in a 40-percent reduction in gun violence, even when you attribute or account for other factors that could have caused that reduction. That is a Johns Hopkins study.

In places that have universal background checks, gun homicides are lower; domestic violence homicides are much lower by a degree of 40 percent. Laws work. The data is irrefutable on this point.

Though you can't regulate away evil in total, you can do more to protect people, especially from this mass-scope gun violence.

Third, people will say: Well, this guy clearly was very mentally ill. With gun laws, you can't do anything about the fact that people are mentally ill. That is true. We should fix our broken system of mental health treatment because it is broken, but we should also recognize that this problem of mass execution is a uniquely American problem, despite the fact that there is no evidence that we have a higher rate of mental illness than any other country.

There are plenty of very mentally ill people in other OECD countries. But in those countries, their mental illness is not a straight line to a gun crime, in large part because they have a very different set of laws that make it harder

to get your hands on a gun and much harder, if not impossible, to get your hands on a weapon that does the kind of mass violence we saw last night.

Lastly, one of the favorite arguments is that this is just too hot an issue for the U.S. Senate or a political body to handle, that it is controversial. It is controversial, but it is not as controversial as people may think.

In fact, the issue of background checks—which I understand may not have been dispositive on what happened in Las Vegas last night but might have reduced the likelihood that another 80 people died from gun violence over the course of Sunday—is supported by 80 percent of Americans.

Most polls will suggest that a majority of Americans support the other sweep in law changes that I talked about as well.

In fact, many of the first steps we would take as a body—saying that people on the terrorist watch list can't buy guns, tightening up the law to make sure people who are mentally ill can't buy guns—are supported by 80 to 90 percent of our constituents, no matter whether they live in a blue State or a red State. The question of making sure that only the right people own guns is actually one of the least controversial issues in the American public today. Why don't we start by finding that common ground? Then maybe after that, we can find other common ground.

This is going to keep happening. This is going to keep happening over and over again. I know the answer can't be that we are powerless, as a body, to do something about it. I personally just can't bring that answer back to the families of Sandy Hook for another year.

I don't want to speak for them, but I have a feeling that the delegation from Nevada is going to have a hard time bringing that answer back to the victims in Las Vegas as well.

This is a growing fraternity—a tragic, awful fraternity—of Members of Congress who represent States and have gone through these horrific mass executions. I had too many phone calls from Senators, Representatives, who were already part of that club when Sandy Hook happened. I got to make that call this morning, as well, to offer whatever advice I could on how to help the community heal.

But this silence has become an unintentional endorsement. It has become a kind of sick complicity, and I hope that in the coming days we can come together—Republicans and Democrats—to start talking about, at the very least, some baby steps to show the people of Las Vegas, to show the people of Orlando, to show my constituents, my friends from Sandy Hook, that silence is no longer an option.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Illinois.

**Mr. DURBIN.** Mr. President, let me thank my colleague from Connecticut.

He sponsored a filibuster on this issue, I believe it was last year. I participated in it, as did many Members of our caucus.

Both he and Senator BLUMENTHAL bring a special perspective to this issue of gun violence, representing the State of Connecticut and the families who lost their first graders. I believe they were first graders who were shot down, 20 of them killed in their classrooms.

I remember, when I heard that story on how those children died and their teachers died, I thought to myself: This must be the moment that will motivate America to finally do something if innocent, first grade children can be shot down in their classrooms in this fashion.

The honest answer is that we have spoken a lot about the issue, but we have done little or nothing to change the circumstances that led to their death.

If that were the only case, it would be bad enough, but the Orlando nightclub—I believe 49 were killed there. Some crazed person went there and killed innocent people gathered at that nightclub.

As Senator MURPHY has said, when you go through the litany, it is an endless litany of victims of gun violence—and last night in Las Vegas, NV, the worst gun crime in the modern history of the United States of America, the worst.

Estimates now, which I saw as I came to the floor, are that 58 have died and over 500 were seriously injured. I don't know what the ultimate numbers will be, but those numbers, in and of themselves, are incredible.

Last night, we witnessed what was the worst mass shooting to date in the Nation. This gunman, supposedly, at 10 p.m. last night in Las Vegas local time, began firing from a room on the 32nd floor of a hotel into a crowd of people gathered for a country music festival. He supposedly was holed up in his hotel room with at least 10 guns and obviously fired hundreds of rounds of ammunition.

As I mentioned, 58 people have been reported to have died, and over 515 injured. Those are staggering and horrifying numbers.

There are literally hundreds of families tonight and communities who have been changed forever by this horrendous crime. Our prayers, obviously, naturally, go out to them in this moment of loss and uncertainty.

During and after the shooting—as we expect but should never take for granted—law enforcement, first responders, acted like the heroes that they are, working to stop the shooter, securing the scene, helping the victims, saving lives. We are grateful to these first responders, who so often are called to run to the sound of gunfire to keep us safe, not to run away.

It is unthinkable that this type of shooting tragedy could happen in the United States of America, but I am sorry to say it is becoming a regular

occurrence. This was the worst, but yesterday, October 1, was also the 2-year anniversary of the mass shooting in Roseburg, OR, when a gunman killed eight students and a professor at a community college.

Also, this past weekend, at least 33 people were shot in the city of Chicago. At least four died. The relentless toll of gun violence never seems to stop.

The American Medical Association has declared that gun violence is a public health crisis in America. On an average day, 300 Americans are shot. On an average day, 300 Americans are shot. About one-third of them will die from that gunshot.

Mass shootings, as Senator MURPHY said earlier, have become a daily occurrence. If our critics would say "Please, don't exploit the event of a mass shooting by speaking on the floor," as Senator MURPHY has made clear, then we wouldn't be able to speak any day of the year because they are so common.

We can't let this become the new American normal. We can't just shrug our shoulders when we see over 30,000 Americans shot and killed year after year after year. We can't sit back and do nothing while hundreds of our fellow Americans are shot in one night simply because they went out to hear a music concert.

Just this last week, I was at a concert in Nashville, TN, at the Ryman, the site of the Grand Ole Opry; 2,000 people gathered there. They were mainly folks from the Midwest, many of them retired, who love country music. I am sure, as the people in Las Vegas did. When I heard about what happened in Las Vegas, I thought: Well, what if someone had walked into that theater and opened fire? It could have, sadly, happened there.

What are we going to do about it? Certainly, there will be outrage at the death. There will be grief over the loss. But then what? That is what Senator MURPHY challenges us to think about.

We serve in the U.S. Senate. We are not just casual observers of this violence. We are supposed to pass laws to make America safer. What will we do because of what happened in Las Vegas last night? That is the question that brings me to the floor this evening. If we have a responsibility to keep our families and America safe, what are we prepared to do?

For the gun deaths in Chicago, there are some things that I would do instantly. Background checks—I don't believe we should be able to walk into a gun show and buy a firearm or more than one, incidentally, and take them out of the back door without somebody asking: Who are you? Do you have a criminal record? Would you be disqualified from buying these same guns at a licensed gun dealer?

Currently, the law is riddled with loopholes, and those loopholes lead to death, death on the streets of Chicago.

We also have these purchases being made by straw purchasers. In other words, the girlfriend, who has no criminal record, who walks into the gun

shop in the suburbs of Chicago and buys the gun for her boyfriend outside in the car, who is going to use it that night to shoot up a rival gang member or some other criminal activity. Those are two very obvious things I would push for instantly: Close the gun show loophole; make sure we do something about straw purchasers so that the penalties are serious enough that they will never do it again.

There is more. This morning, I was on a radio show in Chicago, one of the most famous ones, I guess. I listened to a fellow named Steve Cochran celebrating his 1,000th show on the air. This was the topic we talked about.

Steve asked me: Well, what can we do? I said: Steve, we have to rely on people who honor the Second Amendment and believe it is an important part of our Constitution to stand up and lead. I am talking about members of my family who are hunters and sportsmen. I have been out hunting myself. We have to have people who are concerned about guns for self-defense stand up and say: We have to draw a reasonable line. There is no reasonable line under the Second Amendment that would allow what happened in Las Vegas last night.

To think that someone could injure over 500 people and kill 58—what kind of weaponry did he use? We will know. We will find out the details, but it certainly goes beyond any reasonable weaponry needed for self-defense, sport, or hunting purposes.

Can we not at least appeal to those who honor the Second Amendment to join us in drawing a reasonable line so combat and military-style weapons that can lead to such carnage are not considered to be normal or acceptable? Decades ago we did when it came to machineguns. Decades ago we said this is a weapon no one should have, period, except for the military and perhaps law enforcement. Can we return to that conversation? We are going to need the leadership from people who believe in the Second Amendment to make it happen.

We have seen Democrats and Republicans join together to pass meaningful laws to deal with public health crises like opioid addiction. We have to do the same for this public health crisis.

I am sorry to report that a recent nominee for Surgeon General of the United States was almost denied that opportunity because he was bold enough to say that gun violence is a public health crisis. It certainly is.

There is no single law or policy that will prevent every tragic shooting, just as there is no single law or policy that will end heroin overdoses, but let's start working together to do something.

We can't stop the shootings that have already happened in Las Vegas, Chicago, Roseburg, OR, and across the Nation. We failed to respond in time for those victims and their families. But if we work together, we can stop shootings in the future. That is something we should all strive to do.

We must do all we can to spare families the unimaginable pain so many in Las Vegas are feeling today in the aftermath of this horrible tragedy. I hope we will.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I commend the words and the determination for action that were expressed by the Senator from Connecticut and the Senator from Illinois. Like them, and like so many people across the country, I start with condolences and prayers and commendations. I offer condolences to the families—the names and the families we don't know yet—of this most recent tragedy, but we do know they are not only worthy of our expressions of condolence but will be in need of our prayers. Then, I offer commendations, of course, to the first responders and the law enforcement officials who responded as they always do, running toward the danger, running to help. We can't say enough about the work they do.

If we stop at expressing condolences and offering prayers and commending those who take action, like first responders and law enforcement—if we stop there, I don't think that is an adequate response to this tragedy, just like it wasn't an adequate response in connection with the Pulse Night Club or the tragedy in December of 2012 in Newtown, CT. It is nowhere near an adequate response when we consider the enormity of this problem.

I believe we have to take action. I will talk about that in a moment. Action must start with what happens on this floor. It is difficult to take action necessarily if there isn't time for debate, time for collaboration on legislation, and ultimately consideration of legislation on the floor of the Senate and I would hope in the U.S. House of Representatives.

The enormity of this tragedy is almost hard to comprehend when we think about it, not just in terms of the number, which at last count was 58 killed and over 500—over 500—injured. Those numbers are almost too large to comprehend; that one person with one weapon or maybe several weapons was able to inflict that kind of carnage in one place at one time. I don't know how long it took, but he wasn't shooting for many hours to kill that many people. He did it in a short timeframe.

