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## Senate

The Senate met at 9:30 a.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.

Spirit of the living God, fall afresh on us, molding and making us according to Your will. Thank You for the favor You show us, because we belong to You and have been chosen to fulfill Your purposes. Lord, help us to grasp the significance of Your unfolding providence as You continue to sustain us with the many acts of Your faithful love.

Today, inspire our lawmakers to work to the best of their ability, striving always to do what is right for our Nation and world. Give them the wisdom in their labors to depend upon Your mercy, power, and grace, believing that You can do for them more than they can ask or imagine.

We pray in Your great 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.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. PAUL). Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Mitchell Zais, of South Carolina, to be Deputy Secretary of Education.

The PRESIDING OFFICER. The Senator from North Carolina.

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, this is my third occasion on a speech that I wish that I didn't have to give on the floor of the U.S. Senate, but I promise that I am going to give a speech on this subject every week that the Senate is open for as long as I am a U.S. Senator and there is a man in a Turkish prison who I don't believe should be.

This man's name is Andrew Brunson, Pastor Brunson. He is a Presbyterian minister from Black Mountain, NC, who has been in Turkey for about the last 20 years with his wife. He raised his family there. He is a Presbyterian minister who at first just did ministry work. He didn't have a church to actually open up to the community. He just did ministry work—preached the Word and delivered the Word for the people in Turkey who wanted to hear it. It was a small church with only about 50 full-time members. It was a church that was just outside of Izmir. It was actually in Izmir proper, which is one of the larger cities in Turkey.

As of today, this man has been in prison for 586 days. He was actually taken to prison, without charges, under the emergency order after the coup in 2016. He was put in prison on October 4, 2016. For almost 17 months, he was held in a prison cell that was designed for 8 prisoners but had 21 in it. None of the other ones were Amer-

ican. None of the other ones were English speaking. Many of them were charged on either ISIS or terrorist charges or for plotting a coup attempt. He was in that prison for almost 17 months. He lost 50 pounds. His health diminished. His mental state, as anyone would expect, diminished. Yet he is a strong man of faith, and hopefully he will continue to have the strength to go through this horrible process.

We have been handling this. We have what we call casework. If somebody in North Carolina needs help, whatever that may be, we encourage them to call our office, and we open a case. We do any number of things for veterans, for military families, for seniors—anybody. If you need help in getting through to the Federal Government, you call our office. So we opened a case on Pastor Brunson about a year ago, and we have been trying to work through diplomatic channels to get him released.

About 3 months ago or 4 months ago, we heard that the indictment was going to be served on Pastor Brunson. I received word from some of the family members and people in the faith-based community that they were concerned that the American people were going to read the indictment and really judge him as guilty and turn their backs on him and have him languish in prison for what would be, essentially, a life sentence. He is 50 years old, and the charges would be up to 35 years.

It was so important for me to have him know that we cared about him that I traveled to Turkey. I got a visa to go to Turkey and made a request to go to that Turkish prison and look Pastor Brunson eye to eye and tell him that we were not going to forget about him and that we were going to do everything we could to work for his release and the release of a number of other people who I genuinely believe, in Turkey, are subject to religious persecution.

I met with him in the prison for about an hour and a half. It turns out

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



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that we had just found out that his first court date was going to be about 3 weeks later, so I decided to go back to Turkey 3 weeks later and be in that courtroom to hear the testimony for myself, to hear the 62-page indictment play out. I was in that courtroom from about 9 o'clock in the morning on Monday until about 10 o'clock that night. If you don't know what a kangaroo court is and you can't read it on this slide, just Google it quickly, because what I saw was a kangaroo court.

First off, you should think about the setting. It is unlike any setting you could ever imagine in the United States. It doesn't have a trial jury, but it has a three-judge panel up there, and the prosecutor is really elevated to almost being another judge. The prosecutor was up at the dais. We were in a room that was about half the size of this room. It was maybe about two-thirds the size. It was a big room. The defense attorney was off to the side about another 30 or 40 feet, and the defendant was right in front of this panel of judges and was being looked down upon. He had to testify for 6 hours on his own behalf. One doesn't have a choice in Turkey. Then they listed the charges.

Why do I say it was a kangaroo court? Let me give a summary. I am not going to cover all of the charges because my time is limited today, but let me give a summary of some of the charges.

In the time I was there, there were about a half dozen secret witnesses. The defendant didn't get to face his accusers. In Turkey, these secret witnesses can say what they want to say. The essence of one secret witness's testimony was that he knew that Pastor Brunson was involved in either plotting the coup or in working with the PKK, which is a terrorist organization fundamentally made up of Kurds, because he witnessed a light on in this church for 4 hours.

First off, in the U.S. system, I know you are probably not going to get prosecuted for 35 years for having a light on for 4 hours—at least I hope not. Yet what makes this even more challenging is that this is the church. This church only seats about 120 people. It has two very small upstairs' rooms. I know because I have been there. We took these pictures when I visited Turkey after the visit to the prison. This is the room that is alleged to have had a light on for 4 hours, but there is one problem—no window, no way to possibly see into this room. In fact, the windows downstairs are closed with storm—I am trying to think of the name—shutters, wooden shutters. There is no way you could even see in. Yet this witness had what they considered to be compelling testimony that a light had been on, and for that reason, the pastor had to have been involved in the terrorist plot or the coup.

Another of the charges that have been alleged by the prosecution is that all of the churches in America are con-

nected and that they actually work in unison in other countries to disrupt the governments of other countries. A Christian church may take the Word to people in other countries, but it is really kind of organized as an intelligence-gathering and destabilizing force on behalf of the American Government in order to disrupt other sovereign nations.

Literally, this is how they have been thinking, and this is what they have been using to prosecute him. It is a kangaroo court.

I maintain that what we have is a hostage situation here. We have President Erdogan saying: If we give him a pass, give us somebody we are trying to extradite from the United States. On the one hand, they say you have to work through the system, and we have to let justice be served. On the other hand, the President has said: If you give us somebody we are trying to extradite from the United States, then we will give you Pastor Brunson. This is a hostage situation. This is religious persecution.

I will finish with this. Turkey is a NATO ally. It is an important NATO ally. It has been in NATO since 1952. It is in a very dangerous part of the world. It has a lot of challenges that it has to deal with—the Syrian conflict and its own internal economic challenges. There are a number of challenges, and I understand that President Erdogan's job is difficult. I would like to make it easier. As a co-lead of the Senate's NATO Observer Group, I would like to actually strengthen our partnership and make safer and more secure its homeland and its threat from foreign adversaries.

Yet, today, I have a NATO ally that is behaving like no NATO ally ever has in the history of the alliance. These are the sorts of things we are supposed to be doing as members of the NATO alliance, not illegally imprisoning for 586 days a Presbyterian minister.

We will be doing the NDAA markup next week, which is the National Defense Authorization Act. I will be working with other Members and will have to put forth provisions in the NDAA, which is the last thing that I would like to do. I would like to put provisions forward that strengthen the alliance with NATO, that send a very clear signal that we want to help them secure their homeland, and that send a clear signal that we want to work together in the fight in Syria. But today I can't have that as a priority. Today my No. 1 priority is releasing Pastor Brunson. I hope everybody understands that this is something that everybody—whether you are from North Carolina, North Dakota, or any State in this Nation—should all stand as a nation saying: This is not how you treat an American citizen and certainly not a NATO ally.

I look forward, hopefully, to never doing this speech again. I hope that by next week Pastor Brunson is free and that we sent a very clear message to

all the other people in Turkey who are in prison because of their faith that this is unacceptable behavior.

Thank you, Mr. President.  
I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF GINA HASPEL

Mr. McCONNELL. Mr. President, yesterday, the Senate confirmed two more superbly qualified circuit court nominees. Joel Carson and John Nalbandian are the 20th and the 21st circuit judges we have confirmed this Congress.

This morning our colleagues on the Intelligence Committee finished their consideration of Gina Haspel to be CIA Director and reported her nomination favorably with bipartisan support. Ms. Haspel's testimony and record have showcased the poise, talent, and experience that make her an excellent selection.

Senators heard about her 30-plus years of CIA experience, spanning sensitive operations from the Cold War to the Global War on Terror. That background makes Ms. Haspel an ideal pick at this particular moment, when Secretary Mattis has explained that counterterrorism and a renewed great-power competition are two of the key challenges facing our Nation.

So it is no wonder that James Clapper, President Obama's Director of National Intelligence, said: "I think the world of Gina; she is capable, smart, very experienced, well-respected by the Agency rank and file, and a great person."

Just yesterday, our current DNI, Dan Coats, wrote in USA Today that "she is a person of high integrity with valuable frontline and executive experience . . . who is willing to speak truth to power when required on behalf of our nation."

Gina Haspel is the right woman at the right time. Her nomination has support from national security leaders and Senators in both parties. There is no reason why her confirmation should be delayed, and I look forward to advancing it expeditiously following the committee's action.

NET NEUTRALITY

Mr. President, on another matter, over the last 20 years, the internet has yielded progress that was the stuff of science fiction just a generation ago. In so many ways it has spawned a new economy and fostered new connections across the country and the world.

In large part these successes owe to a bipartisan consensus that Washington, DC, should be largely hands-off, but, of course, like every exciting new frontier of the economy, the internet attracted attention from the crowd that prefers to regulate first and ask questions later.

In 2015 President Obama's FCC set out to fix what wasn't broken. It imposed regulations designed for Depression-era telephones on new technologies that fit in our pockets. So

much for the light-touch approach that helped the early internet grow.

Last year, under the leadership of Chairman Ajit Pai, the FCC sought to rectify this mistake and restore the rules that helped the internet flourish while still protecting consumers from abuses. The resolution Democrats are putting forward today would undo that progress. It would reimpose heavy-handed Depression-era rules on the most vibrant, fast-growing sectors of our economy. It is wrong on the merits. It is also the wrong way to go about this process.

The CRA is useful when it lets elected representatives rein in regulatory overreach by unelected bureaucrats, but this resolution doesn't seek to rein in overregulation. It seeks to reimpose it. What is worse, by using the CRA mechanism, the Democrats seek to make the 2015 rules permanent going forward. The CRA would handicap this FCC or future FCC's ability to revise the rules even if provisions were widely seen as necessary.

There is a better way to proceed. It is called bipartisan legislation. Senator THUNE has reached out to the Democrats on the committee to draft internet "rules of the road" for the 21st century—a set of rules that would safeguard consumers but still prevent regulators from stifling innovation at every turn. Already, multiple Democratic colleagues have drawn the same conclusions with regards to preemptive overcorrection by the FCC. The senior Senator from Florida and the junior Senator from Hawaii, for example, have both expressed a desire to collaborate on bipartisan legislation.

But Democrats have already made clear that the resolution today is about the elections in November. They know they will not ultimately be successful, but they want to campaign on their desire to add new regulations to the internet. This resolution takes us in the wrong direction, and we should reject it.

#### TAX REFORM

Mr. President, on one final matter, later today I will be meeting with members of an industry with deep roots in my home State of Kentucky—our bourbon and spirits distillers.

Judging by recent headlines, we will have plenty of good news to discuss. After 8 years of Democrats' policies enriching big cities but leaving small businesses behind, Republican policies are helping workers and job creators to thrive all across our country. From Louisville to Kansas City to Portland, our growing craft distilling industry is a perfect example. They are enjoying a pro-growth provision in the historic tax reform Republicans passed last year, which lowered excise taxes on beer, wine, and spirits and modernized the regulatory policy affecting each.

Interestingly enough, the Craft Beverage Modernization and Tax Reform Act even began as a bipartisan effort with 56 cosponsors here in the Senate, led by Senators BLUNT, WYDEN, and PORTMAN.

Of course, not a single Democrat showed up when it was time to vote on tax reform. But Republicans accomplished it anyway, and now the New York Times can publish stories about how the measure is making a big difference for small craft distillers.

As one such report puts it, distilling is a burgeoning source of jobs, tax revenue, and tourism dollars in every State. For example, the Kentucky Distillers' Association reported that just last year the bourbon industry accounted for 17,500 jobs and over 1 million visitors to my home State. That is a big shift from the so-called Obama recovery, when almost all the limited jobs and investment poured into the biggest cities. But it is a new day.

Now, FEW Spirits, in Illinois, has hired more workers and is replacing its overseas glassmaker with an American one. J. Rieger & Co., in Missouri, has found extra room in the budget to expand its sales team and begin selling its products further across the country.

In the Democratic leader's own backyard of Brooklyn, the New York Distilling Company recently cut the wholesale case price on its signature gin by more than 50 percent. According to one of its cofounders, Allen Katz, "the reaction from our industry peers has been jaw-dropping." In Kentucky, which is home to more than 50 distilleries, there are plenty of examples to choose from. Thanks to the lowered excise tax, Casey Jones Distillery, a small operation in Hopkinsville, is growing its team, increasing production and planning to enhance its event space. Copper & Kings, in Louisville, has been able to hire more workers and is preparing to expand its warehouse and add a new bar for guests. The Copper & Kings team recently shared with me that tax reform is "one of the most important initiatives [the Senate] could pursue to help create jobs for small businesses in Kentucky."

My Democratic colleagues failed to block tax reform last year, and now they want to just keep arguing about it. They even propose to repeal it and roll back Americans' tax cuts, but entrepreneurs across the country are loving our new 21st century Tax Code. They are using it to expand operations and to create jobs.

It is hard to argue with results—not that it has stopped our Democratic friends from trying, and I am sure they will continue to try. But Republicans will stay focused on taking steps like these and raising a glass to America's small businesses.

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

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

#### NET NEUTRALITY

**MR. MARKEY.** Mr. President, today is a monumental day. Today is the day

the U.S. Senate votes on the future of the internet, the most powerful platform for commerce and communications in the history of the planet. Today, we show the American people who sides with them and who sides with the powerful special interests and corporate donors who are thriving under this administration.

Today, we vote on my Congressional Review Act resolution to save net neutrality. Net neutrality may sound complicated, but it is actually very simple. After you pay your monthly internet bill, you should be able to access all content on the web at the same speed—no slowing down certain websites, no blocking websites, and no charging you more to exercise your 21st century right to access the internet. It is as simple as that.

If that sounds like common sense, you are not alone. In fact, according to a recent poll, 86 percent of Americans support net neutrality. This isn't a partisan issue; 82 percent of Republicans support net neutrality.

Every day, we are told that this country is more divided than ever, that our differences outnumber our similarities. Well, the American people agree on net neutrality. They agree that the internet is for everyone. They agree that we cannot afford to blindly trust a few internet service providers—AT&T, Comcast, Verizon, Charter—to put consumers first. Yet, once again, the Trump administration has neglected the will of everyday Americans and given a gift to the rich and the powerful.

In December, the Trump Federal Communications Commission eliminated the very rules that prevent your internet service provider from indiscriminately charging more for internet fast lanes, slowing down websites, blocking websites, and making it harder and maybe even impossible for entrepreneurs, job creators, and small businesses—the lifeblood of the American economy—to connect to the internet.

The Trump Federal Communications Commission picked clear winners and losers when it repealed net neutrality. When the Federal Communications Commission decision takes effect on June 11, Big Telecom will have new tools to inflate profits, but Americans and small businesses that use the internet to do their jobs, communicate with each other, and participate in civic life will be left defenseless.

Don't be fooled by the army of lobbyists marching the Halls of Congress on behalf of the big internet service providers. They say that we don't need these rules because the internet service providers will self-regulate. Blocking, throttling, paid prioritization—these harms are alarmist and hypothetical, they say. Well, that simply is not the case. These practices are very real, and in a world without net neutrality, they may become the new normal. But don't just take my word for it. Let's look at the facts.

In 2007, an Associated Press investigation found that Comcast was blocking or severely slowing down BitTorrent, a website that allowed consumers to share video, music, and video game files. From 2007 to 2009, AT&T forced Apple to block Skype and other competing services from using AT&T's wireless network to encourage users to purchase more voice minutes. In 2011, Verizon blocked Google Wallet to protect a competing service it had a financial stake in developing and promoting.

There is no shortage of evidence that we need clear and enforceable rules of the road so that these discriminatory practices do not become commonplace schemes that consumers and small businesses must suffer through without any options for recourse.

This isn't the first time Congress has had to step in to protect the integrity of the marketplace. In the 1800s, we didn't have the information superhighway. We had railroads. American farmers used trains to deliver their products to consumers, and powerful railroad trusts started charging certain farmers higher rates to move their goods. Congress stepped in and passed the Sherman Antitrust Act to put a stop to this price discrimination.

Today, we have left the steam engine era, and we have moved into the search engine era. Internet service providers are the 21st century trusts controlling the channels of commerce. And in 2018, many American job creators aren't moving alfalfa seeds; they are moving kernels of ideas for the next big app, the next new startup.

Net neutrality is about continuing the American tradition of promoting competition and providing the level economic playing field we need to continue to prosper in this rapidly changing global economy. But net neutrality isn't just an economic issue; it is also central to the health of our democracy.

Over the past several months and years, Americans all over the country from all walks of life have mobilized and marched, fighting for progress and change—Black Lives Matter, the Women's March, the “me too.” movement, high school students demanding gun control, teachers calling for fair pay. Today citizens of all walks of life are carrying the torch of American activism, and they are doing it online.

In 2018, this is how the American people are organizing. This is how the American people are doing the indispensable work of an active citizenry. This is how the American people are speaking truth to power.

Asking individuals to pay extra to speak out for what they believe in, allowing companies to stifle or even block access to certain ideas—that isn't who we are as a country. It isn't consistent with the values of nondiscrimination. Net neutrality is the free speech issue of our time, and the well-being of our precious democracy depends on the public having equal, unfettered access to the internet.

Today, the U.S. Senate will show its true colors. It will either heed the calls of thousands of small businesses that have written in support of this Congressional Review Act resolution and the millions of Americans who have sent letters, posted tweets, and made calls defending net neutrality or the Senate will give another present to the rich and the powerful.

The Senate will either follow the example of Governors, State legislators, and attorneys general all over the country who are fighting to save the internet as we know it or it will let President Trump, once again, break his campaign promise of putting average Americans ahead of swampy special interests. It will either stand up for the principles that have allowed the U.S. internet economy to become the envy of the world or it will make another unforced error that threatens our long-term competitiveness.

I urge my colleagues to make the decision our constituents—with one voice—overwhelmingly are asking us to make. I urge my colleagues to vote yes on this Congressional Review Act resolution to restore net neutrality, to restore the principle of nondiscrimination, to restore the protections for small startups, for individuals in our country so that they cannot be discriminated against online.

This is net neutrality day here on the floor of the U.S. Senate. Today is the day of reckoning, when the Trump Federal Communications Commission is going to have their act judged by the U.S. Senate. My hope is that before the end of this day, the Senate will vote to overturn the Trump FCC and restore net neutrality, restore the principle of nondiscrimination, restore the principle of equality, restore the principle that small software and internet startups are given the same protections that the biggest companies in our country are provided.

Today is the day. Net neutrality is the vote that will determine whether we are going to give those protections to every American.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic Leader is recognized.

NATIONAL POLICE WEEK

Mr. SCHUMER. Mr. President, this week is National Police Week. It is a time to honor the brave men and women who put their lives on the line every day to keep our streets safe.

Every morning, police officers all across the country wake up, put on their uniform praying for the kind of day the rest of us typically enjoy: a routine one. Praise God, most days

that is the case, but sometimes our police officers are asked to put their own lives at risk in defense of others. Back in my hometown, New York, we are protected by the finest law enforcement organization in the world—the NYPD. Just 2 weeks ago, two rookie New York police officers, Flavio Chauca and Jason Truglio, rushed into a burning apartment building and up nine flights of smoke-filled stairs to pull several people to safety. It was an extraordinary act of heroism—and just another day in the line of duty for the over 35,000 men and women of the New York Police Department.

All of us in Congress are indebted to the U.S. Capitol Police who spend long hours protecting us every day. We saw their bravery in action last year when a gunman attacked a congressional baseball practice. If it weren't for the grit and valor of Officers David Bailey and Crystal Griner, things would have gotten much worse.

We should all take a moment to thank the hard-working law enforcement officers at the FBI. Over the last year, our Nation's top law enforcement officers have been unfairly maligned by this President. It is unheard of, particularly on the Republican side, to be so anti-law enforcement, and it maligns the brave men and women who work under them too. Our FBI agents are patriots, just like the men and women out on the beat.

So, today, I salute the men and women in blue, particularly my friends at the NYPD and our fine Capitol Police, as we commemorate the lives of their colleagues lost in the line of duty.

NORTH KOREA

Mr. President, last night, we received reports that Kim Jong Un is threatening to pull out of a planned meeting with President Trump as a result of the routine and scheduled joint military exercise by American and South Korean forces.

After weeks of halting progress, it is a reminder that the North Korean regime has not suddenly moderated. Remember, all that has happened so far is, North Korea has announced it is closing a nuclear test site that was defunct anyway and returned American citizens they never should have detained. We are all thankful those three Americans have returned home, but it was not some major give by Kim Jong Un. Americans should never be imprisoned unlawfully by a foreign power and treated as diplomatic bargaining chips, and we, as a country, should not be giving huge kudos to a leader who does just that.

President Trump, on the other hand, made a significant concession when he agreed to meet with Kim Jong Un. We are rooting for the President's gamble, with this mischievous and dangerous regime, to work. Now that push is coming to shove, Kim Jong Un is baiting the President into making more concessions to ensure a meeting that was a concession to them in the first place.

I strongly urge President Trump: Mr. President, don't give Kim Jong Un anything for free. North Korea is threatening to cancel the summit over our joint military exercises with the South. That would be a mistake. It would be a mistake for the President to cancel this exercise, to begin making further concessions before Kim has dismantled a single nuclear weapon or agreed to a single inspector. If we show weakness—if the minute Kim Jong Un threatens, we go along, he will continue to take advantage of us. We must show strength and fortitude. By continuing these military exercises, we will do just that. I urge the President to not even blink an eye but say we are going forward with these exercises. We have seen North Korea play these games before. When North Korea wants or needs something, exercises are a problem. When they don't need something, the exercises are not a problem. Kim is clearly testing the United States and President Trump, trying to see if there is any weakness or desperation or division on our side. We must be strong. We must be resolute. This exercise should move forward.

The best way to head into these negotiations with the North is to make clear that we will not be bullied and to show strength. We have to be willing to walk away from an insufficiently robust deal, and making concessions before we even sit down at the table would send the opposite signal. To achieve an enforceable, verifiable, and enduring agreement to denuclearize the North Korean Peninsula, the United States cannot give away leverage before even getting in the room.

#### RUSSIA INVESTIGATION

Mr. President, on another matter, the Judiciary Committee report, this morning Republicans on the Judiciary Committee released the transcripts of interviews conducted as part of its investigation into Russian meddling. It was a perfunctory move, apparently intended to signal the end of the Judiciary Committee's on-again, off-again, halting investigation.

Senate Judiciary Committee Republicans are rushing to declare their investigation complete when they have barely scratched the surface. After more than a year of intermittent effort, Senate Republicans have interviewed only 12 witnesses in total. Today they are releasing the transcripts of the testimony of just five witnesses who were interviewed about the notorious June 2016 Trump Tower meeting. One of the witnesses, an infamous, Kremlin-connected lawyer, was allowed to provide only written answers—no followup questions, no probing. Astoundingly, our Republican friends decided not to even interview two of the other key participants in that meeting—Jared Kushner and Paul Manafort.

To call the Senate Judiciary Committee's Trump-Russia investigation halfhearted is too generous. It has been no different from the effort taken by

Representative NUNES. It is designed to let the President and his lawyers interfere with the Mueller probe and to get a peek at any potential evidence.

That is why the Democrats on the committee, led by Senator FEINSTEIN, have today released a document detailing the open threats of the committee's investigation—the interviews not conducted, the leads not followed. The information Judiciary Committee Democrats provided today shows one thing: Committee Democrats have made crystal clear that committee Republicans are prematurely saying “pencils down.” There is much left to investigate, many witnesses still to be heard, and many facts left to follow.

The message of Senate Republicans on this investigation is “Pay no attention to the man behind the curtain.” The American people will not be fooled. They know the difference between a genuine search for truth and a whitewash.

I remain hopeful that Senators Burr and Warner are running down every lead and every thread, but there is no doubt that the Senate Intelligence Committee's investigation will be the next target of the President's talking heads on FOX News.

#### PRESCRIPTION DRUGS

Mr. President, finally, on prescription drugs, I read a headline in this morning's Washington Post: “Trump's drug price retreat adds to list of abandoned populist promises.” That headline is spot-on. The President has repeatedly talked like a populist but governed like a plutocrat.

On taxes, the President said that his bill would be for the middle class. It turned out to be a trillion-dollar boondoggle for the rich and powerful.

On prescription drugs, it is no different. After saying that pharmaceutical companies were getting away with murder and that he would bring down prices, President Trump proposed only the policies most palatable to the drug industry.

Just today, I read about a company that proposed tripling the price of a widely used cancer drug. They ultimately backed down after a public outcry, but it shows that this problem isn't going away anytime soon.

We Democrats have proposed an independent group to go after egregious increases in drug prices, such as the one mentioned about cancer drugs today. Where is the President on this issue? He has to walk the walk, not just talk the talk.

As President Trump was giving his speech last Friday outlining his plan on prescription drugs, guess what the reaction was. The stocks of major pharmaceutical companies shot upward. That says all you need to know about how tough President Trump's plan on prescription drugs really is. Just like the issues of taxes, healthcare, infrastructure, and draining the swamp, on the issue of prescription drugs, President Trump continues to fail to deliver for the middle class.

I yield the floor.

Mr. ALEXANDER. Mr. President, today the Senate is finally voting to confirm a well-qualified nominee, BG Mitchell Zais, to serve as Deputy Secretary at the Department of Education. I worked to get a time agreement for this vote because General Zais did not deserve to be subject to the Democrats' unreasonable and unnecessary obstructions and delays. For example, General Zais was nominated on October 5, 2017, 223 days ago, and the HELP Committee approved his nomination for the first time on December 13, 2017, 154 days ago. Because the Democrats forced his nomination to be returned to the President at the end of the session in December, the HELP Committee had to approve his nomination again on January 18, 2018, after he was renominated.

It is time to confirm General Zais and give Secretary DeVos a Deputy Secretary. He has extensive experience working in education and in government. From January 2011 to January 2015, General Zais served as South Carolina's elected State Superintendent of Education. Before that, he was president of Newberry College in South Carolina for 10 years. He also served as a commissioner on South Carolina's Commission on Higher Education for 6 years. Further, after 31 years in the U.S. Army, he retired as a brigadier general. He graduated from West Point, has a Ph.D. from the University of Washington, as well as an honorary doctorate of education from the Citadel.

As Deputy Secretary, his job will be to help the Secretary manage the Department of Education, which includes implementation of the Every Student Succeeds Act. I am glad we are having this vote today. I support his nomination, and I urge my colleagues to support him as well.

The PRESIDING OFFICER. The Senator from Hawaii.

#### NATIONAL POLICE WEEK

Ms. HIRONO. Mr. President, this is National Police Week, and I join my colleagues in saluting all of our law enforcement personnel and our brave men and women who have put their lives on the line every single day to keep our communities safe.

#### NET NEUTRALITY

Mr. President, turning to another subject, net neutrality, protecting a free and open internet is something every American should care about. Restoring net neutrality protections is about more than just what shows we can watch on Netflix and Hulu. We depend on the internet for nearly everything in our lives—from staying in touch with loved ones on social media to communicating with doctors and paying our bills. It is also about preserving access to information in times of need.

Over the past month, Hawaii residents have depended on the internet to access lifesaving information and to communicate with their friends and family during a series of devastating

natural disasters. On April 15 and 16, nearly 50 inches of rain fell on Hanalei on the North Shore of Kauai, setting the record for the largest rainfall in a 24-hour period in American history. This storm destroyed many homes, triggered mudslides that closed Kuhio Highway, and damaged local businesses. That same storm also caused widespread flooding and damage on another island in East Oahu.

In an event that has drawn international attention, volcanic activity on Hawaii Island—including fissures, along the Kilauea east rift zone, around 100 earthquakes per day, lava eruptions, and significant ash fall events—has already destroyed 40 structures in the Puna community. More than 2,000 residents have been evacuated as the lava continues to flow and toxic sulfur dioxide pollutes the air.

Residents on Kauai, Oahu, and the Big Island have depended on a free and open internet to receive up-to-the-minute, lifesaving information from local media, as well as from Federal, State, and local governments.

Rules on net neutrality established by the Obama administration prevented internet service providers—ISPs—from discriminating against and blocking content. These essential protections help to ensure a level playing field for all content providers and consumers, but under the leadership of Donald Trump's handpicked Chairman, the Federal Communications Commission issued an order late last year that would completely eviscerate net neutrality protections.

Internet service providers looking to maximize profits should not be able to restrict access to information or slow speed for providers unable to pay more, particularly during a natural disaster or other emergency.

During the flooding on Kauai and Oahu and the ongoing volcanic activity on Hawaii Island, local news providers have been a critical lifeline for local residents in search of timely, accurate, and understandable information. Traditional newspapers like the Honolulu Star-Advertiser, the Garden Island, and the Hawaii Tribune-Herald, as well as online news sources like Honolulu Civil Beat, Big Island Now, and Big Island Video News have provided an essential service to the public. Through their websites and social media channels, these news sources have provided detailed reporting about the precise location of hazardous locations, where evacuees can find shelter and essential services, and where the public can make donations of clothing and non-perishable food. Television stations like Hawaii News Now, KITV, and KHON have also used their websites and social media platforms to livestream news reports that have been a critical lifeline for local residents and for their families and friends.

National and international journalists have also drawn on the work of local Hawaii journalists to report their stories to a national and international

audience. The good work of journalists at Hawaii News Now, KITV, and Anthony Quintano at Civil Beat, for example, is being seen by people across the country and around the world on CNN and NBC News, among others. The response of these local news outlets to natural disasters in Hawaii demonstrates why they are so important to the communities they serve. These news outlets depend—depend—on a free and open internet to deliver their content to consumers where and when they need it.

For an industry already facing a funding crisis driven by declining advertising revenue, the rollback of net neutrality would have a devastating impact on local news. A 2017 report by Adam Hersch at the Center for Internet and Society at Stanford University cogently summarizes what is at stake. According to his report, local news sources would be particularly hard hit if ISPs could charge access fees, block traffic from certain providers, throttle speeds, and charge fast-lane fees in exchange for preferential treatment. Huge media conglomerates would have little trouble paying for access, but local papers like the Star-Advertiser and nonprofit news sources like Civil Beat could be hard hit or even driven out of business.

In addition to the impact on local news providers, repealing net neutrality could make it more difficult and expensive for relief organizations to collect donations for people affected by natural disasters. The Pu'uuhonua o Puna community center, for example, is using social media to organize a community and statewide relief response to help families affected by volcanic activity. Using their online platform, the center is coordinating donations, identifying families requiring special assistance, and connecting evacuated residents with people who can help.

Eliminating net neutrality would also have a negative impact on small businesses in Hawaii, including those hard hit by recent disasters and those affected by decreased visitor access. Small businesses depend on high-speed and high-quality internet to reach their customers and grow their businesses. We all know this.

We had a Small Business Committee meeting hearing yesterday, where it was acknowledged that small businesses depend very much on the internet and free and open access. These businesses don't have the resources to compete in a pay-to-play system on the internet.

It is because of stories like these that a bipartisan group of Senators is forcing a vote to save net neutrality. An internet service provider should not be able to restrict access, especially—especially—during a major disaster, such as those being experienced in Hawaii, just so they can make more money.

I encourage all of my colleagues to join this effort and pass this resolution to prevent the elimination of net neutrality today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank my colleague from Hawaii, and our sympathy is with the State of Hawaii as they respond to this volcanic eruption. I noticed on the news this morning that they were referencing it could be as bad as Mount St. Helens. Trust me, that had a devastating impact on our State. I hope that all Federal agencies are helping in whatever ways they can with Hawaii's natural disaster.

I also thank her for talking about the importance of net neutrality. I, too, have come to the floor to defend the open internet. It is a pro-consumer, pro-innovation rule that we have to build on because it is worth 7 percent of our GDP and 6.9 million jobs. That is what the internet economy is.

The net neutrality rules that we are fighting for today have four bright-line rules that help businesses, help consumers, and help our internet economy to grow. They are these: No. 1, don't block content; No. 2, don't throttle content—that is, don't slow it down—and No. 3, don't create paid prioritization, which is like in the Burger King ad saying: If you want the next Whopper available, pay \$15. I think they did a pretty good job of showing what would happen if you had every business operating that way. No. 4 is transparency, to make sure that you know exactly what you are getting charged for.

The Obama-era Federal Communications Commission adopted rules that basically protected consumers and businesses on those four things. Why did they do that? Because there were some who were trying to eke their way into making more money off of consumers and businesses on what is basic service.

Title II was the regulatory framework that the Obama-era FCC used to make sure that consumers were protected. They were the strongest tools available, and they helped to make sure that there was not monopolistic behavior that would harm businesses.

The rule that was established by the then-Federal Communications Commission was an open internet with the FCC being the cop on the beat. That is to say, if you have these rules, you also have to have someone who is going to enforce them, someone who is going to look at the monopolistic behaviors of cable companies or providers and say: That is unfair to consumers and businesses.

But under the Trump-era FCC, all of those rules were thrown out. That is why we are here today. I and my colleagues are saying that we want to go back to the protections of the internet that are called "net neutrality" to make sure that the FCC—instead of a passive entity that just OKs every charge that cable companies want to do—says: These are rules about not slowing down content, not engaging in

monopolistic behavior. These things are wrong, and we are going to be the policeman on the beat.

