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PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

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No. 1

## Senate

The 3d day of January being prescribed by the Constitution of the United States for the annual meeting of the Congress, the 2d session of the 115th Congress commenced this day at 12 noon.

The Senate assembled in its Chamber at the Capitol.

The Senate was called to order by the Honorable THOM TILLIS, a Senator from the State of North Carolina.

### PRAYER

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

Let us pray.

Everlasting God, our light and our salvation, You are the strength and shield of our Nation and world. Lord, as we receive the gift of this new year, we thank You for fresh starts and new mercies.

May our lawmakers seize the seeds of opportunity that reside in the soil of their tomorrows, laboring diligently to ensure an abundant harvest. Teach them to number their days as they remember that they pass this way but once. Lord, remind them that Your hand is on the helm of human affairs and that You still guide Your world. Give our legislators the integrity to strive to do all the good they can, for as many as they can, for as long as they can. Bless our Senators who are leaving and those who are coming.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 3, 2018.

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable THOM TILLIS, a Senator from the State of North Carolina, to perform the duties of the Chair.

ORRIN G. HATCH,  
*President pro tempore.*

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

### CERTIFICATE OF ELECTION AND CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate the certificate of election to fill the unexpired term for the State of Alabama and the certificate of appointment to fill the unexpired term for the State of Minnesota. The certificates, the Chair is advised, are in the form suggested by the Senate or contain all the essential requirements of the form suggested by the Senate. If there be no objection, the reading of the certificates will be waived and they will be printed in full in the RECORD.

There being no objection, the certificates were ordered to be printed in the RECORD, as follows:

### STATE OF ALABAMA CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

*To the President of the Senate of the United States:*

This is to certify that on the 12th day of December, 2017, Doug Jones was duly chosen by the qualified electors of the State of Alabama a Senator for the unexpired term ending at noon on the 3rd day of January, 2021, to fill the vacancy in the representation from said State in the Senate of the United States caused by the appointment of the Honorable Jeff Sessions to the position of United States Attorney General.

Witness: Her Excellency our Governor Kay Ivey, and our seal hereto affixed at 1:10 PM

this 28th day of December, in the year of our Lord 2017.

By the Governor:

KAY IVEY,  
*Governor.*

Attest:

JOHN H. MERRILL,  
*Secretary of State.*

[State Seal Affixed]

### STATE OF MINNESOTA Executive Department

### CERTIFICATE OF APPOINTMENT OF UNITED STATES SENATOR FROM MINNESOTA

*To the President of the Senate of the United States:*

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Minnesota, I, Mark B. Dayton, the Governor of said State, do hereby appoint Tina Smith a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the resignation of Al Franken, is filled by election as provided by law.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol, in Saint Paul, Minnesota this 2nd day of January, 2018.

MARK DAYTON,  
*Governor.*

STEVE SIMON,  
*Secretary of State.*

[State Seal Affixed]

### ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-elect and the Senator-designate to be sworn in will now present themselves at the desk, the Chair will administer their oaths of office.

The Senator-elect, DOUG JONES, and the Senator-designate, TINA SMITH, escorted by Mr. Biden, Ms. KLOBUCHAR, and Mr. Mondale, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senators.

(Applause, Senators rising.)

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



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### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### WELCOMING NEW SENATORS

Mr. McCONNELL. Mr. President, as we open the 2nd session of the 115th Congress, I am pleased to welcome my colleagues back to the Chamber.

I would like to extend a particular welcome to our two new Senators, who were just sworn in. First, Senator DOUG JONES of Alabama will have big shoes to fill. His State has sent very distinguished legislators to Washington, including our Attorney General, Jeff Sessions. Senator JONES brings a background in law enforcement, having served as a Federal prosecutor in the Northern District of Alabama. We welcome him.

We also welcome Senator TINA SMITH. For 3 years, she has served the people of Minnesota as their Lieutenant Governor. Now she will join Senator KLOBUCHAR in representing them here in the Senate.

I congratulate both of these new Senators. I look forward to working with them in the months ahead to make bipartisan progress and to find common ground on behalf of the American people.

### FUNDING THE GOVERNMENT

Mr. McCONNELL. The Senate will need to tackle a number of important issues this year. It is my sincere hope that we can do so in a renewed spirit of comity, collegiality, and bipartisanship. I know that colleagues on both sides of the aisle share this hope, and it is urgent that we make it a reality. Congress must reach a spending agreement by January 19 to ensure uninterrupted funding for the Federal Government.

Among several key priorities, it is vital that our agreement provide sufficient resources for our all-volunteer Armed Forces. Under the Budget Control Act, America's military has been stretched thin by disproportionate cuts that have harmed our combat readiness. Since 2013, defense cuts have outpaced domestic spending cuts by \$85 billion. I am going to say that again: Since fiscal year 2013, defense cuts have outpaced domestic spending cuts by \$85 billion. To fix this, we need to set aside the arbitrary notion that new defense spending be matched equally by new nondefense spending. There is no reason why funding for our national security and our servicemembers should be limited by an arbitrary political formula that bears no relationship to actual need.

So let's come together across the aisle and construct a funding agreement that gives our men and women in uniform the tools and the training they need.

### IRAN

Mr. McCONNELL. Now, on another matter, Mr. President, over the last week, one of the often overlooked costs of Iran's regional aggression has come to light. Iranians have taken to the streets in protest, demanding that Supreme Leader Khamenei and President Rouhani do more to expand the domestic economy. Iran's actions in Yemen, Syria, and Iraq and its support for proxies such as Hezbollah have diverted resources away from economic reform and investment. While the government has prioritized payments to the military and security elites and clerical institutions, the people throughout Iran have suffered. Now their discontent is fully evident.

As part of our overall strategy toward Iran, which should be focused on ending Iran's malign activities across the Middle East, we should hold accountable any officials behind a crack-down on these protests. The coming days will be noteworthy as we wait to see if hardliners use these protests as an excuse to promote more aggressive policies against the West and to tighten their grip further on the country and its economy.

### TRIBUTE TO ORRIN HATCH

Mr. McCONNELL. Now, on one final matter, Mr. President, yesterday a very distinguished Senator announced his intention to retire at the end of this Congress. For more than 40 years, Senator ORRIN HATCH has served the people of Utah in this body. He is not only our President pro tempore, but, as we celebrated last year, Senator HATCH is also the longest serving Republican Senator in the history of the United States.