When we consider those numbers, I have to ask—I don't know if we went back and compared a similar day or a similar timeframe, comparing the loss of life in the context of war, but I am sure there were plenty of days of conflict where Americans were on foreign soil in a battle, in a war, where we would have lost even less lives on a particular day or a portion of a particular day. The scale of this is almost unimaginable.

Then, we need to consider what has been happening on our streets. Every State, every community has their own

numbers. I can point to Pennsylvania. Just since 2014, thousands of shootings—by one estimate I think over 7,700—but then, of course, the more ominous number is the number of people killed as a result of those shootings. In Pennsylvania, since 2014, some 2,072 people have died as a result of that larger number of shootings.

I think for the Nation, and I think, certainly, undoubtedly for me, maybe the most important or the most seminal day in this debate was in December of 2012 at Sandy Hook Elementary School in Newtown, CT. The distinguished Senator from Connecticut, who joins us on the floor and started tonight with his remarks, remembers it better than probably any other Member of the Senate, other than his colleague in Connecticut and others who lived through it.

One of the questions I asked myself at the end of that weekend, after watching hours and hours of television coverage and reading a lot about it and then watching a news report on Sunday evening which tracked the pathway of the killer going to one classroom and killing 20 children—6-year-olds, 7-year-olds, first graders—after he had done that, he was on his way to another classroom. So I concluded from that, if he had more time, in addition to the 20 killed in one classroom and the adults who were killed, we would have been reading about potentially hundreds of children killed in one school in even less—a lot less than a day, maybe an hour or two or three, but that didn't happen. He took his own life.

So I began to ask myself not only what should we do in response to this—and I had concluded at that point to support legislation—but a larger question kept coming to mind. If one person, with one weapon or a few weapons and unlimited ammunition—if one person cannot only kill 20 children in Connecticut, I guess almost 50 people in Florida, and now we know from Las Vegas at least 58, and I am sure some who were injured will die—but if one person can do that, we have to ask ourselves, Is there nothing we can do? Because that becomes part of the debate, right?

One side says: Let's take action by way of legislation or take some action that would reduce the likelihood that we have more tragedies like this, more mass shootings, but the response immediately comes back that the other side says: We agree it is tragic, we agree we want to prevent it, we agree we want to reduce the likelihood, but there is nothing we can do legislatively to reduce the likelihood or to prevent it.

I don't think anyone would argue that a law that passes in the aftermath of this Las Vegas tragedy or a law that passes even in the aftermath of Sandy Hook Elementary School—if the law, the proposals, the bills, really, that were voted on in the Senate in 2013, if they had passed, no one can argue with certitude or with scientific precision

that if you pass this law, this many lives will be saved. After Newtown and after this tragedy, I come back to the same question: Is there nothing we can do legislatively? We are the most powerful country in the world. We led the world in winning World War II, a war that was not on its way to winning until we got involved, until we were forced to respond because we were attacked. We are the country that has cured disease and built the strongest Republic in the history of the human race; that has the strongest military, without a doubt; that has the strongest economy, without a doubt; that has so much in ways that we can point to of American exceptionalism and strength and achievement—achievements that are unmatched anywhere in the world in almost any part of American life that one can point to. Is that same country completely disabled from taking an action that would reduce the likelihood—and we would hope substantially reduce the likelihood—that we will not have another Las Vegas or another Orlando or another Newtown, and go on and on from there, all of these tragedies in all of these places? Is that really what our answer is going to be?

We take action when we are attacked, to fight back and to prevent it from happening again. We take action when there is an epidemic. We take action when there is a crisis. We take action when there is a natural disaster. We are seeing some of that most recently. We take action as a government. The Congress takes action. The executive takes action. Yet, in this circumstance, what can only be described as an epidemic—that might be an understatement—where we are losing more than 30,000 people a year, are we saying that there is nothing we can do legislatively to reduce that likelihood? I don't think any American, if they think about it, would conclude there is nothing we can do.

So when I considered that in the context of Sandy Hook, I had to ask myself: Are you saying to yourself that you are going to vote no on what became three bills, vote no on them because you believe there is nothing you can do? That is what your vote is going to be? That is going to be your response? As a legislator with the opportunity to cast a vote in a body of 100 people, you are going to say no three times, as it turned out in 2013, to legislation because you believe there is nothing your vote and nothing this legislative body can do?

Well, I decided to vote yes, at least, but even that is not enough. We haven't had votes in years on these issues. Here we are, almost 5 years later—in December it will be 5 years, half a decade—since Newtown, CT, since the massacre at Sandy Hook.

I have a page from the Wall Street Journal that was printed within a couple days of that tragedy. It had very small color pictures and very small biographies of those very small people,

those 6-year-olds and 7-year-olds. It has been on my desk all of these years, and it is a very yellowed copy of a newspaper article. I often think about what those families have gone through all of these years.

The great recording artist Bruce Springsteen had a song after September 11. The name of the song is "You're Missing." The refrain in that song, of course, is "You're missing," talking about someone, of course, who lost a loved one on 9/11. He says: "You're missing when I turn out the lights, you're missing when I close my eyes, and you're missing when I see the sun rise." The same could be said of those Newtown families, the same could be said of those families in Orlando, and now, unfortunately and tragically, the families in the Las Vegas area—and maybe well beyond Las Vegas—who were there for that concert.

I hope this will be an occasion not just for speeches and expressions of condolence and commendation for those who showed such bravery in this tragedy, or prayers and solidarity, but that this will be a time for action, meaning action in the context of debate and action in the context of legislation.

I think there are a number of steps we can take—I will not outline them all now—a number of commonsense steps we can take that are entirely consistent with the Second Amendment but would reduce the likelihood over time of having more and more of these tragedies or maybe, just maybe, taking action that will reduce the number of deaths. Even that would be substantial progress. I just cannot accept the idea that there is absolutely nothing we can do legislatively to reduce the likelihood—and I would hope substantially reduce the likelihood—of these tragedies so that we can prevent or at least reduce the number of tragedies.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

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

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

#### RECOGNIZING NORTHERN KENTUCKY UNIVERSITY'S SALMON P. CHASE COLLEGE OF LAW

Mr. MCCONNELL. Mr. President, today I wish to celebrate a special anniversary in my home State. The Salmon P. Chase College of Law at Northern Kentucky University, NKU, is marking

its 125th year of educating students and helping them follow their dreams in the legal field.

Chase's story is one of transformation and innovation, and through it all, the school has produced graduates prepared to excel in the legal field. Originally founded in Ohio, Chase was only the third law school in the Nation to offer night programs. Since then, Chase has crossed the Ohio River into Kentucky, joined with NKU, and continued to find the best ways to grow as a respected institution.

Named after Salmon P. Chase, the sixth Chief Justice of the U.S. Supreme Court, the college is known as the Lawyer's School for its commitment to helping students be practice-ready upon graduation. Today Chase is a proud part of Kentucky's legal community. With graduates in a wide range of careers, including serving as Federal judges and as Members of Congress, Chase's impact has grown considerably since its founding. It is also the proud home to a nationally recognized moot court team and has led the Commonwealth in the bar exam passage rate in recent years.

These successes wouldn't be possible without the dedicated work of Chase's faculty, staff, and administration. I would like to extend my sincere congratulations to Jeffrey Standen, who serves as dean and professor at Chase. Under his leadership, Chase has continued its growth, innovation, and achievement. The school's distinguished faculty come from some of the highest levels of the bench and bar with the experiences and passion to prepare students for success in their careers. The school's alumni, more than 5,000 and counting, are using their skills in more than 47 States, in Washington DC, and around the globe.

I would also like to thank NKU's interim president Gerard St. Amand, a current professor and former dean of Chase himself, for his commitment to the university and his willingness to help guide the community.

Each time I have had the opportunity to engage with Chase students, I have noted their intellectual curiosity and their passion for the law.

The Chase College of Law has grown so much in the last 125 years, and it has become an integral part of Kentucky's legal community. I am proud to join with the Chase students, faculty, staff, administration, and alumni to commemorate this occasion. I urge my colleagues to help me celebrate Chase's quasiquintennial anniversary, and I look forward to many more years of accomplishments.

#### CONFIRMATION OF HEALTH TARBERT AND CFIUS REFORM

Mr. CORNYN. Mr. President, I would like to take a few moments to congratulate Heath Tarbert, who was confirmed by the Senate last Wednesday and will soon be serving as Assistant Secretary of the Treasury for International Markets and Development,

and also to talk about reform legislation that relates to his new area of responsibility. I was pleased to support Mr. Tarbert's nomination, along with the vast majority of my Senate colleagues. He has held a number of important positions in all three branches of the Federal Government, including his service as a special counsel to the Senate Banking Committee during the negotiations leading to the Dodd-Frank Wall Street Reform and Consumer Protection Act; an associate counsel to the President of the United States during the global financial crisis; and a law clerk for the Supreme Court of the United States. He is an experienced lawyer and financial expert who will be a valuable asset to the Treasury Department. While his new position may not be well known to many outside of the Beltway, it is vitally important to safeguarding our national security interests, as Chairman Crapo of the Senate Banking Committee attested to when Mr. Tarbert was voted out of committee in near-unanimous fashion in May. I have no doubt of Mr. Tarbert's qualifications to take on this key role, and given that only one Member voted against his nomination, it is clear that there is a bipartisan consensus on that point.

With that being said, I look forward to working closely with him on some important reforms that are desperately needed to protect our national security and modernize the way we screen foreign investment deals for those risks. Specifically I am referring to the Committee on Foreign Investment in the United States, better known as CFIUS. As you may know, Mr. Tarbert will now be charged with overseeing the vetting of hundreds of proposed investments annually. I am confident that Mr. Tarbert will make effective use of the tools and authorities that CFIUS has. Unfortunately, those current tools and authorities are not adequate, in light of the changing national security landscape. There are clear gaps in the CFIUS process, which nations such as China are exploiting on a daily basis. The reason for this is simple: CFIUS was not designed to stop investment-driven technology transfers, and unfortunately, many such transactions are occurring today that are carefully designed to sidestep CFIUS's limited jurisdiction.

The need to close these gaps has garnered support from Republicans and Democrats alike, something that is seemingly rare in Washington these days. In fact, there is a bipartisan effort coming together right now to introduce legislation that would modernize the CFIUS process for the first time in a decade. Such commonsense reforms should be made to heighten scrutiny on certain types of investments, especially from countries such as China that pose a potential threat to U.S. national security interests. At a minimum, we should expand the types of transactions that fall under CFIUS jurisdiction, including joint

ventures and minority-position investments, as well as certain real estate transactions in close proximity to military bases and other sensitive national security facilities.