The FCC can protect consumers and innovators, and they can make sure that internet traffic does not violate an open internet. But, as I said, the Trump-era FCC is trying to throw out these strong rules, and cable companies are already—already—starting to raise prices for higher speed.

In Vancouver, WA, Comcast recently announced that higher speed tiers would be available but only to consumers who purchase expensive paid TV-internet bundles. That is why we are here. Because while it sounds like: Why do we want to give cable companies the opportunity to throttle, block, or create paid prioritization, we also have to realize that today the internet economy is so much bigger than it has ever been; that it is a job creator and an innovator. In my State, it is 13 percent of our economy, and thousands of jobs that continue to grow every day as new applications for the internet are created.

It is so important that businesses, which are even using these apps to help run their businesses more efficiently, continue to get access to those tools. But what about an internet in which a cable provider decided to artificially slow down that website and thereby create a disincentive for the very things that are helping to make our businesses more efficient?

So we want to make sure that the FCC does its original job. What is that? Well, they are there to promote development and adaptation of communication networks in the public interest. They are serving consumers, and that is the center of their mission.

The center of their mission should not be serving cable companies. That is why courts have said to the FCC: If you want to have the authority to protect an open internet, you have to do that under title II. Basically, the court explained that if enforcing open internet principles and being a watchdog against abuses is important to the FCC's mission of promoting the deployment and adoption of communications in the public interest, then, those powers have to flow from title II of the Communications Act. So that is why the Obama-era FCC adopted those rules.

Today we know that the internet is a basic necessity. It provides access that helps our healthcare delivery system work, our education system work, our banking system work, shopping, and all sorts of things that make it a necessary tool in life today.

When a service is that essential and critical to individuals and communities and their economic success, we need to make sure that consumers have protections and to make sure that it is not abused.

In the United States, just three providers of internet access have about 70 percent of consumers. In any market with only a few players, it is essential

that we protect businesses and consumers, and that is exactly what title II does. It helps to protect us from a cable company gouging and its close cousin—paid prioritization.

Title II makes sure that the barriers to entry are not erected so that entrepreneurs or startups that want to bring new products to market aren't artificially slowed down and a larger competitor that can pay more for it can continue the access.

Just recently, we had an event with Redfin, a company that is changing the real estate market in the Pacific Northwest by helping to drive down the cost to consumers for real estate purchases. They made it very clear that Redfin was able to develop today because it had an open internet and its consumers and business partners could connect to it. But in a world where they were just starting out new and they had to pay for prioritization to get good broadband service, they may not have been as successful.

These rules—title II—give expert agencies the tools to look behind the curtain and make sure that cable companies are providing the services that do not violate an open internet.

There is a reason that cable companies don't want to follow these rules. It is because they want to make more money. I get it. They want to make more money. But I would say that with 40 percent of Americans having no choice in whom they buy internet services from, we have to be much more vigilant. These companies have several vertically integrated companies at the top, and they are seeking to amass more and more content. That could give them the tools, again, to block content, to slow it down, or to x out a competitor if they so choose. I do not want to see the FCC sitting on the sidelines and not policing this kind of environment.

I know that AT&T is now trying to merge with Time Warner. These large companies want to continue to amass content and to drive the marketplace. The American Consumer Satisfaction Index tracks consumer satisfaction, and these big companies are at an all-time low. Do consumers think they are going to do the right thing on their own? Do they think cable companies will do that?

The cable industry ranks at the very bottom of 43 industries in consumer satisfaction. In fact, it has been in the dead-last position for 5 years. So does the public think they are doing the right things when it comes to them or their businesses? I think that survey says it all. They have great concern.

One of the reasons cable companies give for why they don't want to follow net neutrality rules is because they say it will hurt their investment in networks. Well, I guess I would ask the question: Did the Obama-era FCC rules slow down investment? No, they didn't. The big cable companies continued to make investments in their networks.

In the year immediately following the FCC rule that went into place, the

entire industry showed that the total capital expenditures increased by more than \$550 million above the previous year's investment. For example, in a 2017 earnings report, Comcast, the Nation's largest broadband provider, noted that its capital expenditures increased 7.5 percent to \$9 billion and that it continued to make deployment in platforms like X1 and wireless gateways.

Likewise, AT&T spent \$22 billion on capital investments, up \$20 billion from the previous year.

In fact, 2016 represents the industry's highest single-year jump in broadband network investment since 1999.

So the notion that they are somehow going to slow down on investment is just not true. The historic growth came after companies had a full year to digest the impacts of title II and net neutrality rules being put in place by the Obama-era FCC.

So where are we today? Well, these companies continue to make money, and they want a free pass on continuing to make more. That is why our goal is not the profits of big cable companies. Our goal is to make sure that the internet economy continues to grow and the juggernaut of job creation and innovation continues to expand.

We want the internet ecosystem that has doubled as a percentage of GDP from 2007 to 2017 to continue to grow. As I said, in my State it is about 13 percent of our State's economy, and I spend practically every day in the Senate hearing about another innovation from someone in my State. It might be the farm economy and more efficient ways to produce products or get products to market or manage their livestock. It might be in telemedicine and helping someone from one side of the State to the other to get access to care. It might be as basic as connecting people to their families and loved ones, but it is the internet that we know today that is so integral to our lives.

I hope the commonsense legislation in front of us—the CRA—which would restore those Obama-era FCC net neutrality rules, passes. I hope our colleagues will understand that getting exorbitant internet fees from cable providers is not the direction the American people want to go. American entrepreneurs, innovators, and consumers cannot afford to take that hit. What they want to see is an open internet—one that continues to allow so much more of the internet economy to flourish.

Let's make sure that we say to the FCC: We don't want you folding or sitting on your hands. We want you to police the internet, and we want you to have the rules to do it.

That is why we must pass the CRA today. I hope our colleagues on the other side of the aisle will join us, because there is just too much at stake in our innovation economy.

I thank the Chair.

I yield the floor.



The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I thank my colleague from Washington for her leadership and her articulation of a big issue before us. I too rise today ahead of a vote that is of vital importance to protecting a free and open internet.

Last week FCC Chairman Ajit Pai announced that June 11 would be the date when key net neutrality protections will officially end. This backward, misguided decision from the FCC threatens the consumer friendly internet that Americans know today—an internet that ensures equal access to content, regardless of which internet service provider you use.

Ending net neutrality could impact all of our people. In New Hampshire, our citizens are rightly concerned, with thousands of Granite Staters contacting my office to urge Congress to save these key protections.

I am pleased to join my colleagues, both Republican and Democrat, to force a vote to do just that.

Reinstating net neutrality is critical to promoting innovation, supporting entrepreneurs and small businesses across New Hampshire, and encouraging economic growth. By ensuring that our businesses can compete on the internet on an equal footing, we provide more opportunity for a wide range of businesses, from high-tech companies and startups to farming and agriculture.

On Monday, I visited Stoneyfield Farm in Londonderry, NH, to discuss the negative impact that repealing net neutrality will have on their business and countless other businesses across our State. Stoneyfield is a New Hampshire business that sells organic dairy products all over our country and relies on the internet to reach their customers. They also rely on the internet to connect with small businesses and dairy farmers that help source their products.

When I met with representatives from Stoneyfield and farmers from around New England on Monday, they made clear that they are worried about what could happen if smaller farms are charged more for access to websites and services—a potential effect of repealing net neutrality.

Farmers are already operating on pretty small margins, and they could be hurt by having to pay even more to get the kind of speed on the internet they need in order to be competitive. This is particularly troubling in rural areas, where many communities still face challenges with access to broadband.

It is not just rural communities and farmers. This decision would hurt small businesses in any number of industries across New Hampshire, all to give big internet service providers another opportunity to raise their profits.

It would be unfair to all consumers to give internet service providers the power to discriminate against certain

web pages, apps, and streaming and video services by slowing them down, blocking them, or favoring certain services while charging more for others.

Protecting a free and open internet means we are protecting the farmers who need the internet to sell their products. It means we are protecting the next great startup which needs a level playing field to compete against larger, more established companies. It means we are protecting the countless Americans who have used the internet as a mechanism to organize and civically engage online.

There has been so much energy from Granite Staters and Americans who are in favor of reinstating net neutrality because they know how much is at stake. I am grateful for their efforts to speak out because they have helped us get to this point today. I am hopeful more of my Republican colleagues will join us today to put consumers and small businesses first and to show that the U.S. Senate is in favor of a free and open internet.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. 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. CARDIN. Mr. President, I take this time to urge my colleagues to support S.J. Res. 52, which would reinstate the free and open internet. I thank my colleagues, Senator MARKEY and others, for bringing this to our attention. It deals with the Congressional Review Act to block regulation which had been suggested that would repeal the protections we have on the free internet. Let me just give a little bit of background so we can put this in context.

Internet service providers—known as ISPs—are basically utility companies that provide internet service to our constituents, to our businesses, and to America. Without the protection for net neutrality, these utilities have the ability to block or throttle content on the internet or charging what is known as being in the fast lane, charging more. So this is a debate between whether we are on the side of the big utility companies that provide internet service and their special interests or the individuals and small businesses of America to guarantee them equal access to this critical service. Let me give one example, and there are many that can be given.

I am sure, in every one of our communities, we have a lot of small businesses. They recognize that they can now do business on the internet, and they have an opportunity to compete with the large companies that do most of their business through the internet.

In Baltimore, in Maryland, I have small shop owners. One I am particularly familiar with sells bikes. This

shop owner now is using the internet in order to get to customers so he can show his wares on the internet and be able to compete against one of the large, giant retailers that does a lot of business on the internet.

If a consumer in Baltimore goes onto that bike shop's website, and if the product that consumer is interested in will not pop up within a couple seconds, the consumer is gone. There has been study after study that shows that about 3 seconds is the maximum attention span of a consumer shopping on the internet.

The large store that has access to the fast-service broadband will have an incredible advantage over our small businesses if we allow the utility that provides the internet service to discriminate against the smaller users. That is what this debate is about. It is about protecting individual consumers, and it is about protecting small businesses.

There is a reason why, in 2015, the open internet order was passed to protect utilities that provide internet service from blocking or slowing down internet service.

Broadband internet service is a public utility. It is interesting that almost half of the consumers have no choice in whom they have to provide their internet service. They have basically one internet provider to choose from. Competition does not exist. So this is not a matter of competition; this is a matter of preventing discrimination.

I have had the honor of being the ranking member of the Small Business and Entrepreneurship Committee, and I can tell you, on behalf of the small businesses of Maryland and around the Nation, on behalf of farm owners around the Nation, they need to have access to the internet, and they depend upon net neutrality. Fifty-six percent of the small business owners oppose the FCC's repeal of net neutrality; 70 percent of small business owners feel they are at a disadvantage compared to a large corporation due to their size and market power. The internet gives them that capacity to try to equalize that disadvantage.

John Duda is co-owner of Red Emma's, a cooperative bookstore and restaurant in my hometown in Baltimore. He summed it up best by saying:

I don't have the money to pay an internet service provider to guarantee my website will load quickly for all users, so I'm concerned the end of net neutrality means customers will buy from retailers that have the resources to pay for faster service. Additionally, if my internet service provider slows load times for—or blocks access to—my web content, we'll be up against more than just larger book sellers or restaurants—we're suddenly competing against any website that loads quickly because those are the ones that will draw people's attention.

This is a matter of economic survival for small businesses. Everybody wants to make sure they have access and that we have superhighways for broadband. We have that in Maryland, and we need the last mile to make sure you can get connected. Absolutely, we have to do



more to make sure all communities have access to internet service, but, like healthcare, if you don't have quality care, access is not going to help you. You need to be able to have reliable broadband service.

Net neutrality has lowered the barriers to starting and growing a small business, and that is undeniably good for our economy. We all brag about the fact that small businesses are the growth engine of America and more jobs are created by small business, innovation, et cetera. Let's make sure we give small business what they need. Let's preserve net neutrality.

As FCC Commissioner Jessica Rosenworcel put it, "For the first time, small business could think big and consumers could shop small, from anywhere in the world." Think about that for a moment: Small businesses can think big because they have access to the internet, and consumers can shop anywhere in the world and shop in small companies anywhere in the world. The loss of net neutrality jeopardizes that progress.

In every State, community, and home across our Nation, Americans expect the water coming out of their tap to flow on demand and be safe to drink. They expect the lights in their homes to go on thanks to the utility company that provides the electricity. And, yes, they not only want but need to have access to broadband internet in the very same way. This is a utility, and it needs to be regulated as such.

These providers should not have the last word in what any American can see on the internet. Access to the information vital for our democracy and our economy to function must be preserved.

Congress has a chance to put consumers and small businesses first and prevent the FCC from bowing to corporate interests instead of serving the public interest. I urge my colleagues to vote for S.J. Res. 52.

Mr. President, 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. WYDEN. 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. WYDEN. Mr. President, it is important for everybody to understand how things work today and what net neutrality is all about. What net neutrality is fundamentally about is that everybody gets a fair shake with respect to using the internet. After you pay your internet access fee, you get to go where you want, when you want, and how you want. There are no special deals. There are no priority lanes for those with deep pockets to get more content and get it faster than everybody else. That is not the way it works today. Everybody gets a fair shake on an open and free internet because of net neutrality.

What Mr. Pai, the head of the Federal Communications Commission, and his allies want is something very different. Under their vision of how things would work online, there would be toll booths all over the internet, and those higher costs would, one way or another, come out of your pocket. That would work a hardship on millions of Americans, on millions literally but especially on small businesses, seniors, and students. Everybody would be affected by a new approach that would establish toll booths all over the internet.

My view is that there is no vote this body is going to take in 2018 that will have a more direct impact on the wallets of Americans than the one that is going to happen in a few hours. This is the last chance to protect the free and open internet that comes about with real net neutrality. The fact is, if we don't do it, the Trump Federal Communications Commission and Chairman Pai want to turn the lights out on the system I described today where, after you pay for your internet access, you go where you want, when you want, how you want. That is what we have today. Without what we are doing here, Chairman Pai at the Federal Communications Commission can change that and take money away from typical Americans to line the pockets of their friends at the big communications monopolies, Big Cable.

If Republicans in Congress allow this administration to get away with repealing net neutrality, Americans can certainly expect to be charged more for Netflix, for music services on Spotify, and for video game downloads—for example, on PlayStation.

This isn't some academic policy question that is going to show up years from now. Certainly, there are matters we talk about where that could be the case. This is where the Trump Federal Communications Commission could hand big cable companies more power and take more money out of the pockets of the American people next month.

I am very appreciative of my colleague ED MARKEY for the extraordinary leadership role he has taken. He and I have enjoyed teaming up since the days when we began in public service. Senator MARKEY was then Congressman Markey, and he introduced the first net neutrality bill in the House. I had the honor of partnering with him when I introduced the first net neutrality bill in the Senate. Both of us said, literally, more than a decade ago, that we needed communications policies that were rooted in the principle of nondiscrimination—transparency, openness, and freedom for all online. Here we are, back in this fight once again, to pass the Markey resolution, which, in effect, will ensure that what my colleague has sponsored today and sought to do a decade ago, on which I partnered with him, will actually get done.

Everybody understands that you have to pay a fee to get access to the

net. The question at the heart of this debate that you have to keep coming back to is this: Once you pay that fee, shouldn't everybody get a fair shake? Shouldn't we be able to say in America that once you pay that fee, you ought to be able to go where you want, when you want, and how you want? As the Trump FCC wants to do, should you be able to say that the big cable companies should be able to hot-wire the system—to rig the internet—for the benefit of those who can afford to pay more?

I would say, because I have been listening to my friend talk about this, that their vision is, really, something along the lines of an information aristocracy, whereby, if you have deep pockets, you are going to have access to a technology treasure trove, but the typical American, with his vision, is kind of on his way to digital serfdom. That is why it is so important to understand what Chairman Pai and the FCC are up to, which is special deals for special interests and more power—significantly more power—for those with deep pockets.

What the people who are opposed to real net neutrality have cooked up is a scheme called paid prioritization. I say to Senator MARKEY that I have called this effort that of erecting tollbooths online. What it means is that if you are among the fortunate few, you get faster download speeds and more content. If you are a big, established company, guess what. You can stifle the competition. You can squash the competition. Those opportunities aren't going to be available to an entrepreneur who is just starting out in his garage somewhere. For a family that is barely staying afloat, what it sounds like they are interested in is giving them second-rate internet service. I think Senator MARKEY and I remember that it was not that long ago when big chunks of America had dial-up, and people seemed to wait forever to get online.

Mr. Pai is going to tell you with a straight face that these big cable companies have the best of intentions and that they are sort of going to go along with all of this voluntarily because it is just the right thing to do. Yet my question is this: If the cable companies are just going to go along with net neutrality, why is Mr. Pai working so hard to get rid of it? It doesn't really stand up. I always say at home, because people ask what it means for us—and they have gotten to meet the charming William Peter Wyden, aged 10—that there is about as much chance that the cable companies will voluntarily go along with net neutrality as the likelihood that William Peter Wyden and his sister will voluntarily limit the number of their desserts. It is just not going to happen. In particular, if Mr. Pai says he believes in real net neutrality, the Markey resolution will give him a chance to actually show that. But we all know that he doesn't see it that way.

I just opened all townhall meetings in Oregon, most of them in rural communities, and I know the distinguished Presiding Officer of the Senate represents a lot of rural terrain. I am telling you that people in those rural areas understand what is at stake for rural America here. For rural America, without the Markey resolution, it will mean the net will move along at snail's pace. It will mean that rural businesses could have a harder time in getting off the ground and reaching customers. I talked to ranchers, for example, about just this issue. It will mean rural healthcare could miss out on technological marvels that could have the potential to save lives.

This is particularly important because Senator MARKEY and I have teamed up on a lot of the efforts to improve American healthcare. We have led the fight to show that we are updating the Medicare guarantee so that it will not be just an acute care program but will focus on chronic illnesses. Senator MARKEY and I have led the effort for more care at home and for greater access to telemedicine. All of those technological marvels really depend on rapid access to the net. If you are in rural America and you have had a stroke, rapid access to the net may be something that will save lives and that will ensure those rural providers will be able to get connections to parts of the country that will have, for example, a neurologist available who will be able to help.

The Markey resolution and its passage should not be an issue seen along partisan lines. I don't see it as a political question. The bottom line of the debate is that if the resolution goes down, the stuff Americans do on the internet today is going to cost them a whole lot more tomorrow. It is not going to take place years from now and be some kind of an abstract question. It is going to be on Americans. Those extra costs will come out of their pockets, and it will cost them a lot more in a hurry.

I close by thanking my colleague from Massachusetts for all of his leadership. It has been my privilege to team up with him. I guess it becomes almost bicameral since the two of us started this in the House and the Senate.

I urge my colleagues to support the Markey resolution and do the right thing. Support the consumer and small businesses. Let's not hand more power and profit to the big cable companies at the expense of Americans, from sea to shining sea, who cannot afford more money to come out of their wallets and go to the big cable companies.

I see my friend on the floor.

Mr. MARKEY. Will the Senator yield?

Mr. WYDEN. I am happy to yield.

Mr. MARKEY. I thank the Senator.

Mr. President, I wanted to follow up on that very important point that the Senator was making, which is that these big companies are all saying: You

don't have to worry because we don't have any intention of discriminating.

Then we say: Well, that is what net neutrality says, that you should not discriminate, that you should treat everybody equally.

Then they turn around and say: Oh, you can trust us, but take the rules off the books that we say that we agree with and that we are going to abide by.

From my perspective, they are trying to have it both ways, but the way they really want to have it is with no rules at all. Then, they will be free to go back to displaying conduct which we know, in the past, they have engaged in.

Does the Senator agree with that assessment?

Mr. WYDEN. Mr. President, my colleague from Massachusetts is probably being too logical for a lot of this discussion, whereby the special interests continue to shroud their real agenda, which is what my friend from Massachusetts has described. Clearly, with this effort the big cable companies, with their hopes riding on Mr. Pai, would like to go back to yesteryear, when they could gouge the consumer, when they could stick it to the person of modest means.

I think my colleague has summed it up very well. If Mr. Pai and his allies were really going to present us with a real net neutrality plan, I know we would be interested in hearing about it, but they have never been interested in that. What they have been interested in is taking a whole lot of legalisms and murky language to try and fool the American consumer. The bottom line is Mr. Pai and his allies would like to set up these tollbooths across the country and start with a policy that, one way or another, is going to cost the typical consumer more.

I look forward to my colleague's remarks.

Mr. MARKEY. Mr. President, I thank the Senator because, I think, that is what he identified 12 years ago when he introduced a net neutrality bill here in the Senate and what I had identified over in the House. We worked together on it at that time, and the need just continues, especially as we get deeper and deeper into this internet era. It is almost like oxygen for somebody now, especially for young people, young entrepreneurs. They need to know that they can gain access to the web in order to start up their new software or internet companies, but they shouldn't have to first raise money to pay exorbitant fees to the big broadband companies. First, they should be free to innovate and not worry that they be can be discriminated against.

Whether it is in Portland, OR, or in Springfield, MA, it is the same principle for which we have been trying to stand up for all of these years. It was the law until December of 2017, when Ajit Pai and the Trump FCC took it off the books. That is what the debate is about today: Are we going to put those rules, those nondiscriminatory rules, back on the books?

Mr. WYDEN. Mr. President, my colleague has said it very well. It is what I saw last week in these nine townhall meetings, and almost all of them were in rural Oregon.

People joked and asked: RON, why are you here? We have more cows than people.

I said: My hometown is Portland. I love Portland.

My only frustration, as my friend knows, is I didn't get to play for the Trail Blazers.

I am not a Senator from the State of Portland. I am a Senator who represents every nook and cranny of Oregon, however small. What I would say to my friend and, I hope, to my colleagues—because the Senate represents a lot of rural terrain—is what I heard in places like Burns and Prairie City last week. If they have to pay more for less content, which, I think, could easily happen under these trickle-down telecommunications policies of Mr. Pai's, then it is not just going to be Portland, OR, and Springfield, MA. It is going to be rural America—literally, from sea to shining sea—that is going to wake up very soon and find its bills going into the stratosphere.

Mr. MARKEY. Mr. President, by the way, whether it is Burns or the Berkshires, there are rural parts in every State. We have them, as well, in Massachusetts. They have the same right of access to a free, unfettered internet as do the people who live in Cambridge, MA, or in Portland, OR. The rural parts in every State are entitled to it. The rural businesses, the farmers should all be able to rely upon—have a guarantee—its being free, open, and that they are not going to be discriminated against.

That is why I wanted to get up and thank the Senator for his historic leadership on this issue. He was there at the dawn of this whole era, and he continues to ensure that the internet is infused with the values that, I think, our Nation wants to have reflected.

Mr. WYDEN. It has been a privilege to work with my colleague. This has been bipartisan—especially making sure the kinds of policies that can come about with real net neutrality and making sure rural communities get a fair shake complement other work we are doing that represents the future. My colleague and I have talked about the fact that in our efforts to update the Medicare guarantee, for years and years both political parties have missed what Medicare has become.

Back when I was director of the Gray Panthers—the senior citizens—Medicare had two parts, Part A for hospitals and Part B for doctors. If you broke your ankle and went to the hospital, that was Part A of Medicare. That is not Medicare any longer. Today, Medicare is cancer, diabetes, heart disease, strokes, and chronic pulmonary disease—all of these chronic conditions. What my colleague has done—and I am so appreciative of the fact that we can work together on this. We said: Let's

update the Medicare guarantee. Medicare is not a voucher, a slip paper you give to people. It is a guarantee of basic services. So Senator MARKEY and I and others of both political parties have come along and said: Let's give people more care at home. Let's expand the role of telemedicine so that if you are in Burns or Prairie City, OR, or other small towns in America, you can have access to these technological marvels when you don't have a neurologist or a specialist.

Make no mistake about it, what Mr. Pai is looking at is a prescription for trouble for rural healthcare because they, like so many of the people they serve, are going to face the prospect of those toll booths, and they are going to pay more, in many cases, for less.

So I look forward to working with my colleague and listening to his remarks.

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

**Mr. MARKEY.** Mr. President, 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. MARKEY.** 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. MARKEY.** Mr. President, as we conclude this part of the debate, I will just take note of the fact that the American Association of Retired People today has come out in favor of the open internet order, which is the restoring of net neutrality principles, which follows on what the former head of the Gray Panthers, the Senator from the State of Oregon, Mr. WYDEN, raised today—the need to ensure that everyone gets the full protection of net neutrality rules.

The votes we are about to cast are nothing short of the most consequential votes on the internet in the history of this body. We will take the important step to reaffirm the principles of nondiscrimination online or we will allow a few companies to control how we access the internet. We will stand up for the small app developer with a bright idea to change the world or we give another gift to the powerful corporate interests and their lobbyists in the District of Columbia. We will take a stand to protect our online economy or we will say goodbye to the internet as we know it.

In 2018, essentially every company is an internet company. In my State of Massachusetts and in every other State, tech underpins the economy of the United States today. In 2017, almost half of all venture capital in the United States was invested into internet and software startups. That is over \$34 billion.

This is working. This is capitalism at its best. This is small business being able to receive the capital it needs in order to start new companies in our

country. Small businesses are the ones that hire new people who do innovation. That is what the venture capital industry is indicating by pouring money into these smaller companies under a regime of net neutrality.

So we found the secret recipe. When we take a democratized platform, with endless opportunity for communication, and add American ingenuity, the result is economic growth and innovation. What we are doing is working. With net neutrality protections in place, there is no problem that needs fixing.

This fight began when Senator WYDEN and I introduced net neutrality as legislation back more than a decade ago. I introduced it, Senator WYDEN introduced it, because we knew then the internet was the most powerful and pervasive platform in the history of the world. Since then, the importance of the internet has skyrocketed, and the movement to protect it has followed suit. Millions of Americans are raising their voices for net neutrality because they know the power of the internet. They know it can categorize staggering commercial growth, they know it can create endless connections, and they know it can change the course of civilization in fractions of a second.

A vote against net neutrality is a vote to change the fundamental character of the internet. A vote for net neutrality is a vote for America's future. I urge each and every one of my colleagues to vote yes on this resolution.

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

**Mr. WICKER.** Thank you, Mr. President.

I have been recognized to close the debate on this motion. In a few moments, we will be voting on the motion to proceed to this resolution. I will be voting no and urge my colleagues to do so.

This debate is about a free and open internet, and it is also about a thriving and innovative internet. We can have both. For decades, we have had both, and we can continue to do so if we are smart about this.

Does every Senator in this Chamber believe in a free and open internet? Yes.

Does every Member of this body want to prevent blocking and the throttling of the internet? The answer is a resounding yes.

Does any Member of the Senate advocate, as my friend from Massachusetts just suggested, that a company or two gets to set the rules for the entire internet? Absolutely not.

Do all Senators and all Congressmen want the internet to be a source of innovation and job creation and prosperity as it has been for a quarter century? I hope so.

I hope we all want this information superhighway, this technology superhighway to continue its success. I hope we all want the internet to continue being that phenomenal platform for

market competition, health advancements, investment, technological progress, efficiency, and safety. I hope we all want this.

If we all want this great engine to keep going, it is important to ask how all this happened in the first place. How did we get here? How did we arrive at this point in our Nation's history, with a dynamic internet economy that is truly the envy of the world?

The answer lies in the creativity and ingenuity of the American spirit. This has allowed the internet to thrive under the light-touch regulatory framework that has governed the internet for most of its history.

Let's revisit a little of that history. It was in 1996. I was a freshman Member of the House of Representatives at this time under a Democratic President, under a Democratic administration. Our country was at a crossroads on how to govern this new thing called the worldwide web, the internet. No one could have imagined the success of the internet we have today, but policymakers had the foresight not to regulate these new emerging information services like the services of a bygone era.

Instead, in 1996, during the Clinton administration, a very deliberative, thoughtful decision was made not to impose title II rules—the same rules from the 1930s that were modeled for the Bell monopolies, that were modeled for a time during the Great Depression. That was the pivotal decision that allowed this great internet economy to thrive and to be the success it is today.

Now let's fast-forward to recently, to 2015. That was the year the FCC made an ill-advised decision to change all that. Despite explosive growth, new applications, services, and consumer choice that the internet was delivering to Americans, the FCC imposed these title II rules, and that is what we are debating today. Almost immediately we saw a chilling effect on investment and innovation. U.S. companies were right to be uncertain about the archaic title II regulations and how they would apply to modern technology.

Fortunately, this misguided action was reversed last year. The FCC lifted the 2015 regulations and restored the light-touch regulatory framework that has benefited consumers for almost two decades and has resulted in this great success. Today, some in Congress are trying to give the government more control again, applying utility-style regulations that would threaten the internet as we know it. We should reject these efforts.

Let me say this: Many of my colleagues correctly, on both sides of the aisle, have been calling for bipartisan legislation to enshrine the net neutrality principles into law—legislation which I support, legislation which Members of the minority party have supported. If this resolution passes today, it will amount to merely a statement, nothing more.

Senator THUNE will give Senators an opportunity to pass bipartisan legislation today. I hope we will do that. I hope, once this statement is made, we will move on to enshrining net neutrality principles into a law that protects consumers and promotes innovation.

### LEGISLATIVE SESSION

The PRESIDING OFFICER (Mrs. ERNST). Under the previous order, the Senate will resume legislative session. The Senator from Massachusetts.

### PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION—MOTION TO PROCEED

Mr. MARKEY. Madam President, I move to proceed to the immediate consideration of Calendar No. 406, S.J. Res. 52.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 406, S.J. Res. 52, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom."

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 96 Leg.]

#### YEAS—52

Baldwin	Hassan	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Sanders
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	Kennedy	Shaheen
Carper	King	Smith
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskey	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murkowski	Wyden
Gillibrand	Murphy	
Harris	Murray	

#### NAYS—47

Alexander	Cassidy	Daines
Barrasso	Corker	Enzi
Blunt	Cornyn	Ernst
Boozman	Cotton	Fischer
Burr	Crapo	Flake
Capito	Cruz	Gardner

Graham	Lee	Sasse
Grassley	McConnell	Scott
Hatch	Moran	Shelby
Heller	Paul	Sullivan
Hoeben	Perdue	Thune
Hyde-Smith	Portman	Tillis
Inhofe	Risch	Toomey
Isakson	Roberts	Wicker
Johnson	Rounds	Young
Lankford	Rubio	

#### NOT VOTING—1

McCain

The motion was agreed to.

### PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 52) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom."

The PRESIDING OFFICER. Pursuant to the provisions of the Congressional Review Act, 5 U.S.C. 802, there will be up to 10 hours of debate, equally divided between those favoring and opposing the resolution.

Who yields time?

If no one yields time, time will be equally divided between the sides.

The Democratic leader.

Mr. SCHUMER. Madam President, as the minority, we typically cannot move legislation on the floor without the consent of the majority leader. But under the rules governing congressional review, any group of 30 Senators can petition to discharge a CRA—a Congressional Review Act—from the committee and bring it to the floor subject to a majority vote. That is what Senator MARKEY has just done with the CRA on net neutrality, and the vote that just concluded means the full Senate will now consider it, because I believe there were 52 votes in favor.

For the first time in this Congress, the majority will be called to vote on an issue that I suspect they would rather avoid.

Net neutrality is a complex issue, but an incredibly consequential one. At stake is the future of the internet, which until this point in our history, has remained free and open, accessible and affordable to most Americans. That fundamental equality of access is what has made the internet so dynamic—a catalyst for innovation, a tool for learning, a means of instant and worldwide communication.

To ensure the internet stayed that way, the Obama-era FCC instituted net neutrality rules to prevent large internet service providers from segmenting the internet into fast and slow lanes, from selling faster service to folks who could pay and slower service to others—we didn't want that—and from charging customers more for their fa-

vorite sites, divvying up the internet into packages like cable TV.

Why was this so important? Because if large cable and internet companies were allowed to do this, the internet wouldn't operate on a level playing field. Big corporations and folks who could pay would enjoy the benefits of fast internet and speedy delivery to their customers while startups and small businesses, public schools, average folks, including communities of color and rural Americans, could well be disadvantaged. Net neutrality protected everyone and prevented large ISPs from discriminating against any customers.

That era—the era of a free and open internet—unfortunately will soon come to an end. In December, the Republican-led FCC voted to repeal the net neutrality rules, and on June 11 of this year, that repeal will go into effect. It may not be a cataclysm on day one, but sure as rain, if internet service providers are given the ability to start charging more for preferred service, they will find a way to do it.

So the Democratic position is very simple: Let's treat the internet like the public good that it is. We don't let water companies or phone companies discriminate against customers. We don't restrict access to interstate highways, saying: You can ride on the highway, and you can't. We shouldn't do that with the internet either. That is what the Democratic net neutrality CRA would ensure.

We appreciate that three Republicans joined on the motion to proceed to our resolution. We hope more will come with us.

Where do Republicans stand on this issue? Why haven't we heard much from them on this issue, when it is a typical issue that protects the middle class, working families, and average Americans from big special interests taking advantage of them?

I suspect our colleagues are kind of quiet on this issue because the arguments made by opponents of net neutrality aren't very convincing. Some opponents say that net neutrality is an unwarranted and burdensome regulation—something that hampers the internet. I would remind those critics that net neutrality has been on the books for several years and the internet is working just fine. Furthermore, the net neutrality rules were upheld by the courts as appropriate consumer protection.

Yet we will hear too many of my Republican friends say that we shouldn't restore net neutrality through this CRA because we need bipartisan legislation to deal with this issue. That argument is a duck. It is a dodge. It is a way for my Republican friends to delay.