During this historic tenure, Senator HATCH has chaired three key committees. He has amassed deep expertise across all manner of policy issues, and he has built a truly remarkable resume of accomplishments on behalf of the American people.

Senator HATCH has defended our national security and our religious freedom. He has fought to protect Americans with disabilities and to shepherd fine judges onto our courts. Just last month, as Senate Finance Committee chairman, he played an integral role in passing the most significant tax reform law in more than 30 years.

Senator HATCH's colleagues here will be sorry to see him retire. I will miss his friendship, but I know his wife Elaine and his beloved family will be glad to welcome him home.

Fortunately, it is not yet time to say farewell. This institution and the American people will benefit greatly from the Senator's wisdom and famous work ethic for one more year before his retirement.

### MEASURE PLACED ON THE CALENDAR—S. 2274

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

The ACTING PRESIDENT pro tempore. The Senator is correct.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2274) to provide for the compensation of Federal employees affected by lapses in appropriations.

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 ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

### WELCOMING NEW SENATORS

Mr. SCHUMER. Mr. President, first, as we begin the 2nd session of the 115th Congress, I welcome all of my colleagues back from the holiday break and wish them a happy new year, and I wish our country a wonderful 2018. I was also very gratified to see two of the best former Vice Presidents we have ever had on the floor today for the ceremonies. I am glad to see former Senators Mondale and Biden—former Vice Presidents Mondale and Biden—as feisty and as strong as they have ever been and giving us their opinions.

It is also very exciting to welcome two new Members to this body who will be joining the Democratic caucus, TINA SMITH from Minnesota and DOUG JONES from Alabama. In joining this esteemed body, both bring a wealth of experience and individual passions.

Former Lieutenant Governor TINA SMITH brings with her several years of experience serving at the highest levels of State Government, where she focused on economic development and expanding access to rural broadband and affordable healthcare, issues she will continue to fight for here in the Senate. In that work, Governor Dayton praised her as "extremely intelligent, quick to learn and always open to hearing others' views." She was also dubbed the "velvet hammer" by the mayor of Minneapolis for her ability to work across the aisle but also to get tough when she needs to be. Those are precisely the kinds of qualities that make an effective Senator. The people of Minnesota are lucky to have Senator SMITH, and we look forward to welcoming her in our next caucus.

We also look forward to welcoming Senator DOUG JONES—the first Democrat from the State of Alabama in a quarter century. He, too, represents

the very best of public service, the very best of America, and the things we aspire to in this country. One story from his biography stands out. As a second-year law student, DOUG JONES skipped class to attend the trial of the Klansman ringleader of the 1963 bombing of the 16th Street Baptist Church, an event that shook the conscience of our country and helped launch a mighty movement for civil rights. That day a young DOUG JONES was moved by the disposition of justice, but he was left with the impression that other members of the conspiracy had escaped the reach of the law. So 24 years later, when DOUG JONES became the U.S. attorney for the State of Alabama, he pursued charges against two more Klan members involved in the bombing, winning their conviction and delivering a long-delayed but righteous justice. With his work, justice rolled down like a mighty stream. He will continue to fight for civil rights and many other issues here in the Senate. I know he cares deeply about the CHIP program, which covers 150,000 young Alabamians. I hope we can get that done for his State and this country very soon.

DOUG JONES was an excellent candidate. Like Senator SMITH, he will make an outstanding Senator—she for the State of Minnesota and he for the State of Alabama. The voices of JONES and SMITH will add to the diversity of energy of our caucus. I predict that both will become influential voices in this historic Chamber.

Each of their States had great football victories this weekend, I might add. I watched Alabama win over Clemson—sorry, LINDSEY and TIM. I watched Minnesota, my favorite team outside of the three New York teams, come in second in the whole NFC, and it got a bye week as we moved to the playoffs. So it is a great day for these two States in a whole lot of ways this weekend, and it is very good so far in 2018 with the swearing in of these two Senators.

#### A NEW DIRECTION

Mr. SCHUMER. Mr. President, in the second half of the 115th Congress now, let's talk a little bit about a new direction. Let the induction of these two Senators this afternoon be the beginning of a new direction for the Senate in the second half of this Congress.

The first half of the 115th Congress was not a year to be proud of. Partisan legislation emerged from the majority leader's office and was dropped on the floor of the Senate, sometimes merely hours before we were asked to vote on its final passage. Procedural gimmicks were used to avoid the Senate's long history of debate and bipartisanship. An economy wracked by unfairness and inequality was made even more unfair and more unequal by the Republican majority, which almost delighted in revoking consumer protections to help big business, installed a pro-corporate Supreme Court, drove up healthcare

premiums, and passed a tax bill dramatically skewed to the benefit of big corporations and the very wealthy. All in all, 2017 was a great year for wealthy Republican donors but a lost year for the middle class and the working men and women of this country.

We Democrats hope this year is different—focused on the middle class rather than the rich and powerful, focused on helping them in the ways we have done in the last decades, with both Democratic and Republican Presidents, rather than this trickle down that benefits the few at the top and does not benefit the very many in the middle.

In these first few weeks, we have a chance to start off on the right foot. We have 2 weeks to negotiate a budget deal that also must address a host of other issues, including CHIP, community health centers, disaster aid and, of course, the Dreamers.

Democrats would also like our country to make a downpayment on urgent domestic priorities like combating the opioid epidemic, a scourge that for the first time helped cause our life expectancy to decline because of the higher death rate from opioids.

We want to improve veterans' healthcare. They served us, and we must serve them. We must shore up pension plans for millions of hard-working, middle-class Americans who put money in every month and, because of the stock market crash and sometimes corporate misdeeds, aren't getting what they put in for. These items are crucial to the middle class.

Take opioids, for example. In 2016, a record 63,000 Americans died of drug overdoses, and two-thirds or more were opioid-related. It is a full-fledged epidemic that strikes the rich, the middle class, and the poor alike. It strikes urban America, suburban America, and rural America alike.

I had a father cry in my arms because his son a had decided to turn himself around and signed up for a treatment program, but the line was so long because the funding is so scarce that the young man died of an overdose before he could enter treatment. The opioid crisis is stealing our youth. We have known about it for years. It is not new. It is heartbreaking how much we know about it, but how little we have done about it.

The American people sent us here to do the Nation's business. That means addressing its greatest challenges. So let's make a real investment in this budget deal and how we treat this scourge. The budget is the right place to start.