My legislation, the Foreign Investment Risk Review Modernization Act, or FIRRMA, will do just that, and I intend to file it in the next few weeks. It will address the aforementioned gaps in the current CFIUS process and will help protect our national security. I urge my colleagues to cosponsor this legislation and support these commonsense reforms for the sake of our long-term national security.

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

• Mr. HELLER. Mr. President, today I want to express my sincere condolences to the victims of the shooting in Las Vegas, NV.

As a lifelong Nevadan, I am overcome with sadness and grief by this senseless massacre, in which a gunman opened fire on more than 22,000 innocent concertgoers, killing more than 50 people and injuring more than 500 individuals.

Nevada's communities are all in mourning, and some of our loved ones and friends have been personally impacted by this carnage.

I stand beside Nevada as they reel from this heinous, wide-scale tragedy, working to ensure that my State has the resources it needs to recover from this senseless act of violence. For these reasons, I must be with the people of Nevada right now.

I have a commitment to serve my constituents and will continue to work tirelessly on the ground with the people of Las Vegas ensuring that they have resources to recover and rebuild as a community.

My sincerest gratitude goes out to our first responders, local medical staff, and police officers for their swift actions and efforts that without a doubt, saved numerous lives. I also would like to recognize the countless Nevadans at the show who aided strangers in need and the wounded, using tourniquets and carrying people to safety, as the shooting continued.

I have been in contact with the White House, Governor Sandoval, Mayor Carolyn Goodman, and Sheriff Joseph Lombardo and stand ready to assist Clark County Commission Chair Steve Sisolak and the Las Vegas Metropolitan Police Department. I will continue to monitor the situation as this horrific event unfolds.

Lynne and I are praying for all of the victims and their families who are experiencing immense pain and grave, shocking loss that cannot be measured.

Nevada is our home, and I know it will rise again from this perilous day.●

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

#### VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavoidably absent for rollcall

vote No. 209, on the nomination of Ajit Varadaraj Pai, of Kansas, to be a member of the Federal Communications Commission. Had I been present, I would have voted nay.●

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

#### CONFIRMATION OF AJIT PAI

• Ms. CORTEZ MASTO. Mr. President, I had every intention of ably performing my duty as Senator and voting today on the confirmation of Mr. Ajit Pai to be a member of the Federal Communications Commission. Unfortunately, the tragic events in Las Vegas last night required me to travel back to my home State. My thought and prayers are with the families of those killed and wounded in the vicious and senseless attack outside the Mandalay Bay Resort.

On the question of Mr. Pai's nomination, I wanted to make my vote in opposition to his confirmation clear. Many of the specific actions taken by Mr. Pai as Chairman of the FCC have raised questions about whether he should garner my support for another term at the Commission. I have come to this decision through a process of reviewing his resume, meeting with him personally to discuss his governing perspective, as well as having questioned him during multiple FCC hearings before the Senate Commerce, Science, and Transportation Committee.

I will continue to keep an open mind in working with Mr. Pai to bridge the digital divide in remote parts of Nevada and for my constituents who simply need more access to complete their homework, apply for jobs, or perform various everyday functions that require quality internet service. At this time, there were too many concerns about actions taken in Mr. Pai's tenure since January, including the process by which he is looking to reform a free and open internet.●

#### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17-44, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Commonwealth of Australia for defense articles and services estimated to cost \$815 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 17-44

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment\* \$661 million.

Other \$154 million.

Total \$815 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to three thousand nine hundred (3,900) GBU-53/B Small Diameter Bomb Increment II (SDB II).

Up to thirty (30) GBU-53/B Guided Test Vehicles (GTV).

Up to sixty (60) GBU-53/B Captive Carry Reliability Trainers (CCRT).

Non-MDE: Also included in this sale are Weapon Load Crew Trainers (WLCT), Practical Explosive Ordinance Disposal Trainers (PEST), containers, support and ground crew test equipment, site survey, transportation, warranties, repair and return, maintenance, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representative engineering, logistics, and technical support services, and other related elements of logistics and program support.

(iv) Military Department: Air Force (X7-D-YAH).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc.: Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: September 29, 2017.

\*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia—GBU-53/B Small Diameter Bomb Increment II (SDB II)

The Government of Australia has requested a possible sale of up to three thousand nine hundred (3,900) GBU-53/B Small Diameter Bomb Increment II (SDB II), up to thirty (30) GBU-53/B Guided Test Vehicles (GTV), up to sixty (60) GBU-53/B Captive Carry Reliability Trainers (CCRT). Also included in this sale are Weapon Load Crew Trainers (WLCT), Practical Explosive Ordinance Disposal Trainers (PEST), containers, support and ground crew test equipment, site survey, transportation, warranties, repair and return, maintenance, publications and technical documentation, personnel training

and training equipment, U.S. Government and contractor representative engineering, logistics, and technical support services, and other related elements of logistics and program support. The estimated total case value is \$815 million.

This sale will support the foreign policy and national security of the United States by helping to improve the security of a major non-NATO ally that continues to be an important force for political stability and economic progress in the Western Pacific. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale of SDB II supports and complements the ongoing sale of the F-35A to the Royal Australian Air Force (RAAF). This capability will strengthen combined operations, particularly air to ground strike missions in all-weather conditions, and increase interoperability between the United States and the RAAF. Australia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale will improve Australia's F-35 survivability and will enhance its capability to deter global threats, strengthen its homeland defense and cooperate in coalition defense initiatives.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Raytheon Missile Systems, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 17-44

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The GBU-53/B Small Diameter Bomb Increment H (SDB II) is a 250-lb class precision-guided air-to-ground munition used to defeat moving or mobile targets through adverse weather from standoff range. SDB II has deployable wings and fins and uses Inertial Navigation System/Global Positioning System (INS/GPS) guidance, network-enabled datalink, (Link-16 and UHF) and a multi-mode seeker to autonomously search, acquire, track, and defeat targets from a standoff range. SDB II employs a multi-effects warhead for maximum lethality against armored and soft targets. Sensitive areas include operating manuals and maintenance technical orders containing performance information, operating and test procedures, and other information related to support operations and repair. The GBU-53/B SDB II hardware, including guidance, multi-mode seeker, and datalink, is UNCLASSIFIED. The software is UNCLASSIFIED.

a. SDB II Guided Test Vehicles (GTV) are telemetry test vehicles used for land or sea range based testing of the SDB II weapons system. The GTV have common flight characteristics of an SDB H but with an inert warhead. In place of the multi-effects warhead is a Flight Termination, Tracking, and Telemetry (FTTT) subassembly that mirrors the multi-effects warhead's size and mass properties, but provides safety flight termination, free flight tracking and telemetry, and transmission of encrypted data from the vehicle to the ground. The SDB II GTV can have either inert or live fuses. All other flight control, guidance, data-link, and seek-

er functions are representative of the SDB II. The hardware, including guidance, multi-mode seeker, and datalink, is UNCLASSIFIED. The software is UNCLASSIFIED.

b. SDB II Captive Carry Reliability Test (CCRT) vehicles are SDB II variants primarily used for captive flight reliability testing. The CCRT has common characteristics of an SDB II but with an inert warhead and fuze. The CCRT does not have an FTTT subassembly in place of the warhead; it instead uses ballast to mimic the warhead's mass properties. The CCRT is a flight capable representative of the SDB II and, although not its primary objective, could be dropped as a test round on ranges not requiring telemetry, digital tracking, or a Flight Termination System (FTS). All other flight control, guidance, data-link, and seeker functions are representative of the SDB II. The hardware, including guidance, multi-mode seeker, and datalink, is UNCLASSIFIED. The software is UNCLASSIFIED.

2. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the Commonwealth of Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Commonwealth of Australia.

## LAS VEGAS MASS SHOOTING

Mrs. FEINSTEIN. Mr. President, today I wish to voice my support for the victims of the horrific mass shooting in Las Vegas.

This mass shooting was the worst in our Nation's history. There are more than 50 dead and more than 500 wounded.

It should shock every American that one individual, with easy access to weapons and ammunition, can inflict such devastation.

Sadly, it was only a little more than a year ago that we also experienced what had then been the worst mass shooting in our Nation's history. That was when 49 people who were enjoying an evening of dancing with friends and loved ones were massacred in Orlando.

Just 6 months before that, 14 people were killed and more than 20 injured in San Bernardino.

Two years ago, on October 1, 2015, an assistant professor and eight students were murdered at Umpqua Community College in Roseburg, OR.

In 2013, 12 people were fatally shot at the Navy Yard, less than 2 miles from where I stand today.

On December 14, 2012, 20 children had their lives taken at Sandy Hook Elementary School.

These massacres have not and will not stop unless we do something. I believe we must acknowledge that these shootings are possible because of our Nation's weak gun laws.



Our laws permit criminal and domestic abusers to easily obtain weapons at gunshows and on the internet without a basic background check.

We know background checks work. States that require background checks on private handgun sales see fewer women killed by their partners and fewer law enforcement officers killed with handguns.

It is time we expand background checks to cover sales at gunshows and on the Internet.

We are still learning about what happened in Las Vegas, but we do know that the shooter had more than 10 rifles in his hotel room and that he may have used an assault weapon.

Today in the United States, military-style assault weapons may be sold legally to civilians. Assault weapons are not needed for either hunting or self-defense.

They are weapons of war designed to kill large numbers of people in close quarters.

This is not sustainable—and the public agrees. Just last year, a poll showed that 57 percent of Americans favor a ban on assault weapons.

In fact, from 1994 and 2004, we had laws that prohibited anyone from getting an assault weapon. I believed then and I believe now that those laws made all of us safer.

Unfortunately, right when the positive effects of those laws were taking effect, they were allowed to expire. Now, time and again, we have felt the costs of our inaction.

It is time that we finally take steps to ensure that other communities do not experience the pain that Sandy Hook, Washington, San Bernardino, Roseburg, Orlando, and now Las Vegas have gone through.

I hope my colleagues will join me in remembering the victims of this attack and will support legislation to prevent any of us from once again having to rise to remember what will be another worst mass shooting in our Nation's history.

#### ADDITIONAL STATEMENTS

##### 60TH ANNIVERSARY OF THE CONNECTICUT STATE AFL-CIO

• Mr. BLUMENTHAL. Mr. President, today I wish to recognize the Connecticut State Labor Council AFL-CIO as they celebrate 60 years of extraordinary and exemplary advocacy on behalf of Connecticut workers and their families.

Since its formation in 1957 with the merging of the Connecticut Federation of Labor and the Connecticut State Industrial Union Council, the Connecticut State AFL-CIO has demonstrated an impressive dedication to the wellbeing of workers across the State. The organization seeks fair and equal treatment for workers through collective bargaining on their behalf and promoting legislation to create

good jobs and provide people with the skills needed for them.