Democrats are happy to do bipartisan legislation to enshrine net neutrality into law, but the legislation is going to take time. In the meantime, we must ensure consumers have a safety net right now, and this CRA is the quickest

and surest way of doing it. Plain and simple, if you are for net neutrality, you ought to be for Senator MARKEY's CRA.

This issue presents a stark contrast: Are you on the side of the large internet and cable companies or are you on the side of the average American family? That is what the vote on this legislation is all about.

I say to every American who cares about an open and free internet: Today is the day. Contact your Republican Senator. See who votes for net neutrality and who votes against, and let them know how you feel about the way they voted. This is our chance—our best chance—to make sure the internet stays accessible and affordable for all Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I rise today in support of net neutrality. Let me say that again. I rise in support of net neutrality.

Contrary to the assertions that some of our colleagues on the left have made, there are many of us who believe that codifying net neutrality principles makes sense if we really want to solve this problem. What doesn't make sense is this misguided resolution.

All of us value the internet. It connects us to commerce, friends, family, news, learning opportunities, and entertainment. Most Americans expect their internet experience to remain free from meddling by anyone. It doesn't matter if it is a cable company or an unelected bureaucrat, Americans appreciate online freedom.

If this resolution offered these protections and simply implemented widely supported net neutrality principles, I would support it. Unfortunately, this isn't the case.

The resolution offered by Senator MARKEY would impose partisan, onerous, and heavyhanded regulations on the internet.

Some of these regulations lack a fundamental connection to net neutrality principles and harm consumer freedom. Net neutrality, for example, isn't about regulating mobile phone plan offerings to meet a government internet standard. But the Markey resolution would restore rules that the Obama Federal Communications Commission used to scrutinize such popular and affordable plans.

Net neutrality principles don't necessitate government rate regulation on companies working to connect Americans in rural areas—places like my State of South Dakota—or on upgrading existing networks. But, again, the Chairman of the Obama FCC nonetheless defended the need for broad authority to threaten rate regulation, and that is exactly what the Markey resolution seeks to restore. The implicit threat of such government intervention and statements can have a profound impact on innovation and the 21st century internet.

The internet has certainly thrived under a model that rejects data discrimination. Needless to say, before 2015, it had never before faced such a threat of increased government control. Net neutrality—the idea that legal internet traffic should operate transparently and without discrimination—doesn't represent the heavy hand of government. The heavy hand of government is, however, plain to see in the plan that Democrats first passed in 2015 and are now seeking to reimpose.

The Democrats' plan relies on a legal framework passed by Congress in the 1930s to regulate telephone monopolies. This framework existed for an era and technology that lacked competition and the entrepreneurship of today's internet-based economy.

Last year, the new leadership at the Federal Communications Commission widely discarded these rules. Net neutrality wasn't the problem. The Commission's concern was that onerous, depression-era rules were having an adverse effect on efforts to connect more Americans to the internet and upgrade service. For Congress, the path to restore net neutrality protections while avoiding these unnecessary side effects is straightforward legislation.

This is what the Los Angeles Times had to say about this in their editorial. Last week, the editorial board of California's largest newspaper wrote an important analysis in an editorial entitled "Senate Democrats move to revive net neutrality rules—the wrong way." The Times wrote:

Rather than jousting over a resolution of disapproval, Congress needs to put this issue to bed once and for all by crafting a bipartisan deal giving the commission limited but clear authority to regulate broadband providers and preserve net neutrality.

Madam President, I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Los Angeles Times, May 10, 2018]

SENATE DEMOCRATS MOVE TO REVIVE NET NEUTRALITY RULES—THE WRONG WAY

(By the Times Editorial Board)

Senate Democrats opened up a new front Wednesday in the fight to preserve the internet from interference by the broadband providers that control its on-ramps. But as good as it was to see them push back against the wrongheaded approach taken by the new Republican majority on the Federal Communications Commission, the maneuver is likely to be more of a distraction than a solution.

At issue is how to preserve net neutrality. Broadband providers that serve home internet users face little real competition, and they are uniquely positioned to distort competition online by, for example, favoring particular websites and services for a fee.

After several earlier net-neutrality efforts ran into legal trouble, the FCC's Democratic majority in 2015 classified broadband access service as a utility and imposed a set of strict neutrality rules. Last year, however, the commission's new Republican majority voted not just to rescind those rules, but effectively to drop all efforts by the FCC to preserve net neutrality.

On Wednesday, Senate Democrats moved to force a vote on a resolution to restore the 2015 rules, and they have 50 Senators lined up in support. Yet the resolution faces next-to-insurmountable odds in the House, where top Republicans have praised the FCC's deregulatory approach, and with like-minded President Trump. The most meaningful fights will take place in the courts and in state legislatures, where net neutrality supporters are seeking to restore the 2015 rules or impose similar ones at the state level.

Even opponents of the strict 2015 rules recognize that the continual legal and regulatory gyrations are a problem. Rather than jousting over a resolution of disapproval, Congress needs to put this issue to bed once and for all by crafting a bipartisan deal giving the commission limited but clear authority to regulate broadband providers and preserve net neutrality.

Mr. THUNE. Madam President, in my hand, I hold the 2015 draft text of legislation I released with my colleagues in the House of Representatives, Congressman FRED UPTON and Congressman GREG WALDEN. Since 2015, I have publicly and consistently been ready to work with my colleagues across the aisle on bipartisan net neutrality legislation. Specifically, my draft proposed giving Federal regulators new authority to ban blocking, throttling, and paid prioritization of legal internet content. It did this without relying on the heavyhanded use of law written to police phone monopolies, which is what we are talking about here. We are talking about a 1934 law governing the 21st-century internet. Think about that. That is precisely what this resolution would do.

I recognize that this draft legislation I came up with isn't perfect. My draft obviously did not anticipate all the concerns my colleagues raised, and of course there is always room for compromise. That is what legislative discussion and legislative negotiation are all about. But I need a partner from the other side of the aisle who shares my commitment to crafting a bipartisan solution that puts net neutrality first.

Some of my colleagues on the other side of the aisle have certainly expressed a view about the need for legislation. Some of them come up to me privately, offline, and say: You are right. We need to do this legislatively. We need to put clear rules of the road in place. This is not the way to solve this problem.

But very few of them are willing to say that publicly. My colleague and the distinguished ranking member of the Commerce Committee's Subcommittee on Communications and Technology told the publication TechCrunch only 6 months ago: "My point of view—and by the way, I had this point of view when it was President Obama and Tom Wheeler [at the FCC at the time], to the chagrin of my progressive friends—is that we should legislate."

This statement was made with knowledge and virtually on the eve of the FCC's final vote to disassemble the 2015 rule. So what changed? Why aren't we debating a bipartisan bill instead of

this partisan resolution? Some on the other side of the aisle reached the cynical conclusion that exploiting concern about the internet outweighed the value of working with Republicans to pass net neutrality protections. For others who had a genuine desire to work with me, the forces of a highly politicized campaign to impose a Democrat-only solution can overwhelm the best of intentions.

Make no mistake—the campaign behind this Congressional Review Act resolution has been primarily driven by fearmongering hypotheticals, misdirection, and outright false claims. To make that point, this March, the Washington Post Fact Checker took Senate Democrats to task for a particularly egregious claim that failure to pass the Markey resolution would lead to a slower internet. The fact check concluded that the examined claim—made through the Democratic caucus's official Twitter account—conveyed the false impression that a slowdown is imminent. Fact Checker wrote that “there’s scant evidence that Internet users should brace for a slowdown.” What that meant is that statement by the Democratic caucus on this particular subject got not one, not two, but three Pinocchios from the Washington Post for being a false claim—from the Washington Post Fact Checker.

Madam President, I ask unanimous consent that the March 5, 2018, Fact Checker be printed in the RECORD.

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

[From the Washington Post, Mar. 5, 2018]

WILL THE FCC'S NET NEUTRALITY REPEAL  
GRIND THE INTERNET TO A HALT?

(By Salvador Rizzo)

“If we don’t save net neutrality, you’ll get the Internet one word at a time.”—U.S. Senate Democrats, in a tweet, Feb. 27, 2018

THE PINOCCHIO TEST

The debate over net neutrality is reshaping the Internet and raising big-picture questions about modern life. But we can’t help but feel that we’ve spilled a lot of pixels here analyzing something that simply hasn’t happened.

Senate Democrats, industry leaders and net neutrality activists say the FCC’s move to toss out the Obama-era rules will bog down and end the Internet as we know it. The biggest broadband providers forcefully reject this claim, saying they have no plans to block or throttle content or offer paid prioritization.

That could change in time. As the D.C. Circuit said, broadband companies could make more money from paid prioritization, and it’s “common sense” to think they might try it. These providers have the ability and the incentive to slow down or speed up Internet traffic, and they’ve engaged in these practices in the past.

For now, though, there’s scant evidence that Internet users should brace for a slowdown. Yet the Democrats’ tweet conveys the false impression that a slowdown is imminent unless net neutrality rules are restored. This transmission error merits Three Pinocchios, but we will monitor the situation and update our ruling depending on whether the fears were overstated or came true.

Three Pinocchios

(Senate Commerce Committee note: the submission to the Senate Record includes only the conclusion of the Washington Post’s fact check story.)

Mr. THUNE. In reality, all major cable and phone providers have said they will continue net neutrality policies. Under the new rules being put in place, Federal agencies can still take action against privacy violations and unfair business practices by internet companies.

In stark contrast, one unavoidable irony of the Markey resolution, as observed by an editorial in today’s Wall Street Journal, is that it would actually weaken online consumer privacy protections by taking the only agency enforcing them off the beat. If this resolution were ultimately to be enacted—which it won’t, but if it were, it would take the Federal Trade Commission, which currently regulates and polices privacy issues, completely out of the equation.

To be sure, Congress still needs to set long-term protections for the internet, and it shouldn’t delay. But the significant harm uncertainty inflicts on the internet will manifest itself through stifled investment and innovation over time rather than on consumers in a sudden wave of net neutrality violations. That is just a simple fact.

After all, the new rules, approved under the Trump administration, closely follow those that long regulated the internet before 2015 and are largely, although not completely, in effect now.

One thing I want to continue to hammer is that what we are talking about here are the rules that were in place for the first two decades of the internet. For the first two decades of the internet, we operated under what was called a light-touch approach to regulation. Under that regime of light touch, the internet prospered, flourished, grew, expanded, and innovated to the point where it has become a huge economic engine in our economy. So what was the 2015 FCC ruling designed to solve? That, frankly, is a very good question. But the fact is, what the FCC is proposing to do and will do on June 11 of this year is to go back to the 2015 rules—the rules that were in place for the first two decades of the internet.

I would tell you that on June 12, after these rules go into effect, no consumer in this country is going to see any change from what they see today. They are still going to be able to watch the internet—they are still going to be able to go to all their favorite social media platforms. There isn’t going to be any change from what we have seen up to this point because that is what we are going back to—our rules that were in place for two decades, under a light-touch regulatory approach, that allowed the internet to explode and prosper and grow.

The Markey resolution is offered to this body without opportunity for amendment or any bipartisan input

about what the rules governing the internet should say. A vote against the Markey resolution is a vote for ending this cynical exploitation of the internet. A vote against the Markey resolution is a vote for the Senate to get to work on bipartisan net neutrality legislation. That is what the L.A. Times said: Pass legislation. That is the best way to solve this, not coming up with this bizarre exercise, which we all know isn’t going anywhere but will give the activists and the donors out there on the far left an opportunity to take this campaign to the House of Representatives, where it isn’t going anywhere. Of course it would be vetoed by the President even if it did. So all we are doing is stalling, delaying, making it more difficult to get to a solution on this because what it will do is prevent those who are truly interested in a bipartisan solution and answer on net neutrality from coming to the table in order to make that happen.

As I have said, we have been working on this for a long time, and I have been looking for a Democratic partner. All we need are a few courageous Democrats who are willing to acknowledge what this is—which is a political, partisan charade—and get serious about bipartisan legislation, because there isn’t going to be a single amendment that can be offered to this. This is not going anywhere.

If we really, truly want to solve the problem, there are fairminded people who are serious about this who would like to sit down across the table and work on a draft of legislation that would put internet principles in place and would put consumer protections in place but would use a light-touch regulatory approach—not the 1930s approach this resolution would turn to—to regulate the 21st-century internet. Frankly, I am at a loss to understand why any rational, reasonable person could come to the conclusion that using a 1934 law and regulating the internet like a public utility—a Ma Bell telephone company—would be the right approach in the age in which we live where the internet is thriving and prosperous under a light-touch regulatory regime.

UNANIMOUS CONSENT REQUEST—S. 2853

Mr. President, I ask unanimous consent that S.J. Res. 52 be returned to the calendar and the Senate proceed to the immediate consideration of S. 2853. I further ask that it be in order for 10 amendments, equally divided, between the managers or their designees and relative to the bill to be made pending; further, that there be 10 hours of debate, equally divided between the managers or their designees, and that upon the use or yielding back of that time, the Senate vote on any pending amendments; finally, that upon disposition of the amendments, the bill, as amended, if amended, be considered read a third time and the Senate vote on passage of the bill.

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

The Senator from Massachusetts.



Mr. MARKEY. Mr. President, reserving the right to object, Senator THUNE's bill is problematic both substantively and procedurally. There have been no committee hearings on his proposal, and it is not yet ripe for consideration here on the Senate floor. As a result, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. THUNE. Mr. President, what you just said is an objection to having a reasonable debate.

To the point that the Senator from Massachusetts made, clearly the unanimous consent request asks for—calls for—an opportunity to have amendments considered by both sides of this discussion. What that tells me is that what this is about isn't serious legislating; it is about, again, the political theater associated with this congressional resolution of disapproval, which has absolutely no future, is going nowhere, and does nothing to address the fundamental underlying problem that colleagues on both sides acknowledge needs to be addressed.

For the record, I will point out that we did attempt to bring up a serious piece of legislation, one that provides consumer protection, that bans blocking lawful content, that bans the throttling of lawful content, that bans paid prioritization—the very things most of my colleagues on the other side want addressed.

Frankly, no piece of legislation is perfect, and I would say to my colleague from Massachusetts that we would be more than willing to enter into a discussion and a debate, with an opportunity to offer amendments, in order to perfect this piece of legislation. But, frankly, if we continue down this path with the CRA, all we are going to do is waste more time—valuable time, I might add—and continue to live in a cloud of uncertainty where one FCC to the next continues to change the rules and where companies spend millions of dollars in litigation in courtrooms on lawsuits rather than ploughing it into infrastructure, investment, and new and innovative technologies that literally could deliver higher speed, faster internet services and higher quality services to people around this country, including those in rural areas who desperately need those types of services made available to them.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, only in Washington, DC, and perhaps only in the walls of this Capitol, is net neutrality regarded as a partisan issue. Only here are there accusations that the left or the right favor a position on net neutrality. In the rest of America, net neutrality is bipartisan; in fact, nonpolitical. It is the lifeblood of the internet. It is the animating principle that enables companies and individuals to have equal access to the internet

without blocking, discriminating, price gouging, or favoring of some companies at the expense of others.

In fact, in legislatures across the country, like Connecticut, there have been proposals to do there what we are seeking to do here; that is, to preserve an open internet in accordance with the open internet order, which has been rolled back by the FCC. Strong net neutrality rules are accepted across the country on both sides of the aisle in State legislatures and State governments, in board rooms, and in all the communities where people come together seeking to communicate and use the internet in the highest and best way it can be used. One example, in New Haven, is SeeClickFix. SeeClickFix is a New Haven company that helps citizens communicate with their local governments to improve their community. The internet's incredible economic success and this company's have been made possible because it is a free and open platform. This company has a good idea. It can put that good idea to work, helping people make their local and State governments work better and be more responsive.

That success story has been repeated countless times because of net neutrality and the open internet. We are here to stop maligned rulemaking run amok. The FCC, under the leadership of its Chairman, has, in effect, rolled back the progress that was made with the open internet order. It defied 10 years of evidence and the pattern of market consolidation and merger that endangered the open internet. It defied evidence of discrimination that was taken over the rulemaking process, and it basically ignored a court order upholding the open internet order—a court order that was the result of in-depth and determined litigation to stop that order, and that effort was rejected.

The Justice Department has shown, from AT&T's own internal documents, that it sought to use its merger with Time Warner to raise prices and to hinder competition from online video services. A proposed merger between T-Mobile and Sprint threatens to further reduce scarce competition in wireless. Big broadband companies have more financial incentive and less market deterrence to obstruct competition than ever before.

Chairman Pai's plan would enable those broadband companies holding near-monopolies over access to consolidate even more power. If broadband companies are able to block, throttle, or charge fees for certain applications on websites, the result will be higher pricing, less innovation, and fewer new products. Reversal of net neutrality is a consumer's worst nightmare, but it is also a nightmare for small businesses and for competition and innovation and creativity in America.

I urge my colleagues to support S.J. Res. 52, the resolution of disapproval of the FCC's disastrous plan to roll back

net neutrality. It is vital to protecting consumers and small businesses, preserving the open internet, and upholding the integrity of the rulemaking process.

If this effort fails to succeed, the challenge in the courts will overturn Chairman Pai's rollback of net neutrality because he embarked on a preordained purpose without proper rulemaking to overturn the rule adopted by the FCC before he became Chairman. When he initiated that process, he promised an "open and transparent process," but the outcome was predetermined from the start. That is not the way rulemaking should occur. That is why the courts will overturn it, and that is why we should be protected and proactive in this body and pass S.J. Res. 52.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, at this very moment, a high school junior is reading a report online for a class paper she has due at the end of the week. Not far from her house, a single mom who recently quit her job to follow her dream of becoming an app developer is online teaching herself to code. In a city thousands of miles away, a small business owner is processing an order online to keep the lights on and the bills paid for another month. Every night in living rooms across this country, grandparents pick up their smartphones to video chat with newborn grandchildren who are hundreds or even thousands of miles away.

Let's face it, the internet is intricately woven into the fabric of American society. It is a very important part of our lives, but right now our access to a fair and open internet is under siege. In December, the Federal Communications Commission, the FCC, voted to eliminate the net neutrality protections that stop internet providers from blocking access, filtering content, or charging higher fees for fast lanes—three tactics that giant internet companies want to use to control the internet.

The repeal of these protections has corporate greed and corruption written all over it. This may be what the special interests want, but the American people are opposed to the very idea of a restricted internet. Net neutrality provisions are wildly popular. When it comes to a free and open internet, 83 percent of Americans are clear about their position. They want and demand a free and open internet. That is true for small businesses, entrepreneurs, and people from all backgrounds. You have to ask yourself, Why would the FCC vote to eliminate those protections?

I will tell you why. Because under this administration, the FCC has become a puppet for giant internet providers. The FCC's current Chairman, Ajit Pai, has made it clear he will work to put special interests over what is good for the American people.



The FCC was once an agency dedicated to protecting and promoting the public interest, but it has morphed into an agency that exists solely to do the bidding of giant telecom companies. It is a disgrace. Who can say we didn't see this coming? When Donald Trump won the White House, then-FCC Commissioner Pai said that net neutrality's days were numbered.

Once Trump selected Pai to lead the FCC, Chairman Pai immediately got to work getting rid of net neutrality. He opened up a new public comment period, laying out a plan to destroy net neutrality, and he made it clear he would ignore the views of millions of Americans who weighed in to urge him to abandon that plan.

The FCC received more comments on Chairman Pai's plan to kill net neutrality than any other rule in the FCC's history. Millions submitted comments opposing Chairman Pai's plan to kill net neutrality, but the FCC said it would ignore those comments unless they were, in its opinion, serious legal arguments. During the comment process, it was revealed that some of the comments had come from bots that had stolen Americans' identities and others had come from Russian addresses, but Pai dismissed those concerns. He demonstrated that, no matter what, he would forge ahead with his plan to hand over the internet to the biggest and most powerful internet providers.

If Chairman Pai's plan is implemented, internet companies will literally get to set their own rules governing access to the internet. As long as they put their rules somewhere in the fine print, internet providers can pretty much do whatever they please. That is not the way government is supposed to work. The internet was created by a bunch of government and government-funded workers, and it is the government's job to protect Americans' access to a fair and open internet.

The internet doesn't belong to giant internet companies. It belongs to the students striving to build a better future. It belongs to the young women and men working day and night on a new idea that will change the world. It belongs to the small business owner whose success depends on operating her business online. It belongs to the grandmas and grandpas, the mothers and fathers, the sisters and brothers, and friends who depend on the internet to remain connected to the people they love. It belongs to people who like to watch their favorite shows online or read the news or shop or play video games or just browse the internet. It belongs to all of us.

If the FCC will not stand up for the public interest, it is up to Congress to do so, but it will take this Republican-controlled Congress prying itself free from the grip of giant companies and doing what is right for the American people.

Today, we can take the first step. I ask every one of my colleagues in the Senate to join me in voting yes on the

CRA resolution to restore net neutrality provisions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am here to lift up the voices of the families I represent in the State of Washington who, like so many other Americans, agree the internet should be free and open; who agree our country should support small business owners and entrepreneurs and students and middle-class families, not big corporations and special interests; who agree that consumers, not broadband providers, should get to pick the websites they visit or applications they use; who agree the internet should be a level playing field that benefits end users and not slanted by broadband providers blocking content or charging for prioritized access.

That is why so many of us are on the floor today, to give a voice to the vast majority of Americans who want the internet to remain a place that fosters innovation, economic opportunity, robust consumer choice, and the free flow of knowledge.

These things are not a luxury. They are what make American ingenuity possible. As a former preschool teacher, I support net neutrality because it helps the next generation of innovators—our students, especially those in rural and low-income areas. Schools have worked very hard to improve access to high-speed connectivity for all students because they know, from early education through higher education, and through workforce training, students need high-speed internet in order to learn and get the skills they need. Their teachers need the internet to collaborate with colleagues, access educational materials, help students learn valuable research and internet safety skills, and expand access to a high-quality education for students with disabilities and English learners.

Rolling back net neutrality threatens that educational equity and worsens the digital divide. So let's protect the free and open internet, not just for today's consumers but for our students—the next generation of American innovators. The choice could not be easier. Either we stand with everyday Americans or with the massive corporations that have found a new way to make more money off of them.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. 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. NELSON. Mr. President, I rise, along with my colleagues here, to speak in strong support of the resolution to restore strong net neutrality protections for Americans.

This is, obviously, what the American people want. For the vote that was just taken on the motion to proceed, 52 for and 47 against, I think it shows how the American people's will is being expressed in a bipartisan way. The American people understand how important these protections are to their lives and to the future of the internet. They do not want to have their websites blocked or internet access slowed, and they certainly don't want internet providers making those decisions to block or slow.

More than 20 million residents of Florida understand just how vital it is to have a free and open internet. I say that for my State, but that is, obviously, the same for every other State as well. Millions of schoolchildren in my State—from Pensacola to Orlando, to the Florida Keys—and across the entire country benefit from educations that are built on a free and open internet. That is why educators and librarians throughout the country have rallied in favor of net neutrality. They know that an internet that is no longer free and open is a lost educational opportunity for our children.

Florida's colleges, universities, and technical schools rely on the free and open internet for their vital educational and research missions. Unfettered access to the internet is essential for research into issues that are critical to the State and Nation, such as medical research, climate change, sea level rise—whatever the research is.

Florida's growing economy is equally reliant on a free and open internet. The growth of high-tech jobs all over the country and particularly in Florida, including the growth across the middle swath of Florida and the booming Space Coast has largely been built on advanced high-speed internet networks that have been available in those areas.

Small businesses that are all around also use the internet as the great equalizer and bring the global marketplace to their very doorsteps, but that global market for those companies exists only as long as everyone on the internet is treated the same. If you start picking and choosing, then you lose the value of that equalizing, of a small company's having a great idea and having access to the information just like a big company has.

Citizens throughout my home State rely on the internet for civic and social engagement. The internet is today's social forum—the tool we use to stay engaged in the lives of family, friends, and peers.

The internet can also be an equalizing force. As such, it has been a place where communities of color have been able to tell their own stories in a way that they have never been able to before. It has given minority communities the power to organize, to share, and to support each other's causes. To limit access to the net would be to help silence these voices that are just beginning to be heard. I don't think we want to do that.

Congress must ensure that the internet remains open to all—thus, the vote that we have coming up in just about an hour and a half. Unfortunately, the FCC has empowered internet providers to dictate consumers' experiences online. What the Chairman of the Federal Communications Commission did, Ajit Pai, is to go overboard in what he has tried. This Senator has spoken over and over for moderation in the approaches to how the FCC would be involved with regard to regulating the internet. When websites can be blocked, when downloads can be slowed, and when consumers then have to pay more to access what they are actually looking for—that is not a free and open internet. It becomes a closed internet.

I am very happy to be on the Senate floor with all of these other Senators who have spoken in favor of restoring the FCC's net neutrality protections. The resolution before us immediately restores the FCC's strong consumer protections for the internet. It will make sure that the internet content cannot be blocked or cannot be throttled. It will prevent internet providers from charging more for transmitting certain favored content. It will preserve the FCC's authority to examine other practices that could harm consumers, and it will make sure that consumers will be given understandable, basic information about their internet services. It is necessary that this Congress protect consumers' access to the internet.

The choice before us today is clear. A vote in favor of this resolution is a vote to restore the free and open internet. It is a vote to keep control of the internet in the hands of those who use it. Congress must undo the FCC's decision to turn its back on American consumers by stripping away net neutrality. The American public ought to be what we consider first. So I am happy to support this resolution. I call on my colleagues to join us in protecting a free and open internet.

In closing, this Senator, as one of the leaders of the Commerce, Science, and Transportation Committee, has so often spoken in favor of the two sides getting together and negotiating legislation because we keep going on this roller coaster whereby the FCC does one thing and, then, the roller coaster goes the other way and it does another thing, and each time it acts, it goes to court. Ultimately, there ought to be a legislative solution.

Today is about taking a stand on the excessive action by the FCC so that we can make sure to protect the free and open internet and give the ingenuity and creativity and Yankee inventiveness of this country the opportunity to continue to blossom by using this new technological tool that has been, virtually, put into use in the past decade. We don't want that internet throttled and limited. It needs to be free and open.

I yield the floor.

Mr. LEAHY. Mr. President, millions of Americans were outraged last year when the Federal Communications Commission, FCC, voted to repeal the strong and enforceable net neutrality rules that were adopted in 2015. As a supporter of a free and open internet, I share the public's outrage over the loss of these critical protections, which is why I am voting in favor of this resolution to restore the previous rules.

By repealing net neutrality rules, the FCC and its supporters in Congress have achieved little more than to plunge consumers and small businesses into a fog of uncertainty. Instead of having concrete legal protections in place against blocking, throttling, and paid prioritization, internet users now have little more than vague promises from broadband providers about how they will treat content online. These promises could disappear with little notice or no recourse for those affected. This is the wrong way to approach policy for the greatest engine of economic growth and free speech ever devised.

The uncertainty created by Republicans at the FCC and blessed by too many here in Congress jeopardizes the success of small businesses and startups across the country. One of the main concerns I hear from small businesses in Vermont is fear of paid prioritization. Without clear rules in place, broadband providers can set up pay-to-play schemes that disadvantage small businesses against deep-pocketed competitors.

In a pay-to-play online world, small businesses will be forced to decide whether or not to pay tolls in order to avoid being stuck in the slow lane. These tolls do nothing to promote innovation, but they would impose a tremendous cost on entrepreneurs. These costs would come at the expense of investing in new equipment, new products, or new jobs. For those who choose not to pay, the cost would be access to customers, who today already make decisions based on how fast a page or application loads. A few seconds of lag time can mean the difference between a sale made or a sale lost to a competitor.

Net neutrality rules matter because they provide small businesses with the certainty that paid prioritization will not happen. The promises and statements made by leading broadband providers following the repeal of the rules too often make no mention at all of their stance on paid prioritization. Others have quietly deleted promises not to engage in this behavior from their website. In February, the CEO of Sprint was quoted comparing the internet to roads, saying that, on many roads, "you have a faster road and you pay more. There's nothing wrong with that." Concerns about paid prioritization cannot be dismissed when CEOs of leading companies are speaking openly about the benefits of toll roads on the internet.

This should not be a partisan issue. Republicans and Democrats alike

should want to provide the small business community with the certainty that the internet will remain an equal playing field. The simple reality is that, without net neutrality rules, this certainty will not exist. The resolution we are considering today gives us the clearest path to restoring that certainty. I urge all Senators to stand with the American people, small businesses, and startups in supporting this resolution.

Mr. NELSON. 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.

Mr. SCHATZ. Mr. President, in December, the FCC made a colossal mistake by rolling back net neutrality protections. Today, the Senate has an opportunity to begin the process of righting that wrong with an up-or-down vote to overturn the FCC's repeal and to restore the free and open internet.

This is a big deal. We just had a vote with all Democrats, Independents, and three Republicans, and we have another vote at around 3 o'clock. If we fail, the FCC will end net neutrality protections in early June. But if we succeed, then this fight will go on to the next step in the House of Representatives.

This vote is a no-brainer. Net neutrality is one of the most popular issues that the Senate will consider this year. There is no other issue that polls so decisively on one side. A survey by the University of Maryland found that 83 percent of people are in favor of net neutrality, and that includes 75 percent of Republicans, 89 percent of Democrats, and 86 percent of Independents.

When you think about people's experience with their ISP, it makes perfect sense. People are already frustrated with the limited competitive options for the providers they have. Then, once they sign up for service, they find there are hidden fees. They have to pay for the installation. They have to wait for the installation. They have to rent the cable box. Their bill suddenly goes up within a year of service, finding out they were only engaged in a promotional offer. In other words, many people don't like their internet service providers. They like the internet, but they don't like the lack of choice and all the hassle and expense that comes with getting on the internet.

So if you ask people if we should get rid of the rules that actually give consumers control over their internet access, if we should give broadband companies more power over our lives, they say no. Providers promise to be good to consumers. In fact, many of them have said that they don't need the FCC to

maintain a free and open internet because they are already officially committed to the idea. But without net neutrality, there is nothing in the law that prevents companies from treating content or websites differently.

In fact, many of these publicly traded companies—once the dust settles, once the politics of this net neutrality issue wanes—will be talking to their chief financial officers, and their board of directors will be asking: Why are you not maximizing revenue? Why are you not charging consumers more when you can?

If the answer is “In the process of trying to prevent a piece of legislation from passing, we made a promise,” the board of directors will say “Well, change your mind.”

The only thing that can stop a corporation that provides broadband services to consumers from doing all the wrong things is a law. It is not a promise; it is a law.

So the question for the Senate is very simple: Whose side are you on? Are you for the consumers who are asking us to protect the internet or are you with the telecommunications companies?

I want to be really clear here. There is no constituency on the other side of this, other than the telecommunications companies. You don't go to a townhall meeting and see this thing evenly split. When we were debating the Iran deal or the Affordable Care Act or an infrastructure bill or the tax bill, even in a deep blue State like Hawaii or a deep red State like those of some of my colleagues, there are always people on both sides of the issue. I have not met one human being in Hawaii who is against net neutrality, and I challenge anyone out there to find someone who is against net neutrality. The only constituency for this is the people who would benefit from what the FCC has already done.

Some are pointing to a bill in the House that would take care of a few of the problems that come with getting rid of net neutrality. But when you dig a little deeper, it is clear that this is not a compromise. It doesn't offer close to the protection that net neutrality gives consumers and small businesses. In fact, it gives these ISPs the ability to charge small businesses and consumers more money for different types of content, and that is the crux of the issue. Again, go ask a consumer or a small business owner, and they will tell you that they are already frustrated with internet providers, and they expect Congress to do the right thing and look out for their interests.

This issue is incredibly important to young people. They have grown up on the internet. It is part of their lives, and they do not want Congress to stand by and do nothing as this FCC allows internet providers to change the way we access the internet.

It is clear to me that net neutrality is popular among everyone—older people, young people, small business own-

ers, Republicans, Democrats, Independents, red States, and blue States. It is also clear that the benefits of the ISPs do not come close to outweighing the benefits that students, businesses, schools, families, and others will get from a free and open internet.

With this vote, every Member of the Senate will be on the record for or against net neutrality. I hope every Member will choose to vote the way nearly all of America wants us to and restore net neutrality.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I was in a conversation with a group of Oklahomans just last week, and the issue of net neutrality came up in that conversation. A gentleman there who had published his content on the internet seemed very concerned about net neutrality and wanted to make sure that the content he had he could continue to publish, and he would not have to go to every single ISP—internet service provider—across the country and negotiate a deal with them. That is what happens with net neutrality.

I said: It is very interesting. Has that happened to you? Have you faced that?

He said: No, but I am afraid I might.

Here is the problem we have with this conversation about net neutrality. For 20 years, the internet functioned under a very clear set of rules. The Federal Trade Commission had a set of rules both for content providers and for the fiber—the internet service providers. There was a clear set of rules. They couldn't violate any trade practices. They couldn't do monopolies. They couldn't violate the basic rules of commerce. There was a very clear set of rules.

Then, 2 years ago, the FCC—the FTC is the Federal Trade Commission, and the FTC has been the one regulating the internet for two decades. The FCC decided they wanted to regulate not the content and the internet service providers, just the internet service providers. So the FCC, in an unprecedented ruling that had already gone to court multiple times and failed, grabbed the regulatory control from the FTC and said: We will take the internet service providers, and we will manage them, and you keep the content folks. That is the fight we are in right now.

It is the funniest thing to me to be in a conversation about net neutrality because the implication is that the internet will not be free if the government doesn't regulate it with this particular entity—the FCC. When I ask people “Would it be OK if the government regulated with the FTC, the Federal Trade Commission?” most people say “Well, that would be fine too.” Well, good, because that is the way it has been for 20 years. For 20 years, there has been one set of rules on the superhighway of the internet—the Federal Trade Commission.