A few years ago, we made a promise to hundreds of thousands of children who were brought to the United States through no fault of their own that if they registered with the government, we wouldn't deport them. We said: We want you to be Americans, learn in our schools, work in our companies, serve in our military. So 800,000 Dreamers came forward and did that because,

above all else, they wanted to be Americans. They don't know another country.

Now we are faced with a deadline. In a few months, protections for Dreamers will evaporate. A thousand Dreamers are losing protected status each week. It is time that Congress passed DACA protections into law and fixed this once and for all.

Democrats, including myself, led by our great Senator from Illinois, a member of our leadership team, Mr. DURBIN, have said over and over again: We are ready to negotiate a reasonable package of border security to pass alongside DACA. We believe in border security. We want to make it work. We want to make it real, not just be symbolic; we believe in it. If our Republican colleagues and the President engage in good-faith negotiations without unreasonable demands like an absurdly expensive, ineffective border wall that many Republicans publicly oppose—and privately many more do—I don't doubt we can reach an agreement on DACA that is acceptable to both sides. I would like to thank our Acting President pro tempore for his active involvement in this regard as well.

In contrast to a year of chaos and ineffectiveness—a year in which little was accomplished, and what was done was done for the wealthy and the narrow special interests—I hope this year can be one of bipartisanship, focused on improving the stock of the middle class. They are the ones hurting in America. They are the ones who need help. They are the ones who worry about the future of this grand, wonderful country.

We can start on the budget with opioids, veterans' healthcare, pensions, children's health insurance, and disaster aid. We can resolve the fate of the Dreamers and say to these hard-working kids that America has a place for them too.

Later today, the four congressional leaders will meet with Budget Director Mick Mulvaney and representatives of the White House to begin these negotiations in earnest—I hope—and will work for their success.

#### FOREIGN POLICY AND PRESIDENTIAL MORAL AUTHORITY

Mr. SCHUMER. Finally, a word on national security. The Senate has a role in conducting the Nation's foreign policy, but as head of state, the President of the United States represents our country to the world. That is a very serious and very sober responsibility that requires restraint, intelligence, sound judgment, and a respect for the moral authority that comes with the awesome responsibility of being the world's sole remaining superpower.

Over the course of the past year, President Trump, unfortunately, has progressively squandered the moral authority that comes with the Presidency

of the United States—a moral authority that this country has taken generations to build, that helps us bring a light to the world and helps us economically in every other way, as the world has always looked up to America and our ideals.

Unfortunately, that moral authority is declining under President Trump's leadership—and declining rapidly. It may have reached the low point yesterday when President Trump, in tweet after tweet, offered a very poor representation of the United States to the world. More than that, President Trump's "foreign policy by tweet" is doing serious damage to the country. While we have serious issues to address abroad, President Trump seems happy with macho boasts and belligerent threats that get us nowhere. If any one of us were in a classroom with someone who behaved as President Trump has, we would ostracize them; we would straighten them out. We don't hear a peep from the vast majority of our Republican colleagues about this, many of whom are hawks.

We have serious issues to address abroad. President Trump's "foreign policy by tweet" will not advance our standing in the world. It will not reassure our allies or other nations that it is better to work with us than against us. What it will do—what it has already done, unfortunately, is unsettle our allies and embolden our adversaries. What it will do is cede leadership in the world to China, which is eagerly awaiting every opportunity to drive a wedge between our country and other countries around the world. Without a steady and reliable hand at the helm, our allies may be uncertain that they can continue to trust the United States to honor our commitments and maintain a steady course.

China and Russia are rushing to fill the void left by an unsteady United States. President Xi of China aspired to this position of being a world leader in his new year's speech when he said that China, not the United States, would be the "keeper of the international order" in 2018. If President Trump continues snubbing our allies, recklessly threatening other nations, and showing leadership on the world stage that can only be described as puerile, the world may look to Beijing, not Washington, for international leadership.

Again, I repeat: Where are our friends, the Republican hawks, who have been so concerned about America's leadership in the world, who have decried the fact that President Obama did not do enough for that leadership? If he were here, my dear friend, Senator JOHN MCCAIN, would typically stand up and speak about this, and hopefully he will be back soon to do so. But for the rest of my Republican friends, I would say with sincerity—not with partisanship, but out of love for the country and the leadership we have shown for decades and decades—that our Republican friends should, please,

tell the President: Stop tweeting; start leading.

We are almost through a calendar year of the Trump Presidency. President Trump can no longer be given the benefit of the doubt that comes with learning one of the toughest jobs in the world. My Republican colleagues should not be given a pass by the American people if they fail to speak out or take action against this behavior. Their silence, unfortunately—I have to say, I feel this sincerely—is complicity in the degradation of the Presidency and the power of this country.

The American people expect our President to represent the United States with dignity and strength. That is not what we saw yesterday. It is time we all start speaking out against it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Democratic leader.

#### LETTER OF RESIGNATION

Mr. SCHUMER. Mr. President, I ask unanimous consent that the letter of resignation from Lieutenant Governor SMITH to Governor Dayton be printed in the RECORD.

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

STATE OF MINNESOTA,  
LIEUTENANT GOVERNOR TINA SMITH,  
*Saint Paul, MN, December 28, 2017.*

Hon. MARK DAYTON,  
State Capitol,  
*Saint Paul, MN.*

DEAR GOVERNOR DAYTON: Effective 11:59 p.m. January 2, 2018, I hereby resign the Office of Lieutenant Governor of the State of Minnesota. It has been an honor and privilege to serve the people of Minnesota.

Sincerely,

TINA SMITH,  
*Lt. Governor.*

Mr. SCHUMER. I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Illinois.

#### FUNDING THE GOVERNMENT

Mr. DURBIN. Mr. President, it has been less than 2 weeks since we convened in the Senate, and those of us who have returned to the floor of the Senate may not notice any change, but there is a significant change. If you take a close look, one desk has moved from that side of the aisle to this side

of the aisle. There are currently 49 Democratic Senators after the swearing in of our colleague, Senator DOUG JONES of Alabama. Now it is 49 to 51. It is almost as close a break as you can expect or even anticipate in a deliberative body.

It is an indication of more than just the acquisition of one additional Democratic Senator. We are moving closer and closer to parity, closer and closer to one another, and, I hope, closer and closer in solving problems. I think that was a message of the Alabama election; among other things, the American people want to see us work together. They have given us 49 and the Republicans 51. I think they expect that to be a signal that we should finally sit down and do something to solve the problems facing our great Nation. I feel that as I go home—of course, I run into my loyal Democratic friends who have their own political views, but the vast majority of people say: Can't you work together and solve something? Can't you do something for this Nation? I believe we can, and this month we must.