Simply, they strengthen the middle class, allowing tens of thousands of people to own a home, raise their families, and retire with financial security.

Uniting workers and their families toward these common goals, the Connecticut AFL-CIO has fought continuously and ceaselessly for better wages, benefits, and conditions for the working families of the State. Throughout its six decades, the Connecticut AFL-CIO has facilitated union member access to insurance plans, credit cards, and beneficial mortgage programs.

Always looking for ways to raise the standard of living for our middle-class workers, the Connecticut AFL-CIO was one of the early leaders in the fight to achieve affordable and accessible quality healthcare, pay equity, and parental and medical leave for all employees. The Connecticut AFL-CIO also helps those who have lost their jobs, supporting fair unemployment compensation laws and education and job training programs.

Since its formation, the Connecticut AFL-CIO continuously puts the needs of workers and their families first. I applaud their numerous achievements and hope my colleagues will join me in congratulating the Connecticut State AFL-CIO on 60 years of service and commitment to Connecticut employees. •

##### TRIBUTE TO BRIGADIER GENERAL BOBBI DOORENBOS

• Mr. BOOZMAN. Mr. President, today I wish to recognize and congratulate an exceptional airman, Brig. Gen. Bobbi Doorenbos, on her selection for promotion to the rank of brigadier general in the Air National Guard. This promotion means she will leave behind her role as commander of the Arkansas Air National Guard's 188th Wing in Fort Smith, AR, to assume her new responsibilities in Washington, DC, as part of the leadership team within the Pentagon's Total Force Continuum Office.

Brigadier General Doorenbos clearly epitomizes the finest qualities of a military leader as evidenced by her distinguished career. After graduating from Iowa State University, she entered the U.S. Air Force in 1995 and initially served as an F-16 pilot in the Iowa Air National Guard's 185th Fighter Wing. She continued her honorable service by holding various positions in the Maryland, Washington, DC, and Virginia areas, including Air National Guard Crisis Action Team member; White House Fellow; executive officer/speechwriter for the Air National Guard Director; chief of Airborne Intelligence, Surveillance, and Reconnaissance; special adviser to Vice President Joe Biden for Defense Policy and Intelligence Programs; and chief of program requirements and integration at the National Guard Bureau. She has flown combat missions in support of Operations Noble Eagle, Southern Watch,

and Iraqi Freedom. Brigadier General Doorenbos is also a senior pilot with more than 1,200 flight hours in the F-16C Fighting Falcon and MQ-1B Predator.

She is truly a trailblazer. As the first female to command the 188th Wing at Ebbing Air National Guard Base in Arkansas, she simultaneously held the title of air commander with responsibility for over 1,000 Federal technicians, Active Guard, and Reserve members in the execution of three distinct mission sets: remotely piloted aircraft; intelligence, surveillance, and reconnaissance operations; and targeting. Her wing in comprised of the most dedicated, loyal, and highly trained airmen that the National Guard has to offer. As a team, they have taken immense pride in fulfilling their roles and obligations to the State of Arkansas and to the Nation. As a testament of Brigadier General Doorenbos's superior leadership, the 188th Wing was awarded the Air Force Outstanding Unit Award for its incredible accomplishments during her tenure as wing commander.

Brigadier General Doorenbos has displayed an extraordinary amount of dedication and passion throughout her life and career. As a mother of three daughters, it is my pleasure to watch Brigadier General Doorenbos excel in her career and show young women that they are capable of achieving anything. She will continue to be a major asset to the U.S. Air Force in her new role at the Pentagon.

I want to extend my sincere congratulations to her on this well-deserved promotion. I am very proud of her many accomplishments and wish her all the best in her future service to our country. •

##### TRIBUTE TO STEVE FARNHAM

• Mr. KING. Mr. President, today I wish to honor the service of an extraordinary individual in northern Maine. Mr. Stephen M. Farnham, of Mapleton, has been a driving force behind the Aroostook Area Agency on Aging. Steve began with the Aroostook agency in its infancy in the mid-1970s and is stepping down after having led the agency for the last 40 years.

Steve attended the University of Maine in Presque Isle, where he earned his bachelor of arts and went on to earn his master of public administration degree from the University of Maine in Orono. He also received a number of certificates and attended specialized courses that helped him continuously improve services and collaboration at the agency. While serving as an adjunct professor, he taught courses at public and private institutions in Maine, as well as health and safety courses with the American Red Cross. He also held many different positions with the Katahdin Area Council of the Boy Scouts of America, for which he has been recognized with multiple awards.

As chief executive officer of the not-for-profit corporation Aroostook Area



Agency on Aging, Steve oversaw its expansion to 140 employees, an annual budget of \$3.4 million, and the responsibility for a congregate housing project which the agency developed, owned, and managed. His professional appointments and boards on which he served insured that the State of Maine, as well as the Nation, were able to capitalize on his expertise on aging related policies. These ranged from being a delegate to the White House Conference on Aging three times, serving with the Federal Council on Aging, and helping incorporate, lead, and direct the Aroostook Regional Transportation System.

In addition to the entities already mentioned, Steve also served his hometown on the budget committee and has received a number of meritorious awards, including the Presque Isle Area Chamber of Commerce Citizen of the Year Award, the Maine State Bar Association John Ballou Distinguished Service Award, and was named a Rotary International Paul Harris Fellow. Despite all the very public recognition for a job well done at work and beyond, the most telling recognition is the strength of the programs and the high praise by clients and collaborators. Steve is universally respected, well-loved, and will be greatly missed, but the solid structure that he put in place and strengthened over the years will stand. I thank Steve both for his work at the helm of the Area Agency on Aging and his work serving communities across Aroostook County.●

### 35TH ANNIVERSARY OF THE ALASKA QUARTERLY REVIEW

● Ms. MURKOWSKI. Mr. President, today I wish to recognize one of our Nation's finest literary journals, the Alaska Quarterly Review, now marking its 35th year of literary excellence.

Alaska Quarterly Review was first published in 1982 at the University of Alaska Anchorage and has evolved to be a joint publication of the university and the Center for Narrative and Lyric Arts. From the beginning, it was designed to highlight the work of strong literary voices from Alaska and beyond. Publishing fiction, short plays, poetry, photo essays, and literary non-fiction, the journal has an especially strong commitment to promote new and emerging writers.

The founding editor and editor-in-chief of Alaska Quarterly Review, Ronald Spatz, envisioned the journal as a way to break through stereotypes and present Alaska to the greater literary community. That goal was far surpassed, as Alaska Quarterly Review has won accolades from some of the most prestigious reviewers and publications in the country. Pulitzer Prize-winning critic Michael Dirda wrote in *The New York Review of Books* that the Alaska Quarterly Review "remains one of our best, and most imaginative, literary magazines." *The New York Times Book Review* labeled it "fresh treasure."

Alaska Quarterly Review has also been featured and supported by the National Endowment for the Arts, the Alaska Humanities Forum, Alaska State Council on the Arts, and the Rasmussen Foundation, and honored by Alaska Center for the Book and others. A number of works originally published in the journal have been subsequently selected for inclusion in *The Best American Essays*, *The Best American Poetry*, *The Best American Mystery Stories*, *The Best Creative Nonfiction*, *The Best American Short Stories*, *The Best American Nonrequired Reading*, *Prize Stories: The O. Henry Awards*, *The Beacon Best*, and *The Pushcart Prize: The Best of the Small Presses*.

In addition to its literary influence on the national level, Alaska Quarterly Review brings a strong focus to the development and importance of Alaska Native and indigenous literatures. Alaska Native language survival and resilience are portrayed as a national and global concern.

Mr. Spatz writes that Alaska Quarterly Review "has been and is of Alaska but not Alaskan. We have a global perspective, and, although we have published primarily American authors, our writers hail from a wide range of nations." The journal's 35th anniversary observance in October reaches across the Pacific Ocean by featuring "In the Footprint of the Crocodile Man: Memories, Myths and Contemporary Art of the Sepik River, Papua New Guinea," a reflection of the commonalities of human experience. At the same event, the universal elements of birth and language are celebrated in a beautiful film, "Shaawatke's Birth," performed in English and Tlingit, one of Alaska's precious indigenous languages.

The impact of Alaska Quarterly Review extends far from its origins in my home State and is worthy of celebration by this body and all Americans who recognize the power of the literary arts to shape our thoughts, our ideals, and our country. I commend Alaska Quarterly Review and its editor, Ronald Spatz, its contributors, and its supporters for 35 years of excellence. I hope for many more to come.●

### REMEMBERING ALTO "BUD" ADAMS, JR.

● Mr. NELSON. Mr. President, I would like to recognize the legacy of an extraordinary Floridian and friend who passed away this past weekend.

Alto "Bud" Adams, Jr., owner of Adams Ranch, died this weekend at age 91. Born in Fort Pierce, FL, in 1926, Bud was known in Florida and around the Nation for developing the Braford breed, a new breed of heavy-yielding cattle, crossed between the Herefords and the Brahmins, that was better able to handle the heat of south Florida.

For 75 years, Bud Adams tended the family-owned Adams Ranch, which has grown to 50,000 acres of land across St. Lucie, Madison, Okeechobee, and Osceola Counties.

The family's land is home to one of the largest cow-calf ranches in the country. This land was also one of the first sets of conservation easements to be added to the Everglades. Today thousands of acres of Adams Ranch land have been placed into permanent land trust, including part of the Everglades Headwaters National Wildlife Refuge and Conservation Areas.

Adams Ranch was first purchased in 1937 for \$1.50 an acre by Bud's father, Florida Supreme Court Judge Alto Adams, Sr.

Since then, Adams Ranch has received multiple environmental awards from Audubon Florida, the Farmers Conservation Alliance, and the National Cattlemen's Beef Association for the owners' leadership in land, water, and wildlife management.

Bud was also honored with the Pete Hegener Leadership Award by the Economic Development Council of St. Lucie County, an honor presented every year to a dedicated business leader who makes a significant contribution to St. Lucie County's economy and quality of life.

Bud Adams was not just a cattleman and businessman; he was a devoted environmental conservationist and a philanthropist. Bud founded the United Way of St. Lucie County and supported causes like the A.E. Backus Museum & Gallery and Heathcote Botanical Gardens. He also sat on the board of the Indian River State College Foundation.

In Bud's own words, "It is not enough for us to just do a good job breeding and caring for cattle. We must have a more holistic approach that keeps man, cattle, wildlife, and the land in a relationship that is profitable, productive and can be continued indefinitely."

Bud showed us what it truly meant to be an environmental steward and a cowboy. He always took pride in his management of land, water, and wildlife, and Florida is better because of it.