Here is what I would like to say to people who are trying to listen in and

trying to figure this out: Most of the arguments and the fights that have come about cost increases and about paid prioritization and about blocking and about people monitoring content haven't been from the internet service providers. It has been from the content folks.

You tell me, when you go to your news feed on whatever social media site you go to or whatever news site you go to, are there paid commercials that come up first, and then your friends come up second? Probably most of the time. Are there certain bits of content that you pay more for if you are on Facebook? You can put this out, but you will reach more people if you pay for it? Yes. But that is not net neutrality.

The argument about net neutrality doesn't have anything to do with those content folks. It is about the internet service providers. So why do I bring this up?

Here is what has happened. Over the past 2 years, America has been drawn into a fight between two sets of megacompanies. Google, Facebook, and Netflix are at war with AT&T, Comcast, and all the major internet service providers. You have the content folks on the web fighting with the internet service providers that actually provide the fiber that connects the content. They are fighting over their business, and the way the content providers have worded it, they have said: We want the internet to be neutral. We don't want to have customers pay more for certain content, and we don't want the internet service providers to charge more based on that content, while the whole time the content folks are charging people for the type of content. They are literally arguing and saying: We don't want them to do what we do every single day—what Google does every day, what Facebook does every day. In fact, they fight about not wanting internet service providers to filter out content when, of late, Facebook seems to put out every week a new release about how they are filtering content from places they don't like.

Here is what we really want: a fair, flat playing field for everyone, and everyone who wants free speech can have free speech on the internet. If you want to start a new business, you can put up a website on the internet, and you don't have to worry about somebody filtering you out. This is not China—a place where they will filter out and decide whether you can put your content out. This is the United States of America, and everybody wants their content to be able to go out, to be fair, and not to have someone judge it. That is what we want with an open internet. By the way, that is what you have if the Federal Trade Commission goes back to regulating, as they have for 20 years.

I ask a simple question: Was the internet open and fair for content in 2015? I believe it was. If you check your history books from 3 years ago, I think you will find that the internet was

open in 2015. Facebook was out there. Netflix was out there. YouTube was out there. It was open in 2015.

We are not talking about any set of rules that is different than how the internet operated in 2015. But what we don't want to have is two different sets of rules where this set of companies—Google and Facebook and Netflix—gets to tell a different set of companies, the fiber, how to do their business. Neither do we want the fiber companies telling the content folks how to run their businesses. Let them compete.

A lot of people say that there are only a few internet service providers that are out there. Well, in the United States, there are 4,500 internet service providers that are out there. Yes, there are some big ones, but there are a lot of small ones. If the big ones misbehave, guess what happens. Competition will beat them down, and those small companies will beat them because the big companies get out of line. It is the way America works and the way competition works when you keep it fair and open.

It is a misnomer to talk about net neutrality as if it is not neutral right now. There are a lot of fears and a lot of innuendos. There are a lot of accusations and what-ifs and maybe they will come out and I am afraid the boogeyman is going to come and take the over the internet. Really, what is happening is that two giant sets of companies are competing and asking the government to jump in the middle and the Googles and Facebooks and Netflix are asking this government to put restrictions to the internet service providers that they are not willing to actually have themselves.

Why don't we just do this: Let everyone compete and not try to have the government in between. Can we have net neutrality where we don't have blocking of content, where we have fair trade rules, where we make sure everyone gets access to the internet? Yes. We can have that when the Federal Trade Commission actually oversees those rules as they have for two decades.

There is a lot of hyperbole in this. I just wish there were more facts coming to the table at the same time the hyperbole is coming out.

The simplest conversation I can have is actually a conversation I had with a mayor not long ago. We were talking through the complexity of this and about fiber networks and about broadband and capabilities and speed and all these things.

He said: Hold on. I am a mayor. Can we talk about water pipes for a minute?

I said: Sure.

He said: So what you are telling me is there is lots of water going into the water pipe and lots of people who are using that water, and we have to find a fair way to be able to get all that water out because there is more water trying to get into that pipe than we can actually get out on the other end, and it is backing up.

I said: Yes, sir. That is exactly what I am saying, but it is zeros and ones running through a piece of fiber, not water running through a pipe.

He said: I can get that. Let's just keep it fair so that every person who wants to get access to it can get access to it and we are not discriminating on the water coming through the pipe.

It is pretty easy. We can do that right now with the Federal Trade Commission.

Tomorrow, I am chairing the hearing in the subcommittee that I lead in Appropriations. We will have the Chairman of the FCC and the Chairman of the FTC sit down for a 2-hour conversation, and I am sure much of it will be on this issue of net neutrality. My encouragement is for people to actually listen in to get the facts about net neutrality and not the emotion and not what the Googles and Facebooks and Netflix are telling you what to think, because they are competing against the other guys. Come and get the real facts. We will lay the facts on the table.

If there is an area that needs to be handled with new regulations, I would be glad to engage, but quite frankly, I think the internet needs the lightest touch possible. I don't see a reason why the Federal Government should get in the business of free speech and tell people what they can and can't say. Let's keep the internet open and free and fair and not block content, but let's also not try to jump between two sets of megacompanies and pick winners and losers at the same time. Let's keep it open and stay out of the business of telling businesses how to run their businesses.

Mr. President, I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, before the Senate today is the question of whether we will continue to have free and open access to the internet in the United States of America.

Every day, millions of Americans log on. They rely on the internet to help their child with his or her homework assignment, help a father video call his mother, who may live three States away, or help a small business woman make a sale to a customer halfway across the world.

Currently, the people who use the internet in the United States and others like them are free to enjoy the internet as they wish. When you logged on this morning, you had the same access to the internet as every other American. There is no fear that some internet provider is going to step in and say: Wait a minute. We are going to slow down your service until you

pay us more money or limit your access to certain apps and information based on whether you pay an additional fee. What a contrast that is to things like cable television. What package did you buy? How many channels are in there? How much access do you have? Are you going to pay the bill again next month? That is quite a bit different, isn't it, from our access to the internet?

Currently, users around the country are enjoying free access to an open and neutral internet, but that is all about to change. It is about to change because this new President and his new head of the Federal Communications Commission believe that our access to the internet should be for sale. In fact, this administration thinks everything ought to be for sale—public lands, our privacy, and in this case, our unfettered pathway to information.

Thanks to the leadership of ED MARKEY of Massachusetts and many of my colleagues, we come today to discuss this fundamental issue. This is a rare day in the Senate. We are actually discussing an issue of substance on the floor. I welcome the visitors for this historic moment. We are preparing to vote tomorrow on whether the decision of the Trump administration's Federal Communications Commission, which ends net neutrality, is going to succeed or fail.

Luckily, we were joined by at least one Republican—I didn't look at the final rollcall—to move us forward in this debate. All the Democrats and at least one Republican voted for this, and we prevailed. Tomorrow, we hope to do the same. We hope it will be done on a bipartisan basis as well.

Follow this debate because my guess is that it is going to impact you and your life. If the Trump administration and the Federal Communications Commission have their way, they are going to change our access to the internet for every single family, every single business, every single doctor—the list goes on.

In December, the FCC voted to put the needs of companies ahead of consumers and to undo net neutrality in the United States. This great party on the other side of the aisle who talks about freedom—we want Americans to have freedom—wants to take away our freedom for access to the internet. Why? So somebody can buy parts of it and sell them back to us.

Under their new plan, the FCC would allow companies to freely block or slow down any American's access to websites based on the company's financial interests and would allow paid prioritization practices which create internet fast lanes and slow lanes based on who can afford to pay more for the service. What a change that is from what we have today.

Everyone has a favorite website they visit every day. In the morning, I race in here and get to the newspapers in Illinois, for example, to see what is going on in my home State. Well, what if one

day you typed in the address of that newspaper and nothing popped up or you were able to visit it, but it took twice as long to download it?

Remember those days when you used to deal with dial-up? Some of the young people in the Chamber are probably scratching their head and asking: What is dial-up all about? Well, those days did exist, and it was a much different world in the internet, which we could return to because of that FCC decision. This could be the reality under the Trump administration's Federal Communications Commission.

For internet providers, this means they can discriminate against specific content on the internet and be free to do so in the name of competition. For consumers, it means less service and higher costs. For entrepreneurs and small businesses, there is also a risk.

I had a meeting this morning with the Illinois Realtors. There were about 20 of them gathered in the hallway. I was in a committee hearing.

They said: The first item on our agenda is net neutrality.

I said: Realtors and net neutrality? Explain.

They said: Well, people are now looking for their homes on the internet. Perspective purchasers of homes do video tours of all of these different homes. We want our customers to have access to the internet so they can go shopping for their next home. We think it is good for American business.

So do I—but not the Federal Communications Commission. They disagree.

The internet has given the businesses not only access to customers but a global reach and ability to compete with companies large and small. Success isn't determined on how rich your business is. It is how good your product is. If our country wants to grow its economy and continue to lead the world in innovation, we cannot allow the internet to become a place where businesses impose a pay-to-play scenario.

I can't understand how the other party—this party of individualism and freedom—wants to take this freedom away from the American people.

If the FCC's harmful new plan is allowed to take effect, consumers, businesses, and hard-working families will be hurt. It is no wonder that public support for net neutrality is overwhelming. America gets it. The Federal Communications Commission and the President may not, but America understands this. All over the country, students, teachers, businesses, individuals, and families, are all making their voices heard, and I encourage them to continue to do so.

We need more Republicans to stand up for your freedom. We need more Republican Senators to join us in what should be a strong, bipartisan effort.

The Federal Communications Commission has announced that its radical plan to end net neutrality will take effect next month—next month—unless Congress stops it.

We are starting today with this vote in the Senate. We will finish it tomorrow. Then, if we are successful, it goes across the Rotunda to the House. If they do nothing, your right to the internet is going to be destroyed.

Today every Senator will have a chance to tell their constituents exactly where they stood on this issue of personal freedom—whether content on the internet should be treated equally and consumer access be a matter of how much you can pay. I think the answer is obvious, and so do the overwhelming majority of Americans.

Will the Republican Party please join us in a bipartisan effort to stand up for something that Americans across the board support?

I urge my colleagues to support the concept of net neutrality and the CRA resolution before the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, last year, in 2017, we watched a series of battles related to the very fundamental vision of our Constitution—whether we are going to do the people's work or whether we are going to be a Senate run by the most powerful and privileged in America. There is no question how that came out. It was the powerful and the privileged.

Three major things happened in 2017. The first was a health bill designed to destroy healthcare for some 30 million Americans, thereby also affecting everybody else by raising the costs of healthcare and putting our rural healthcare clinics and our rural hospitals out of business. That was a bill for the powerful and the privileged and against the people.

Then we had the tax bill—a bill that borrows \$1.5 trillion from the next generation. Our pages on the floor here are the next generation. We gave the bill to them and then gave the proceeds to the very richest of Americans, increasing and accelerating inequality in wages and inequality in wealth. That is legislation by and for the powerful—not we the people.

Then we saw the theft of a Supreme Court seat, done directly to maintain a court case called *Citizens United*, which allows the wealthiest Americans to spend hundreds of millions of dollars to drown out the voices of the people here in our democratic republic. That is government by and for the powerful and the privileged instead of we the people.

Wouldn't it be amazing if this Chamber actually believed in this Constitution—this vision of distributing power among the voting citizens—so we have, as Jefferson said, laws that reflect the will of the people?

Here we are today with another issue that is a battle between the vision of our Constitution and government by and for the powerful. It is called net neutrality.

What is net neutrality? It is making the internet a place where we can all

participate on an equal foundation, with the freedom to have a full right to participate in the information world of today and tomorrow and a full opportunity to participate on a level playing field in the economic battleground of today and tomorrow. Freedom is what net neutrality is about.

This is what the Federal Communications Commission wants: It wants to have a fast lane for the rich and the powerful, and it wants to have a slow lane, where you are hardly moving at all, for all the rest of us—all of working America, stuck here in a congested internet while they sell off the fast lane to the wealthiest. That is what this is about.

The FCC, or the Federal Communications Commission, proceeded in its decision to take away equality on the internet, to ignore the technical experts, to produce studies that are debunked by the experts, and to conduct a fraudulent public comment period where bots, or robotized comments, were filing fake comments by the millions. They didn't even want America to be able to weigh in legitimately.

We said: Redo the comment period and put up an interface to stop the bots so real people can weigh in. You could have real input from real Americans. That is "we the people" government. The FCC said: No way, because we are bent on our track.

What was their track? To allow discrimination on the internet by the type of user, to allow discrimination on the internet based on the type of business or the type of social content, to allow discrimination on the internet by the type of website, to allow discrimination by the type of platform or by using an iPhone or a desktop, to allow discrimination based on the software application—is it Safari or is it Google?

Why is that? Because the internet service providers can sell, through that license to discriminate, a fast lane to the rich and powerful while the rest of us are stuck in traffic.

It is totally unfair. People in America get it. They understand that this is the opposite of what it means to have a government that reflects the will of the people.

If we go back to our Founders, James Madison said: "The advancement and diffusion of knowledge is the only guardian of true liberty." "The advancement and diffusion of knowledge is the guardian of true liberty." But today a sizable share of the Members of the Senate want to shut down advancement and diffusion of knowledge on a level playing field and sell our right to equality to the highest bidder.

They want to put the modern user—the student, the child, the math teacher, the entrepreneur, the small business—they want to lock them in chains and say: We are taking away your freedom to participate in the public square on an equal basis. That is simply wrong. We know it is wrong because millions of Americans have weighed in.

On some days in my office, I have had phone calls that are 100 to 1—1 or 2 or 3 people arguing: Sure, let the powerful sell off our freedom. But for every 1 of those folks, there are 100 citizens saying: No way, fight for fairness. Fight for equality. Fight for our freedom to participate on a level playing field.

We hear it from all kinds of small businesses. More than 6,000 have formally weighed in. We hear it from all kinds of organizations. I hear it from the Realtors. I hear it from the restaurant owners. Everyone who isn't one of the superelite in America wants equal participation and freedom on the internet, but there is a whole host of colleagues today who are considering voting for the elite and rich and powerful over their constituents.

I encourage you to rethink your priorities because we have a responsibility, under our Constitution, to do government by and for the people, not the powerful.

We have heard from chiropractors. We have heard from people who perform at music venues. We have heard from graphic design artists. We have heard from medical startups. We have heard from everyone across the spectrum saying: Give me a fair chance to compete.

A fair chance to compete is an American value. Let us not trounce that value into the mud today.

I anticipate that at 3 p.m. we are going to have a vote on this floor, and the majority of this Senate—a slim majority—is going to fight for freedom, and the rest are going to say: No way, I am not fighting for freedom. I am fighting for the big and powerful people in America.

That is just wrong.

Then this bill will go to the House. When it goes to the House, there will be another battle. So having won here by a slim margin—a slim, bipartisan margin—we have to win in the House, which means that we need the American people to weigh in.

Here is the thing. The rich and powerful really want to win the fight. Oh, they are going to be spending a lot of money to win this fight. They are going to be sending a lot of lobbyists down the hall to win this fight. So we have to have the people of America weigh in and let them know across the hall, down the hall, down this road to the House that as the people's House, they should do the people's business.

Let's set the example here in the Senate. Let's not have a slim majority fight for freedom for Americans. Let's have the entire body weigh in with a robust, extensive majority, fighting—fighting—for freedom on the internet. Let's win this battle today, and let's win it in a few days down the hall.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Wyoming.

#### NOMINATION OF GINA HASPEL

Mr. BARRASSO. Mr. President, yesterday President Trump joined Republican Senators for lunch. He was very

optimistic and very positive about a lot of the developments in America's foreign policy in places like North Korea. At the same time, we all recognize that the world continues to be a very dangerous place. National security must be our first responsibility. My goal is a nation that is safe, strong, and secure.

To have safety and security at home, we need peace and stability abroad. Republicans in Congress understand that. So does President Trump, and so does Gina Haspel. That is why the Senate Select Committee on Intelligence today approved Gina Haspel's nomination to lead the Central Intelligence Agency. It was a bipartisan vote.

That used to be the normal way things operated around here—in a bipartisan way. When you had a nominee who was undeniably qualified, they got support from both sides of the aisle. It has become very uncommon over the past year.

Democrats have decided to obstruct President Trump's nominees for important jobs almost at any cost, but Gina Haspel got this rare bipartisan approval from the committee for the right reason—because she is the right person for this job. Now we will have a vote on the Senate floor.

This should be one of the easiest votes for Members of the Senate to cast all year. The Director of the Central Intelligence Agency is a very important member of the President Trump's national security team. She is the right person for the job.

She has been a career intelligence officer for 33 years. That goes back to the days of the Ronald Reagan administration. She actually got interested in the CIA when she learned that women could serve there doing clandestine work all around the world.

She has served in Africa, Russia, Central Europe, and Asia. She has held top jobs at the Agency's headquarters. She understands every element of the work of America's intelligence community.

Since she is actually the acting head of the Agency today, I think anyone would be hard-pressed to say she is not up to the job, because she is doing the job. She has the faith and the trust of the men and women in the field who keep us safe every day.

Let's not forget that she has also worked very closely with Mike Pompeo. He was head of the CIA. Now he is Secretary of State. Having two people in these important jobs who already have a solid, respectful working relationship is extremely important for making sure that the U.S. foreign policy is airtight.

No one else that the President could have nominated would have been able to work as closely with Secretary of State Pompeo. She is an expert on terrorism. She is an intelligence expert. She is a national security expert.

She began her work at the CIA during the Cold War. So she has a deep understanding of Russia and a deep understanding of our challenges there.

I think it is clear that Gina Haspel is an absolute star nominee for this vitally important job. I am not the only one saying so. The list of people who have come out and endorsed her nomination goes on and on. At least six former leaders of the Central Intelligence Agency have all come out publicly to praise her qualifications and her abilities. CIA Directors under President Obama, under President Bush, under President Clinton—Republicans and Democrats alike—all agree she is the right person for this job.

Look at what they have had to say. Michael Hayden was Director under President Bush. He wrote: "Gina Haspel is the person America needs at the CIA." He said: "She is someone you want in the room when big decisions are being made."

Listen to what Leon Panetta, who had the job under President Obama, said. He said that he was glad she would be the first woman to head the Agency because "frankly she is someone who really knows the CIA inside out."

Look at John Brennan, who also ran the Agency for President Obama. He said in an interview that she has the experience, the breadth, and the depth—on intelligence issues and foreign policy issues over many, many years.

It is clear this is someone who is very highly regarded by people who know her, people who have worked with her, and people who have relied on her judgment and her expertise. That expertise and that clear-eyed judgment is more important today than perhaps at any other time since the end of the Cold War.

Our Nation's adversaries are cunning, they are opportunistic, and they are aggressive. We face challenges in dealing with Syria and in dealing with ISIS. We have a lot of work ahead of us in Iran.

Next month, President Trump will be meeting with North Korea to try to end their nuclear program. Now, I remain skeptical about North Korea, and so do a lot of Republicans in the Senate, but this is the best opportunity we have ever had to try to get nuclear weapons out of North Korea. The President needs his full team in place.

This isn't a simple political game for Democrats to play for the TV cameras. This is about the peace and security of the world and safety and strength for the United States.

As a CIA officer for more than 30 years, Gina Haspel has had to make tough decisions to keep our country safe. The decision we face to confirm her nomination to be Director of the Central Intelligence Agency is not a tough decision at all. I will vote loudly and clearly in support of her nomination.

When she is confirmed, all Americans will be able to sleep soundly, knowing she is on the job providing the security we all need.

Thank you.

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. MARKEY. 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. MARKEY. Mr. President, I thank the Presiding Officer, and I thank all of my colleagues here today. This has been a very important debate to have on the floor of the U.S. Senate. It is a debate over whether we are going to continue to have a free and open internet. This vote is a test of the U.S. Senate, and the American people are watching very closely.

This vote is about small businesses, librarians, schoolteachers, innovators, social advocates, YouTubers, college students, and millions of other Americans who have spoken with one voice to say: Access to the internet is our right, and we will not sit idly by while this administration stomps on that right.

This vote is our moment to show our constituents that the U.S. Senate can break through the partisanship and break past the powerful outside influences to do the right thing—the right thing for our economy, the right thing for our democracy, the right thing for our consumers, and the right thing for our future.

This is common sense to Americans around the country, with the only exception being telecom lobbyists and lawyers inside the beltway. How do I know? Because 86 percent of all Americans in polling agree that net neutrality should stay on the books as the law of the United States.

The public is telling us loudly and clearly to vote for this resolution. They are telling us they don't trust their internet service provider to show up on time for a customer service appointment at their house, so they certainly don't trust them to put consumers ahead of profits.

They are telling us that once they pay their internet bill, they expect fair access to the internet. They are telling us they are sick of the special interests getting their way while the rest of us get the short end of the stick.

So I ask each and every one of my colleagues today to heed the calls of the American people to keep the internet open, to keep the principle of nondiscrimination at the heart of what the internet has been and must continue to be, not just for the most powerful voices but for those who have the smallest voices inside of our society. That includes entrepreneurs who just last year received half of all venture capital in the United States which went to software and internet startups. That is what we need. We need to understand how this incredibly chaotic entrepreneurial system in our country works, and at the heart of it is net neutrality.

Just 2 weeks ago, in Massachusetts, I had a meeting with 500 people on net neutrality. I invited Tim Berners-Lee, the inventor of the worldwide web.

Tim Berners-Lee was selected by Time magazine as one of the 20 greatest thinkers, scientists, and innovators of the 20th century. Who else was on the list with him? Sigmund Freud, Edison, Henry Ford.

Tim Berners-Lee is the inventor of the worldwide web, the organizing principle of the web. What he said is, the principles of nondiscrimination are baked into the internet. It was his intent to have it work that way so there could be no discrimination. What we are talking about is a fundamental change. The largest companies now want to implement fundamental change in order for them to ensure that competitors cannot compete as well as they could if they could not be discriminated against—that consumers have the protections they need so they are not harmed, and so this innovation economy can continue to unleash itself for the benefit of the United States, so we are, No. 1, looking over our shoulders at Nos. 2, 3, 4, 5, and 6 in the world.

The internet and its success is a story about the United States being No. 1, not any individual company, and certainly not a small handful of broadband companies. That is why the rest of the world envies what we have in our country, this incredible engine of innovation which has created millions of new jobs since the 1996 Telecommunications Act was passed, since this digital revolution was unleashed. We must keep these principles intact.

That is what we are debating here today on the floor of the United States Senate. We are debating what the principles should be for this organizing principle of our country for the 21st century, which is the internet. From my perspective, the only way in which every American, every entrepreneur, every new idea is going to have a shot at helping to make our country better is if net neutrality stays on the books.

So this is a defining vote, the most important vote that we are going to have in this generation, on the internet. The whole country is watching. Eighty-six percent of all voters support net neutrality, 82 percent of all Republicans support net neutrality. If it is not broke, don't fix it. It is working, and it works for the smallest voices and for the largest voices. What these huge internet companies, the internet service providers, want to do is change the rules, tilt the playing field.

It was a long route to get to this era. We had one telephone company, one cable company, monopolies going into people's homes. It took a lot to get away from that era so that smaller voices, newer voices could be heard. When that happened, it unleashed trillions of dollars of private-sector investment the software and internet companies, these innovators, were now able to gain access to. They could have done

it if the rules made it possible before we changed the laws in the 1990s. But since then, they have—and they have reinvented, not just the United States of America, but they have reinvented the whole world. There is a vocabulary which has been created since 1996, words that now everyone thinks are common: Google, Amazon, E-Bay, Hulu, You Tube. They didn't exist. They didn't have a role in our society. We had to change the rules in order to make it possible for them. There is a whole new generations of companies whose names we do not know yet, but because of net neutrality they will be known. They will be the job creators for the next several decades in our country.

So I thank all Members who participated in this debate. There won't be a more important one that we have, because it goes right to the heart of our identity as a free and open society. I urge my fellow Senators to vote yes on my Congressional Review Act resolution to restore the net neutrality rules to the books.

Mr. President, I yield back the remainder of my time.

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

Mr. THUNE. Mr. President, we are about to vote on this Congressional Review Act resolution of disapproval dealing with this issue of net neutrality.

Let me say again what I said at the beginning of this discussion earlier today; that is, I support principles of net neutrality that can be enshrined in law, that actually do address the issues people on the other side are concerned about, whether that is a ban on blocking of lawful content, a ban on throttling of internet speeds, a ban on paid prioritization that would create fast lanes, slow lanes, and that sort of thing. Those are things on which I think there is pretty broad agreement.

Frankly, it seems to me, at least, there is bipartisan support for pursuing a legislative solution to this—to put into law, to codify once and for all those principles of an open internet. Instead, we are having this fake argument over a Congressional Review Act resolution of disapproval, which is going nowhere, and my colleagues on the other side know that. All it does is prolong the period of uncertainty in which we have been operating for some time, where internet service providers are not investing in new technologies, innovation, and infrastructure and instead are investing in lawyers and litigation as this cloud of uncertainty hangs over the regulation of the internet.

What our colleagues on the other side are proposing is simply this: Regulate the internet like a public utility in the same way that Ma Bell was regulated back in the 1930s, because the law they would use to regulate the internet is title II of the 1934 Communications Act—basically saying: We want to take



a law that is 80 years old and use it to regulate a 21st-century innovation like the internet—the internet that exploded under the light-touch regime that was in place up until 2015.

In 2015, the FCC decided they wanted to use the heavy hand of government regulation as opposed to a light touch. What this FCC has said, simply, is that we are going to go back to the light-touch regulation that was in place for the first two decades of its existence, two decades that led to explosive growth, dramatic increases in productivity, and economic opportunity for Americans all over the country. Here we are today talking about a Congressional Review Act resolution of disapproval that would roll back that FCC's decision in an attempt to restore and put back in place the heavyhanded regulation of title II under the 1934 Communications Act.

I think, frankly, that we can solve this issue quite simply; that is, to sit down in a bipartisan way and figure out a way to enshrine into law those principles of an open internet that would ban the things I just talked about—ban blocking, ban throttling, ban pay prioritization, but do it in a way that does not draw on the title II authority that essentially gives the FCC the authority, if they want to, to regulate rates.

This is a heavyhanded government approach to regulating the most powerful economic engine we have seen literally in generations. I think the clear vote here today is in favor of legislation that would put those rules into effect and against a Congressional Review Act resolution of disapproval, which is simply an attempt to, I guess, gain partisan advantage with an issue that people seem to think will be useful in the upcoming elections.

Honestly, it is not going anywhere. We all know that. I think the sooner we conclude that and the sooner we get serious about sitting down together across from each other and actually putting into law these principles of an open internet, the better off we will all be. I mentioned this earlier today. There are a number of our colleagues who have made statements publicly, as recently as yesterday at a Commerce Subcommittee hearing, where they supported that approach of bipartisan legislation. I had colleagues on the other side who have made public statements—and I quoted some of them today—in support of a legislative solution along the lines of what I am proposing here. Of course, we have had multiple examples of misstatements and hyped-up statements that aren't grounded in any sense of reality, so much so that even a Washington Post Fact Checker came out and said that the statements that were being made by the Democrats warranted three Pinocchios. The L.A. Times just this last week editorialized: "Rather than jousting over a resolution of disapproval, Congress needs to put this issue to bed once and for all by crafting

a bipartisan deal giving the commission limited but clear authority to regulate broadband providers and preserve net neutrality."

That is the way to do this. It is not to have an FCC that bounces back and forth from administration to administration at the whim of whatever the political wins of the day are or, perhaps even worse yet, spends a lot of time in court litigating this issue—millions and millions of dollars that could be spent investing in innovation and new technology and new infrastructure that could deliver higher, faster speeds, higher quality of services to people across this country, including those in rural areas who have missed out on a lot of this. You are not going to get broadband providers to deliver services or invest in rural areas if they are operating under a cloud of uncertainty, which is what this CRA, if it were successful, would ultimately lead to.

I simply ask our colleagues on both sides of the aisle to reject this ill-fated, frankly, charade of an exercise that we are going through in exchange for a true discussion of bipartisan legislation. I mentioned earlier that I had a draft from 2015 that we put together. I have had numerous opportunities to discuss that draft with Members on the other side. We have socialized some of these issues. We shopped them around. It certainly is not the end-all product, but that is what legislation is about. It is about the opportunity to sit down, take input from both sides, and come up with a bipartisan solution. I think that is certainly within our reach here if we are willing to do it, but this is not the way to do it.

This is a dead-end canyon, which does nothing to solve the issue. All it does is perhaps whip up some people who are perhaps interested in trying to use this as a political wedge issue, but it is not going to do anything to solve the problem. I urge my colleagues to reject and vote no on this resolution of disapproval, and let's get serious about legislating.

I yield back the remainder of our time.

The PRESIDING OFFICER. All time has been yielded back.

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

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

Mr. MARKEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—52

Baldwin	Hassan	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Sanders
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	Kennedy	Shaheen
Carper	King	Smith
Casey	Klobuchar	Stabenow
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murkowski	Wyden
Gillibrand	Murphy	
Harris	Murray	

NAYS—47

Alexander	Flake	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Corker	Hyde-Smith	Scott
Cornyn	Inhofe	Shelby
Cotton	Isakson	Sullivan
Crapo	Johnson	Thune
Cruz	Lankford	Tillis
Daines	Lee	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Paul	

NOT VOTING—1

McCain

The joint resolution (S.J. Res. 52) was passed, as follows:

S.J. RES. 52

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom" (83 Fed. Reg. 7852 (February 22, 2018)), and such rule shall have no force or effect.*

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR—Continued

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

The legislative clerk read the nomination of Mitchell Zais, of South Carolina, to be Deputy Secretary of Education.

The PRESIDING OFFICER. Under the previous order, all time is expired.

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

Mr. MANCHIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 98 Ex.]

#### YEAS—50

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

#### NAYS—48

Baldwin	Hassan	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Sanders
Brown	Jones	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Udall
Donnelly	McCaskill	Van Hollen
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Gillibrand	Murphy	Whitehouse
Harris	Murray	Wyden

#### NOT VOTING—2

Duckworth	McCain
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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 Texas.

### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate resume legislative session for 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.

#### NET NEUTRALITY

Mr. CORNYN. Mr. President, today our Democratic colleagues insisted on an aimless vote on the issue of net neutrality. This is what has been called by the Wall Street Journal a vague name which essentially is cover for regulation of the internet like a utility under the previous regime, which is the Obama-era regime.

Following the FCC issuance last December of the Restoring Internet Freedom Order, our Democratic colleagues vowed to make net neutrality a campaign issue.

To me, one of the most maddening things about the title “net neutrality”

is that this is the opposite of neutrality. This is all about more regulation of the internet.

Oh, by the way, I noticed that the internet seemed to be working just fine while this Restoring Internet Freedom Order by the FCC was in effect.

How did they do this? By painting the FCC's decision as proof somehow—and I am not really sure how, other than maybe gullible press and people willing to just accept their argument at face value—that some of us are against net neutrality. That is just not the case.

I believe the free market has done more to help the internet grow and succeed as an engine of commerce and something that allows us to communicate with our friends and family, share pictures and the like, beyond our wildest dreams. I guess Thomas Friedman's book “The World is Flat” talked about how one of the most important events in recent history was the development of the world wide web in 1995. We have come a long way since 1995, and the internet has succeeded beyond our wildest dreams, which is the reason the last thing we should want is the government to come in and inject itself with more controls.

We have always supported a free and open internet. Internet service providers should not be able to block, slow, or otherwise unfairly discriminate against any legal website or online service. In fact, it was our Democratic colleagues who blocked Republicans from passing the bill earlier today that would have prevented the internet service providers from being able to do just that.

The issue up for debate this week, though, was how to classify these providers for regulatory purposes, and here, there was a choice. Our side of the aisle has long favored a light-touch approach that is offered under title I of the Telecommunications Act. Our Democratic friends favor a more onerous approach under title II. That is why they favor repealing the FCC's recent order, returning to Depression-era regulations implemented under the Obama administration.

Our Democratic colleagues have now gotten their wish, in a way. They voted here in the Senate to repeal the current FCC order by using the Congressional Review Act, which gives Congress the power to nullify agency rules and requires only a simple majority to pass. But our colleague, the senior Senator from South Dakota, is correct when he refers to their stunt as “political theater.” It is merely a “show vote.”

First of all, even though our Democratic colleagues may have joined together to win this vote on the Congressional Review Act in the Senate, there is simply no indication that the House plans to take it up or that the President would sign it if they did.

Second, contrary to supporters' claims, the resolution will not “restore” net neutrality. In fact, it would

accomplish the opposite. This resolution would remove rightful oversight of noncompetitive behavior and consumer protection from the Federal Trade Commission and, instead, subject ISPs to oversight by the FCC, including regulations regarding consumer data privacy, approval or disapproval of new innovation, and dictating the terms and conditions of service. That would create a major imbalance in our internet ecosystem between content and platform regulation, as edge providers like Google and Facebook would not be subject to the same standards as broadband providers.

Finally, the resolution would increase the digital divide across America, and that is no small matter. As Brent Wilkes, the former CEO of LULAC, wrote recently in the Houston Chronicle, “the CRA would . . . reinstate Depression-era Title II rules that have not created the open internet's engine of opportunity with a level playing field that proponents envisioned.”

He went on to say: “Placing the internet back under Title II rules would . . . curb the critical infrastructure investment necessary for connecting more Americans to high-speed broadband, including nearly 4 million Texans—about 15 percent of the state's population—who live in rural communities that are difficult and costlier to connect.”