You see, on January 19 there is a deadline looming. It is only a couple of weeks away. On January 19, we have to make some very momentous, historic decisions about the rest of this year and beyond. One of those is where we will spend the taxpayers' dollars. How much will we spend on the defense of our Nation? How much will we spend on other agencies, which, I would add, also defend our Nation? That has to be decided by 60 votes. Do the math. As whip on the Democratic side, I have said that I learned basically all I needed to know about this job in the first grade. I learned how to count to 60.

On January 19, we need at least 60 Senators to agree on the spending program for this country moving forward, not just the Department of Defense but the Department of Homeland Security, the FBI, the Department of State, and so many other critically important agencies.

The second thing we need to do is long overdue. The fiscal year, the operative fiscal year for the Federal Government starts on October 1. We are a long way from October 1, 2017. We still don't have a budget. We still have not brought the appropriations bills to the floor of the Senate for consideration.

I am not going to be partisan about this. We failed as Democrats in bringing those appropriations to the floor in a timely manner as well. We have to do something about this process, but we certainly have to face the reality that we are steaming through this fiscal year without a budget. We have taken last year's budget and continued to live by last year's budget. Reflect, for a moment, if you did the same thing for your family. If you were determined to spend in January of 2018 exactly what you spent in 2017, you would think to yourself: That makes no sense. The utility bills are different. I may have a different mortgage payment. A lot of

things have changed. But we can't change until we pass a budget bill. That, too, is facing a January 19 deadline. Again, it will require 60 votes.

Here are two major issues—the caps on spending and the budget for our government, which need to be passed by January 19 on a bipartisan basis. It is time to come together and face not only those two overarching issues but the long litany of issues that Senator SCHUMER, the Democratic leader, raised in his opening remarks.

There are so many other elements—the Children's Health Insurance Program, affecting tens of thousands of kids in my State of Illinois. They told me when I was home: Senator, we are running out of money to provide basic medical care for kids across America. Why haven't you done your job to reauthorize this program, as well as the program for community care clinics? These clinics are critically important for healthcare for thousands of families in my State and across the Nation.

There is one more issue that I am going to raise, as I have so many times, standing in this particular place on the floor, and that is the Dream Act. The DREAM Act is a bill I introduced 16 years ago to give young people brought to the United States as infants and toddlers and children—they have grown up in this country, have no serious criminal issue they have been involved in, and have graduated from our schools—a chance for a future in America, the only country they have ever known. They are the Dreamers.

President Obama gave them a chance with an Executive order called DACA. He said: You can come forward, submit a \$500 filing fee, go through a criminal background check, and we may give you—it is our decision—2 years of temporary protection to stay in this country. You can work in this country, stay here without fear of deportation on a 2-year basis. So 780,000 young people stepped forward and did that and were approved. Now they are working across America, and 900 of them serve in the U.S. military. They are undocumented by legal standards, but they have sworn their loyalty to this country and are willing to die for this country. What more could we ask of a young person to prove their loyalty to that flag and to this Nation? Nine hundred of them are now protected by DACA.

Then President Trump announced on September 5 of last year that he was going to eliminate that program, eliminate that protection as of March 5 of this year. The clock is ticking; the days on the calendar are turning. There are 900 in our military; 20,000 are teachers across America in grade schools, elementary schools, and high schools—at all levels—and 20,000 of them protected by DACA will lose their ability to teach starting on March 5 of this year because of President Trump's decision and his announcement.

He challenged us. He said: Look, I don't like this Executive order by the previous President; now pass a law. Pass a law and do something about it.

He asked us to do that months ago, and we have done nothing—nothing. I believe that by January 19, we need to take this up as one of the critical issues on our agenda. It is absolutely essential.

Let me add as well that this President has been critical of immigration. I couldn't disagree with him more. He has taken an approach toward immigration that I believe denies the very basis and foundation of this great Nation.

I have said it before, and I say it with pride: I stand here on the floor of the U.S. Senate representing the great State of Illinois, the son of an immigrant to this country. My mother was brought here at the age of 2—she was a Dreamer in her era—and she grew up in America, raised a family, and had a son who was sworn in to the U.S. Senate. She lived long enough to see that. That is my story. That is my family's story. That is America's story. Sometimes I wonder if the President has heard that story or paid attention to it.

Immigration has been at the heart of who we are as Americans. The diversity of this great country, when it has come together in citizenship, has been a force to be reckoned with around the world throughout history. I still believe that as much this day as I have ever believed it.

I may not be able to convince the President, but President Obama and others did plead with him to think about these young people, these Dreamers, those protected by DACA. Do you know what President Trump said about the Dreamers? Do you know what he said in one of his famous—sometimes infamous—tweets? He said we should “show great heart.” “Show great heart,” President Trump said, to these young people.

That is why I am here today making this statement on the floor—it is not a long speech; I have spoken many times in the past—to plead with my colleagues on both sides of the aisle, in this closely divided Senate, to get this job done before January 19—not just for the 780,000 who took advantage of President Obama's Executive order but for those who were eligible and afraid. There were many thousands who were eligible for this program but afraid to sign up for it, to turn themselves in to the government, and they held back. They are eligible. There is nothing to disqualify them otherwise. Let's give them the same opportunity to be part of the future of this great Nation. That is what I believe we can do and should do.

There are 49 Democrats and 51 Republicans—carefully divided. Can enough of us meet in that aisle to create a real majority, a bipartisan majority, to solve this? I am convinced we can, as Senator SCHUMER said earlier. Our Acting President pro tempore has weighed in on it, and I thank him for his efforts, his personal efforts, on this issue. We have had long meetings. Sometimes we agreed, sometimes we

didn't agree, but that is the nature of the Senate, the nature of compromise, and the nature of a process that the American people are begging us, Democrats and Republicans, to engage in, in a positive way by January 19 of this month.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, before the Democratic whip leaves the Chamber, I want to thank him for his leadership, his perspicacity, his determination on the issue of the Dreamers.

It is this Senator's hope that come January 19, when so many issues that were outlined by the Democratic leader all come to a head and have to be decided in order for the Government of the United States to stay open, that one of the issues that will be addressed will be allowing the Dreamers to stay in this country legally, the only country they have ever known. So many of us are grateful for Senator DURBIN's leadership on this issue.