I extend my deepest condolences to his family, particularly his wife, Dorothy. He is also survived by his sister Elaine Harrison; his children Alto Lee Adams, III, and his wife, Cindy, Michael L. Adams and his wife, Rachael, and Robert Adams and his wife, Cindee; his grandchildren; and great-grandchildren.●

### 37TH ANNIVERSARY OF "I LOVE LIFE" RADIO SHOW

● Mr. THUNE. Mr. President, today I recognize one of radio broadcasting's longest running shows, "I Love Life." Created by South Dakota native, Jerry Dahmen, the show has hosted several of country music's biggest stars and been featured on a number of local and national television programs.

Since the program began airing on KXRB Radio in Sioux Falls, the show has featured more than 1,600 guests who have shared inspirational stories of what it takes to turn adversity into victory. "I Love Life" has also given

back to the community by providing donations from book and CD sales.

I offer my congratulations to Jerry Dahmen and wish the show continued success in the years to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### 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.)

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on September 29, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. HARRIS) had signed the following enrolled bills:

H.R. 2519. An act to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

H.R. 3823. An act to amend title 49, United States Code, to extend authorizations for the airport improvement program, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to provide disaster tax relief, and for other purposes.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bills were signed on September 29, 2017, during the adjournment of the Senate, by the Acting President pro tempore (Mr. McCONNELL).

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1894. A bill to exempt Puerto Rico from the coastwise laws of the United States (commonly known as the "Jones Act").

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on September 28, 2017, she had presented to the President of the United States the following enrolled bill:

S. 1141. An act to ensure that the United States promotes the meaningful participation of women in mediation and negotiation processes seeking to prevent, mitigate, or resolve violent conflict.

The Secretary of the Senate reported that on September 29, 2017, she had pre-

sented to the President of the United States the following enrolled bills:

S. 327. An act to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes.

S. 1866. An act to provide the Secretary of Education with waiver authority for the reallocation rules and authority to extend the deadline by which funds have to be reallocated in the campus-based aid programs under the Higher Education Act of 1965 due to Hurricane Harvey, Hurricane Irma, and Hurricane Maria, to provide equitable services to children and teachers in private schools, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ROBERTS for the Committee on Agriculture, Nutrition, and Forestry.

\*Stephen Censky, of Missouri, to be Deputy Secretary of Agriculture.

\*Ted McKinney, of Indiana, to be Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

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

#### 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. GARDNER (for himself and Mr. MARKEY):

S. 1901. A bill to require global economic and political pressure to support diplomatic denuclearization of the Korean Peninsula, including through the imposition of sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and to reauthorize the North Korean Human Rights Act of 2004, and for other purposes; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Mr. PAUL, Mr. CRUZ, Mr. LEE, and Mr. PERDUE):

S. 1902. A bill to specify the state of mind required for conviction for criminal offenses that lack an expressly identified state of mind, and for other purposes; to the Committee on the Judiciary.

By Ms. DUCKWORTH:

S. 1903. A bill to assist communities affected by stranded nuclear waste, and for other purposes; to the Committee on Finance.

By Ms. CANTWELL:

S. 1904. A bill to promote the use of smart technologies and systems in communities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself and Mr. BLUNT):

S. 1905. A bill to increase the number of States that may conduct Medicaid demonstration programs to improve access to community mental health services; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. RUBIO, Mr. NELSON, Mr. CASSIDY, and Mr. KENNEDY):

S. Res. 278. A resolution expressing condolences to the victims of Hurricane Harvey, Hurricane Irma, and Hurricane Maria, commending the resiliency of the people of Texas, Louisiana, Florida, Puerto Rico, and the United States Virgin Islands, and expressing gratitude to other neighboring States willing to stand by the people of the affected areas during the relief and recovery efforts; to the Committee on Homeland Security and Governmental Affairs.

#### ADDITIONAL COSPONSORS

S. 538

At the request of Ms. STABENOW, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 538, a bill to clarify research and development for wood products, and for other purposes.

S. 548

At the request of Ms. CANTWELL, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 548, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 794

At the request of Mr. CARPER, the name of the Senator from Michigan (Mr. PETERS) 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. 928

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 928, a bill to prohibit, as an unfair or deceptive act or practice, commercial sexual orientation conversion therapy, and for other purposes.

S. 1050

At the request of Ms. DUCKWORTH, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1064

At the request of Mr. UDALL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1064, a bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals.

S. 1157

At the request of Mr. SCHATZ, the name of the Senator from Minnesota

(Ms. KLOBUCHAR) was added as a cosponsor of S. 1157, a bill to establish the Vulnerability Equities Review Board, and for other purposes.

S. 1162

At the request of Ms. WARREN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1162, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S. 1301

At the request of Mr. NELSON, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1301, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1522

At the request of Mr. HEINRICH, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 1522, a bill to establish an Every Kid Outdoors program, and for other purposes.

S. 1718

At the request of Mr. KENNEDY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S. 1738

At the request of Mr. WARNER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1738, a bill to amend title XVIII of the Social Security Act to provide for a home infusion therapy services temporary transitional payment under the Medicare program.

S. 1754

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1754, a bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes.

S. 1766

At the request of Mr. CORNYN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 1766, a bill to reauthorize the SAFER Act of 2013, and for other purposes.

S. 1768

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1768, a bill to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes.

S. 1783

At the request of Ms. DUCKWORTH, the name of the Senator from Min-

nesota (Mr. FRANKEN) was added as a cosponsor of S. 1783, a bill to amend the National Voter Registration Act of 1993 to require each State to implement a process under which individuals who are 16 years of age may apply to register to vote in elections for Federal office in the State, to direct the Election Assistance Commission to make grants to States to increase the involvement of minors in public election activities, and for other purposes.

S. 1803

At the request of Mr. HATCH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1803, a bill to improve medical research on marijuana.

S. 1808

At the request of Ms. BALDWIN, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 1808, a bill to extend temporarily the Federal Perkins Loan program, and for other purposes.

S. 1816

At the request of Ms. WARREN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1816, a bill to amend the Fair Credit Reporting Act to enhance fraud alert procedures and provide free access to credit freezes, and for other purposes.

S. 1827

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1827, a bill to extend funding for the Children's Health Insurance Program, and for other purposes.

S. 1829

At the request of Mr. GRASSLEY, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 1829, a bill to amend title V of the Social Security Act to extend the Maternal, Infant, and Early Childhood Home Visiting Program.

S. 1838

At the request of Ms. WARREN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1838, a bill to repeal the authority under the National Labor Relations Act for States to enact laws prohibiting agreements requiring membership in a labor organization as a condition of employment, and for other purposes.

S. 1868

At the request of Mr. HEINRICH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1868, a bill to amend the Internal Revenue Code of 1986 to provide tax credits for energy storage technologies, and for other purposes.

S. 1895

At the request of Mr. UDALL, the name of the Senator from Hawaii (Ms.

HIRONO) was added as a cosponsor of S. 1895, a bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

S. CON. RES. 19

At the request of Mr. BOOZMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Con. Res. 19, a concurrent resolution commemorating the 50th anniversary of the Smithsonian Folklife Festival.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 278—EXPRESSING CONDOLENCES TO THE VICTIMS OF HURRICANE HARVEY, HURRICANE IRMA, AND HURRICANE MARIA, COMMENDING THE RESILIENCY OF THE PEOPLE OF TEXAS, LOUISIANA, FLORIDA, PUERTO RICO, AND THE UNITED STATES VIRGIN ISLANDS, AND EXPRESSING GRATITUDE TO OTHER NEIGHBORING STATES WILLING TO STAND BY THE PEOPLE OF THE AFFECTED AREAS DURING THE RELIEF AND RECOVERY EFFORTS

Mr. CORNYN (for himself, Mr. CRUZ, Mr. RUBIO, Mr. NELSON, Mr. CASSIDY, and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 278

Whereas, in August and September of 2017, Hurricanes Harvey and Irma reached the shores of the United States and wreaked havoc on the States of Texas, Louisiana, and Florida;

Whereas, in September of 2017, Hurricane Maria devastated Puerto Rico and the United States Virgin Islands;

Whereas, as a result of these hurricanes, a major Federal disaster was declared for Texas on August 25, 2017, for the United States Virgin Islands on September 7, 2017, and for Florida and Puerto Rico on September 10, 2017;

Whereas a Federal emergency was declared for Louisiana on August 28, 2017;

Whereas, as of September 2017, Hurricanes Harvey, Irma, and Maria have been responsible for the deaths of more than 150 individuals;

Whereas, as a result of Hurricane Harvey—

(1) many communities in Texas and Louisiana were flooded and without electrical power for extended periods of time and an entire city in Texas, with a population of 118,000, lost access to drinking water;

(2) some weather gauges in the State of Texas measured more than 50 inches of rainfall between the evening of Thursday, August 24, 2017, and the afternoon of Tuesday, August 29, 2017;

(3) more than 4,500,000,000,000 liters of water fell in Harris County in Texas in only 100 hours;

(4) in the State of Texas alone, more than 130,000 residences were destroyed; and

(5) more than 1,000,000 vehicles in Texas were destroyed;

Whereas, as a result of Hurricane Irma—

(1) nearly 13,000,000 people in Florida were left without electrical power;

(2) an estimated 90 percent of the homes in the Florida Keys were damaged or destroyed;

(3) Florida's \$8,600,000,000 citrus industry faces crop losses of 70 percent, with some growers experiencing losses of 90 percent or more;

(4) the maritime culture of Florida has been severely impacted, including—

(A) the disruption of commercial fishing, trapping, and aquaculture;

(B) the loss of recreational fishing opportunities for residents and tourists;

(C) widespread debris limiting safe navigation in waterways and channels; and

(D) reports of more than 850 displaced or sunken vessels; and

(5) property insurance claims in Florida have exceeded \$3,600,000,000 and are still rising;

Whereas the Federal Emergency Management Agency has estimated that flood damage claims as a result of these 3 hurricanes could total several billion dollars;

Whereas refinery closures along the Gulf Coast after Hurricane Harvey resulted in a temporary loss of 20 percent of the capacity of the United States to refine crude oil into gasoline, diesel, and other fuels;

Whereas, as a result of Hurricane Maria—

(1) some parts of Puerto Rico may be without electrical power for 6 months;

(2) more than 1,500,000 individuals were left without access to clean drinking water;

(3) critical infrastructure was damaged, hindering recovery efforts;

(4) thousands of residents of Puerto Rico and the United States Virgin Islands face an extreme housing crisis; and

(5) approximately 80 percent of the agricultural crop value in Puerto Rico was destroyed, with an estimated \$780,000,000 loss in agricultural yields;

Whereas the devastation of these 3 hurricanes, which caused a disruption in the distribution of gasoline, has been felt on a global scale; and

Whereas, after these 3 hurricanes—

(1) numerous localities in all of the affected areas were forced to close schools due to power outages and dangerous road conditions;

(2) flights were cancelled in Texas, Louisiana, Florida, Puerto Rico, and the United States Virgin Islands;

(3) doctors, nurses, and other medical personnel worked expeditiously to provide care and ensure that patients were safe under extreme circumstances;

(4) hospitals, medical centers, and triage units provided needed care;

(5) volunteer organizations and charities supplied hurricane victims with food, water, and shelter;

(6) immediate humanitarian aid and long-term rebuilding assistance is needed in the many devastated regions; and

(7) thousands of volunteers and Federal, State, and local government employees from across the United States committed time and resources to help with recovery efforts: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses condolences to the victims of Hurricanes Harvey, Irma, and Maria;

(2) commends the resiliency and courage of the people of Texas, Louisiana, Florida, Puerto Rico, and the United States Virgin Islands;

(3) applauds the work and commitment of emergency responders and law enforcement officers on the ground in the aftermath of Hurricanes Harvey, Irma, and Maria; and

(4) commits to provide the necessary resources to stand by the people of Texas, Louisiana, Florida, Puerto Rico, and the United States Virgin Islands as they rebuild their communities.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 1109. Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to the bill H.R. 1616, to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

### TEXT OF AMENDMENTS

**SA 1109.** Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to the bill H.R. 1616, to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthening State and Local Cyber Crime Fighting Act of 2017”.