As I said when I began, I believe in an open and free internet, but the vote we just held does not make the internet more open or more free—just the opposite. Let's be blunt about it. This vote was simply a waste of time.

The light-touch regulatory treatment of internet service providers under the December 2017 FCC order was a return to the Clinton-era environment that allowed the internet to innovate and thrive. Imposing additional, stifling government regulations does not benefit consumers in the long run and, instead, allows FCC bureaucrats to pick winners and losers. That is why I opposed our Democratic colleagues' resolution today.

#### NATIONAL POLICE WEEK

Mr. CORNYN. Mr. President, on a separate note, for the last few days, we have been celebrating National Police Week, when we honor the men and women who help keep our communities safe. They have chosen a difficult and often dangerous life, dedicated to enforcing the law, defending our civil liberties, and protecting our cities and neighborhoods.

Sometimes law enforcement officers intentionally put themselves in harm's way for our benefit, and sometimes they even sacrifice their lives for their fellow citizens. The police in my State are no exception. In fact, according to one FBI report, Texas had more law enforcement officers die in the line of duty in 2017 than any other State.

Because it is National Police Week, I would like to mention two important pieces of legislation that are high priorities for law enforcement groups, and I am happy to be the chief sponsor of both.

The first is called the Justice Served Act. Its companion legislation passed just yesterday in the House. I am grateful to my colleague Representative JOHN CARTER for helping to make sure that happened.

The bill would provide grants for State and local governments to prosecute cold cases. These are older crimes that have languished but are reignited through DNA evidence, including evidence obtained from backlogged rape kits. By making sure that newly tested evidence is used to investigate and prosecute unsolved crimes, the Justice Served Act would ensure that vital criminals are brought to justice instead of remaining free and on our streets. This will give crime victims and their families closure and relief and deliver justice.

Once new DNA evidence is used and the wrongdoers are prosecuted, the crime victims will know that their attackers no longer remain at large. The evidence can also help exonerate those who have been wrongfully accused or even convicted.

Especially this week, I am proud to have the support of the Major County Sheriffs of America, the Fraternal Order of Police, the National Association of Police Organizations, the Major Cities Chiefs, and other law enforcement organizations. I am also grateful to have the support of various organizations that support sexual assault victims, as well as prosecutors' groups.

Finally, I would just like to say that I appreciate my cosponsor, the senior Senator from Minnesota, who has helped this bill continue to move through the legislative process.

Another bill I would like to mention as long as I can—seasonal allergies are getting to me, like so many of us—is the Project Safe Neighborhoods Authorization Act of 2018. We hope to have it hotlined this week because, like the Justice Served Act, it is a high priority for law enforcement groups across the country.

Project Safe Neighborhoods is a nationwide partnership among State, Federal, local law enforcement, and prosecutors that use data-driven, evidence-based, and trauma-informed practices to reduce violent crime.

When I was the attorney general of Texas, then-Governor George W. Bush and I administered a program known as Texas Exile, in which we targeted felons who were carrying firearms as part of their carrying out some crime. We targeted those violent offenders by concentrating resources on the most important cases. This program involved multiple law enforcement agencies and allowed them to collaborate on a "Smart on Crime" approach, focusing efforts on high-level offenders who were responsible for tearing communities and families apart.

Multiple jurisdictions in Texas participated in Project Exile, which, again, was focused on the most violent offenders and the ones who were carrying firearms, which they could not legally possess or use. The result was a staggering reduction in crime rates and homicides. Project Exile later became the basis for the Department of Justice's nationwide Project Safe Neighborhoods Program, which has been ongoing for more than a decade. I am happy that soon we will reauthorize it.

Under Project Safe Neighborhoods, Federal, State, and local law enforcement cooperate and focus their enforcement efforts on organized criminal networks and repeat offenders who are driving crime rates in a particular area. One of those regions is Northern Virginia, where a regional task force composed of 13 local, State, and Federal law enforcement agencies has made tremendous strides in eradicating gang violence perpetrated by groups like MS-13. My colleague BARBARA COMSTOCK's district is in that region, and she has been the bill's biggest champion in the House.

Since its inception in 2001, Project Safe Neighborhoods has been deployed by both Democratic and Republican administrations to reduce violent crime. According to a Michigan State University study funded by the Department of Justice in 2013, Project Safe Neighborhoods was associated with a 13.1-percent decrease in violent crimes in cities with high rates of program participation, including double-digit reductions in total firearms, crimes, and homicides in every city examined by the study.

Our bill will reauthorize the program through fiscal year 2021 in amounts consistent with current appropriations levels. Additionally, it will require participating entities to prioritize the investigation and prosecution of individuals with leadership roles in criminal organizations, and it will strengthen innovation and prevention initiatives on the local level.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise today to talk about two related topics. The first is to recognize and honor the men and women of law enforcement across the Commonwealth of Pennsylvania and across our country. This week is National Police Week, and it is really an important opportunity for us to let the folks in law enforcement know how grateful we are to them for the service they provide and for the sacrifices they make every single day to keep us safe.

It is also an important occasion to remember those who made the ultimate sacrifice. This week, the names of 129 law enforcement officers killed in the line of duty in 2017 alone were added to the National Law Enforcement Officers Memorial. Among the fallen were two Pennsylvania officers: Patrolman Brian Shaw of the New Ken-

sington Police Department and Trooper Michael Paul Stewart III of the Pennsylvania State Police.

Given the clear and obvious dangers that our police officers face, it seems to me that we have an obligation to make sure they have the tools they need to protect themselves and the public, so I want to mention two efforts to do exactly that and urge my colleagues to support these efforts.

The first is a Bureau of Prisons gun locker bill. This is legislation that I have introduced with Senator MANCHIN. We call it the Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act. What it would do is allow Federal prison guards to protect themselves on their commutes to and from work.

Why is this a problem? Because in many cases, the prisons where the prison guards work do not have a secure place to secure firearms, so the guards cannot bring their firearms to work with them nor would they have them to go home. They often are unarmed going to and from work.

Sadly, the fact is, Federal prison guards can often be targets of criminals when they are off duty. Let's be honest here. Some of the prisoners they are guarding get released and are still pretty bad guys.

Unfortunately, the Department of Justice policy essentially makes it impossible for guards to protect themselves when they are going to and from work. Sadly, Lieutenant Albarati, of Puerto Rico, paid for the price for this policy. In 2013, he was driving home from work. He was unarmed. He was shot and killed. Three inmates from the prison where he worked had hired the killer.

What our bill does is very simple. It requires the Federal Bureau of Prisons to provide officers with an onsite storage locker for their personal firearms so that when they get to work, they can secure them in a safe place or allow these prison guards to store their personal firearms in a lockbox that is in their cars. It is pretty simple. It is pretty straightforward.

Yesterday, the House voted on a companion bill, and it passed 378 to 0—378 to 0. Now is the opportunity for the Senate to act. We should act quickly. We should pass this. We should do it through our hotline and get this done. I am sure the President will sign this into law, and we will be providing a tool to enhance the safety of the prison guards who protect our security.

There is another piece of legislation, which is the Lifesaving Gear for Police Act. I have introduced this legislation. What this would do is allow local law enforcement to continue obtaining the surplus defensive Federal gear they need to protect themselves and the public. It is based on a simple principle. The idea is that the police ought to at least have sufficient equipment. They should at least be as well-equipped as criminals and terrorists who attack them and are a threat to

all of us. We should make every effort we can to make sure that law enforcement officers have the chance to go home safely to their families at the end of their shifts.

It was longstanding policy that surplus, leftover, military gear that was defensive in nature, when it was not wanted or in use by the military, would be made available to law enforcement. Unfortunately, in 2015, the Obama administration severely restricted the ability of State and local law enforcement to obtain this surplus, leftover, in-storage gear.

The restrictions by the Obama administration were rationalized on the completely false narrative that the police were a source of unrest and violence, as opposed to the truth that we all know, that they are brave men and women who defend us against unrest and violence. I think the American people know better. They know that the vast, overwhelming majority of people in law enforcement are good, honest, decent, hard-working people who are motivated by their desire to do a good job and protect the public.

Fortunately, President Trump reversed the Obama administration's flawed policy of denying our local police forces this equipment. But that only has the power of an Executive order, and the safety of our law enforcement officers and the public should not be subject to political whims. A new administration will arrive at some point, and when they do, they could reverse this unless we codify it in law. That is what our bill would do. It would ensure that State and local law enforcement can continue to obtain this lifesaving Federal gear, regardless of who occupies the Oval Office or Congress.

So as we mark National Police Week, we should never forget the courage our law enforcement officers exhibit every day in keeping us safe. I would like to say to our country's law enforcement officers, including the more than 25,000 in Pennsylvania, we thank you for your service and your sacrifice.

#### CHIP RESCISSION

Mr. TOOMEY. Mr. President, the second topic I wish to touch on today is a subject that is apparently misunderstood, and it is certainly wildly mischaracterized. It is the subject of rescissions. It has become a topic of conversation since the President—the administration—has proposed a rescission. A rescission relates to our budget process. It is when money originally authorized by Congress to be spent on a program but actually is not spent—that authorization is revoked, it is rescinded, but it is with respect to money that was never spent.

Now, specifically, I want to discuss how this relates to the Children's Health Insurance Program, which is often referred to by the acronym CHIP—the CHIP program. So if you follow recent media reports and com-

ments by some of our colleagues, and even some industry stakeholders, boy, it sure seems like there is a lot of confusion.

Let me state an unequivocal fact. Since 2011, there have been rescissions from CHIP every single year. This is not new. It has happened every single year since 2011.

Now, is that because Congress decides during the course of each year that they don't really like the CHIP program or they don't like children or they don't want kids to get health insurance? No, that is not why it happens. The reason it happens each and every year is because Congress systematically, intentionally, and willfully authorizes far more money for the CHIP program than it is ever going to actually spend.

We have a chart that illustrates this. We can see the vertical columns. The red bars show how much money Congress has authorized in the years to the left of the dotted line. Those are historical years. To the right of the dotted line is the projected future years. So the red bars are how much money Congress has authorized for the CHIP program. The green line shows how much of that money actually gets spent on the program. We can see that in each and every year the red bar is way above the green line. It has been going on back to 2009; it is every single year, and if we continue on our current path, that will continue to be the case as far as we can see going into the future.

Now, take a particular year; for example, this year, 2018. We expect the Federal Government is going to spend \$16 billion on the program. Now, because of the nature of the way this program works and certain features, it is possible we will spend \$16.1 billion. It is possible it will end up being \$15.99 billion, but we know \$16 billion is enough to provide the Federal share of funding for the children enrolled by their States, but, as I say, we don't know it with precise precision right to the last dollar.

So knowing it is going to be about \$16 billion, how much money do we think Congress authorized for this program that is going to cost \$16 billion? The answer is \$25 billion. So \$25 billion, when we know for a fact—everybody, including our Democratic colleagues, knows we are not going to spend anything close to that amount of money. As I say, this overfunding is not unique to 2018; it happens each and every year, and it will continue well into the future.

Now, within that \$25 billion, I should point out a subset. There is something called the Child Enrollment Contingency Fund. In 2018, \$4.3 billion of the \$25 billion is designated for this Child Enrollment Contingency Fund. The word "contingency" is there because it is meant, theoretically, to be a backstop in case the demand—the utilization—for this program is so great that the allocated money isn't enough, so

there will be this contingency fund. That raises a question: Is that a sensible number, \$4.3 billion?

Well, let's look at this. Since 2009, there has been a total of \$11.4 billion made available in this very category, this contingency fund. That is represented by the blue circle on the chart. How much has actually been needed? The answer is \$100 million—one-tenth of \$1 billion. Nine-tenths of 1 percent of the amount of money that has been made available has actually been used for this purpose, and \$11.4 billion was authorized in the decades since this contingency fund was invented.

During that period of time, all 50 States and the District of Columbia, if they ever needed it, would have been able to access this. That 50, plus 1, over the course of 9 years, is 460 opportunities for a State or the District to come to the Federal Government and say: We need some of that money from the contingency fund—460 times. How many times has it actually occurred over the course of those 9 years? The answer is three, and the amount of money is less than 1 percent of what has been authorized: \$108 million used out of \$11 billion that has been authorized.

Well, next year, according to State law, despite the fact that no State is even close to consuming the full amount of the main fund, we are going to allow another \$4.5 billion to be deposited in this account, when the sum total of all the States' usage for the last 9 years was \$100 million, one-tenth of \$1 billion.

Look at it another way. If you look at all the CHIP-related accounts—all the Federal money that has been designated for this children's health program since 2009—Congress has willfully and systematically authorized so much in excess of what is needed that actually only 58 percent of the money has gone to the CHIP program because that is all the demand there was for this program.

So this, obviously, raises a question: Why is it that year after year after year, including this year, Congress intentionally authorizes so much more funding than we are ever going to spend on this category, on this program, on the children's health program? I will tell my colleagues why. It is a big budget gimmick. It creates a big opportunity for Congress to lie to the American people and spend more money on other programs under the guise of putting it toward the children's health program.

How does this work? Every year, as I mentioned at the beginning of my comments, after knowingly authorizing way more money than is needed, Congress comes back and says: Oh, you know what, let's do a rescission, but we will take this money out of CHIP, and we will spend it on something else. It could be spent on anything else, whatever the politically favorite cause is of the moment, but buried somewhere in a 1,000-page appropriations bill every

year there has been a rescission, and the money has been shifted to something else. Basically, it becomes a slush fund to be used in the appropriations process and to allow the appropriations to exceed the cap on spending that we all agreed upon.

So that is what happens. Congress willfully creates a number way above what we are going to spend, comes back a little later and says: Oh, my goodness, look at all this leftover money. Well, let's just take it and spend it somewhere else.

It is completely dishonest. It completely misrepresents the CHIP program. It completely misrepresents—in fact, it blatantly violates the spending caps we have established, and it is not trivial. It is not a trivial amount of money. Over the last 8 years, the amount of these rescissions, so it can be spent elsewhere, has added up to 45 billion taxpayer dollars—entirely a gimmick, a device that just allows Congress to lie to the American people about what they are spending.

So that brings us up to last week. The administration comes along and says they have a suggestion for Congress. First of all, let's fully fund the CHIP program. Let's make sure the CHIP program is fully funded. There will be no shortage whatsoever, but let's stop the lying. Let's remove the deception. Let's provide a reasonable amount of excess funding, because I acknowledge at the beginning we don't know right down to the last dollar exactly how much we are going to spend, but let's take aside all of this wild excess.

Let's be honest. Let's rescind now most of the excess funding, which has been going on each and every year separately; let's leave more than enough in the contingency fund. Even though it is extremely unlikely that any of it will be tapped, the administration has proposed \$500 million to be left in the contingency fund. Remember, that is the fund that has been used to the tune of \$108 million over the last 9 years, but they are saying let's leave \$500 million—five times as much as has been spent cumulatively over the last 9 years—and basically send all of this huge, excessive amount back to the Treasury so it is not just spent willy-nilly and irresponsibly.

Now, for some reason, despite the fact that not a single dollar that would have actually been spent on the CHIP program will be spent differently, will not be spent; despite the fact that the CHIP program will not lose a single dollar of actual funding; despite the fact that Congress has been doing this every single year since 2011, as long as it can spend it on something else; despite the fact that 65 Senators, including 40 of my Democratic colleagues, voted to rescind \$6.8 billion from CHIP—how long ago? In March of this year, a few weeks ago, including \$3.1 billion from the contingency fund. So the vast majority of my Democratic colleagues voted to rescind money

from CHIP just earlier this year. Despite that, now we have people up in high dudgeon, wailing and gnashing of the teeth, about how what we are doing would tear CHIP apart—even after what they did in March, by the way—that it is somehow a betrayal, immoral, appalling; it hurts low- and middle-class families.

It would be too generous to suggest this is merely a lapse of memory. Everybody knows what is going on. This is ridiculous.

So I fully support the President's proposal that we fully fund CHIP but stop with the dishonesty in our budgeting. Stop throwing a bunch of money under this category, knowing we are going to go back later and spend it somewhere else. This program shouldn't be pillaged this way to spend money on unrelated things that just allow us to bust the budget cap.

I would go a step further. What the administration has proposed, to their credit, fixes this terrible flaw this year. I would like us to permanently fix it. I have suggested to my colleagues, rather than specifying a dollar amount, since we don't know the precise dollar amount, I would be OK with a provision that says: such sums as will be needed. That would guarantee it would be fully funded, but it would not create this big excess that gets wasted on who knows what.

If the only concern people have is to ensure that the CHIP program will be fully and properly funded, how can they object to that? It would specify, codified in language, that would be exactly what would happen. It would be fully funded, but we have gotten this resistance to that. How could that possibly be? Unless it is that people want to continue this gimmickry, this deception that has been going on for all of these years.

Well, I hope we will be able to work out a long-term solution. I hope we will bring an end to this. I understand my colleagues on the other side want to spend more money. Let's just admit it—admit it, and let's debate it. We have agreed-upon spending caps. I think they are too high, but that is what we agreed upon. We shouldn't be lying to the American people and going through this gimmick yet again.

So I want to state my unequivocal support for the administration's proposal for a rescission package. I would prefer if there were actual spending being cut. This is indirectly going to help reduce excessive spending because it is going after these unobligated funds, it is going after these excessive accounts. It happens in other accounts, but CHIP is the most noteworthy. To me, this is a modest step in the direction of honest budgeting and protecting the taxpayers.

I hope we will be able to have a permanent solution to this soon, but in the meantime, I hope my colleagues will support the administration's rescission package.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### EPA ADMINISTRATOR PRUITT

Mr. WHITEHOUSE. Mr. President, I am here today for my 206th "Time to Wake Up" speech.

For colleagues who may be having a hard time keeping up with the ethical scandals swirling around Environmental Protection Agency Administrator Scott Pruitt, I thought today I would lay them out one by one.

I think we all heard Donald Trump's pledge to drain the swamp and to put an end to government corruption. That hasn't exactly worked out; has it? Instead, swamp creatures abound, and Pruitt, a longtime enemy of the Agency he now runs and a longtime toady of the fossil fuel industry he is supposed to regulate, is absolutely wallowing in the swamp. Indeed, he is so swampy that he now faces more than a dozen Federal and State probes exploring how he has been advancing his own interests and those of his polluter donors. So let's take a look.

Investigation No. 1 is travel expenses. Between March and May of 2017—just that short period—Mr. Pruitt spent 43 out of those 92 days traveling to his home State of Oklahoma. Pruitt appears to have conducted little or no official business on many of these trips. Yet taxpayers still picked up the tab.

Last summer the EPA inspector general opened its inquiry into this use of official resources. That inquiry has actually since been expanded to examine the overall frequency, cost, and extent of the Administrator's travel. Over a 6-month period in 2017, Pruitt is estimated to have racked up nearly \$200,000 in travel expenses. This includes a \$7,000 business-class flight to Italy and \$58,000 spent on military and charter flights. One set of flights to Oklahoma on a chartered private jet cost over \$14,000 alone.

Also under scrutiny is a 4-day trip that Mr. Pruitt, his staff, and his security detail took to Morocco in December. I hear it is lovely in Morocco in December, but it cost taxpayers more than \$100,000 to indulge Mr. Pruitt. EPA first justified the trip by saying that Pruitt was there to promote the U.S. liquefied natural gas industry. That is actually not in EPA's mission—but never mind. Pruitt himself then testified before the House that he was there to negotiate part of a free-trade agreement. Again, that is not part of EPA's mission. Plus, there is no evidence that Pruitt even conferred with our Trade Representative. You would think that he might have picked up the phone to give himself just a little bit of cover if that was going to be his story. It was eventually reported that Pruitt's Morocco junket was largely arranged by a lobbyist friend who later was paid \$40,000 a month—\$40,000 a month—retroactively to January 1, to represent the Moroccan Government.

Pruitt's frequent international travel plans are heavily influenced by lobbyists and rightwing donors. His trip to Rome appears to have been largely orchestrated by the head of the Federalist Society, and it included dinner at a five-star hotel with Cardinal George Pell, who has been under investigation for multiple allegations of child sexual assault. The cardinal is a climate denier. So maybe that makes it all OK for Pruitt.

A planned trip to Australia was organized by a consultant and former lobbyist for foreign governments. Another planned trip to Israel appears to have been at least in part scheduled to allow him to promote a water purification company recommended by Republican megadonor Sheldon Adelson. Reports say Pruitt actually gave his staff a bucket list of places he wanted to visit at public expense, and he told them to arrange pretexts for his travels.

A lot of the cost of these trips is Pruitt's security detail. That takes us in to investigation Nos. 2, 3, and 4, which stem from Administrator Pruitt's over-the-top spending on security measures.

The Environmental Protection Agency's inspector general and the House oversight committee are both investigating this spending, including almost \$3 million that Pruitt has spent on his 24-hours-a-day, 7-days-a-week, 20-person security detail. This security phalanx accompanies him everywhere—on personal travel home to Oklahoma and on family trips to the Rose Bowl and Disneyland. Pruitt's security detachment is more than three times as large as previous EPA Administrators, none of whom had 24/7 protection. Many of the agents assigned to Pruitt's security team are pulled from EPA's enforcement arm, leaving fewer agents to actually investigate environmental crimes. But they do help him to get to fancy Washington restaurants fast, using lights and sirens to expedite Pruitt's travel to his dinner dates.

Pruitt has also fortified his office. He installed a \$43,000 cone-of-silence, supersecret phone booth. He had biometric locks installed on his office doors and had his office swept for bugs—a no-bid job, by the way, that went to a business partner of the guy who was then his top security agent. The Agency even explored spending \$70,000 on a bulletproof desk for him.

All he is missing is the secret decoder ring.

The evidence that Pruitt cites to justify all of this security spending, including business-class and first-class plane tickets he claimed were required by security concerns, is remarkably thin. When he testified last month before House appropriators, Pruitt claimed that it was all justified by the Agency's inspector general. Well, on Monday, Senator CARPER and I heard directly from the inspector general, and the story is not as Pruitt testified.

Pruitt wanted 24/7 security starting on his first day as Administrator—not as a result of any threats and not be-

cause the inspector general told him that round-the-clock security was justified. The inspector general, in fact, never told him that. It is not the inspector general's job. It looks like Administrator Pruitt misled two House committees when he testified.

Let's move on to investigation No. 5, which involves an inspector general inquiry into a possible violation of anti-lobbying rules. Once you are on the Federal payroll exerting the responsibilities of government, you are not supposed to engage in lobbying. During an April 2017 meeting with the National Mining Association, Pruitt encouraged the group to press President Trump to withdraw from the Paris climate accord. The GAO is also looking into improper lobbying activity after he appeared in a lobbying organization's promotional video, opposing, by the way, the clean water rule. That GAO investigation is investigation No. 6.

Investigation No. 7 concerns an inspector general probe into Pruitt's use of an obscure provision of the Safe Drinking Water Act to circumvent the usual civil service process to hire and promote staff. Pruitt used this loophole to hire lobbyists to oversee EPA functions and to award huge raises to a couple of favorite political aides from his Oklahoma days. He did this even after the White House had rejected those proposed pay increases.

One of Pruitt's closest aides may not have even shown up to work for 3 months. Imagine that—not showing up to work for 3 months despite drawing a nearly \$180,000 salary. That is great work, if you can get it. Incredibly—and I mean that literally—Pruitt testified to the House that he didn't know whether this senior aide was coming to work or not. You would think that after 3 months of not seeing this individual at work, you might have a clue. Well, the EPA inspector general can help the Administrator answer that question in the eighth investigation on the list.

Now, every good swamp creature needs a swamp den, and Scott Pruitt found himself just the place, paying \$50 a night for a luxury Capitol Hill condo co-owned by the wife of an energy lobbyist. Both the EPA's inspector general and the House oversight committee are investigating whether this below-market value housing arrangement constituted an illicit gift. If you have lost track, these are investigations Nos. 9 and 10.

By the way, when the story broke about his swamp den, Pruitt denied that this lobbyist lobbied EPA. Well, it turns out that Federal lobbying disclosures and internal emails show that this lobbyist did in fact lobby EPA, even meeting with Pruitt himself on behalf of an industry client and also pushing Pruitt to name people favored by his client to EPA science advisory boards.

That brings us to investigation No. 11. Pruitt has systemically tilted

EPA's science advisory committees toward his industry donors, replacing academic scientists with industry-tied representatives. The GAO is examining the role that Pruitt's political appointees played in selecting industry-connected members to replace expert scientists on science advisory boards.

Investigation No. 12 is unfolding back home in Oklahoma. The Oklahoma Bar Association is looking into charges that Pruitt lied when he told our Senate Environment and Public Works Committee during his confirmation hearing last year that he had not conducted business using private email addresses as Oklahoma's attorney general. Well, it turns out that it looks like he did. Just last night, news broke that the EPA inspector general is investigating Pruitt's use of private email accounts, including questions of whether the Agency is properly preserving records of the Administrator's private emails and including those records in responses to Freedom of Information Act searches.

That makes the 13th investigation.

So there you have it—a baker's dozen so far of investigations into Pruitt's conduct as EPA Administrator. Those are just the allegations that have ramped up to the level of an official investigation. There are scores of other scandals roiling the EPA. All you have to do is pick up a newspaper, and you will be bombarded by stories of Pruitt's truly swampy behavior. There are thousands of pages of communications between Scott Pruitt and industry when he was attorney general of Oklahoma that the current attorney general of Oklahoma is fighting to prevent the public from seeing. There are millions of dollars of political fundraising by Scott Pruitt from the fossil fuel industry that he has never told us about. If he has withheld disclosures that bear on his conflicts of interest, new investigations could result.

While Scott Pruitt dodges full disclosure of all his swampy industry ties, he has let lobbyists and fossil fuel and chemical industry operatives infiltrate throughout the EPA. The Associated Press found that “nearly half of the political appointees hired at the Environmental Protection Agency under Trump have strong industry ties.” Pruitt rolled back an Obama rule controlling methane leaks after he met with oil executives at the Trump hotel in Washington. Pruitt halted environmental protections for an area in southwest Alaska just hours after meeting with the mining executives looking to dig a mine there. Pruitt's EPA protected an emissions rule loophole for a trucking company shortly after Pruitt met with the company's executives. It is government by “I know a guy,” with Pruitt as the pol-luters' guy.

It is impossible not to notice the odor of self-dealing and corruption emanating from the Scott Pruitt EPA. When I talk about Pruitt with Rhode Islanders, they almost always ask me



the same questions: How does he still have a job? Why hasn't the President fired this guy?

One answer goes back to the President himself. When Pruitt's scandals started to snowball last month, oil and gas magnate Harold Hamm, a billionaire patron of Scott Pruitt's, lobbied President Trump to keep him on. Twenty-two polluter front groups, led by the infamous Heartland Institute, so-called, wrote a letter to President Trump lauding Pruitt's what they call "positive record of reform unmatched by any of Pruitt's predecessors." Who is behind those 22 polluter front groups? Guess what. It is those climate denial champions, the Koch brothers, to the tune of at least \$87 million in funding.

The test in Trumptown is whether Harold Hamm and Charles and David Koch are happy. And they are. Polluters are free to pollute for free, and climate change gets scrubbed out of official communications. Big-spending polluters are happy, happy, happy, and that is why Scott Pruitt remains as EPA Administrator in the Trump swamp.

It doesn't have to be this way. The words of Woodrow Wilson are still true today about legislative oversight. He said:

It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents.

Our constituents—my constituents, anyway—are not just the big polluters like Harold Hamm and the Koch brothers. The polluters may have billions to spend in politics, which they do, but they have very different interests than the millions of regular Americans who look to EPA to protect the air we breathe, the water we drink, and the climate we must inhabit. Where are the eyes and the voice in the present majority for these millions of Americans? Our silence in the face of this flagrant corruption is deafening.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

#### NATIONAL FOSTER CARE MONTH

Mr. GRASSLEY. Mr. President, the Senate will soon be taking up my resolution recognizing this month of May as National Foster Care Month.

For over 20 years, National Foster Care Month has been recognized as a time to raise awareness about the challenges that young people in foster care experience and to celebrate their resilience in the face of these obstacles.

There are over 438,000 children in foster care nationwide. In Iowa alone, over 4,000 kids entered foster care in 2016. Due to the opioid crisis, there are more children entering foster care than many child welfare agencies are equipped to handle. In 2016, over 92,000 kids entered foster care due to parental drug abuse.

I salute all of those who dedicate their time and their resources to helping these young people. This induces social workers, advocates, and alumni of the foster care system, who inform lawmakers and the public and, more importantly, who fight to secure better outcomes for these young people in care. Of course, this also includes foster parents, who open their homes and their hearts to children in need.

Without foster parents, children unable to remain with their biological parents would have nowhere to go. Unfortunately, this is becoming a reality for children across the country, as many States are experiencing a critical shortage of foster parents. In my home State of Iowa, many counties are facing a shortage of foster care homes, causing young people to be housed in shelters instead of with families.

The solution is not simply recruiting more people to serve as foster parents. Between 30 and 50 percent of licensed foster parents choose to stop being foster parents after only 1 year of doing that. That is why this year our resolution also designates the single day of May 31 as "Foster Parent Appreciation Day." It is my hope that communities, child welfare agencies, and other organizations will use this day to recognize the sacrifices foster parents make. Those who do not choose to continue being foster parents often report that their reason is a lack of support and training. At a time when foster parents are needed more than ever, it is important for communities and child welfare agencies to support foster parents and ensure that they are trained to help the kids entrusted to them.

Through my work on the Senate Caucus on Foster Youth, I have had the opportunity to hear firsthand what children in foster care need. I would advise Senators to take advantage of listening to that group of people we call foster youth. They need love, they need permanency, and they need stability and support.

In short, all they need is a family. They often express to me: "I would like to have a mom and a dad." That is why I am pleased that Congress recently passed the Family First Prevention Services Act. This legislation works to keep more families together by allowing Federal reimbursement for services to families before children are put in foster care, not afterward. These services include substance abuse treatment and in-home parenting skill programs. When it is truly in a child's best interest to be removed from their parents, this bill ensures that more kids will be placed with supportive families instead of in group homes.

Of course, there is still work to be done. Far too many children still experience the trauma of neglect and abuse, and far too many youth in foster care age out without meaningful connection to a caring adult.

Moving forward, Congress must continue to listen to the voices of foster youth, foster parents, and other advocates by working to find better solutions and secure better outcomes for youth in foster care.

#### JUDICIARY COMMITTEE TRANSCRIPT RELEASE

Mr. GRASSLEY. Mr. President, I want to address an issue that was brought up by the minority leader on the floor this morning. I want to respond to the false statements made by the very misinformed minority leader this morning—and I mean really misinformed.

He criticized the Judiciary Committee's release this morning of about 2,500 pages of information about the infamous Trump Tower meeting with a Russian lawyer and Donald Trump, Jr.

First, he mischaracterized the release as solely a Republican move. That is false. In fact, that is absolutely false. This release was done with the support of the ranking minority member. On January 25 of this year, at the committee meeting where I announced my desire to release the transcripts, the ranking member publicly supported the decision. I have three quotes. She said, "I am delighted." She said she had "no disagreement." She said, "I am very grateful for your decision to proceed."

Second, he accused me of deciding not to interview two participants in the meeting. That is false. In fact, it is absolutely false. I would like to have interviewed both Mr. Manafort and Mr. Kushner. An interview of Mr. Manafort was scheduled a day before he was raided. We—meaning Senator FEINSTEIN and this Senator—had subpoenaed Mr. Manafort for a committee hearing set for July 26, 2017. Mr. Manafort instead offered to appear voluntarily for a staff interview the day before the hearing, and the ranking member asked me to withdraw the subpoena. Then the FBI raided his home, and Mr. Manafort indicated he would invoke his Fifth Amendment rights and then consequently declined to answer the committee's questions. However, we did review the transcript of his earlier interview with the Intelligence Committee.

The ranking member refused to participate in a voluntary interview when we had the chance. She said Democrats on the committee objected that the scope would be focused on the Trump Tower meeting. For all I know, the minority leader's office objected as well, but political leadership should not be dictating bipartisan committee oversight.

As for Mr. Kushner, he refused to participate in a voluntary interview after the ranking member unilaterally and



prematurely released another witness transcript. There was no consultation with me at all by the minority on that point. That is the opposite of how this Senator handled this morning's transcript release.

Mr. Kushner's attorney demanded promises of confidentiality that we could not provide. Transparency is too important to keep all this information under wraps. We could keep it all secret for many more months while we fight over trying to force people to testify against their will. But we decided to put out the voluntary testimony now for the sake of transparency, and the ranking member, as I said two or three times, supported that decision.

Third, the minority leader claimed that the release of this information was motivated by the Republicans' desire to "let the President and his lawyers interfere with the Mueller probe and get a peek at any potential evidence." That is false. In fact, it is absolutely false.

Again, the Democrats on the committee did not object to the release, and the ranking member affirmatively supported it. She and her staff were fully consulted and worked cooperatively with us in preparing the release. So the claim that there was some secret plan to help one side or the other in the Mueller probe is absurd. My only motivation was the same as that of the ranking member—transparency for the American people on this controversy. Let the people read it for themselves and draw their own conclusions.

Fourth, the minority leader claimed that "Republicans are rushing to declare their investigation complete." That is false. In fact, it is absolutely false. The minority leader should not try to put words in my mouth. I didn't say that. Anyone who knows me knows that oversight is never done and should never be done. It is our core constitutional duty.

Now as to the Trump Tower meeting, Congress has learned as much as we are likely to learn, unless some new information comes to light. That might happen. We have to be ready for it if it does. Other committees, the press, and the special counsel are all over this as well. So there is no lack of scrutiny. But there is a lack of transparency, and these 2,500 pages or so do more to give the public a picture of what happened than anyone else has done.