We hope that in the spirit of unity, which has escaped this Capitol of the United States—that suddenly there will be a spirit of unity to do the right thing in a bipartisan way and that we will be joined by our colleagues on the other side of the aisle—now down to 51, as Senator DURBIN has pointed out. This should not be a partisan issue; this should be an issue of right or wrong for the Dreamers to be able to stay in the country that they know as their home.

I thank Senator DURBIN.

#### NET NEUTRALITY

Mr. NELSON. Mr. President, I would like to speak about net neutrality. If you don't know what that means, you really do when prompted because it means that when you turn on your phone, you go on the internet and you decide what you want to see, and what you want to see—or hear in the case of video—you have the right to have that access and to have it as speedily as any other content that is offered on the internet.

Entrepreneurs who are working out of the garage of their family home and who have a new idea and suddenly want to get it on the internet—because they are financially impaired since they are just starting out, they should have an opportunity, just as the big boys do, to get their ideas on the internet.

Within the obvious boundaries of what is appropriate in language, et cetera, you have a right to get the content that you want and to get that content unimpeded on these tablets we carry around in our pockets. That right to get that content is threatened, and it is threatened because the Federal Communications Commission, on a partisan vote of 3 to 2, has completely overturned the previous rules that had been set on a partisan vote the other way of 3 to 2.

At the end of the day, what it means is that those of us in this Chamber, led

off first by the Commerce Committee, are going to need a legislative solution, but in the meantime, chaos has been thrown into the system. Now, as a result of the previous year's rules having been completely reversed, they are going to be all tangled up in Federal court, and we are going to go on and on and have this fight.

What I want to call to the attention of the Senate today is that in the process of the new rulemaking that resulted in this 3-to-2 vote that has upended everything—the process itself was flawed.

Now, mind you, on net neutrality, the public has no ambiguity on this, as reported by the Wall Street Journal, as reported by MSNBC.

Mr. President, I ask unanimous consent that a Wall Street Journal article from December 13, 2017, be printed in the RECORD.

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

[December 13, 2017]

WSJ—FAKE COMMENTS HIT RULE MAKING—PHONY SUBMISSIONS TARGET NET NEUTRALITY  
(By James V. Grimaldi and Paul Overberg)

A comment posted on the Federal Communications Commission's public docket endorses a Trump-administration plan to repeal a "net neutrality" policy requiring internet providers to treat all web traffic the same.

Calling the old Obama-era policy an "exploitation of the open Internet," the comment was posted on June 2 by Donna Duthie of Lake Bluff, Ill.

It's a fake. Ms. Duthie died 12 years ago.

The Wall Street Journal has uncovered thousands of other fraudulent comments on regulatory dockets at federal agencies, some using what appear to be stolen identities posted by computers programmed to pile comments onto the dockets.

Reports earlier this year of fraudulent comments on the FCC docket prompted the Journal to investigate the phenomenon there and at other federal agencies. After sending surveys to nearly 1 million people—predominantly from the FCC docket—the Journal found a much wider problem than previously reported, including nearly 7,800 people who told the Journal comments posted on federal dockets in their names were fakes.

The Journal found instances of fakes that favored antiregulation stances but also comments mirroring consumer-groups' pro-regulation talking points, posted without permission of people whose names were on them.

Such distortions, often unknown even to the agencies involved, cut against an important element of democracy, the public's ability to participate in federal rule-making. The public-comment process, mandated by law, can influence outcomes of regulations affecting millions.

It is a federal felony to knowingly make false, fictitious or fraudulent statements to a U.S. agency.

The scope of the fake comments is evident on the FCC website in 818,000 identical postings backing its new internet policy. The agency is expected on Thursday to roll back President Barack Obama's 2015 rules, which telecommunication companies have called onerous. Consumer groups and Internet giants such as Alphabet Inc.'s Google and Facebook Inc. back the Obama rules and have fought efforts by FCC Chairman Ajit Pai to nix them.

In a random sample of 2,757 people whose emails were used to post those 818,000 comments, 72% said they had nothing to do with them, according to a survey the Journal conducted with research firm Mercury Analytics.

"It makes me feel like our democracy is broken," said Jack Hirsch, chief executive of software startup Butter.ai, who learned from the Journal his name was on a fake submission supporting the Trump-administration position, which he opposes, saying it would harm his San Francisco firm.

Agencies generally accept public comments via email, mail or hand delivery. Some let people post directly onto their websites. Some require registration first or collect comments and then publicly post them later.

The Journal heard from people reporting fraudulent postings under their names and email addresses at the FCC, Consumer Financial Protection Bureau, Federal Energy Regulatory Commission and Securities and Exchange Commission.

One 369-word comment supporting the Obama-era net-neutrality rules was posted on the FCC website more than 300,000 times. One of those was attributed to Gloria Burney, 87, a retired speech therapist in Los Angeles. She isn't in favor of repealing those rules, she said, "but I never wrote that."

A comment from "Elzor The Blarghmaster" at 9632 Elm Road, Maywood, Ill., was among the 818,000 identical FCC comments backing the Trump policy. No such address could be found, said Jimmie Thompson, a U.S. Postal Service carrier in Maywood.

Comments filed with the SEC on the proposed sale of the Chicago Stock Exchange include one submitted by "Jason Blake, commentator, The Wall Street Journal." The Journal has had no employee by that name, Journal spokesman Steve Severinghaus said.

The SEC said it removed the comment. Asked what it does to verify commenters' identities, the SEC said letters not attributable to known people or entities "are assessed during the course of the rule-making process."

CFPB spokesman John Czwartacki said: "Director [Mick] Mulvaney is concerned about any inauthentic data that comes to the Bureau. We intend to look into this matter further." An agency official said the bureau doesn't verify each comment and doesn't require commenters to submit the type of information that might assist in authenticating their comments.

FERC spokeswoman Mary O'Driscoll, asked what the agency does to verify commenters' identities, said: "If someone believes that they have been misrepresented in comments filed with us, they should contact us to let us know."

FCC spokesman Brian Hart said questionable comments on its net-neutrality rule included some "submitted in the name of Superman and Batman, among others. These comments, however, are generally not substantive so thus have no impact on a rule-making." Asked what the FCC does to verify identities, he said: "We err on the side of keeping the public record open and do not have the resources to investigate every comment that is filed."