#### SEC. 2. AUTHORIZATION OF THE NATIONAL COMPUTER FORENSICS INSTITUTE OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Subtitle C of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 381 et seq.) is amended by adding at the end the following new section:

##### “SEC. 822. NATIONAL COMPUTER FORENSICS INSTITUTE.

“(a) IN GENERAL.—There is authorized for fiscal years 2017 through 2022 within the United States Secret Service a National Computer Forensics Institute (in this section referred to as the ‘Institute’). The Institute shall disseminate information related to the investigation and prevention of cyber and electronic crime and related threats, and educate, train, and equip State, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

“(b) FUNCTIONS.—The functions of the Institute shall include the following:

“(1) Educating State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on current—

“(A) cyber and electronic crimes and related threats;

“(B) methods for investigating cyber and electronic crime and related threats and conducting computer and mobile device forensic examinations; and

“(C) prosecutorial and judicial challenges related to cyber and electronic crime and related threats, and computer and mobile device forensic examinations.

“(2) Training State, local, tribal, and territorial law enforcement officers to—

“(A) conduct cyber and electronic crime and related threat investigations;

“(B) conduct computer and mobile device forensic examinations; and

“(C) respond to network intrusion incidents.

“(3) Training State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on methods to obtain, process, store, and admit digital evidence in court.

“(c) PRINCIPLES.—In carrying out the functions specified in subsection (b), the Institute shall ensure, to the extent practicable, that timely, actionable, and relevant expertise and information related to cyber and electronic crime and related threats is shared with State, local, tribal, and territorial law enforcement officers and prosecutors.

“(d) EQUIPMENT.—The Institute may provide State, local, tribal, and territorial law enforcement officers with computer equipment, hardware, software, manuals, and tools necessary to conduct cyber and electronic crime and related threat investiga-

tions and computer and mobile device forensic examinations.

“(e) ELECTRONIC CRIME TASK FORCES.—The Institute shall facilitate the expansion of the network of Electronic Crime Task Forces of the United States Secret Service through the addition of State, local, tribal, and territorial law enforcement officers educated and trained at the Institute.

“(f) SAVINGS PROVISION.—All authorized activities and functions carried out by the Institute at any location as of the day before the date of the enactment of this section are authorized to continue to be carried out at any such location on and after such date.”.

(b) FUNDING.—For each of fiscal years 2018 through 2022, amounts appropriated for United States Secret Service, Operations and Support, may be used to carry out this Act and the amendments made by this Act.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 821 the following new item:

“Sec. 822. National Computer Forensics Institute.”.

#### SEC. 3. PREVENTION, INVESTIGATION, AND PROSECUTION OF ECONOMIC, HIGH TECHNOLOGY, INTERNET, AND OTHER WHITE COLLAR CRIME.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended by adding at the end the following:

##### “PART MM—PREVENTION, INVESTIGATION, AND PROSECUTION OF WHITE COLLAR CRIME

##### “SEC. 3030. SHORT TITLE.

“This part may be cited as the ‘National White Collar Crime Control Act of 2017’.

##### “SEC. 3031. ESTABLISHMENT OF GRANT PROGRAM.

“(a) AUTHORIZATION.—The Director of the Bureau of Justice Assistance is authorized to enter into a cooperative agreement with or make a grant to an eligible entity for the purpose of improving the identification, investigation, and prosecution of white collar crime (including each category of such crimes set forth in paragraphs (1) through (3) of subsection (b)) by providing comprehensive, direct, and practical training and technical assistance to law enforcement officers, investigators, auditors and prosecutors in States and units of local government.

“(b) WHITE COLLAR CRIME DEFINED.—For purposes of this part, the term ‘white collar crime’ includes—

“(1) high-tech crime, including cyber and electronic crime and related threats;

“(2) economic crime, including financial fraud and mortgage fraud; and

“(3) Internet-based crime against children and child pornography.

##### “SEC. 3032. PURPOSES.

“The purposes of this part include the following:

“(1) To ensure that training is available for State, local, tribal and territorial law enforcement agencies and officers nationwide to support local efforts to identify, prevent, investigate, and prosecute cyber and financial crimes, including those crimes facilitated via computer networks and other electronic means, and crimes involving financial and economic impacts such as intellectual property crimes.

“(2) To deliver training to State, local, tribal, and territorial law enforcement officers, and other criminal justice professionals concerning the use of proven methodologies to prevent, detect, and respond to such crimes, recognize emerging issues, manage electronic and financial crime evidence and to improve local criminal justice agency responses to such threats.

“(3) To provide operational and technical assistance and training concerning tools, products, resources, guidelines, and procedures to aid and enhance criminal intelligence analysis, conduct cyber crime and financial crime investigations, and related justice information sharing at the local and State levels.

“(4) To provide appropriate training on protections for privacy, civil rights, and civil liberties in the conduct of criminal intelligence analysis and cyber and electronic crime and financial crime investigations, including in the development of policies, guidelines, and procedures by State, local, tribal, and territorial law enforcement agencies to protect and enhance privacy, civil rights, and civil liberties protections and identify weaknesses and gaps in the protection of privacy, civil rights, and civil liberties.

#### **“SEC. 3033. AUTHORIZED PROGRAMS.**

“A grant or cooperative agreement awarded under this part may be made only for the following programs, with respect to the prevention, investigation, and prosecution of certain criminal activities:

“(1) Programs to provide a nationwide support system for State and local criminal justice agencies.

“(2) Programs to assist State and local criminal justice agencies to develop, establish, and maintain intelligence-focused policing strategies and related information sharing.

“(3) Programs to provide training and investigative support services to State and local criminal justice agencies to provide such agencies with skills and resources needed to investigate and prosecute such criminal activities and related criminal activities.

“(4) Programs to provide research support, to establish partnerships, and to provide other resources to aid State and local criminal justice agencies to prevent, investigate, and prosecute such criminal activities and related problems.

“(5) Programs to provide information and research to the general public to facilitate the prevention of such criminal activities.

“(6) Programs to establish or support national training and research centers regionally to provide training and research services for State and local criminal justice agencies.

“(7) Programs to provide training and oversight to State and local criminal justice agencies to develop and comply with applicable privacy, civil rights, and civil liberties related policies, procedures, rules, laws, and guidelines.

“(8) Any other programs specified by the Attorney General as furthering the purposes of this part.

#### **“SEC. 3034. APPLICATION.**

“To be eligible for an award of a grant or cooperative agreement under this part, an entity shall submit to the Director of the Bureau of Justice Assistance an application in such form and manner, and containing such information, as required by the Director of the Bureau of Justice Assistance.

#### **“SEC. 3035. ELIGIBILITY.**

“States, units of local government, not-for-profit entities, and institutions of higher education with demonstrated capacity and experience in delivering training, technical assistance and other resources including direct, practical laboratory training to law enforcement officers, investigators, auditors and prosecutors in States and units of local government and over the Internet shall be eligible to receive an award under this part.

#### **“SEC. 3036. RULES AND REGULATIONS.**

“The Director of the Bureau of Justice Assistance shall promulgate such rules and regulations as are necessary to carry out this part, including rules and regulations for sub-

mitting and reviewing applications under section 3035.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$13,000,000 for each of fiscal years 2018 through 2022 to carry out —

(1) part MM of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by subsection (a); and

(2) section 401(b) of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (34 U.S.C. 30103(b)).

### **AUTHORITY FOR COMMITTEES TO MEET**

Mr. CORNYN. Mr. President, I have 1 request for a committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

#### **COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY**

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Monday, October 2, 2017 at 5:45 p.m., in S-216, Capitol (President's Room), in order to conduct a business meeting to report the following nominations: Stephen Censky, of Missouri, to be Deputy Secretary of Agriculture and Ted McKinney, of Indiana, to be Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

### **MEASURE PLACED ON THE CALENDAR—S. 1894**

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 1894) to exempt Puerto Rico from the coastwise laws of the United States (commonly known as the “Jones Act”).

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

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

### **MAKING TECHNICAL AMENDMENTS TO CERTAIN MARINE FISH CONSERVATION STATUTES**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 224, S. 396.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 396) to make technical amendments to certain marine fish conservation statutes, and for other purposes.

There being no objection the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

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

Mr. MCCONNELL. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 396) was passed, as follows:

S. 396

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

### **SECTION 1. BILLFISH CONSERVATION ACT OF 2012.**

Section 4(c)(1) of the Billfish Conservation Act of 2012 (16 U.S.C. 1827a(c)(1)) is amended by inserting “and retained” after “landed”.

### **SEC. 2. SHARK CONSERVATION ACT OF 2010.**

The Act entitled “An Act to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks”, approved January 4, 2011 (Public Law 111-348; 124 Stat. 3668), is amended—

(1) by striking section 104 and inserting the following:

#### **“SEC. 104. RULE OF CONSTRUCTION.**

“Nothing in this title or the amendments made by this title shall be construed as affecting, altering, or diminishing in any way the authority of the Secretary of Commerce to establish such conservation and management measures as the Secretary considers necessary and appropriate under sections 302(a)(3) and 304(g) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(3), 1854(g)).”; and

(2) in section 1, by striking the item relating to section 104 and inserting the following:

“Sec. 104. Rule of construction.”.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

### **STRENGTHENING STATE AND LOCAL CYBER CRIME FIGHTING ACT OF 2017**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1616 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The senior assistant legislative clerk read as follows:

A bill (H.R. 1616) to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Cornyn amendment at the desk be considered and agreed to, and the bill, as

amended, be considered read a third time.