I would just ask my friend the minority leader: What have you done to answer the questions our constituents may have had about the Trump Tower meeting? What good-faith efforts have you undertaken to give the American people transparency about the investigation relating not just to the Trump Presidency but Presidential contenders in 2016? Have you done anything to support or assist Republicans in getting to the bottom of questions that concern them and their constituents back home? The answer is, nothing. In fact, the answer is, absolutely nothing—absolutely nothing but speculation and

frenzy. It is nothing but pure political frustration for losing the Presidential election in 2016. It also fundamentally misunderstands the role of congressional oversight and congressional investigations. We don't prosecute crimes. We can't indict suspected criminals. Our job is to act as a check on the executive branch.

Do you know who has not come to sit for long, transcribed interviews before the Judiciary Committee staff? Well, the answer to that is current or former Department of Justice and FBI officials—not a single one. Our job is to oversee the Justice Department and to oversee the FBI, but Judiciary Committee Democrats have not been supportive or interested in questioning those officials.

The minority leader seems to believe that it is our job to waste taxpayers' dollars retreading the special counsel's investigation or duplicating the Intelligence Committee's work so he can bludgeon his political opponents. Well, that is not my job. I am going to focus on our constitutional duty to act as a check on the executive branch. I am going to keep digging and keep fighting for answers from the Justice Department and from the FBI.

We will be having a hearing on the controversies in 2016 that undermined Americans' faith in the objectivity of these vital institutions. I have great faith in the inspector general appointed by President Obama and the nonpartisan office he leads. As soon as the inspector general's report is out, we will learn a lot more about what happened before and during the election from an independent and objective source, and we will follow up.

The minority leader was right about one thing—when he said: "There is much left to investigate. Many witnesses still to be heard." I agree. This is not over.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### NATIONAL POLICE WEEK

Ms. HEITKAMP. Mr. President, I come to the floor this afternoon to honor the incredible men and women of our Nation's law enforcement agencies and to recognize the ultimate sacrifice of one of North Dakota's peace officers. Each year, peace officers from all over the country and from countries all over the world come to Washington, DC, to celebrate and to honor the lives of their colleagues who have lost their lives in the line of duty.

I want first to recognize several law enforcement officers that lost their lives in the line of duty last year who

do not always get the recognition or the honor they deserve, and those are our Federal and Tribal peace officers. They protect our homeland, they protect our borders and, in the case of Tribal police, they provide safety and security in Indian Country in some of the most remote and difficult places in the Nation.

This year, eight Federal law enforcement officers' names were again etched in the wall: Rickey O'Donald, Federal Bureau of Investigation; Isaac Morales, U.S. Customs and Border Protection; Rogelio Martinez, U.S. Customs and Border Protection; David John Hoeffler, U.S. Department of Transportation; Kenneth Doyle, U.S. Marshals Service; Houston James Largo, Navajo Nation; Uga'Shon Curtis Wayne Blackbird, Omaha Nation; and Nathan Bradford Graves, Sac and Fox Nation.

To these Federal and Tribal officers whom we lost last year in the line of duty, may God bless you and may God bless your families.

The men and women who serve as peace officers in our Tribal, Federal, State, and local law enforcement agencies selflessly put the lives of those they have taken an oath to protect and serve before their own lives. I am here not only to remember those peace officers whom we have lost but to thank each and every peace officer who puts on that uniform or badge every day to protect our communities.

I wish to recognize briefly a few law enforcement officers I have come to know well during my time in the Senate: the southwest border sheriffs—in particular, Cochise County, AZ, sheriff Mark Dannels and Yuma County sheriff Leon Wilmot—and Macon County, IL, sheriff Howard Buffet. They are not only outstanding law enforcement officials, but they have become great friends, great mentors, and a great source of advice and consent on how we can work better here in Washington, DC, not only on the border but across agencies in law enforcement.

As a former North Dakota attorney general, I have always had a special relationship and appreciation for law enforcement. Serving as the top law enforcement officer in my State will always be one of the most meaningful moments of my professional career. North Dakota has the finest collection of peace officers in the country, and I could not be more proud than to continue to work alongside them as their U.S. Senator.

I am here to thank each and every one of the peace officers who selflessly serve in communities throughout North Dakota and to let you know that I just don't appreciate you during police week. I appreciate you 24/7 because I know you are protecting the people of my great State, and you are doing it at great risk to you and at great sacrifice to your families.

So today I come with a heavy heart. This is now the second police week in a row that I have attended where I am memorializing a North Dakota peace

officer. Today, I am speaking of a North Dakota peace officer who was killed in the line of duty—Rolette County deputy Colt Allery. He lost his life on January 18, 2017, during a high-speed chase that Colt was engaged in with several of his fellow officers that evening after a report and identification of a stolen vehicle. As the stolen vehicle was coming to a forced stop, shots were fired from the car and fired at Colt as he approached. Colt fell, and he never got back up that evening, succumbing to his injuries not far from the small community where he grew up.

He leaves behind five beautiful young children, including a stepdaughter, his fiancée Alexandria, the grandparents who raised him, family, friends, and a community that misses him and still grieves at the loss.

Growing up in St. John, ND, and as an enrolled member of the Turtle Mountain Band of Chippewa Indians, Colt never strayed too far from home. He made a commitment to do more than just be part of his community. He decided to serve his community as a peace officer.

Colt started out as a corrections officer for Rolette County. After graduating from the North Dakota Law Enforcement Training Academy, he started working as an officer with the Rolla Police Department. He then went to work serving his fellow Tribal members as a Tribal police officer on Turtle Mountain before he recently moved back to the Rolette County Sheriff's Office.

The loss of this fine young peace officer and young dad was felt across the entire State of North Dakota. The impacts are still felt by his family, the Rolette County Sheriff's Office, and his Tribal community of Turtle Mountain. Colt made the ultimate sacrifice in service to his State and to Rolette County. He lost his life to a gunshot wound inflicted by an individual prepared to take even more lives. The brave action of this peace officer that night prevented that from happening.

Deputy Colt Allery's name is now etched on the wall of the peace officers memorial here in Washington, DC. He is no longer just a North Dakota fallen hero. He is a national fallen hero, as he is recognized with all of his fallen brothers and officers.

Colt Allery's name will now serve as an example, not just to North Dakotans but to people from all over the country and all over the world who visit that memorial every year. He is an example of the best that our State and our country has to offer. He is an example of what it means to have lived and died so that others may be safe. Quite simply, he is an example for everyone of what it means to be an everyday hero.

We must also remember the families of our peace officers, who sacrifice so much, not knowing if their loved ones will return each time they walk out the door. You have sacrificed and lost

so much, and no words today will replace the pain of losing a loved one.

We have a proud history in North Dakota of peace officers like Colt serving their State and local communities with distinction. I have had the extreme privilege over the years to work with law enforcement officials in my State who span the spectrum from highway patrol to State and local peace officers, various Federal officers, and certainly our Tribal police. Let me tell you again that these are some of the finest men and women I have ever met or worked with. These are men and women just like Colt who could have chosen a different path. They could have chosen a path that didn't involve putting themselves in harm's way. Instead they chose to take the oath to protect and serve. They chose to selflessly put themselves in harm's way so they could make North Dakota a safer place for each and every person that lives in our great State or even those who may be passing through. They chose to put the needs of others before their own. They chose a more difficult path to tread than most of us would ever be willing to follow.

So I stand here this evening not only to celebrate the life of Colt Allery but to celebrate and thank each and every peace officer working in my great State of North Dakota, working across the country, and, yes, across the world.

To all of our peace officers, especially those back home in North Dakota, I want to say thank you from the bottom of my heart for your sacrifice for your communities and the State of North Dakota. I beg you to stay safe. I beg you to take care of yourselves. Take care of your families. And God bless all of you.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### NOMINATION OF GINA HASPEL

Mr. SULLIVAN. Mr. President, I just had a very productive and informative meeting with the nominee to be the next CIA Director, Ms. Gina Haspel. I wanted to come down to the floor and say a few words. I was very impressed. I am going to certainly support her when she is voted on, I believe as early as tomorrow.

There has been a lot of discussion about her background. She is the first woman to lead the CIA, first career member of the CIA. That is all important, but I think what is most important is that the American people and this body know that she is very well qualified. She is a very impressive person.

First of all, she has been very highly decorated in her 30-plus year career at the Central Intelligence Agency. Her honors include the Intelligence Medal of Merit, a Presidential Rank Award, the Donovan Award, which is one of the highest awards in the CIA, and the George H.W. Bush Award for Excellence in Counterterrorism. She is thoughtful. She is honest.

In many ways, she has overcome numerous obstacles. Let me talk a little bit about her bio. She is one of five children. Her father served in the Air Force, having joined at the age of 17. She grew up on military bases, like tens of thousands of Americans. Her original goal in life was to be a soldier. She told her dad she wanted to go to West Point. At the time, her father had to break the news to her that West Point was not admitting women. I think West Point lost out on that one. She ended up as a contractor for the military 10th Special Forces Group. Later, she realized that if she couldn't join the military, she was going to join the CIA, and that is what she did.

She has done an outstanding job at the CIA. She began working at the CIA in 1985 during the closing days of the Cold War. She was stationed literally all over the world—in Africa, for example. She recruited and handled agents and survived a coup d'etat. She worked with government partners during the first gulf war. She ran different CIA stations around the world.

She started with the Counterterrorism Center at the CIA on September 11, 2001, and essentially has spent her life since that time focusing on keeping our country safe. She became the Chief of Staff to the Deputy Director of Operations and the Deputy Director for the National Clandestine Service. She is now the Deputy Director of the entire CIA—the first woman to rise from the ranks as an initial member of the Agency to that title. And if confirmed, as I mentioned, she will be the first career CIA official and female to lead the Agency. That is really historic, but again, more important than history and more important than these labels is that she is very qualified.

One thing that has been remarkable throughout this entire debate about her—and there has been a lot of debate in the Intelligence Committee—is the members of the military, members of the national security establishment, both Democrats and Republicans, and members of the Intel Committee who have come out and said: We support Gina Haspel. The list is extremely impressive. Let me give a couple examples: John Brennan, former Obama administration CIA Director; James Clapper, former Obama administration Director of National Intelligence; Senator Saxby Chambliss, former Senate Intelligence Committee vice chair; Representative Porter Goss, former CIA Director and House Intelligence Committee chairman; Gen. Michael Hayden, former Bush administration CIA Director; Senator Bob Kerrey,

Democratic Senator from Nebraska, who was on the Senate Intelligence Committee and was the vice chairman; Henry Kissinger, former Secretary of State; Mike McConnell, former Obama administration Director of National Intelligence; ADM William McRaven, former commander of USSOCOM; Michael Morell, former Obama administration Acting and Deputy CIA Director; Michael Mukasey, former Bush administration Attorney General; Leon Panetta, former Obama administration CIA Director and Secretary of Defense; MIKE ROGERS, Republican Congressman and former House Intel Committee chairman; George Shultz, an incredible statesman and former Secretary of State under President Reagan; and George Tenet, former Clinton and Bush administrations CIA Director.

That is impressive. That is an impressive list. That is the who's who—Democrat and Republican—of who has been in charge of our intelligence services over the last two to three decades, and they are all supporting Ms. Haspel. She is qualified. She has the support of everybody.

I want to briefly talk about essentially where the nomination has been focused. In Washington, a lot of times you can have an issue that comes up, and everybody focuses on it, and you miss the broader picture. The broader picture is that she is very well qualified and has the confidence, literally, of every senior official in the intelligence agencies she has served under, but the focus has been in many ways consumed by her role, which was a very low-level role, in what became known as the enhanced interrogation program that the CIA enacted after 9/11.

It is hard not to say that in the discussion of this, seeing what some of my colleagues have said and what some former Members of the Senate and House have said, there seems to be a lot of amnesia going on here.

I think it is important to take us back to the day that Ms. Haspel started at the CIA's Counterterrorism Center, as I mentioned, on September 11, 2001. For those of us who remember, it was a very frightening time in our country. Almost 3,000 Americans were murdered and almost 8,000 were wounded.

I wasn't here then, but in Washington, DC, whether it was from the President or Members of Congress, there was one demand for the CIA: Find out who did this. Find out who was responsible, and make sure they don't do it again. Find out who did this. Find out who was responsible, and do everything in your power to make sure the United States of America and our citizens don't get attacked again.

That was the No. 1 focus from all the elected leaders in Federal Government to the CIA: Protect us. Find out where the next attack is coming from, and don't let us get hit again.

If what ended up happening during this period of U.S. history—and a lot of people forget about it. A lot of people

forget how scared we were. Very few people predicted that we weren't going to get hit again. As a matter of fact, everybody thought we would get hit again, maybe with a weapon of mass destruction.

During the course of this time, the CIA started a program—when they started capturing terrorists who they thought had information—called enhanced interrogation techniques.

There was a lot of worry about getting hit again. I won't go through all the examples, but there are members of the Intel Committee in the Senate and members of the Intel Committee in the House who were briefed on exactly what the CIA was doing—exactly what they were doing with these enhanced interrogation techniques. And that is where the amnesia comes in, because we have seen some Members of this body say: That was horrible. Yet they were briefed. As a matter of fact, there are reports that many Members of Congress said: Do more; find out who did this. That was the order that the CIA and the members of our clandestine services were given.

There are numerous quotes from that time. Let me give one from former Senator John D. Rockefeller, West Virginia, who was the ranking member on the Senate Intel Committee. In 2003, on CNN's "Late Edition," he was talking about how we had captured Khalid Shaikh Mohammed—KSM, as he was known—who was known to be the mastermind of 9/11. It was very clear that at least Senator Rockefeller was saying: Make sure that we get as much info as we can from this guy.

Here is what he said:

Happily, we don't know where [KSM] is.

Meaning he was offsite, not in the country.

He's in safekeeping under American protection. He'll be grilled by us. I'm sure we'll be proper with him, but I'm sure we'll be very, very tough with him.

There are presidential memorandums that prescribe and allow certain measures to be taken, but we have to be careful. On the other hand, he does have the information. Getting that information will save American lives. We have no business not getting that information.

This is a year and a half after 9/11, and this is the vice chairman of the Intel Committee saying: Get it. Press it.

The CIA used these techniques, but here is the important thing. At the time they were told to go do this, it was reviewed by the Justice Department, which said: This is legal. You are allowed to use these techniques to try to get additional information. This is legal. Go do this. The Government of the United States is telling you that you have the authority to do it. It is legal.

That is undisputed. As a matter of fact, the enhanced interrogation techniques were actually developed at our military training facilities that we have in different parts of the country, called SERE schools—"Survival, Eva-

sion, Resistance, and Escape" schools. That is where the techniques were developed.

There was another reason why people at the time thought that this could be legal, because these interrogation techniques and training are actually used on our own military. For years, members of the military had been going to SERE school, and they underwent these interrogations. They underwent waterboarding. It was our own citizens. As a recon marine, I went to SERE school, and these techniques were applied to me, including waterboarding.

The CIA was told: Make sure this doesn't happen. The Members of Congress were briefed. Intel committee members, like Senator Rockefeller, were saying: Do more. The Justice Department comes out and says: This is all legal. Go do it. Make sure we are not attacked again. Oh, by the way, you are using techniques that we use on our marines and soldiers.

And that is what they did.

Gina Haspel was not high up. She had nothing to do with this. She was a GS-15 when this was going on. Yet my colleagues who are looking for reasons to vote against her are using this as an episode, saying: Well, because she was involved at a low level, we are going to vote against her.

Think about that. Members of the clandestine service were going out and risking their lives, being told to do something by the government, being told it was legal to do something by the government, being encouraged by Members of this body and the House to go do it, and now that one of them has risen through the ranks, with a stellar career, we are going to have Members come to the floor and say: No, we are going to consider her not qualified because she was a GS-15 and didn't design the program during this very, very difficult and challenging time in American history. If you don't think that breeds cynicism or if you don't think that breeds distrust between the Congress and the intelligence service, well, it does. It does.

I even had a friend of mine, and I got recalled to Active Duty for a year and a half at the end of 2004. We were staff officers to the CENTCOM commander. So we were in the Middle East most of that time. He was an agency representative, and he actually predicted this was going to happen to me a long time ago. I don't think it is appropriate for my colleagues on the other side of the aisle to somehow use this against Ms. Haspel, a low-level employee, who was told to go do it. Congress is aware. Some Members even said do more—legally justified, used it at SERE school with our military. Now we are going to hold that against this very well-qualified nominee.

Let me just add something because I know it is part of the discussion. In retrospect, over time, many Members look back on that period and say: Well, maybe we shouldn't have done that. Maybe these enhanced interrogation

techniques aren't legal. Maybe that is a bad reflection on our country.

So there was a debate on this. That is fine. That is the way it should be.

As a matter of fact, one of the Senators whom I have the most respect for in this entire body, Senator MCCAIN—who knows a lot about torture and a lot about interrogation and has been a hero and is well respected—led that debate on the Senate floor that said that these enhanced interrogation techniques—waterboarding—aren't what we should be doing in this country. So let's clarify this. Yes, a previous administration said this is legal. We do it to our own soldiers and marines and Navy SEALs, but we are going to look at a higher value on what we believe is right and what Americans should be doing or should not be doing.

So we actually had a debate in 2016 on this floor as part of the National Defense Authorization Act, where Senator MCCAIN led an effort with an amendment that said: From here on out, the techniques that our CIA operatives would be able to use and that should be approved are only those in the Army Field Manual. Those are OK—not the rest of what happened in terms of the enhanced interrogation techniques. Then this body passed that. As a matter of fact, I voted for the McCain amendment out of respect, appreciation, and the arguments that JOHN MCCAIN was making. So we clarified the law.

In many ways, that is how the system is supposed to work. In challenging times with a lot of turmoil, yes, these operatives were pushing the envelope, but it was legal. We should take a step back and say: Maybe that shouldn't be what we should be doing going forward. And we changed the system through debate on the floor, led by Senator MCCAIN.

Let me just end by saying that here is how it is not supposed to work. We have a very dangerous situation, like we had after 9/11. We asked our best and brightest to risk their lives to defend this country, to do really tough operations all around the world. We go tell them to do things. This body is briefed on it. We tell them it is legal, and then later, we said: Do you know what? Now we are going to hold that against you.

Not only is that unfair, but if we continue doing that, how hard do you think it is going to be to get the top people in our country to want to join the CIA or the special forces or the military? We tell them to go do this, to protect your Nation; it is legal. And then 10, 15 years later, we say: No, maybe it wasn't.

I want to thank Ms. Haspel for wanting to serve her country at the highest level, for her example, and all the other members of the CIA's clandestine services, who have been on the frontlines protecting this Nation. I certainly hope my colleagues who are looking at that period of history, looking to hold it against her, recognize the broader con-

text. Not only were she and the other members of the Agency asked to do that kind of work, but they were told it was important to protect the country and that it was legal.

When her nomination comes to the floor tomorrow, I certainly hope my colleagues keep this all in mind, look at her broad qualifications, and vote for her to be the next CIA Director.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following leader remarks on Thursday, May 17, Senator PAUL or his designee be recognized to make a motion to proceed to S. Con. Res. 36; further, that there be up to 90 minutes of debate on the motion, with 45 minutes under the control of Senator PAUL or his designee and 45 minutes under the control of the Democratic leader or his designee; finally, that following the use or yielding back of that time, the Senate vote in relation to the motion.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of the following nomination: Executive Calendar No. 829; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

##### IN THE COAST GUARD

The following named officer for appointment as Vice Commandant, United States Coast Guard, and to the grade indicated under title 14, U.S.C., section 47:

*To be admiral*

Vice Adm. Charles W. Ray

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session for 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.

#### NOTICES OF ORGANIZATIONAL MEETINGS

##### JOINT COMMITTEE ON PRINTING

Mr. BLUNT. Mr. President, there will be an organizational meeting of the Joint Committee on Printing in S-219, U.S. Capitol, on Wednesday, May 16, 2018, at 3:30 P.M.

##### JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. BLUNT. Mr. President there will be an organizational meeting of the Joint Committee of Congress on the Library in S-219, U.S. Capitol, on Wednesday, May 16, 2018, at 3:45 P.M.

#### NOMINATION OF GINA HASPEL

Mrs. FEINSTEIN. Mr. President, I rise today in opposition to the nomination of Gina Haspel to be CIA Director.

Ms. Haspel played a central role in the CIA's rendition, detention, and interrogation program. This was one of the darkest chapters in our Nation's history, and it must not be repeated.

Since her nomination, I and my staff have reviewed thousands of classified documents detailing her role in the program.

The takeaway is this: Ms. Haspel was a strong supporter of the torture program.

While many CIA operatives expressed hesitation or outright opposition to the program, such as John Brennan, Ms. Haspel was not one of them.

As I said last week, this nomination is bigger than one person. This nomination is about reckoning with our history. It is about grappling with our country's mistakes and making clear to the world that we accept responsibility for our mistakes and they will never be repeated.

I was struck by Ms. Haspel's repeated insistence at her hearing that the torture program was "legal."

The torture program was illegal at the time based on international treaties the United States is signatory to, including the Convention Against Torture and Geneva Convention.

While the Office of Legal Counsel signed off on waterboarding and other "enhanced interrogation techniques," its flimsy legal analyses were withdrawn in 2003 and 2004 and should never have taken precedence over international law.

The bottom line is this: No one has ever been held accountable for the torture program, and I do not believe those who were intimately involved in it deserve to lead the agency.

What message does it send to the world if we reward people for presiding over what is considered to be one of the darkest chapters in our history?

Of course, supporters of the torture program are constantly trying to rewrite history, so I think it is important to revisit that history here today.

After a 5½ year review of the CIA's detention and interrogation program, the Senate Intelligence Committee released a 500-page declassified executive

summary in December 2014. The summary was backed up by a 6,700-page classified report with nearly 38,000 footnotes citing to CIA and other official records. Every finding and conclusion is thoroughly supported by documentation. The report examined the detention of at least 119 individuals and the use of coercive interrogation techniques—in some cases amounting to torture.

It is also important to note this was a bipartisan report with each key vote during the process of the report having both Democrats and Republicans voting yes. In December 2012, the Intelligence Committee approved the Report by a 9–6 vote, with one Republican voting yes. In April 2014, the committee approved the executive summary and findings and conclusions for declassification and public release by an 11–3 vote, with three Republicans voting yes. The full report remains classified.

In December 2014, copies of the full, 6,700-page classified report were sent to parts of the executive branch, including the CIA, to be used broadly by those personnel with appropriate clearances to ensure that the abuses documented in the Report would never be repeated. This report was intended as an important tool to help educate our intelligence agencies about a dark chapter of our Nation's history.

However, last May, when Ms. Haspel was already the Deputy Director, the CIA returned its only copy of the report at the request of Chairman Burr. The CIA Inspector General, the Director of National Intelligence, and others followed suit and also returned their copies. In fact, only three copies of the report exist outside of the Senate Intelligence Committee; all of the others are gone.

Today, two copies of the full report remain under order by Federal judges, and a third exists because of President Obama's decision in December 2016 to preserve the full report with the National Archives under the Presidential Records Act.

During Ms. Haspel's hearing, she stated multiple times that the CIA's rendition, detention, and interrogation program was "legal and authorized by the highest legal authority in our country and also the President."

I find Ms. Haspel's statement to be both misleading and incorrect. While the Office of Legal Counsel wrote several secret legal opinions used to justify the program, I don't believe those actions were ever legal, I am not aware of a single court ruling that affirmed those OLC opinions, and those OLC opinions were in conflict with the multiple international treaties to which the U.S. is a signatory to.

In fact, the Department of Justice conducted an investigation of the facts and circumstances surrounding the drafting of these torture memos and the Department's role in the implementation of interrogation practices by the CIA.

On June 29, 2009, the DOJ's Office of Professional Responsibility, the unit charged with investigating allegations of misconduct, issued its report. That report concluded former Deputy Assistant Attorney General John Yoo and former Assistant Attorney General Jay Bybee committed professional misconduct in the drafting of those seriously deficient legal opinions.

Additionally, Jack Goldsmith, the Assistant Attorney General who led the Office of Legal Counsel in 2003 and 2004, found that their memoranda were "riddled with error." He also concluded that key portions were "plainly wrong" and characterized them as a "one-sided effort to eliminate any hurdles posed by the torture law."

Moreover, the CIA program certainly didn't meet the bar set by any of the four major international legal conventions prohibiting torture.

First, the Geneva Convention, ratified by the U.S. in 1949, common article 3 provides further protections against torture in times of conflict. It states that those persons no longer taking active part in hostilities, including those who are detained, are prohibited from being subjected to: "violence of life and person, in particular murder of all kinds, mutilation, cruel treatment and torture" as well as "outrages upon personal dignity, in particular humiliating and degrading treatment."

Second, the United Nations Universal Declaration of Human Rights, ratified by the U.S. in 1948, states in article 5 that: "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Third, the International Covenant on Civil and Political Rights, ratified by the U.S. in 1992, repeats verbatim, the outlawing of torture found in the Universal Declaration of Human Rights.

Additionally article 5 of the International Covenant includes language meant to prevent states from utilizing legal work-arounds to overcome the spirit of the condemnation of torture.

Fourth, the United Nations Convention Against Torture, ratified by the United States in 1994, defines torture in article 1 as: "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession. . . ."

I also find it appropriate to note for the record that the committee sought to use pseudonyms created specifically for this report so that the readers could connect the actions of the same CIA officer throughout the report, but without their actual name or other personally identifying information.

To address the CIA's concerns, the committee agreed to reduce the number of CIA personnel listed in pseudonym from a few hundred ultimately down to 14 people who were most intimately involved in the CIA's detention and interrogation program.

The CIA and the White House refused to allow these 14 individuals to be list-

ed in pseudonym. The lack of pseudonyms and, in many cases, even a title of a CIA officer, means that connections between a person's actions and statements cannot be made and that the seniority and positions of authority of individuals in the report are hidden.

In light of Ms. Haspel's nomination to be Director, we have asked repeatedly for pertinent records to be declassified, only to be stonewalled at every turn.

Instead, the CIA, with Ms. Haspel as the Acting Director, has engaged in a selective declassification campaign to bolster Ms. Haspel's nomination, while keeping all potentially damaging material under wraps.

Given the CIA's intransigence on Haspel's records, I am very limited in what I am able to say about her specifically.

However, I am able to revisit what happened at the CIA "black sites," which is detailed extensively in the report's summary.

For example, one detainee, Abd al-Nashiri, was interrogated using CIA's enhanced interrogation techniques, including being waterboarded at least three times. These tactics were not just morally reprehensible; they were ineffective.

The committee found, based on a review of CIA interrogation records, that the use of the CIA's enhanced interrogation techniques on detainees like al-Nashiri was ineffective in obtaining accurate information or gaining detainee cooperation.

Contrary to CIA claims, these so-called enhanced interrogation techniques did not produce intelligence that thwarted terrorist plots or resulted in the capture of terrorists. That intelligence was already available from other sources or from the detainees themselves before they were tortured. In fact, torture often led to false information.

The report also lays out, in excruciating detail, that the program was grossly mismanaged, and the CIA provided Congress and the public with inaccurate information.

Again, while I can't speak in depth about Ms. Haspel, our report makes clear that surprisingly few people were responsible for designing, carrying out, and managing the torture program.

This was not something that involved the entire Agency. It was limited to the Agency's top leadership and staff, including Directors, Deputy Directors for Operations, and senior level management at the Counterterrorism Center, among others.

As we know from the extremely limited information Ms. Haspel has publicly provided, she did hold positions including senior level management at the Counterterrorism Center.

She has declined to answer publicly when asked whether she had responsibility, supervision, or approval relevant to the CIA rendition, detention, and interrogation program.

Additionally, because Ms. Haspel as the Acting Director for CIA and the Director of National Intelligence have refused to declassify any additional information, I am unable to publically discuss her exact role in late 2002.

Furthermore, I am also unable to publically discuss the things I know she approved as a senior level supervisor at the Counterterrorism Center from 2003 to 2004 or discuss what she worked on as the chief of staff to the Deputy Director for Operations from 2005 to 2008.

Instead, I can only reference reports by former deputy counsel of the CIA, John Rizzo, that Ms. Haspel was one of "the staunchest advocates inside the [CIA] for destroying the tapes" of CIA interrogations conducted under the torture program.

I find the CIA's responses to requests for information about Ms. Haspel to be wholly inadequate. Ms. Haspel is not an undercover operative; she is the acting CIA Director seeking a Cabinet-level position.

It is unacceptable for her or the CIA to hide her behind a wall of secrecy.

I believe Senators and the American public have the right to know whether or not the nominee before us was a senior manager for a program that has been shown to be deeply flawed, as well as a number of other disturbing facts.

Without the full scope of Ms. Haspel's involvement available for public review, I do not see how this body can adequately carry out its constitutionally mandated duty to advise and consent on the president's nominee.

Proponents of Ms. Haspel's nomination have argued that she was just doing her job and following orders.

If confirmed, what would Ms. Haspel do? Would she carry out and enforce the President's directives if they would violate our Constitution and international treaties?

I am also concerned her leadership could create problems for the CIA to perform one of its core functions: cooperating with foreign governments— and European allies in particular.

Specifically, her confirmation could complicate U.S.-German relations. While the German Government has not made a public position on Ms. Haspel's nomination, Germany is strongly opposed to torture and multiple U.S. intelligence actions outlined in the Senate Intelligence torture report have already caused rifts in U.S.-German relations.

Additionally, when Ms. Haspel was promoted to CIA Deputy Director in 2017, the European Center for Constitutional and Human Rights, headquartered in Berlin, petitioned German prosecutors to order an arrest warrant for Haspel due to her participation in the CIA torture program.

While I understand the German Government is unlikely to issue an arrest warrant, Germans still remember that U.S. intelligence officials mistakenly abducted and tortured Khalid al-Masri, a German citizen in 2003.

Mr. Masri, a German citizen, was seized on December 31, 2003, as he entered Macedonia because he was wrongfully believe to be an Al Qaeda terrorist traveling on false German passport.

He was then turned over to the CIA, which rendered, detained, and interrogated him. After 5 months, he was dropped on a roadside in Albania.

This was a grave mistake that even Ms. Haspel acknowledged in a pre-hearing question whether the CIA ever rendered or detained suspects who were innocent by stating: "I understand that the CIA's Office of the Inspector General conducted a review of the rendition of Khalid al-Masri and determined that CIA did not meet the standard for rendition under the September 17th, 2001 Memorandum of Notification (MON)."

Even though the CIA acknowledges this mistake, it is incomprehensible that no one has been held accountable for this and other violations.

If Ms. Haspel is confirmed, it would send the wrong message to the country and to the world. It would send the wrong message that America has abdicated its moral authority. It would send the wrong message that we condone behavior that belies the conscience and the values of this nation.

When the Obama administration chose not to prosecute those involved in the CIA's torture program, they claimed we were moving forward, not backward.

To elevate a person with reportedly intimate involvement in a torture program to lead our Central Intelligence Agency would signal to our allies and our enemies that we are looking backward.

This nomination is, in effect, a referendum on whether America condones the use of torture.

If confirmed, this nominee's decisions will affect the lives and safety of all Americans.

Our job is to assess whether the nominee has the strength of character to stand up to her superiors when reckoning with violations of our rule of law and moral values.

Unfortunately, based on Ms. Haspel's record at the CIA, the lack of public transparency regarding her tenure, and the implications for America's reputation at home and abroad, I cannot support this nomination.

#### NATIONAL POLICE WEEK

Mr. WHITEHOUSE. Mr. President, National Police Week pays special honor to the law enforcement officers who have lost their lives in the line of duty for the safety and protection of our citizens and communities. I am proud to cosponsor the resolution designating National Police Week as we recognize the service and spirit of all the officers who diligently exhibit what Victor Hugo called "conscience in the service of justice."

I am especially grateful for the men and women of Rhode Island's local and

State police who put their lives on the line every day to keep our families safe. As a former U.S. Attorney and State attorney general, I have worked closely with some of Rhode Island's finest police officers, and I believe they are among the best in the country. Supporting the vital mission of the police and fostering strong relationships between our communities and law enforcement was a top priority for me in those roles. Here in the Senate, I remain committed to supporting our brave law enforcement officers, their departments, and their families.

I met this week with Colonel James J. Mendonca, chief of the Central Falls Police Department and president of the Rhode Island Police Chiefs Association. Under his leadership, the association is working to make Rhode Island a national leader in gun violence prevention, drunk driving awareness, and community engagement.

Law enforcement officers are the guardians of our communities, often paying the ultimate price for our safety. As we recognize the service and sacrifice of the law enforcement community this National Police Week, I am particularly mindful of the names of some 50 officers from Rhode Island etched onto the National Law Enforcement Officers Memorial, including some Federal officers who died while on duty in Rhode Island.

In the words of the old hymn:

Now the laborer's task is o'er;  
Now the battle day is past . . .  
Father, in Thy gracious keeping  
Leave we now thy servant sleeping.

In Rhode Island and across the United States, we remember and honor their vigilance, compassion, and valor.

#### HMONG VETERANS' SERVICE RECOGNITION ACT

Mr. WHITEHOUSE. Mr. President, as a young man, I lived with my father while he served as U.S. Ambassador to Laos. I came to know it as a heartbreakingly beautiful country, with lovely, kind people, into which our international contest with communism violently intruded.

The goal of the U.S. in Laos at the time was to prevent North Vietnamese forces from using Laos as a supply line for attacks on South Vietnam, along what was known as the Ho Chi Minh Trail, and to prevent Laos itself from falling under Communist domination by the Pathet Lao forces.