Under the Administrative Procedure Act, agencies must take comments under consideration but needn't pay heed to them. The impact often comes afterward, when the regulated parties appeal to the next administration, the courts or Congress, which can alter a rule or slow its implementation. Failure to consider comments has become a factor in litigation, with judges sometimes forcing an agency to address comments it ignored.

"Astroturf lobbying"—typically when an interest group gins up support from individ-

uals and characterizes it as a grass-roots movement—has been around Washington for decades.

Agencies were already swamped with comments from these mass emailings of duplicate comments, which aren't considered fraud if groups submitting them have authorization from individuals named. The CFPB last year had such a hard time managing the 1.4 million comments on its payday-lending rule that it fired one contractor and hired a new one to process them, according to internal emails released under the Freedom of Information Act.

As with many agencies, the CFPB opts not to put many of the duplicative comments online. It posted 200,000 "unique" comments out of the 1.4 million on its payday-lending proposal.

But postings the Journal uncovered went beyond being merely duplicative. They included comments from stolen email addresses, defunct email accounts and people who unwittingly gave permission for their comments to be posted. Hundreds of identities on fake comments were found in an online catalog of hacks and breaches.

While many fakes were anti-regulatory, the Journal also found pro-regulatory comments on the FCC and FERC websites where people said they didn't post them. In most of those cases, the people surveyed said they agreed with the comments, indicating that while they didn't authorize them, a group or individual might have had their names in a list of like-minded people, possibly from the organization posting it. Some of these people said they were angry that someone who had access to their email address would post it, even though they agreed.

The largest number of comments the Journal confirmed as phony were to the FCC, one of few agencies to routinely post email addresses with comments. Its net-neutrality rule has generated 23 million comments.

Suspicious of fakery in net-neutrality comments emerged in May, when thousands of emails poured into the FCC after HBO's "Last Week Tonight with John Oliver" urged viewers to support the Obama policy. They were followed by thousands backing repeal.

Chicago programmer Chris Sinchok said he spotted a sharp increase in comments that began: "The unprecedented regulatory power the Obama administration imposed on the internet is smothering innovation."

He found a near-constant rate—1,000 every 10 minutes—punctuated by periods of zero comments, as if web robots were turning on and off. He determined many were from hacked accounts.

After Mr. Sinchok and a pro-net-neutrality group, Fight for the Future, blogged that they found indications thousands of FCC comments might be fakes using stolen identities, New York Attorney General Eric Schneiderman in May began a criminal investigation.

The Journal examined those "unprecedented regulatory power" comments. Duplicates of it exceeded any other comment, according to Quid Inc., a San Francisco tech firm that analyzes massive amounts of content and studied the data at the Journal's request.

The comment has been posted on the FCC website more than 818,000 times. The Journal sent surveys to 531,000 email accounts associated with that comment. More than 7,000 bounced back, the accounts defunct. Of the 2,757 who responded, 1,994, or 72%, said the comment was falsely submitted. The survey's margin of error was plus or minus 1.86% points.

The survey's results are "a very significant indication of fraud," Mercury Analytics CEO Ron Howard said. "Generating tens and



sometimes hundreds of thousands of fake posts on public comment websites for the purpose of swaying public opinion and impacting the opinions of political decision makers is wide-scale," he said, "not limited to a party, not limited to an issue."

Though a majority of those who responded agreed with the comments attributed to them, many were alarmed their identities had been misappropriated.

"How the hell is this possible ??????" Jessica Lints of Blossvale, N.Y., wrote the Journal. "And if these people are so damn concerned about this issue that I know nothing about why are they not using their own names?" Mrs. Lints, an assistant Boy Scout scoutmaster, said she is careful about not expressing political opinions.

The Journal also examined 2.8 million of the 23 million comments in four clusters and sent surveys to 956,000 of those addresses—including the 531,000 sent to the "unprecedented regulatory power" commenters—seeking to verify the people made the comments.

Based on the responses, three batches expressing anti-regulatory viewpoints were 63%, 72% and 80% bogus comments. The fourth set, in favor of the old rules, was 32% bogus.

Mr. Hart, the FCC spokesman, said the "most suspicious activity has been by those supporting Internet regulation." He said the FCC received more than 7.5 million comments consisting of the same short-form letter supporting the current rules, "all generated by a single fake e-mail generator website." He said the FCC received more than 400,000 comments supporting the old rules "from the same address in Russia."

A review of the FCC comments by data-analytics firm Emprata determined that 36% of the docket, 7.75 million comments, were attributable to FakeMailGenerator.com, a site that generates one-time emails and can't receive emails. The analysis was commissioned by a group of telecommunications firms that support the Trump-administration proposal.

These contained nearly identical comments, virtually all opposing the proposal, Emprata said. Emprata CEO Paul Salaszyk said "our analysis was conducted in an independent fashion." Efforts to locate FakeMailGenerator.com representatives weren't successful.

Reports of the fake FCC comments have led some lawmakers to demand probes. After Fight for the Future said it found about 24 people saying they hadn't posted the "unprecedented regulatory power" comment, Rep. Frank Pallone Jr. of New Jersey asked the Justice Department to investigate those comments as criminal acts.

The Justice Department hasn't responded to the request, Mr. Pallone's spokesman said. Justice spokeswoman Lauren Ehrsam confirmed the letter was received, declining to comment further. Mr. Pallone and 10 other members last week wrote the Government Accountability Office seeking an investigation. The GAO said it already had plans next year to begin examining the FCC's information-security controls, including over internet comments.

It is difficult to determine who is behind phony comments. The Journal found clues in data embedded in online documents, which showed more than 4,000 fake comments had been submitted to the CFPB through IssueHound, a Richmond, Va., firm. It charges interest groups to use its software and create websites to gather hundreds and thousands of like-minded people to write unique comments or send pre-written statements to lawmakers and regulators. Its website says it "randomly selects related paragraphs and generates unique letters."

Jay Thomas Smith, an IssueHound spokesman, said clients "use our program because it affords greater flexibility for letter-writers, more accurately expressing the writer's views on an issue," adding that the software "requires human input." He declined to comment on CFPB-rule work.

IssueHound played a role in anomalies the Journal found on the CFPB's site seeking comment on its proposal to tighten payday-lending rules, set to take effect July 2019.

Quid reviewed the 200,000 "unique" comments the CFPB posted on its payday-lending proposal. They weren't entirely unique. More than 100 sentences opposing the payday rule each appeared within more than 350 different comments.