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

The amendment (No. 1109) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthening State and Local Cyber Crime Fighting Act of 2017”.

#### SEC. 2. AUTHORIZATION OF THE NATIONAL COMPUTER FORENSICS INSTITUTE OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Subtitle C of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 381 et seq.) is amended by adding at the end the following new section:

##### “SEC. 822. NATIONAL COMPUTER FORENSICS INSTITUTE.

“(a) IN GENERAL.—There is authorized for fiscal years 2017 through 2022 within the United States Secret Service a National Computer Forensics Institute (in this section referred to as the ‘Institute’). The Institute shall disseminate information related to the investigation and prevention of cyber and electronic crime and related threats, and educate, train, and equip State, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

“(b) FUNCTIONS.—The functions of the Institute shall include the following:

“(1) Educating State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on current—

“(A) cyber and electronic crimes and related threats;

“(B) methods for investigating cyber and electronic crime and related threats and conducting computer and mobile device forensic examinations; and

“(C) prosecutorial and judicial challenges related to cyber and electronic crime and related threats, and computer and mobile device forensic examinations.

“(2) Training State, local, tribal, and territorial law enforcement officers to—

“(A) conduct cyber and electronic crime and related threat investigations;

“(B) conduct computer and mobile device forensic examinations; and

“(C) respond to network intrusion incidents.

“(3) Training State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on methods to obtain, process, store, and admit digital evidence in court.

“(c) PRINCIPLES.—In carrying out the functions specified in subsection (b), the Institute shall ensure, to the extent practicable, that timely, actionable, and relevant expertise and information related to cyber and electronic crime and related threats is shared with State, local, tribal, and territorial law enforcement officers and prosecutors.

“(d) EQUIPMENT.—The Institute may provide State, local, tribal, and territorial law enforcement officers with computer equipment, hardware, software, manuals, and tools necessary to conduct cyber and electronic crime and related threat investigations and computer and mobile device forensic examinations.

“(e) ELECTRONIC CRIME TASK FORCES.—The Institute shall facilitate the expansion of the network of Electronic Crime Task Forces of the United States Secret Service through the addition of State, local, tribal, and territorial law enforcement officers educated and trained at the Institute.

“(f) SAVINGS PROVISION.—All authorized activities and functions carried out by the In-

stitute at any location as of the day before the date of the enactment of this section are authorized to continue to be carried out at any such location on and after such date.”.

(b) FUNDING.—For each of fiscal years 2018 through 2022, amounts appropriated for United States Secret Service, Operations and Support, may be used to carry out this Act and the amendments made by this Act.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 821 the following new item:

“Sec. 822. National Computer Forensics Institute.”.

#### SEC. 3. PREVENTION, INVESTIGATION, AND PROSECUTION OF ECONOMIC, HIGH TECHNOLOGY, INTERNET, AND OTHER WHITE COLLAR CRIME.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended by adding at the end the following:

##### “PART MM—PREVENTION, INVESTIGATION, AND PROSECUTION OF WHITE COLLAR CRIME

###### “SEC. 3030. SHORT TITLE.

“This part may be cited as the ‘National White Collar Crime Control Act of 2017’.

###### “SEC. 3031. ESTABLISHMENT OF GRANT PROGRAM.

“(a) AUTHORIZATION.—The Director of the Bureau of Justice Assistance is authorized to enter into a cooperative agreement with or make a grant to an eligible entity for the purpose of improving the identification, investigation, and prosecution of white collar crime (including each category of such crimes set forth in paragraphs (1) through (3) of subsection (b)) by providing comprehensive, direct, and practical training and technical assistance to law enforcement officers, investigators, auditors and prosecutors in States and units of local government.

“(b) WHITE COLLAR CRIME DEFINED.—For purposes of this part, the term ‘white collar crime’ includes—

“(1) high-tech crime, including cyber and electronic crime and related threats;

“(2) economic crime, including financial fraud and mortgage fraud; and

“(3) Internet-based crime against children and child pornography.

###### “SEC. 3032. PURPOSES.

“The purposes of this part include the following:

“(1) To ensure that training is available for State, local, tribal and territorial law enforcement agencies and officers nationwide to support local efforts to identify, prevent, investigate, and prosecute cyber and financial crimes, including those crimes facilitated via computer networks and other electronic means, and crimes involving financial and economic impacts such as intellectual property crimes.

“(2) To deliver training to State, local, tribal, and territorial law enforcement officers, and other criminal justice professionals concerning the use of proven methodologies to prevent, detect, and respond to such crimes, recognize emerging issues, manage electronic and financial crime evidence and to improve local criminal justice agency responses to such threats.

“(3) To provide operational and technical assistance and training concerning tools, products, resources, guidelines, and procedures to aid and enhance criminal intelligence analysis, conduct cyber crime and financial crime investigations, and related justice information sharing at the local and State levels.

“(4) To provide appropriate training on protections for privacy, civil rights, and civil liberties in the conduct of criminal intel-

ligence analysis and cyber and electronic crime and financial crime investigations, including in the development of policies, guidelines, and procedures by State, local, tribal, and territorial law enforcement agencies to protect and enhance privacy, civil rights, and civil liberties protections and identify weaknesses and gaps in the protection of privacy, civil rights, and civil liberties.

###### “SEC. 3033. AUTHORIZED PROGRAMS.

“A grant or cooperative agreement awarded under this part may be made only for the following programs, with respect to the prevention, investigation, and prosecution of certain criminal activities:

“(1) Programs to provide a nationwide support system for State and local criminal justice agencies.

“(2) Programs to assist State and local criminal justice agencies to develop, establish, and maintain intelligence-focused policing strategies and related information sharing.

“(3) Programs to provide training and investigative support services to State and local criminal justice agencies to provide such agencies with skills and resources needed to investigate and prosecute such criminal activities and related criminal activities.

“(4) Programs to provide research support, to establish partnerships, and to provide other resources to aid State and local criminal justice agencies to prevent, investigate, and prosecute such criminal activities and related problems.

“(5) Programs to provide information and research to the general public to facilitate the prevention of such criminal activities.

“(6) Programs to establish or support national training and research centers regionally to provide training and research services for State and local criminal justice agencies.

“(7) Programs to provide training and oversight to State and local criminal justice agencies to develop and comply with applicable privacy, civil rights, and civil liberties related policies, procedures, rules, laws, and guidelines.

“(8) Any other programs specified by the Attorney General as furthering the purposes of this part.

###### “SEC. 3034. APPLICATION.

“To be eligible for an award of a grant or cooperative agreement under this part, an entity shall submit to the Director of the Bureau of Justice Assistance an application in such form and manner, and containing such information, as required by the Director of the Bureau of Justice Assistance.

###### “SEC. 3035. ELIGIBILITY.

“States, units of local government, not-for-profit entities, and institutions of higher education with demonstrated capacity and experience in delivering training, technical assistance and other resources including direct, practical laboratory training to law enforcement officers, investigators, auditors and prosecutors in States and units of local government and over the Internet shall be eligible to receive an award under this part.

###### “SEC. 3036. RULES AND REGULATIONS.

“The Director of the Bureau of Justice Assistance shall promulgate such rules and regulations as are necessary to carry out this part, including rules and regulations for submitting and reviewing applications under section 3035.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$13,000,000 for each of fiscal years 2018 through 2022 to carry out —

(1) part MM of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by subsection (a); and

(2) section 401(b) of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (34 U.S.C. 30103(b)).



The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. McCONNELL. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 1616), as amended, was passed.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### ORDERS FOR TUESDAY, OCTOBER 3, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, October 3; 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 Cissna nomination; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

#### ORDER FOR ADJOURNMENT

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, following the remarks of Senators Gillibrand and Blumenthal.

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

The Senator from New York.

#### LAS VEGAS MASS SHOOTING

Mrs. GILLIBRAND. Mr. President, I rise to speak about the horrific mass murders last night. My heart is obviously with the victims and their families, and I thank all of our brave first responders who acted so quickly.

These senseless mass shootings must end. We cannot allow this to be the new normal, where tragedy after tragedy happens, and we do absolutely nothing to address it. It is not good enough to just send thoughts and prayers and extend our condolences when people are losing their lives to gun violence every day.

We still have to learn the details about what happened, but what we do know is this: This violence, this mass

murder, is one of the worst massacres we have ever seen in this country. It is yet another reminder of Congress' failure to act to protect Americans from gun violence. It is another disturbing and painful example of how Congress is too weak and too cowardly to stand up to the gun industry.

The news reports are saying that the gun was shooting in rapid-fire bursts, a military-style weapon specifically designed to kill as many people as possible in the shortest amount of time, a weapon of war.

We have to pass laws that protect the American people from this kind of horrific violence. It should not be legal for a civilian on American soil to own and use a weapon of war like an assault weapon. Our military is highly trained to use such weapons. It should not be easy for any person to buy a suppressor—known by many people as a silencer—to attach to their guns, which makes it harder for police to do their jobs and catch violent criminals.

The people of Nevada voted in November to require background checks on all weapons, but the politicians in that State are refusing to implement the will of the people. The violence in Las Vegas is only the latest tragedy like this. Mass shootings get all the news, but every single day in my home State, gun violence on a much smaller scale is destroying more and more lives.

We really need to act. We must take gun violence as seriously as we take the threat of terrorism, wherever it is happening.

We will get to the facts and the bottom of this. And when we do, let's honor the lives of those we have lost by doing something about it, doing everything we can to make sure this never happens again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. 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. BLUMENTHAL. Mr. President, we have been here before. We have been here in the wake of Virginia Tech, Sandy Hook, Orlando, numerous other mass shootings, and now Las Vegas.

We can all agree that our hearts and prayers, mourning and condolences go out to the families of loved ones who have suffered this senseless, horrific violence. We can also agree that many of the details are unknown about the shooter, and a lot of investigation will be done. We can all agree that Las Vegas was struck by evil; call it pure evil.

We know what it looks like in Connecticut because we saw it firsthand in

Newtown. We lived through the heart-breaking, unspeakable violence of that day, just a few years ago, when evil visited Newtown and caused the death of 26 beautiful human beings, including 20 children. America came together in support of us in Connecticut, and today we should come together in support of the people of Nevada.

My heart and prayers are with them, but thoughts and prayers are not enough. We know the evil that visited Connecticut also brought forth good in other people—in the first responders, the doctors, and countless members of the community and people of America who united.

I will never forget that day in Newtown when the community came together in St. Rose of Lima Church for an evening of mourning. I said then that the whole world was watching. Indeed, what the world saw was courage and resilience of truly heroic proportions—some of the good along with the evil.