So began a covert war in Laos, funded by the CIA, in which at least 35,000 Lao and Hmong perished.

The legendary Hmong military leader, General Vang Pao, operated out of a base at Long Tieng in the mountains of Laos. He told the New York Times in 2008, "There were three missions that were very important that were given to us and to me. . . . One was stopping the flow of the North Vietnamese troops through the Ho Chi Minh Trail to go to the south through Laos. Second was to rescue any American pilots during the



Vietnam war. Third, to protect the Americans that navigated the B-52s and the jets to bomb North Vietnam.”

After the war, thousands of displaced Hmong refugees were obliged to flee Laos. They fled into Thailand, to countries in Europe, and—in many cases—to the United States. My State of Rhode Island is proud to have had many settle and build their lives in our communities.

The Hmong Veterans’ Service Recognition Act passed into law this year, finally allowing naturalized Hmong- and Laotian-American veterans to be buried in U.S. national cemeteries. I am grateful to my fellow Rhode Islander Philip Smith of the Lao Veterans of America for his determined advocacy on behalf of Hmong and Lao veterans.

Twenty-one years ago, the Clinton administration authorized a plaque to be placed at Arlington National Cemetery commemorating the valor of the Lao soldiers who aided American forces during the Vietnam war. It is a fitting honor for those brave combat veterans that they lie beside old comrades-in-arms, a way of keeping the promise inscribed on this memorial plaque, which pledges that the Hmong and Lao veterans’ “patriotic valor and loyalty in the defense of liberty and democracy will never be forgotten.”

After my father retired, he heard that local opposition had arisen to a proposed Lao temple not far from here in Virginia. He went with his military aide and CIA station chief from the Laos days to testify at the local hearing. The military aide was General Richard Trefry, then the commander of White House military operations, who in full military regalia testified that, without the courageous Lao resistance, led by Vang Pao out of the base at Long Tieng, there would be 1,000 more American names on the Vietnam War Memorial.

It is with that sense of abiding gratitude that we remember the bravery of those Hmong troops and their dedication to fight for democracy and to protect the lives of so many young Americans at war in Southeast Asia.

#### TRIBUTE TO SHARON JACKSON

Mr. SULLIVAN. Mr. President, I would like to say a few words about Sharon Jackson, a former member of my staff who recently left to pursue another opportunity in public service.

Sharon was part of the original team in my State offices that I hired after being sworn into the Senate in January 2015.

She served as a constituent relations representative, where her compassion and authenticity reassured constituents as she worked to resolve their issues with various Federal agencies. Being an Army veteran herself, Sharon had a unique gift of connecting with veterans and servicemembers while she helped them navigate complex government systems. The difference she made

in the lives of so many people is immeasurable.

Sharon provided insight into the issues small businesses face in Alaska. Her past work with National Write Your Congressman and the National Federation of Independent Businesses put her in tune with the passions and concerns of Alaska’s small businesses.

She was also a very involved community member in Anchorage and Eagle River, contributing her time and energy to a variety of organizations with the intention of building a better and brighter future for our great State.

Sharon was a true pleasure to have on the team. She loves Alaska, and that always showed in her passionate advocacy on behalf of constituents. She loves her family and is a devoted wife and mother.

We will miss Sharon and the joy she had helping Alaskans. I wish her the best in her future endeavors.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO AMANDA BEDFORD

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Amanda Bedford for her positive impact on the Chouteau County community as the owner of the Wake Cup Cafe.

Amanda grew up on her parent’s farm between Fort Benton and Highwood. She always had a passion for the Fort Benton community, knowing 1 day that was where she wanted to open a coffee shop. At 20 years old and with the support of her parents, she made that dream a reality. Fourteen years later, the business has seen tremendous success and growth under Amanda’s leadership.

What started as a tiny coffee shop, serving only coffee and a few sandwiches, has since expanded greatly. The current building is the restaurant’s third location, with a much larger and more expansive menu. By focusing on fresh, homemade ingredients, Amanda is proud of the delicious food the Wake Cup Cafe brings to Fort Benton.

With the enormous growth the Wake Cup Cafe has seen, Amanda has turned it into a family business. As of 4 years ago, Amanda’s sister and brother-in-law have become part owners in the business, allowing them to continue to grow the coffee shop. While the business continues to expand, Amanda remains focused on providing the community with a place to gather with family and friends. As Amanda says, every small town needs a coffee shop. She is proud to be that staple for the Fort Benton community.

I congratulate Amanda Bedford on her wonderful impact to Fort Benton and the greater Chouteau Community. With her passion, dedication, and determination, her community is brought together over their favorite local hangout: the Wake Cup Cafe.●

##### TRIBUTE TO DENIS O’HAYER

• Mr. ISAKSON. Mr. President, today I am proud to honor in the RECORD a dedicated Georgian who has elevated media political coverage and served as a true ambassador of the First Amendment.

It is not every day that a politician honors a journalist on the floor of the Senate, but when one who is as accomplished as Denis O’Hayer of Georgia announces his upcoming retirement, it is only right to recognize his 40 years of radio and TV work and achievements.

Denis O’Hayer will retire next month from Atlanta’s National Public Radio affiliate, WABE, where he has hosted of a number of programs since he joined the station 2009. Since 2015, Denis has gotten the day started for countless Atlantans who tune in for his news updates on “Morning Edition.” The listenership for his program has more than doubled since he took the helm as host. His podcast, “Political Breakfast,” is a more recent hit and shows Denis’s adaptability and one of the many reasons for his success in the field of broadcast journalism.

Denis began his work in the Atlanta media market in 1978 in radio with WGST and as a host with Public Broadcasting Atlanta after moving to the city from his radio career in Connecticut.

During his distinguished career, Denis has also worked in television as a freelance reporter with CNN and as a political reporter at Atlanta NBC affiliate WXIA-TV for 11 years.

The Atlanta Press Club, which is one of the largest and most active professional journalism associations in the country, has benefitted from Denis’s leadership as president.

Denis, his distinguished WABE colleague Rose Scott, and their team earned an Edward R. Murrow award in 2012 for their television broadcast special focused on the fight against child sex trafficking in Atlanta called “How to Stop the Candy Shop.”

The Georgia Association of Broadcasters named Denis Broadcaster of the Year in 2014, and in 2015, he was named to the Atlanta Press Club Hall of Fame.

Denis is respected by colleagues across the spectrum for the quality of his work, his professionalism, and the fact that he is a consummate gentleman. My staff has always praised Denis, and we have looked for ways to work together whenever possible.

Over the years, in addition to politics both local and national, Denis and I forged a friendship and respect for each other that went beyond work, regularly sharing reports about our families and discussing our shared enjoyment of travel.

I wish Denis the very best of luck in his retirement, and I am thankful that he will continue to contribute to Georgia politics as a commentator in the future. Our political discourse will be better for it.●



# TRIBUTE TO SARMAT CHOWDHURY

• Mr. THUNE. Mr. President, today I recognize the hard work of my Commerce, Science, and Transportation Committee intern Sarmat Chowdhury. Sarmat hails from Woodbridge, VA, and is a graduate of George Mason University with a bachelor's degree in international relations and conflict analysis and resolution.

While interning for the Commerce Committee, Sarmat assisted the Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security. He is a dedicated worker who was always willing to tackle new projects. I extend my sincere thanks and appreciation to Sarmat and wish him continued success in the future.●

# TRIBUTE TO PETER PETRASKO

• Mr. THUNE. Mr. President, today I recognize the hard work of my Commerce, Science, and Transportation Committee intern Peter Petrasko. Peter hails from Sioux Falls, SD, and is a graduate of Brown University. Peter is planning to attend graduate school in the fall.

While interning for the Commerce Committee, Peter assisted the Subcommittee on Space, Science, and Competitiveness, as well as the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security. He is a dedicated worker who was always willing to take on new projects. I extend my sincere thanks and appreciation to Peter for all of the hard work and wish him continued success in the future.●

# TRIBUTE TO JACOB VALDEZ

• Mr. THUNE. Mr. President, today I recognize the hard work of my Commerce, Science, and Transportation Committee law clerk Jacob Valdez. Jacob hails from Tucson, AZ, and is a second-year law student at Arizona State University.

While clerking for the Commerce Committee, Jacob assisted the Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security. He is a dedicated worker who was committed to getting the most out of his clerkship. I extend my sincere thanks and appreciation to Jacob and wish him continued success in the years to come.●

# MESSAGES FROM THE HOUSE

At 9:40 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1285. An act to allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Tribe of Indians, the Klamath Tribes, and the Burns

Paiute Tribes to lease or transfer certain lands.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 613. An act to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes.

H.R. 1417. An act to amend the National Law Enforcement Museum Act to allow the Museum to acquire, receive, possess, collect, ship, transport, import, and display firearms, and for other purposes.

H.R. 4854. An act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

H.R. 4895. An act to establish the Medgar Evers Home National Monument in the State of Mississippi, and for other purposes.

H.R. 5242. An act to require the Attorney General and the Secretary of Education to conduct a survey of all public schools to determine the number of school resource officers at such schools.

At 5:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Clerk of the House of Representatives request the Senate to return to the House the bill (H.R. 4743) to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, and for other purposes.

# MEASURES REFERRED

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

H.R. 613. An act to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

H.R. 1417. An act to amend the National Law Enforcement Museum Act to allow the Museum to acquire, receive, possess, collect, ship, transport, import, and display firearms, and for other purposes; to the Committee on the Judiciary.

H.R. 4895. An act to establish the Medgar Evers Home National Monument in the State of Mississippi, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5242. An act to require the Attorney General and the Secretary of Education to conduct a survey of all public schools to determine the number of school resource officers at such schools; to the Committee on Health, Education, Labor, and Pensions.

# MEASURES PLACED ON THE CALENDAR

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

S. 2850. A bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

# EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5205. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Tariff of Tolls" (RIN2135-AA44) received in the Office of the President of the Senate on May 10, 2018; to the Committee on Environment and Public Works.

EC-5206. A communication from the Census Bureau Federal Register Liaison Officer, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Foreign Trade Regulations (FTR): Clarification on Collection and Confidentiality of Kimberley Process Certificates" (RIN0607-AA54) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2018; to the Committee on Finance.

EC-5207. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a Determination and Certification under Section 40A of the Arms Export Control Act relative to countries not cooperating fully with United States antiterrorism efforts; to the Committee on Foreign Relations.

EC-5208. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the U.S. Army Audit Agency's review of an audit of the American National Red Cross's Annual Statement; to the Committee on the Judiciary.

# PETITIONS AND MEMORIALS

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

POM-231. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida, memorializing their support for a statewide ban on hydraulic fracturing, acid fracturing, and any form of extreme well stimulation for the purpose of resource extraction in the State of Florida; to the Committee on Energy and Natural Resources.

POM-232. A resolution adopted by the Mayor and City Commission of the City of Delray Beach, Florida, calling on the State of Florida, the Governor of Florida, the President of the United States, and the federal government to pass comprehensive laws to address the growing concerns associated with gun violence in America; to the Committee on the Judiciary.

# REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1692. A bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative

work in the District of Columbia and its environs, and for other purposes (Rept. No. 115-249).

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

\*David B. Cornstein, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

Nominee: David Cornstein.

Post: Ambassador to Hungary.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$ 0.00.
2. Spouse: \$ 0.00.
3. Children and Spouses: \$ 0.00, Marc & Natasha Cornstein.

4. Parents: Not applicable—deceased.

5. Grandparents: Not applicable—deceased.

6. Brothers and Spouses: Not applicable.

7. Sisters and Spouses: Not applicable.

\*Jackie Wolcott, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

Nominee: Jackie Wolcott.

Post: Representative of the United States of America with the rank of Ambassador, on the Board of Governors of the International Atomic Energy Agency, and Representative of the United States of America to the Vienna Office of the United Nations, with the Rank of Ambassador.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse:
3. Children and Spouses:
4. Parents: Calvin H. Wolcott—deceased; Levis J. Wolcott—deceased.

5. Grandparents: Guy Weaver—deceased; Doris Weaver—deceased; Oren Wolcott—deceased; Amanda Wolcott—deceased.

6. Brothers and Spouses: Calvin H. Wolcott, spouse Barbara Wolcott: \$25, 8/31/15, Carson America; \$25, 3/31/15, Carley (Fiorino) for President; \$25, 10/29/15, Carley (Fiorino) for President; \$25, 10/30/15, Carson America; \$25, 3/1/16, Carson America; \$100, 11/5/16, Trump Make America Great; \$100, 3/31/17, Trump Make America Great; \$100, 5/4/17, Handel for Congress.

7. Sisters and Spouses: Victoria A. Hughes, spouse Richard Hughes: none; Michele Jacobs, spouse George Jacobs: none.

\*Jackie Wolcott, of Virginia, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

\*Francis R. Fannon, of Virginia, to be an Assistant Secretary of State (Energy Resources).

\*Elliot Pedrosa, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank.

\*Jonathan R. Cohen, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be the Dep-

uty Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

\*Jonathan R. Cohen, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Deputy Representative of the United States of America to the United Nations.

By Mr. BURR for the Select Committee on Intelligence.

\*Gina Haspel, of Kentucky, to be Director of the Central Intelligence Agency.

\*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. THUNE:

S. 2853. A bill to amend the Communications Act of 1934 to ensure Internet openness, to prohibit blocking lawful content and non-harmful devices, to prohibit throttling data, to prohibit paid prioritization, to require transparency of network management practices, to provide that broadband shall be considered to be an information service, and to prohibit the Commission or a State commission from relying on section 706 of the Telecommunications Act of 1996 as a grant of authority; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT (for himself, Ms. CORTEZ MASTO, and Mr. PERDUE):

S. 2854. A bill to establish requirements for use of a driver's license or personal identification card by certain financial institutions for opening an account or obtaining a financial product or service, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARDIN:

S. 2855. A bill to require the Attorney General to make competitive grants to State, tribal, and local governments to establish and maintain witness protection and assistance programs; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 2856. A bill to reform the requirements regarding the safety and security of families living in public and federally assisted housing in high-crime areas; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CANTWELL:

S. 2857. A bill to designate the Nordic Museum in Seattle, Washington, as the "National Nordic Museum", and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COONS (for himself, Mr. RISCH, Ms. SMITH, and Mr. GARDNER):

S. 2858. A bill to amend the Energy Policy Act of 2005 to require the establishment of a small business voucher program, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 2859. A bill to provide for the use of passenger facility charge revenue to enhance se-

curity at airports and to make projects for the installation of security cameras eligible for the airport improvement program; to the Committee on Commerce, Science, and Transportation.

By Mr. DAINES (for himself, Mr. COONS, Mr. CASEY, and Mr. TESTER):

S. 2860. A bill to amend the Internal Revenue Code of 1986 to allow first responders to continue to exclude service-connected disability pension payments after reaching the age of retirement; to the Committee on Finance.

By Ms. DUCKWORTH (for herself and Mr. HOEVEN):

S. 2861. A bill to prosecute, as a Federal crime, the assault or intimidation of a passenger train crew member to the same extent as such actions against aircraft crew members are prosecuted; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHATZ (for himself and Mr. SCOTT):

S. 2862. A bill to require the Comptroller General of the United States to conduct a study regarding the buyout practices of the Federal Emergency Management Agency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUNT (for himself, Mr. COONS, Ms. MURKOWSKI, Mr. MANCHIN, Mr. BOOZMAN, Ms. HASSAN, Mr. ROUNDS, Ms. HEITKAMP, Mr. COTTON, Ms. KLOBUCHAR, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. RUBIO, Mr. TESTER, Mr. ALEXANDER, Mr. ROBERTS, Mr. HOEVEN, Mr. GARDNER, Ms. SMITH, Mr. MORAN, Mrs. MCCASKILL, Mr. ISAKSON, and Mr. WICKER):

S. 2863. A bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MCCASKILL (for herself and Ms. HEITKAMP):

S. 2864. A bill to amend the Homeland Security Act of 2002 to authorize a Joint Task Force to enhance integration of the Department of Homeland Security's border security operations to detect, interdict, disrupt, and prevent narcotics, such as fentanyl and other synthetic opioids, from entering the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. BALDWIN (for herself, Ms. SMITH, Mr. SANDERS, Mr. MERKLEY, Mr. MURPHY, Mr. BLUMENTHAL, and Mr. DURBIN):

S. 2865. A bill to ensure that certain materials used in carrying out Federal infrastructure aid programs are made in the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 2866. A bill to require the Secretary of the Army to expedite the completion of certain feasibility studies and reports and to amend the Coastal Barrier Resources Act to ensure public safety, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WICKER:

S. 2867. A bill to improve the Junior Reserve Officers' Training Corps programs, to authorize an expansion of their presence in low-income, rural, and underserved areas of the United States, and for other purposes; to the Committee on Armed Services.

By Mr. GARDNER:

S. 2868. A bill to enhance the Bulletproof Vest Partnership Program to assist law enforcement agencies in protecting law enforcement officers; to the Committee on the Judiciary.

By Ms. DUCKWORTH (for herself and Mr. CARPER):

S. 2869. A bill to amend the Safe Drinking Water Amendments of 1977 to require the Administrator of the Environmental Protection Agency to report certain hiring to carry out the Safe Drinking Water Act; to the Committee on Environment and Public Works.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 2870. A bill to authorize the Secretary of the Interior to conduct a special resource study of the site known as "Amache" in the State of Colorado; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL (for himself, Mr. TOOMEY, and Mr. MURPHY):

S. 2871. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend public safety officers' death benefits to fire police officers; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. NELSON, and Mr. CRUZ):

S. Res. 511. A resolution honoring Las Damas de Blanco as the recipient of the 2018 Milton Friedman Prize for Advancing Liberty; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Ms. MURKOWSKI, Ms. HEITKAMP, Mr. YOUNG, Mr. KING, Mr. TILLIS, Mr. MARKEY, Mr. CRUZ, Mr. WHITEHOUSE, Mr. BLUNT, Mr. BROWN, Mr. CRAPO, Mrs. GILLIBRAND, Mr. PORTMAN, Ms. HASSAN, Mr. TOOMEY, Mr. PETERS, Mr. MORAN, Ms. KLOBUCHAR, Mr. CASSIDY, Mr. CARPER, Mr. ALEXANDER, Mr. COONS, Mr. SCOTT, Mr. NELSON, Mr. ROUNDS, Mr. MANCHIN, Ms. COLLINS, Mrs. MCCASKILL, Mr. DAINES, Mr. KAINE, Mr. JOHNSON, Ms. BALDWIN, Mr. ISAKSON, Mr. DONNELLY, Mrs. CAPITO, Ms. DUCKWORTH, Mr. CORNYN, Mrs. MURRAY, Mr. LANKFORD, Ms. CORTEZ MASTO, Mrs. ERNST, Mrs. SHAHEEN, Mr. CORKER, Mr. TESTER, Mr. ENZI, Mr. CASEY, Mr. KENNEDY, Mr. BLUMENTHAL, Mr. HOEVEN, Mr. JONES, Mr. MCCONNELL, Ms. SMITH, Mr. SULLIVAN, Mr. LEAHY, Mr. PERDUE, Mr. BOOKER, Mr. HELLER, Mr. DURBIN, Mr. COTTON, Mr. VAN HOLLEN, Mr. LEE, Ms. CANTWELL, Mr. ROBERTS, Mr. REED, Mr. HATCH, Mr. WYDEN, Mrs. FISCHER, Mr. RUBIO, Mrs. HYDE-SMITH, Mr. MCCAIN, Mr. BOOZMAN, Mr. GARDNER, Mr. BARRASSO, Mr. INHOFE, and Mr. THUNE):

S. Res. 512. A resolution designating the week of May 13 through May 19, 2018, as "National Police Week"; considered and agreed to.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mrs. CAPITO, Mr. BLUNT, Mr. WICKER, Mr. SCOTT, Mr. PETERS, Mr. CASEY, Mr. KAINE, Mr. LANKFORD, Mr. DAINES, Mr. KING, Mr. INHOFE, Mr. BLUMENTHAL, Mr. CASSIDY, Mr. NELSON, and Ms. KLOBUCHAR):

S. Res. 513. A resolution recognizing National Foster Care Month as an opportunity

to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system; considered and agreed to.

By Mr. ALEXANDER (for himself, Mr. BENNET, Mr. BOOZMAN, Mr. WICKER, Mr. BURR, Mr. ISAKSON, Mrs. FEINSTEIN, Mr. SCOTT, Mr. CRUZ, Mr. JOHNSON, Mr. RUBIO, Mr. TOOMEY, Mr. CORNYN, Mr. TILLIS, Mrs. HYDE-SMITH, Mr. GARDNER, Mr. INHOFE, Mr. YOUNG, Mr. PERDUE, Mr. CARPER, Mr. BOOKER, Mr. LANKFORD, Mr. COONS, Mr. MCCAIN, and Mr. HATCH):

S. Res. 514. A resolution congratulating the students, parents, teachers, and leaders of charter schools across the United States for making ongoing contributions to education, and supporting the ideals and goals of the 19th annual National Charter Schools Week, celebrated May 7 through May 11, 2018; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 573

At the request of Mr. PETERS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 573, a bill to establish the National Criminal Justice Commission.

S. 793

At the request of Mr. BOOKER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 793, a bill to prohibit sale of shark fins, and for other purposes.

S. 978

At the request of Mrs. MURRAY, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 978, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education.

S. 1050

At the request of Ms. DUCKWORTH, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Delaware (Mr. CARPER) were added as cosponsors 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. 1086

At the request of Mr. HATCH, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1086, a bill to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under chapter 89 of title 5, United States Code.

S. 1092

At the request of Mr. ENZI, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1092, a bill to protect the right of law-

abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions.

S. 1112

At the request of Ms. HEITKAMP, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 1112, a bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1328

At the request of Mr. KAINE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1328, a bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity, and for other purposes.

S. 1400

At the request of Mr. HEINRICH, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1400, a bill to amend title 18, United States Code, to enhance protections of Native American tangible cultural heritage, and for other purposes.

S. 1806

At the request of Mrs. MURRAY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1806, a bill to amend the Child Care and Development Block Grant Act of 1990 and the Head Start Act to promote child care and early learning, and for other purposes.

S. 1830

At the request of Mr. PAUL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1830, a bill to strengthen employee cost savings suggestions programs within the Federal Government.

S. 1870

At the request of Mr. HOEVEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1870, a bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes.

S. 2076

At the request of Ms. COLLINS, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2285

At the request of Mrs. MCCASKILL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor

of S. 2285, a bill to require mailing addresses to correspond with the physical address at which the mail will be delivered.

S. 2303

At the request of Mr. COONS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2303, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 2356

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2356, a bill to require the Secretary of Veterans Affairs to address staffing and other issues at facilities, including underserved facilities, of the Department of Veterans Affairs, and for other purposes.

S. 2358

At the request of Mr. RUBIO, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 2358, a bill to require a study on women and lung cancer, and for other purposes.

S. 2364

At the request of Mr. BOOZMAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2364, a bill to amend the Water Infrastructure Finance and Innovation Act of 2014 to provide to State infrastructure financing authorities additional opportunities to receive loans under that Act to support drinking water and clean water State revolving funds to deliver water infrastructure to communities across the United States, and for other purposes.

S. 2395

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2395, a bill to amend title 54, United States Code, to authorize the provision of technical assistance under the Preserve America Program and to direct the Secretary of the Interior to enter into partnerships with communities adjacent to units of the National Park System to leverage local cultural heritage tourism assets.

S. 2418

At the request of Ms. HASSAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2418, a bill to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas.

S. 2465

At the request of Mr. SCOTT, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from Michi-

gan (Ms. STABENOW) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2465, a bill to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment.

S. 2497

At the request of Mr. RUBIO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2497, a bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 2568

At the request of Mr. BROWN, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 2568, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate, and for other purposes.

S. 2580

At the request of Mr. MENENDEZ, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2580, a bill to amend title 13, United States Code, to make clear that each decennial census, as required for the apportionment of Representatives in Congress among the several States, shall tabulate the total number of persons in each State, and to provide that no information regarding United States citizenship or immigration status may be elicited in any such census.

S. 2597

At the request of Mr. CASEY, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Hawaii (Ms. HIRONO) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2597, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

S. 2745

At the request of Mr. BLUMENTHAL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2745, a bill to establish a grant program to provide assistance to prevent and repair damage to structures due to pyrrhotite.

S. 2800

At the request of Mr. BARRASSO, the names of the Senator from Mississippi (Mr. WICKER), the Senator from West Virginia (Mrs. CAPITO), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 2800, a bill to provide for the conservation and development of water and related resources, to authorize the Sec-

retary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

S. 2836

At the request of Mr. JOHNSON, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 2836, a bill to assist the Department of Homeland Security in preventing emerging threats from unmanned aircraft and vehicles, and for other purposes.

S. RES. 154

At the request of Mr. JOHNSON, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Res. 154, a resolution promoting awareness of motorcycle profiling and encouraging collaboration and communication with the motorcycle community and law enforcement officials to prevent instances of profiling.

S. RES. 168

At the request of Mr. NELSON, his name was added as a cosponsor of S. Res. 168, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 383

At the request of Ms. DUCKWORTH, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 383, a resolution expressing support for the designation of a "Women's Health Research Day".

S. RES. 508

At the request of Mr. MARKEY, the names of the Senator from Delaware (Mr. CARPER), the Senator from California (Mrs. FEINSTEIN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. Res. 508, a resolution supporting the goals of Myalgic Encephalomyelitis/Chronic Fatigue Syndrome International Awareness Day.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 2866. A bill to require the Secretary of the Army to expedite the completion of certain feasibility studies and reports and to amend the Coastal Barrier Resources Act to ensure public safety, and for other purposes; to the Committee on Environment and Public Works.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2866

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Coastal Texas Protection Act".

#### SEC. 2. COASTAL TEXAS PROTECTION AND RESTORATION.

Notwithstanding any other provision of law, the Secretary of the Army shall expedite the completion of feasibility studies for

flood damage reduction, hurricane and storm damage reduction, and ecosystem restoration in the coastal areas of Texas that are identified in the interim report due to be published in 2018 that describes the tentatively selected plan developed in accordance with section 4091 of the Water Resources Development Act of 2007 (121 Stat. 1187).

**SEC. 3. PUBLIC SAFETY EXCEPTIONS UNDER COASTAL BARRIER RESOURCES ACT.**

Section 5(a)(3) of the Coastal Barrier Resources Act (16 U.S.C. 3504(a)(3)) is amended by inserting “, T-02A, T-03A, T-04 through T-07, T-11,” after “S08”.

By Mr. DAINES (for himself, Mr. COONS, Mr. CASEY, and Mr. TESTER):

S. 2860. A bill to amend the Internal Revenue Code of 1986 to allow first responders to continue to exclude service-connected disability pension payments after reaching the age of retirement; to the Committee on Finance.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2860

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Putting First-Responders First Act”.

**SEC. 2. CONTINUED EXCLUSION OF FIRST RESPONDER SERVICE-CONNECTED DISABILITY PAYMENTS AFTER AGE OF RETIREMENT.**

(a) IN GENERAL.—Section 104 of the Internal Revenue Code of 1986 is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

“(d) SPECIAL RULE FOR FIRST RESPONDER SERVICE-CONNECTED DISABILITY PAYMENTS AFTER AGE OF RETIREMENT.—

“(1) IN GENERAL.—In the case of an individual who receives a service-connected disability excludible amount, gross income shall not include such amount of any retirement pension or annuity which—

“(A) is received by such individual with respect to the service to which the service-connected disability excludible amount relates,

“(B) is determined by reference to the individual’s age, length of service, or contributions, and

“(C) does not exceed the service-connected disability excludable amount (determined on an annualized basis under such regulations or other guidance as the Secretary may prescribe).

“(2) SERVICE-CONNECTED DISABILITY EXCLUDIBLE AMOUNT.—For purposes of this subsection, the term ‘service-connected disability excludible amount’ means an amount received by an individual which ceases upon reaching retirement age and is not includible in gross income under subsection (a)(1) by reason of a service-connected disability as a law enforcement officer (as such term is defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968), an employee in fire protection activities (as such term is defined in section 3(y) of the Fair Labor Standards Act of 1938), or an individual who provides out-of-hospital emergency medical care (including emergency medical technician, paramedic, or first-responder).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable

years beginning after the date of the enactment of this Act.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 511—HONORING LAS DAMAS DE BLANCO AS THE RECIPIENT OF THE 2018 MILTON FRIEDMAN PRIZE FOR ADVANCING LIBERTY**

Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. NELSON, and Mr. CRUZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 511

Whereas Las Damas de Blanco (also known as the “Ladies in White”) is a group composed of wives and female relatives of imprisoned political prisoners, prisoners of conscience, and peaceful dissidents in Cuba;

Whereas, in April 2003, during the wave of repression known as the “Black Spring”, a group of strong and courageous women formed Las Damas de Blanco in response to the wrongful imprisonment of their family members by the Cuban regime;

Whereas, since the inception of the group, the members of Las Damas de Blanco have attended Sunday mass in the Church of Santa Rita in Havana, Cuba, and then marched peacefully through the streets of Havana holding photos of their jailed relatives and white gladioluses;

Whereas members of Las Damas de Blanco regularly march to advocate for the release of all political prisoners and the freedom of the Cuban people from Cuba’s repressive regime;

Whereas, despite leading peaceful protests, members of Las Damas de Blanco are regularly attacked by Cuban regime security forces and prevented from exercising their fundamental rights of the freedoms of expression and assembly;

Whereas, according to Amnesty International—

(1) Las Damas de Blanco “remain[s] one of the primary targets of repression by Cuban [G]overnment authorities”; and

(2) members of Las Damas de Blanco are frequently detained and “often beaten by law enforcement officials and state security agents dressed as civilians” while in detention;

Whereas, according to the Human Rights Watch 2018 World Report, “detention is often used preemptively to prevent people from participating in peaceful marches or meetings to discuss politics, and detainees are often beaten, threatened, and held incommunicado for hours or days”;

Whereas the Human Rights Watch 2018 World Report noted that, “Cuban Police or state security agents continue to routinely harass, rough up, and detain members of Las Damas de Blanco before or after they attend Sunday mass”;

Whereas, in 2005, Las Damas de Blanco was selected to receive the Sakharov Prize for Freedom of Thought, but the Cuban regime did not allow the members of the group to leave the island to accept the award;

Whereas Laura Inés Pollán Toledo, the founder of Las Damas de Blanco, left a legacy of a peaceful protest against human and civil rights abuses in Cuba;

Whereas Laura Inés Pollán Toledo died on October 14, 2011, and while her death garnered widespread international attention, the Cuban regime remained silent;

Whereas, according to Freedom House, in December 2013, Las Damas de Blanco “took

to the streets to demonstrate against human rights abuses on International Human Rights Day, but were detained before the protest could begin”;

Whereas, in February 2015, 30 members of Las Damas de Blanco were arrested in an attempt by Cuban officials to bar the women from participating in the #TodosMarchamos march, which sought to advocate for the freedom of political prisoners in Cuba;

Whereas, on March 20, 2016, a few hours before President Barack Obama landed in Cuba for his first visit to the communist country, Cuban authorities arrested more than 50 dissidents protesting the deteriorating state of human rights in Cuba and directly targeted Las Damas de Blanco;

Whereas, while Raul Castro is no longer the head of state of Cuba, grave human rights abuses continue under the newly selected President of Cuba, Miguel Diaz-Canel;

Whereas Las Damas de Blanco has appealed to the United States and other foreign governments in order to bring international attention to the repression of dissent by the Cuban regime and the plight of political prisoners, who are routinely jailed unjustly and without due process;

Whereas, on May 17, 2018, Las Damas de Blanco will receive the prestigious 2018 Milton Friedman Prize for Advancing Liberty for the bravery of the group and the continuing efforts of the group to fight for individual freedom in Cuba;

Whereas the Milton Friedman Prize for Advancing Liberty acknowledges those who have advocated and contributed to advancing human liberty; and

Whereas Berta de los Angeles Soler Fernández and Leticia Ramos Herrería, members of Las Damas de Blanco, have been prohibited by the government of Diaz-Canel from leaving Cuba to accept the 2018 Milton Friedman Prize for Advancing Liberty in the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates Las Damas de Blanco on receiving the prestigious 2018 Milton Friedman Prize for Advancing Liberty;

(2) honors the members of Las Damas de Blanco for their courageous efforts to stand up to the Cuban regime and defend human rights and fundamental freedoms, as expressed in the Universal Declaration of Human Rights;

(3) recognizes all of the valiant leaders of Las Damas de Blanco, including those members who died before being able to see a free Cuba;

(4) expresses solidarity and commitment to the democratic aspirations of the Cuban people; and

(5) calls on the Cuban regime to allow members of Las Damas de Blanco to travel freely both domestically and internationally.