This sentence was embedded in 492 comments: "I sometimes wondered how I would be able to pay for my high power bill, especially in the hot summer and cold winters."

The Journal emailed about 13,000 surveys to those posting comments to the CFPB site. About 120 completed surveys. Four out of 10 said they didn't send the comment associated with them. These comments opposed the new regulations.

Ashley Marie Mireles, 26, said she didn't write the comment posted on the CFPB's website under her name but had clues how it got there. Her former employer, payday lender California Check Cashing Stores, told branch personnel in Clovis, Calif., to fill out an online survey after too few customers did, she said. In the survey, she said she received a payday loan for "car bills." She had borrowed \$50 to patch a tire.

On July 8, 2016, a 217-word comment with Ms. Mireles's name and email was sent to the CFPB, reading, in part: "I had no idea the bill would be as expensive as it was after I took my car to the shop. To help me pay for everything, I went to get a cash loan." Untrue, she said. Her family owns an auto shop where she doesn't pay.

Bridgette Roman, spokeswoman for California Check Cashing, denied Ms. Mireles' account, saying customers were offered a computer that walked them through creation of "a customized comment" on the rule and were told it would be submitted to the CFPB. "The former employee was mistaken or confused."

Ms. Mireles's comment showed it originated from IssueHound and TelltheCFPB.com, a site used by a payday-lending trade group.

The trade group, Community Financial Services Association of America, used IssueHound and TelltheCFPB.com to send comments on the payday-lending rule, said Dennis Shaul, the group's CEO. Told of the Journal findings, he said: "We cannot begin to speculate as to why that is." He said he had asked member lenders not to use coercion or gimmicks in the campaign and that they generated tens of thousands of handwritten notes. "I'm very disappointed to hear this, and it is not at all the outcome we expected."

IssueHound's Mr. Smith said: "There is little more I can say about the letters as we simply license the platform."

The late Ms. Duthie's phony comment was among copy-and-paste-style comments that dominate the FCC docket.

One under Ms. Duthie's name was submitted with the email address of her ex-husband, Peter Duthie. It began: "FCC: Hi, I'd like to comment on Internet Freedom." That sentence, including two spaces after the colon, opened 974 comments.

Mr. Duthie said he didn't submit it. He did file, he said, a comment opposing the Trump-administration plans.

Mr. NELSON. This article points out that net neutrality is widely popular.

Eighty-three percent of the American public supports net neutrality. The other 17 percent—some of them say they don't. I don't know how they don't. But it is a pretty overwhelming majority—83 percent. But even among Republicans in the surveys that have been done, 76 percent of self-identified Republicans say they support net neutrality.

Here is the flaw in the process the FCC used. Twenty-four million comments came in from supposedly "Americans" that were filed either for or against the rulemaking. There is a problem in this record that was built because 2 million of those comments featured stolen identities. It was not a real person; it was somebody else's identity. Some of those identities were people who have long since died. Half a million comments were from Russian addresses. Fifty thousand consumer complaints were inexplicably missing from the record.

Let's take the part about Russian addresses. Is this beginning to tell us something that we know—that there was Russian interference in the last election? We also know from our intelligence community that there was Russian entrance into the voting records of some 20 States. Now we are seeing the Russian influence enter into the making of law—in this case, the rulemaking—trying to influence comments, whether they were comments for the rulemaking or against the rulemaking. It is another indication that Russia indeed is intending on distorting and influencing the daily operations at the microscopic level—not at the level of an election of a President but at the microscopic level of influencing the development of rules to carry out laws—in this case, a rule that the American people feel quite strongly about. Eighty-three percent are in favor of net neutrality—the opposite of what the Republican majority on the FCC has enacted.

Now we have at least 19 State attorneys general who have raised concerns. They even wrote to the Federal Communications Commission asking that the agency hold off on its vote to eliminate the net neutrality rules, which the Republican Chairman and the FCC majority promptly ignored. The FCC is refusing to even work with law enforcement to get to the bottom of this issue.

Shouldn't the fact that there are Russian bots and people, directed by the Kremlin, trying to influence our government processes—shouldn't that be something we ought to be working on with law enforcement?

Well, I am going to continue to raise this issue over and over, whether it is this agency's—the FCC's—rulemaking or other agencies' rulemaking, which is chronicled in this Wall Street Journal article that has been printed in the RECORD. This is deadly serious business because this is our democracy.

We have to have the ability to operate in good faith that information that we are getting is accurate information.

When we see this kind of evidence, we know there is a flaw in the system, and that flaw might actually have its source in a person named Vladimir Putin.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### OFFSHORE DRILLING REGULATION

Mr. NELSON. Mr. President, on December 28, just 3 days after Christmas, the Department of the Interior and this administration sent the oil industry a belated Christmas present. They published a proposal to release offshore drilling companies from sensible rules designed to prevent a tragedy like the one we experienced back in 2010, the Deepwater Horizon oilspill, when 11 people lost their lives and almost 5 million barrels of oil were spilled as a result of a defective device called a blowout preventer. There were 5 million barrels of oil sloshing around in the Gulf of Mexico, much of which is still out there down at depths of 5,000 feet, where the actual well pipe came out a mile underneath the surface of the Gulf of Mexico.

Of course, we know the economic damage that did all up and down the Gulf of Mexico. The explosion was some 50 or 60 miles off of Louisiana, but the winds shifted and started blowing the oil to the east. It got as far east as Pensacola Beach, and those sugary white sands were covered up with black oil. The Associated Press and UPI photographs went around the world. The winds continued, and it went as far as the white sands of Destin. Tar balls floated as far east as the white sand beaches of Panama City Beach, and then the winds shifted and brought it back the other way. People all over the world, seeing the photographs, thought oil was on all the beaches of the gulf coast of Florida, and they did not come. The tourists did not come.

Now, I haven't even spoken about the economic and environmental degradation that occurred throughout the entire gulf and the fishing industries. Of course, the administration has proposed to now do drilling off the east coast of the United States, including off the coast of the State of the Presiding Officer. A number of us have come together who don't think that matches with our tourism industry. It certainly doesn't match with regard to our fishing industries, but it also does not match with the U.S. Department of Defense's training and testing mission.