When I saw those images today in Las Vegas—the sound of that gunfire, the pandemonium, the reports of injuries and deaths—it brought back to me that day in Newtown. I was not there for the shooting, as I had gone later in the day, but the memories of that day and of the successive days, weeks, and years had been brought back. My heart broke, but my stomach also churned with anger. I was frustrated and furious.

I am now furious because Congress has failed to act. Nothing has changed since Newtown. Congress has been complicit when we have had numerous opportunities and many reasons to make America safer and adopt commonsense measures that 90 percent of Americans support. So thoughts and prayers are not enough. Hand-wringing and soul-searching is needed, but it is insufficient. What is needed now is action.

I am under no illusions. Nobody needs to tell me where the votes are at this moment. We need to be realistic about what the agenda is in our going forward. We need to be very clear-eyed and realistic, but we also need to recognize that we can win this fight. Between the time that Ronald Reagan had almost been assassinated and the day that the Brady bill had passed, it had been almost 10 years. We need to be in this fight as a marathon, not as a sprint, and that is the determination and resolve that must be brought to this effort.

It was 5 years ago when a man wielding a semiautomatic rifle murdered 20 children and 6 adults at Sandy Hook Elementary School in Newtown. The cries of grief echoed around this country, and there was a moment when action could have been taken. We need to seize this moment. Then, the vote, shamefully, failed to reach 60 for commonsense measures, like background checks. We needed 60, and we had a majority, and our colleagues in the House of Representatives told us that that measure would have passed there.

Since then, every day in this country an average of 92 Americans die due to gun violence, which is 33,000 Americans every year, and 59 is the death toll as of this moment in Las Vegas. Day after



day, 92 Americans are killed as a result of gun violence, and 60 of them are suicides, but that is no less a death, and it is a preventable death if there are commonsense measures that will stop this carnage.

I would be happy never to speak about this topic, never to complain again about Congress's complicity, but our hearts break, and our stomachs churn with fury. America's should as well. After Newtown, Aurora, Blacksburg, Charleston, Chattanooga, Lafayette, San Bernardino, Orlando, and, now, Las Vegas, these cities have become synonymous with mass shootings—unjustly tarnished. What is needed is national resolve.

For anyone who says that we should only mourn or offer condolences, let me just say, very simply: Let us honor those victims and keep faith with their memories, so that their lives and losses will not be in vain, by taking action that makes America safer. Let us redouble our determination. The bills are ready to go, the agenda is set, and the action is clear. Let us honor their memories through action. If the President believes this carnage was pure evil, let him lead—if not today, tomorrow, and if not tomorrow, Wednesday, when he visits Las Vegas. If these actions were pure evil, let us all lead by our example, and let us move forward to stop this carnage in the future. We grieve these losses, but we need to recognize that the measures now before Congress are a travesty and a dishonor to those lives that were lost.

One of these proposals is an innocuous-sounding Hearing Protection Act—let me repeat: the Hearing Protection Act—which could come to a vote as early as this week in the House of Representatives. This measure would gut regulations on gun silencers.

Now, let's be very clear. Silencers are already widely available to hundreds of sportsmen who pay the fee, register, and wait for a short period. This legislation would make it terrifyingly easy to buy a gun silencer. Hunters and recreational shooters deserve to have silencers but only if they comply with those regulations. This measure would pose an unacceptable risk to public safety and make it more difficult for law enforcement, especially in urban areas, to identify gunshots, locate shooters, and protect civilians.

In one interview after another of the victims of last night's shooting, there was a common refrain: They ran, and they escaped because they heard those gunshots. The only supposed reform measure before the Congress right now that has been given a chance of passage is a proposal to make it easier to buy gun silencers. The only thing that led those individuals to escape—or one of the only things—was, in fact, the sound of gunshots. How many lives would have been taken last night if the shooter had had a silencer?

Another proposal is the Concealed Carry Reciprocity Act, which would essentially eliminate the States' ability to regulate concealed-carry permits in their States, undermining the laws that States like Connecticut have put in place to keep our residents safe.

In the wake of Newtown, Charleston, Orlando, and, now, Las Vegas, Members

of Congress should come together to protect our lives from these senseless killings. It is not about Republicans or Democrats. It is not about politics. It is not even about policy. It is about public safety, simply. We should not be undermining protection. What a travesty and tragedy and what a dishonor to the memories of those victims in Las Vegas to now be on the verge of weakening rather than strengthening our public safety laws.

Let's join hands across the aisle and across both Houses to stand up to the gun lobby, the NRA, and other special interests and release and break their grip on Congress. More than thoughts and prayers are necessary, although they fulfill a vitally important function. Talk must be turned into action. Waiting simply means more deaths, and delay means time. Time is not on our side with there being 92 deaths, on average, every day as a result of gun violence.

Let us join together and combat evil. Certainly, it was there in Las Vegas, but it will visit other communities, as it does every day. Those 92 deaths and mass shootings will continue unless commonsense, sensible measures, like a ban on assault weapons and high-capacity magazines, are adopted, as well as there being mandatory background checks for all gun sales. Until this is adopted, America will be more at risk. We must make America safer, and that is an obligation that we share across the aisle and across the two bodies of Congress.

Thank you.

I yield the floor.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER (Mr. DAINES). Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:31 p.m., adjourned until Tuesday, October 3, 2017, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### THE JUDICIARY

GREGORY E. MAGGS, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES FOR THE TERM OF FIFTEEN YEARS TO EXPIRE ON THE DATE PRESCRIBED BY LAW, VICE CHARLES E. ERDMANN, TERM EXPIRED.

##### DEPARTMENT OF TRANSPORTATION

DIANA FURCHTGOTT-ROTH, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION. (NEW POSITION)

##### DEPARTMENT OF COMMERCE

NAZAKHTAR NIKAKHTAR, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE MARCUS DWAYNE JADOTTE, RESIGNED.

##### UNITED STATES INTERNATIONAL TRADE COMMISSION

DENNIS M. DEVANEY, OF MICHIGAN, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING JUNE 16, 2023, VICE IRVING A. WILLIAMSON, TERM EXPIRED.

RANDOLPH J. STAYIN, OF VIRGINIA, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING JUNE 16, 2026, VICE MEREDITH M. BROADBENT, TERM EXPIRED.

##### THE JUDICIARY

BARRY W. ASHE, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA, VICE L. R. LEMELLE, RETIRED.

DANIEL DESMOND DOMENICO, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE ROBERT E. BLACKBURN, RETIRED.

STUART KYLE DUNCAN, OF LOUISIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE W. EUGENE DAVIS, RETIRED.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. PAUL J. LACAMERA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be brigadier general

COL. TWANDA E. YOUNG

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be brigadier general

COL. ROGER D. MURDOCK

##### FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JULIE P. AKEY, OF VIRGINIA  
DULCE M. AYOUBI-ACOSTA, OF VIRGINIA  
HENRY N. BAKER, JR., OF KENTUCKY  
JEFFREY S. BARRUS, OF UTAH  
BENJAMIN J. BAUGHMAN, OF TEXAS  
SARAH M. BELOUSOV, OF FLORIDA  
STRAUN W. BOSTON, OF CALIFORNIA  
SHANNON M. BRINK, OF COLORADO  
ANTHONY C. BROSNAN, OF MISSOURI  
TUCKER A. BROWN, OF TEXAS  
JOEL BURGER, OF PENNSYLVANIA  
THOMAS G. CECIL, OF FLORIDA  
MOLLY MCCABE CHINCHILLA, OF ALASKA  
VINCENT G. CILLI, OF FLORIDA  
EVA COFFEY, OF TEXAS  
ADAM R. COLVIN, OF ALABAMA  
SYDNEY A. CROSS, OF MISSOURI  
STACI RAAB DAWSON, OF VIRGINIA  
CRAIG A. DENNISON, OF IOWA  
RISHI PRAFUL HAYWAR DESAI, OF WEST VIRGINIA  
COLIN J. DONOVAN, OF WISCONSIN  
KATRINA N. DRAYTON, OF MICHIGAN  
EDWARD A. EICHLER, OF MAINE  
ELIZABETH LAUREEN EVANS, OF VIRGINIA  
MANDY Z. FEUERBACHER, OF CALIFORNIA  
ERIC K. FONG, OF CALIFORNIA  
DARIN FOSTER, OF TEXAS  
MARINA O. GALKINA, OF FLORIDA  
DANIELA GARRETTON, OF CALIFORNIA  
JONAS B. GIL, OF NEVADA  
PHILLIP M. GUTHRIE, OF TEXAS  
RUSSELL C. HEADLEE, OF NEBRASKA  
TODD A. JURKOWSKI, OF FLORIDA  
NICHOLAS A. KLINGER, OF FLORIDA  
FAITH E. KROEKER-MAUS, OF SOUTH DAKOTA  
ABRAHAM YISUNG LEE, OF MARYLAND  
RUBY V. MARCELO, OF MARYLAND  
COURTNEY M. MAZZONE, OF NEW YORK  
TIMOTHY S. MCNALLY, OF ILLINOIS  
CHRISTOPHER I. MERRIMAN, OF VIRGINIA  
BRIAN C. PHELPS, OF FLORIDA  
RICHARD E. PINKHAM II, OF OHIO  
CHRISTOPHER J. PISTULKA, OF SOUTH DAKOTA  
JAMISON F. PIXLEY, OF MASSACHUSETTS  
CALEB D. PORTNOY, OF MASSACHUSETTS  
RYAN M. REYNOLDS, OF UTAH  
ROYAL S. RIPLEY, OF FLORIDA  
LEAH J. SEVERINO, OF THE DISTRICT OF COLUMBIA  
AMELIA R. SHAW, OF NEW YORK  
CRYSTAL DAWN SHERIDAN, OF TEXAS  
GENEVIEVE C. SIEBENGARTNER, OF OREGON  
NICHOLAS S. SIEGEL, OF VIRGINIA  
HELEN ELISABETH SOCOLOW, OF NEW YORK  
SARAH R. STEPHENS, OF OKLAHOMA  
SCOTT C. TUTTLE, OF NEW YORK  
MERRY M. WALKER, OF WASHINGTON  
JESSICA ELLEN WARDER, OF FLORIDA  
MICHAEL Y. WARDER, OF FLORIDA  
MICHELLE KRISTINE WARREN, OF NEW JERSEY  
JOSEPH N. YACKLEY, OF ILLINOIS  
VERA N. ZDRAVKOVA, OF IDAHO

#### CONFIRMATION

Executive nomination confirmed by the Senate October 2, 2017:

##### FEDERAL COMMUNICATIONS COMMISSION

AJIT VARADARAJ PAI, OF KANSAS, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2016.