**SENATE RESOLUTION 512—DESIGNATING THE WEEK OF MAY 13 THROUGH MAY 19, 2018, AS “NATIONAL POLICE WEEK”**

Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Ms. MURKOWSKI, Ms. HEITKAMP, Mr. YOUNG, Mr. KING, Mr. TILLIS, Mr. MARKEY, Mr. CRUZ, Mr. WHITEHOUSE, Mr. BLUNT, Mr. BROWN, Mr. CRAPO, Mrs. GILLIBRAND, Mr. PORTMAN, Ms. HASSAN, Mr. TOOMEY, Mr. PETERS, Mr. MORAN, Ms. KLOBUCHAR, Mr. CASSIDY, Mr. CARPER, Mr. ALEXANDER, Mr. COONS, Mr. SCOTT, Mr. NELSON, Mr. ROUNDS, Mr. MANCHIN, Ms. COLLINS, Mrs. MCCASKILL, Mr. DAINES, Mr. KAINE, Mr. JOHNSON, Ms. BALDWIN,

Mr. ISAKSON, Mr. DONNELLY, Mrs. CAPITO, Ms. DUCKWORTH, Mr. CORNYN, Mrs. MURRAY, Mr. LANKFORD, Ms. CORTEZ MASTO, Mrs. ERNST, Mrs. SHAHEEN, Mr. CORKER, Mr. TESTER, Mr. ENZI, Mr. CASEY, Mr. KENNEDY, Mr. BLUMENTHAL, Mr. HOEVEN, Mr. JONES, Mr. MCCONNELL, Mrs. SMITH, Mr. SULLIVAN, Mr. LEAHY, Mr. PERDUE, Mr. BOOKER, Mr. HELLER, Mr. DURBIN, Mr. COTTON, Mr. VAN HOLLEN, Mr. LEE, Ms. CANTWELL, Mr. ROBERTS, Mr. REED, Mr. HATCH, Mr. WYDEN, Mrs. FISCHER, Mr. RUBIO, Mrs. HYDE-SMITH, Mr. MCCAIN, Mr. BOOZMAN, Mr. GARDNER, Mr. BARRASSO, Mr. INHOFE, and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 512

Whereas Federal, State, local, and Tribal police officers, sheriffs, and other law enforcement officers across the United States serve with valor, dignity and integrity;

Whereas law enforcement officers are charged with pursuing justice for all individuals and performing their duties with fidelity to the constitutional and civil rights of the public they serve;

Whereas law enforcement officers swear an oath to uphold the public trust despite the fact that through the performance of their duties, they too may become targets for senseless acts of violence;

Whereas, in 1962, President John Fitzgerald Kennedy signed the Joint Resolution entitled "Joint Resolution to authorize the President to proclaim May 15 of each year as Peace Officers Memorial Day and the calendar week of each year during which such May 15 occurs as Police Week", approved October 1, 1962 (36 U.S.C. 136) (referred to in this preamble as the "Joint Resolution"), which authorizes the President of the United States to proclaim May 15 of every year as Peace Officers Memorial Day "in honor of the Federal, State, and municipal officers who have been killed or disabled in the line of duty";

Whereas the Joint Resolution also authorizes the President to designate the week in which Peace Officers Memorial Day falls as National Police Week;

Whereas the National Law Enforcement Officers Memorial, dedicated on October 15, 1991, is the national monument to honor those law enforcement officers who have died in the line of duty;

Whereas the 37th Annual National Peace Officers Memorial Service, held this year, will honor the 129 law enforcement officers killed in the line of duty in 2017, including Stephen L. Ackerman, Ryan M. Albin, Aaron W. Allan, Damon C. Allen, Colt E. Allery, Shawn T. Anderson, Stephen J. Ballard, Curtis A. Bartlett, Berke M.M. Bates, Matthew S. Baxter, Justin L. Beard, Curtis B. Billue, William T. Bishop, Curtis W. Blackbird, Anthony J. Borostowski, Keith W. Boyer, Timothy A. Braden, Kevin J. Brewer, Julie A. England Bridges, Thomas C. Bunker, Mark J. Burbridge, Michael C. Butler, Meggan L. Calahan, Andrew J. Camilleri, Sr., James E. Chapman, Lucas F. Chellew, James E. Clark, Debra L. Clayton, Sander B. Cohen, Sean F. Cookson, Kenneth M. Copeland, Carl T. Cosper, Jr., Jaimie J.A. Cox, Aaron L. Crook, Henry J. Cullen III, Veronica S. Darden, Joel R. Davis, Benjamin A. De Los Santos-Barbosa, Nathan M. Desjardins, Mark G. Diebold, Steven E. DiSario, Bernard W. Domagala, Kenneth J. Doyle, Donald W. Durr, Floyd East, Jr., David J. Fahey, Jr., Brian S. Falb, Miosotis P. Familia, Jason M. Fann, Steven R. Floyd, Sr., Michael R. Foley, Robert A. French, Jason A. Garner,

Randall S. Gibson, Jonathan W.R. Ginka, Nathan B. Graves, Clinton F. Greenwood, Thomas J. Hannon, Jason G. Harris, Charleston V. Hartfield, Kevin M. Haverly, Kristen N. Hearne, Joe W. Heddy, Jr., Devin P. Hodges, David J. Hoefler, Richard S. Howard III, Stephen R. Jenkins, Sr., Robert J. Johnson, Donald O. Kimbrough, Stephen T. Kubinski, Houston J. Largo, Paul Lazinsky, Craig E. Lehner, Justin A. Leo, Norman C. Lewis, Angel L. Lorenzo-Gonzalez, Michael D. Louviere, Kevin C. Mainhart, Elias Martinez, Rogelio Martinez, William A. Matthews, Hector L. Matias-Torres, Steven D. McDonald, Marcus A. McNeil, Gregory M. Meagher, Mark L. Mecham, Roberto Medina-Mariani, Jay R. Memmelaar, Jr., D. Heath Meyer, Gary L. Michael, Jr., Michael P. Middlebrook, Christopher J. Monica, Joshua S. Montaad, Mason P. Moore, Isaac Morales, Miguel I. Moreno, Marvin S. Moyer, Eric W. Mumaw, Raymond A. Murrell, Thomas P. Nipper, Rickey O'Donald, Terrence S. O'Hara, Timothy J. O'Neill, Eric B. Overall, Chad W. Parque, Zackari S. Parrish III, Steve A. Perez, Monty D. Platt, Daniel K. Rebman, Jr., Nicholas A. Rodman, Robert P. Rumfelt, Wendy L. Shannon, Brian D. Shaw, Justin J. Smith, Michael P. Stewart III, Sean M. Suiter, Matthew L. Tarantino, Shana R. Tedder, Jimmy D. Tennyson, Justin M. Terney, David Torres-Chaparro, Andre H. Van Vegten, David J. Wade, Jerry R. Walker, James M. Wallace, Michael T. Walter, Patrick N. Weatherford, Jason T. Weiland, and Elise A. Ybarra; and

Whereas, since the beginning of 2018, more than 50 law enforcement officers from across the United States have made the ultimate sacrifice: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of May 13 through May 19, 2018, as "National Police Week";

(2) expresses strong support for law enforcement officers across the United States in their efforts to build safer and more secure communities;

(3) recognizes the need to ensure that law enforcement officers have the equipment, training, and resources necessary to protect their health and safety while they are protecting the public;

(4) recognizes the members of the law enforcement community for their selfless acts of bravery;

(5) acknowledges that police officers and other law enforcement personnel who have made the ultimate sacrifice should be remembered and honored;

(6) expresses condolences to the loved ones of each law enforcement officer who has made the ultimate sacrifice in the line of duty; and

(7) encourages the people of the United States to observe National Police Week with appropriate ceremonies and activities that promote awareness of the vital role law enforcement officers perform safeguarding the public trust for the United States.

#### SENATE RESOLUTION 513—RECOGNIZING NATIONAL FOSTER CARE MONTH AS AN OPPORTUNITY TO RAISE AWARENESS ABOUT THE CHALLENGES OF CHILDREN IN THE FOSTER-CARE SYSTEM, AND ENCOURAGING CONGRESS TO IMPLEMENT POLICY TO IMPROVE THE LIVES OF CHILDREN IN THE FOSTER-CARE SYSTEM

Mr. GRASSLEY (for himself, Ms. STABENOW, Mrs. CAPITO, Mr. BLUNT, Mr. WICKER, Mr. SCOTT, Mr. PETERS, Mr. CASEY, Mr. KAINE, Mr. LANKFORD,

Mr. DAINES, Mr. KING, Mr. INHOFE, Mr. BLUMENTHAL, Mr. CASSIDY, Mr. NELSON, and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 513

Whereas National Foster Care Month was established more than 20 years ago to—

(1) bring foster-care issues to the forefront;

(2) highlight the importance of permanency for every child; and

(3) recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States;

Whereas all children deserve a safe, loving, and permanent home;

Whereas the primary goal of the foster-care system is to ensure the safety and well-being of children while working to provide a safe, loving, and permanent home for each child;

Whereas there are approximately 438,000 children living in foster care;

Whereas there were approximately 273,539 youth that entered the foster-care system in 2016, while over 65,000 youth were eligible and awaiting adoption at the end of 2016;

Whereas the number of children living in foster care and entering foster care has increased dramatically in recent years;

Whereas over 92,000 children entered foster care in 2016 due to parental drug abuse;

Whereas children of color are more likely to stay in the foster-care system for longer periods of time and are less likely to be reunited with their biological families;

Whereas foster parents are the front-line caregivers for children who cannot safely remain with their biological parents and provide physical care, emotional support, education advocacy, and are the largest single source of families providing permanent homes for children leaving foster care to adoption;

Whereas children in foster care who are placed with relatives, compared to children placed with nonrelatives, have more stability, including fewer changes in placements, have more positive perceptions of their placements, are more likely to be placed with their siblings, and demonstrate fewer behavioral problems;

Whereas some relative caregivers receive less financial assistance and support services than do foster caregivers;

Whereas an increased emphasis on prevention and reunification services is necessary to reduce the number of children that are forced to remain in the foster-care system;

Whereas more than 20,000 youth "aged out" of foster care in 2016 without a legal permanent connection to an adult or family;

Whereas children who age out of foster care lack the security or support of a biological or adoptive family and frequently struggle to secure affordable housing, obtain health insurance, pursue higher education, and acquire adequate employment;

Whereas foster care is intended to be a temporary placement, but children remain in the foster-care system for an average of 19 months;

Whereas children in foster care experience an average of 3 different placements, which often leads to disruption of routines and the need to change schools and move away from siblings, extended families, and familiar surroundings;

Whereas youth in foster care are much more likely to face educational instability with 65 percent of former foster children experiencing at least 7 school changes while in care;

Whereas children entering foster care often confront the widespread misperception that children in foster care are disruptive, unruly,



and dangerous, even though placement in foster care is based on the actions of a parent or guardian, not the child;

Whereas recent studies show foster children enrolled in Medicaid were prescribed antipsychotic medications at 3 to 9 times the rate of other children receiving Medicaid;

Whereas due to heavy caseloads and limited resources, the average tenure for a worker in child protection services is just 3 years;

Whereas States, localities, and communities should be encouraged to invest resources in preventative and reunification services and postpermanency programs to ensure that more children in foster care are provided with safe, loving, and permanent placements;

Whereas in 2018, Congress passed the Family First Prevention Services Act, which provided new investments in prevention and family reunification services to help more families stay together and ensure more children are in safe, loving, and permanent homes;

Whereas Federal legislation over the past 3 decades, including the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272), the Adoption and Safe Families Act of 1997 (Public Law 105-89), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), the Child and Family Services Improvement and Innovation Act (Public Law 112-34), and the Preventing Sex Trafficking and Strengthening Families Act (Public Law 113-183) provided new investments and services to improve the outcomes of children in the foster-care system;

Whereas May 2018 is an appropriate month to designate as National Foster Care Month to provide an opportunity to acknowledge the accomplishments of the child-welfare workforce, foster parents, advocacy community, and mentors for their dedication, accomplishments, and positive impact they have on the lives of children; and

Whereas much remains to be done to ensure that all children have a safe, loving, nurturing, and permanent family, regardless of age or special needs: Now, therefore, be it *Resolved*, That the Senate—

(1) supports the designation of National Foster Care Month;

(2) recognizes National Foster Care Month as an opportunity to raise awareness about the challenges that children face in the foster-care system;

(3) encourages Congress to implement policy to improve the lives of children in the foster-care system;

(4) acknowledges the unique needs of children in the foster-care system;

(5) recognizes foster youth throughout the United States for their ongoing tenacity, courage, and resilience while facing life challenges;

(6) acknowledges the exceptional alumni of the foster-care system who serve as advocates and role models for youth who remain in care;

(7) honors the commitment and dedication of the individuals who work tirelessly to provide assistance and services to children in the foster-care system;

(8) supports the designation of May 31, 2018 as National Foster Parent Appreciation Day;

(9) recognizes National Foster Parent Appreciation Day as an opportunity to recognize the efforts of foster parents to provide safe and loving care for children in need and raise awareness about the increasing need for foster parents to serve in their communities; and

(10) reaffirms the need to continue working to improve the outcomes of all children in the foster-care system through parts B and E of title IV of the Social Security Act (42

U.S.C. 601 et seq.) and other programs designed to—

(A) support vulnerable families;

(B) invest in prevention and reunification services;

(C) promote adoption in cases where reunification is not in the best interests of the child;

(D) adequately serve those children brought into the foster-care system; and

(E) facilitate the successful transition into adulthood for children that “age out” of the foster-care system.

**SENATE RESOLUTION 514—CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND LEADERS OF CHARTER SCHOOLS ACROSS THE UNITED STATES FOR MAKING ONGOING CONTRIBUTIONS TO EDUCATION, AND SUPPORTING THE IDEALS AND GOALS OF THE 19TH ANNUAL NATIONAL CHARTER SCHOOLS WEEK, CELEBRATED MAY 7 THROUGH MAY 11, 2018**

Mr. ALEXANDER (for himself, Mr. BENNET, Mr. BOOZMAN, Mr. WICKER, Mr. BURR, Mr. ISAKSON, Mrs. FEINSTEIN, Mr. SCOTT, Mr. CRUZ, Mr. JOHNSON, Mr. RUBIO, Mr. TOOMEY, Mr. CORNYN, Mr. TILLIS, Mrs. HYDE-SMITH, Mr. GARDNER, Mr. INHOFE, Mr. YOUNG, Mr. PERDUE, Mr. CARPER, Mr. BOOKER, Mr. LANKFORD, Mr. COONS, Mr. MCCAIN, and Mr. HATCH) submitted the following resolution; which was considered and agreed to:

**S. RES. 514**

Whereas charter schools are public schools that do not charge tuition and enroll any student who wants to attend, often through a random lottery when the demand for enrollment is outmatched by the supply of available charter school seats;

Whereas high-performing public charter schools deliver a high-quality public education and challenge all students to reach the students’ potential for academic success;

Whereas high-performing public charter schools promote innovation and excellence in public education;

Whereas public charter schools throughout the United States provide millions of families with diverse and innovative educational options for children of the families;

Whereas high-performing public charter schools and charter management organizations are increasing student achievement and attendance rates at institutions of higher education;

Whereas public charter schools are authorized by a designated entity and—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, high-performance, and innovation;

Whereas, in exchange for flexibility and autonomy, public charter schools are held accountable by the authorizers of the charter schools for improving student achievement and for sound financial and operational management;

Whereas public charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas public charter schools often set higher expectations for students, beyond the

requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), to ensure that the charter schools are of high quality and truly accountable to the public;

Whereas 44 States and the District of Columbia have enacted laws authorizing public charter schools;

Whereas, as of the 2017–2018 school year, more than 7,000 public charter schools served nearly 3,200,000 children;

Whereas enrollment in public charter schools grew from 400,000 students in 2001 to 3,200,000 students in 2018, an eightfold increase in 17 years;

Whereas in the United States—

(1) in 208 school districts, more than 10 percent of public school students are enrolled in public charter schools; and

(2) in 19 school districts, at least 30 percent of public school students are enrolled in public charter schools;

Whereas high-performing public charter schools improve the academic achievement of students enrolled in the charter schools and collaborate with traditional public schools to improve public education for all students;

Whereas public charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove the ongoing success of the charter schools to parents, policymakers, and the communities served by the charter schools or risk closure;

Whereas a 2015 report from the Center for Research on Education Outcomes at Stanford University found significant improvements for students at urban charter schools, and compared to peers of traditional public schools, each year those students completed the equivalent of 28 more days of learning in reading and 40 more days of learning in math;

Whereas parental demand for high-performing charter schools is high, and there was an estimated 5 percent growth in charter school enrollment between fall 2016 and fall 2017; and

Whereas the 19th annual National Charter Schools Week is celebrated the week of May 7 through May 11, 2018: Now, therefore, be it *Resolved*, That the Senate—

(1) congratulates the students, families, teachers, leaders, and staff of public charter schools across the United States for—

(A) making ongoing contributions to public education;

(B) making impressive strides in closing the academic achievement gap in schools in the United States, particularly in schools with some of the most disadvantaged students in both rural and urban communities; and

(C) improving and strengthening the public school system throughout the United States;

(2) supports the ideals and goals of the 19th annual National Charter Schools Week, a week-long celebration held May 7 through May 11, 2018, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities for National Charter Schools Week to demonstrate support for public charter schools.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 2243. Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 36, setting forth the congressional budget for the United States Government for fiscal year

2019 and setting forth the appropriate budgetary levels for fiscal years 2020 through 2028; which was ordered to lie on the table.

SA 2244. Mr. MCCONNELL (for Mr. TILLIS) proposed an amendment to the bill H.R. 2772, to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees.

SA 2245. Mr. MCCONNELL (for Mr. CORNYN (for himself and Mr. PETERS)) proposed an amendment to the bill H.R. 3249, to authorize the Project Safe Neighborhoods Grant Program, and for other purposes.

### TEXT OF AMENDMENTS

SA 2243. Mr. HELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 36, setting forth the congressional budget for the United States Government for fiscal year 2019 and setting forth the appropriate budgetary levels for fiscal years 2020 through 2028; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ SENSE OF THE SENATE ON PAY FOR MEMBERS OF CONGRESS IF THE CONCURRENT RESOLUTION ON THE BUDGET AND APPROPRIATIONS ARE NOT COMPLETED IN A TIMELY MANNER.**

It is the sense of the Senate that—

(1) both Houses of Congress should approve a concurrent resolution on the budget and all the regular appropriations bills before October 1 of each fiscal year;

(2) if a concurrent resolution on the budget and all the regular appropriations bills are not approved by October 1 of each fiscal year, no funds should be appropriated or otherwise be made available from the Treasury of the United States for the pay of any Member of Congress during any period after October 1 that a concurrent resolution on the budget and all the regular appropriations bills are not completed; and

(3) no retroactive pay should be provided to any Member of Congress for any period for which pay is not made available as described in paragraph (2).

SA 2244. Mr. MCCONNELL (for Mr. TILLIS) proposed an amendment to the bill H.R. 2772, to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Veterans Affairs Senior Executive Accountability Act of 2018” or the “SEA Act of 2018”.

#### SEC. 2. SEMIANNUAL REPORTS ON REASSIGNMENT OF DEPARTMENT OF VETERANS AFFAIRS SENIOR EXECUTIVE EMPLOYEES.

(a) IN GENERAL.—Subchapter I of chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

##### “§ 727. Reassignment of senior executives

“(a) APPROVAL OF REASSIGNMENTS.—No individual employed in a senior executive position at the Department may be reassigned to another such position at the Department unless such reassignment is approved in writing and signed by the Secretary.

“(b) SEMIANNUAL REPORTS REQUIRED.—(1) Not later than June 30 and December 31 of

each year, the Secretary shall submit to Congress a report on the reassignment of individuals employed in senior executive positions at the Department to other such positions at the Department during the period covered by the report.

“(2) Each report submitted under paragraph (1) shall describe the purpose of each reassignment and the costs associated with such reassignment.

“(3) For purposes of paragraph (2), costs associated with a reassignment may only include the following:

“(A) A salary increase.

“(B) Temporary travel expenses for the individual or the family of the individual.

“(C) Moving expenses.

“(D) A paid incentive.

“(c) SENIOR EXECUTIVE POSITION DEFINED.—In this section, the term ‘senior executive position’ has the meaning given such term in section 713(d) of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 725 the following new item:

“727. Reassignment of senior executives.”

SA 2245. Mr. MCCONNELL (for Mr. CORNYN (for himself and Mr. PETERS)) proposed an amendment to the bill H.R. 3249, to authorize the Project Safe Neighborhoods Grant Program, 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 “Project Safe Neighborhoods Grant Program Authorization Act of 2018”.

#### SEC. 2. DEFINITIONS.

For the purposes of this Act—

(1) the term “firearms offenses” means an offense under section 922 or 924 of title 18, United States Code;

(2) the term “Program” means the Project Safe Neighborhoods Block Grant Program established under section 3; and

(3) the term “transnational organized crime group” has the meaning given such term in section 36(k)(6) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(k)(6)).

#### SEC. 3. ESTABLISHMENT.

The Attorney General of the United States is authorized to establish and carry out a program, to be known as the “Project Safe Neighborhoods Block Grant Program” within the Office of Justice Programs at the Department of Justice.

#### SEC. 4. PURPOSE.

(a) PROJECT SAFE NEIGHBORHOODS BLOCK GRANT PROGRAM.—The purpose of the Program is to foster and improve existing partnerships between Federal, State, and local agencies, including the United States Attorney in each Federal judicial district, entities representing members of the community affected by increased violence, victims’ advocates, and researchers to create safer neighborhoods through sustained reductions in violent crimes by—

(1) developing and executing comprehensive strategic plans to reduce violent crimes, including the enforcement of gun laws, and prioritizing efforts focused on identified subsets of individuals or organizations responsible for increasing violence in a particular geographic area;

(2) developing evidence-based and data-driven intervention and prevention initiatives, including juvenile justice projects and activities which may include street-level outreach, conflict mediation, provision of treatment and social services, and the changing of community norms, in order to reduce violence; and

(3) collecting data on outcomes achieved through the Program, including the effect on the violent crime rate, incarceration rate, and recidivism rate of the jurisdiction.

(b) ADDITIONAL PURPOSE AREAS.—In addition to the purpose described in subsection (a), the Attorney General may use funds authorized under this Act for any of the following purposes—

(1) competitive and evidence-based programs to reduce gun crime and gang violence;

(2) the Edward Byrne criminal justice innovation program;

(3) community-based violence prevention initiatives; or

(4) gang and youth violence education, prevention and intervention, and related activities.

#### SEC. 5. RULES AND REGULATIONS.

(a) IN GENERAL.—The Attorney General shall issue guidance to create, carry out, and administer the Program in accordance with this section.

(b) FUNDS TO BE DIRECTED TO LOCAL CONTROL.—Amounts made available as grants under the Program shall be, to the greatest extent practicable, locally controlled to address problems that are identified locally.

(c) TASK FORCES.—Thirty percent of the amounts made available as grants under the Program each fiscal year shall be granted to Gang Task Forces in regions experiencing a significant or increased presence of criminal or transnational organizations engaging in high levels of violent crime, firearms offenses, human trafficking, and drug trafficking.

(d) PRIORITY.—Amounts made available as grants under the Program shall be used to prioritize the investigation and prosecution of individuals who have an aggravating or leadership role in a criminal or transnational organization described in subsection (c).

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General to carry out the Program \$50,000,000 for each of fiscal years 2019 through 2021.

### AUTHORITY FOR COMMITTEES TO MEET

Mr. WICKER. Mr. President, I have 10 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

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

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, at 10 a.m. to conduct a hearing on the following nominations: Joseph Ryan Gruters, of Florida, to be a Director of the Amtrak Board of Directors, Jennifer L. Homendy, of Virginia, to be a Member of the National Transportation Safety Board, and Heidi R. King, of California, to be Administrator of the National Highway Traffic Safety Administration, Department of Transportation.

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, at 10 a.m. to conduct a hearing.

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, to conduct a hearing entitled "Authorizing the Use of Military Force: S.J. Res 59."

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, at 2:30 p.m. to conduct a hearing entitled "Protecting the Next Generation: Safety and Security at Bureau of Indian Education Schools."

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, at 2:30 p.m. to conduct a hearing

## COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, at 10 a.m. to conduct a hearing entitled "Cambridge Analytica and the Future of Data Privacy".

## JOINT COMMITTEE ON THE LIBRARY

The Joint Committee on the Library is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, at 3:30 p.m. to conduct a hearing.

## JOINT COMMITTEE ON PRINTING

The Joint Committee on Printing is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, at 3:45 p.m. to conduct a hearing.

## SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, May 10, 2018, at 9:15 a.m. to conduct a closed hearing.

## SUBCOMMITTEE ON SPACE, SCIENCE, AND COMPETITIVENESS

The Subcommittee on Space, Science, and Competitiveness of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, May 16, 2018, at 2:30 p.m. to conduct a hearing.

## PRIVILEGES OF THE FLOOR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that my legislative fellow Collin Anderson be granted floor privileges until the end of June 2018.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Anabel Moreno-Mendez, be granted privileges of the floor for the remainder of the day.

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

## MEASURE PLACED ON THE CALENDAR—S. 2850

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

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

The bill clerk read as follows:

A bill (S. 2850) to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

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

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

## IMPROVE DATA ON SEXUAL VIOLENCE ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 395, S. 2349.

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

The bill clerk read as follows:

A bill (S. 2349) to direct the Director of the Office of Management and Budget to establish an interagency working group to study Federal efforts to collect data on sexual violence and to make recommendations on the harmonization of such efforts, 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 and passed, and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2349) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2349

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

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Improve Data on Sexual Violence Act".

## SEC. 2. INTERAGENCY WORKING GROUP TO STUDY FEDERAL EFFORTS TO COLLECT DATA ON SEXUAL VIOLENCE.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall establish an interagency working group (in this section referred to as the "Working Group") to study Federal efforts to collect data on sexual violence and to make recommendations on the harmonization of such efforts.

(b) COMPOSITION.—The Working Group shall be comprised of at least one representative from the following agencies, who shall be selected by the head of that agency:

- (1) The Centers for Disease Control and Prevention.
- (2) The Department of Defense.
- (3) The Department of Education.
- (4) The Department of Health and Human Services.

(5) The Department of Justice.

(c) DUTIES.—The Working Group shall consider the following:

(1) What activity constitutes different acts of sexual violence.

(2) Whether reports that use the same terms for acts of sexual violence are collecting the same data on these acts.

(3) Whether the context which lead to an act of sexual violence should impact how that act is accounted for in reports.

(4) Whether the data collected is presented in a way that allows the general public to understand what acts of sexual violence are included in each measurement.

(5) Steps that agencies that compile reports relating to sexual violence can take to avoid double counting incidents of sexual violence.

(d) REPORT REQUIRED.—Not later than 2 years after the date of the enactment of this Act, the Working Group shall publish and submit to Congress a report on the following:

(1) The activities of the Working Group.

(2) Recommendations to harmonize Federal efforts to collect data on sexual violence.

(3) Actions Federal agencies can take to implement the recommendations described in paragraph (2).

(4) Recommendations for congressional action to implement the recommendations described in paragraph (2).

(e) TERMINATION.—The Working Group shall terminate 30 days after the date on which the report is submitted pursuant to subsection (d).

(f) DEFINITIONS.—In this Act:

(1) HARMONIZE.—The term "harmonize" includes efforts to coordinate sexual violence data collection to produce complementary information, as appropriate, without compromising programmatic needs.

(2) SEXUAL VIOLENCE.—The term "sexual violence" includes an unwanted sexual act (including both contact and non-contact) about which the Federal Government collects information.

## PROJECT SAFE NEIGHBORHOODS GRANT PROGRAM AUTHORIZATION ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 3249 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 bill clerk read as follows:

A bill (H.R. 3249) to authorize the Project Safe Neighborhoods Grant Program, 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 Corryn substitute 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. 2245) in the nature of a substitute 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 “Project Safe Neighborhoods Grant Program Authorization Act of 2018”.

**SEC. 2. DEFINITIONS.**

For the purposes of this Act—

(1) the term “firearms offenses” means an offense under section 922 or 924 of title 18, United States Code;

(2) the term “Program” means the Project Safe Neighborhoods Block Grant Program established under section 3; and

(3) the term “transnational organized crime group” has the meaning given such term in section 36(k)(6) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(k)(6)).

**SEC. 3. ESTABLISHMENT.**

The Attorney General of the United States is authorized to establish and carry out a program, to be known as the “Project Safe Neighborhoods Block Grant Program” within the Office of Justice Programs at the Department of Justice.

**SEC. 4. PURPOSE.**

(a) **PROJECT SAFE NEIGHBORHOODS BLOCK GRANT PROGRAM.**—The purpose of the Program is to foster and improve existing partnerships between Federal, State, and local agencies, including the United States Attorney in each Federal judicial district, entities representing members of the community affected by increased violence, victims’ advocates, and researchers to create safer neighborhoods through sustained reductions in violent crimes by—

(1) developing and executing comprehensive strategic plans to reduce violent crimes, including the enforcement of gun laws, and prioritizing efforts focused on identified subsets of individuals or organizations responsible for increasing violence in a particular geographic area;

(2) developing evidence-based and data-driven intervention and prevention initiatives, including juvenile justice projects and activities which may include street-level outreach, conflict mediation, provision of treatment and social services, and the changing of community norms, in order to reduce violence; and

(3) collecting data on outcomes achieved through the Program, including the effect on the violent crime rate, incarceration rate, and recidivism rate of the jurisdiction.

(b) **ADDITIONAL PURPOSE AREAS.**—In addition to the purpose described in subsection (a), the Attorney General may use funds authorized under this Act for any of the following purposes—

(1) competitive and evidence-based programs to reduce gun crime and gang violence;

(2) the Edward Byrne criminal justice innovation program;

(3) community-based violence prevention initiatives; or

(4) gang and youth violence education, prevention and intervention, and related activities.

**SEC. 5. RULES AND REGULATIONS.**

(a) **IN GENERAL.**—The Attorney General shall issue guidance to create, carry out, and administer the Program in accordance with this section.

(b) **FUNDS TO BE DIRECTED TO LOCAL CONTROL.**—Amounts made available as grants under the Program shall be, to the greatest extent practicable, locally controlled to address problems that are identified locally.

(c) **TASK FORCES.**—Thirty percent of the amounts made available as grants under the Program each fiscal year shall be granted to Gang Task Forces in regions experiencing a significant or increased presence of criminal or transnational organizations engaging in high levels of violent crime, firearms of-

fenses, human trafficking, and drug trafficking.

(d) **PRIORITY.**—Amounts made available as grants under the Program shall be used to prioritize the investigation and prosecution of individuals who have an aggravating or leadership role in a criminal or transnational organization described in subsection (c).

**SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Attorney General to carry out the Program \$50,000,000 for each of fiscal years 2019 through 2021.

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

The bill (H.R. 3249), 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.

### VA SENIOR EXECUTIVE ACCOUNTABILITY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of H.R. 2772 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 bill clerk read as follows:

A bill (H.R. 2772) to amend title 38, United States Code, to provide for requirements relating to the reassignment of Department of Veterans Affairs senior executive employees.

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

Mr. MCCONNELL. I ask unanimous consent that the Tillis substitute amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 2244) in the nature of a substitute 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 “Department of Veterans Affairs Senior Executive Accountability Act of 2018” or the “SEA Act of 2018”.

**SEC. 2. SEMIANNUAL REPORTS ON REASSIGNMENT OF DEPARTMENT OF VETERANS AFFAIRS SENIOR EXECUTIVE EMPLOYEES.**

(a) **IN GENERAL.**—Subchapter I of chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

**“§ 727. Reassignment of senior executives**

“(a) **APPROVAL OF REASSIGNMENTS.**—No individual employed in a senior executive posi-

tion at the Department may be reassigned to another such position at the Department unless such reassignment is approved in writing and signed by the Secretary.

“(b) **SEMIANNUAL REPORTS REQUIRED.**—(1) Not later than June 30 and December 31 of each year, the Secretary shall submit to Congress a report on the reassignment of individuals employed in senior executive positions at the Department to other such positions at the Department during the period covered by the report.

“(2) Each report submitted under paragraph (1) shall describe the purpose of each reassignment and the costs associated with such reassignment.

“(3) For purposes of paragraph (2), costs associated with a reassignment may only include the following:

“(A) A salary increase.

“(B) Temporary travel expenses for the individual or the family of the individual.

“(C) Moving expenses.

“(D) A paid incentive.

“(c) **SENIOR EXECUTIVE POSITION DEFINED.**—In this section, the term ‘senior executive position’ has the meaning given such term in section 713(d) of this title.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 725 the following new item:

“727. Reassignment of senior executives.”.

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

The bill was read the third time.

The bill (H.R. 2772), as amended, was passed.

### AUTHORIZING THE SECRETARY OF VETERANS AFFAIRS TO FURNISH ASSISTANCE FOR ADAPTATIONS OF RESIDENCES OF VETERANS IN REHABILITATION PROGRAMS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of H.R. 3562 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 bill clerk read as follows:

A bill (H.R. 3562) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes.

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

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3562) was ordered to a third reading, was read the third time, and passed.

### SMITHSONIAN NATIONAL ZOOLOGICAL PARK CENTRAL PARKING FACILITY AUTHORIZATION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be

discharged from further consideration of H.R. 4009 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 bill clerk read as follows:

A bill (H.R. 4009) to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a central parking facility on National Zoological Park property in the District of Columbia.

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

Mr. McCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 4009) was ordered to a third reading, was read the third time, and passed.

#### AUTHORIZING USE OF EMANCIPATION HALL

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 112, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 112) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 112) was agreed to.

#### RESOLUTIONS SUBMITTED TODAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 512, S. Res. 513, and S. Res. 514.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. McCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR THURSDAY, MAY 17, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it

adjourn until 9:30 a.m., Thursday, May 17; 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. Finally, I ask that following leader remarks, Senator PAUL be recognized under the previous order.

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

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

There being no objection, the Senate, at 6:47 p.m., adjourned until Thursday, May 17, 2018, at 9:30 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate May 16, 2018:

##### DEPARTMENT OF EDUCATION

MITCHELL ZAIS, OF SOUTH CAROLINA, TO BE DEPUTY SECRETARY OF EDUCATION.

##### IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE COMMANDANT, UNITED STATES COAST GUARD, AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 47:

*To be admiral*

VICE ADM. CHARLES W. RAY