If we look at the gulf coast off of Florida, the only place it is off limits in law is the largest testing and train-

ing area for the U.S. military in the world, but if you go up and down the Atlantic coast of the Eastern Seaboard, you will see training range after training range, and you get as far south as the Central East Coast of Florida and, lo and behold, is that area of protection for not only the U.S. Department of Defense but for NASA and other agencies. That is where we are rocketing our satellites into orbit, of which the first stages have to have a place to land. That is where, when we had the space shuttle—and soon we will be rocketing American astronauts to the International Space Station on American rockets. Many of the first stages will fall into the Atlantic Ocean below, just like the solid rocket boosters did on the space shuttle when it launched.

So there are reasons not to have drilling platforms out there, but let's come back to the Deepwater Horizon oilspill. What happened was deep below the seabed, miles farther into the Earth's crust, pressure had built up and an explosion had occurred. The safety mechanism is right where the pipe comes out of the seabed and goes up 5 miles to the surface to deliver oil.

The safety mechanism is a blowout preventer, which is like a huge set of pincers which comes through and cuts off the pipe. If that blowout preventer preventing the blowout of the well is defective—as it was in the BP oilspill, where 5 million barrels of oil spewed out 5 miles below the surface of the gulf into the waters of the Gulf of Mexico and rendered the havoc and economic damage it did.

In the turmoil and trauma that ensued, there was obviously a need in the Department of the Interior, in the Bureau of Safety, called BSEE, to change the rules to give additional safety mechanisms to make sure this wouldn't happen again. Lo and behold, there is now a change, and we are starting to see the first attempts at weakening those rules.

Sometimes the issue of regulatory reform feels abstract or arbitrary. This is technical stuff, and it is dry, but the safety standards created after the Deepwater Horizon oilspill are not dull and boring. They are life or death. They were written specifically to make sure families, like those 11 who lost their loved ones, wouldn't have to be notified again that there was a preventable death.

What are these new rules about? They are coming in on the blowout preventer, which is the system to control the flow of oil or to seal an oil well. A blowout preventer is what stands between the enormous pressure that builds up in the oil well pipe and the ocean around it. Its purpose is exactly what the name sounds like. It is to prevent the oil from blowing out into the sea uncontrollably.

It took several months to finally get that well capped 5,000 feet below the surface of the water. These are massive pieces of equipment. The blowout preventer for Deepwater Horizon stood 57

feet tall and weighed over 400 tons. That is how big that thing is. Then there is a piece of the blowout preventer system called a shear ram—a device with two blades that seals off a well in an emergency, and that is what failed to fully close in the BP oilspill.

What the Interior Department in this administration is trying to do is undo the updated standards for shear rams and blowout preventers, and it is trying to get rid of a required third party to certify the safety mechanisms.

Obviously, after what we suffered, it is common sense to have those safety mechanisms, and it means that for a third party to ensure the safety mechanisms by certifying that they are in place—it means that somebody other than the oil company needs to make sure their safety equipment is in place and functioning properly.

These rules require better training for workers, real-time monitoring of deepwater drilling operations, timely reporting of major problems with the equipment, and consistent testing and inspections to increase safety. These rules were also the product of a thorough and transparent discussion by scientists, engineers, industry representatives, agency officials, and the public.

It took 6 years after the spill for the well control rule to be finalized. The Trump Interior Department wants to pull a bait and switch, reversing the safety measures and giving the public a mere 30 days to review a highly technical rule. It took 6 years to develop this rule ensuring the safety devices, and now they have a rule to undo it, and they are going to give 30 days for comments. That is nothing more than a free pass to the oil and gas industry at the expense of everyone else, including folks who work on those rigs, who are going to have to suffer if there is another blowout. There are a lot of other things—communities, marine life, your State's economy, my State's economy, the Gulf States' economies. It is totally misguided and reckless.

Over the past year, President Trump has issued Executive orders cut straight from Big Oil's playbook. He has directed agencies to gut rules designed to protect the environment and the safety of workers if the rules interfered with an oil company's bottom line. That is what this one does. It saves them some \$900 million. He directed Secretary Zinke to reconsider the well control rule, which was finalized in 2016. That rule stemmed directly from what we had learned in the investigation of the 2010 BP spill.

By the way, the agency that issued this proposed rollback is called the Bureau of Safety and Environmental Enforcement. It is separate now from the Bureau of Ocean Energy Management—the agency that schedules lease sales in the Outer Continental Shelf.

Before the 2010 spill, the folks who worked with the oil industry to auction acreage in the gulf were the same people who were in charge of inspecting the rigs later for compliance with the



safety standards. Talk about a cozy relationship. That is why one of the first recommendations from the National Commission on the BP spill was to split those responsibilities into two different agencies—one that schedules lease sales and the other that does the safety. That was a very important step, both to clarify the mission of each agency and to restore public trust in offshore regulators. Yet over the summer, there were reports that the Trump administration wanted to recombine these two agencies. Only one stakeholder group would benefit from that, and you can bet what it is. It is not the consumers. It is not the tourists. It is not the scientists. It is not the environmentalists. It is the oil industry.

Now the Trump administration wants to smack down more recommendations from that investigation. From marine biologists to chambers of commerce, I can tell you, the people in Florida understand how important it is to keep drilling off the coast and, where there is drilling, to make sure the safety mechanisms that were corrected after the BP spill stay in place. But that is not what is happening right here in Washington.

When the Interior Department released this revised rule last week, my colleague, a Republican Congressman from Sarasota, FL, said “It would be a huge mistake to weaken these safety regulations” and that if the Interior Department doesn’t rescind the proposal, Congress should intervene and codify the rules permanently.

He is right, and I agree with Congressman BUCHANAN, my colleague in the Florida delegation who has an “R” behind his name. That is why I plan to subject this misguided rule to the Congressional Review Act.

The Congressional Review Act was once an option of last resort. It was meant to ensure that Congress could override the administration if a rule were widely opposed. In most cases, the Congressional Review Act wasn’t necessary because if Congress opposed a rule strongly enough, there was enough consensus to pass a law to fix it.

At the beginning of this Congress, the CRA was a favorite tool of the Republicans who wanted to take a sledgehammer to the Obama administration’s legacy through the rules that they had enacted. In 2017, the Senate took 17 votes on CRA resolutions of disapproval on everything from bear hunting in the National Wildlife Refuge of Alaska to drug testing of unemployment benefit recipients.

I think this dangerous proposal from the Interior Department deserves the same level of attention. This proposal is open to public comment until January 29. You are not going to get 6 years this time. You will get only 30 days, and it ends January 29. I hope the public understands that and starts registering some complaints.

I hope, during that time, every Floridian remembers what happened to us

when the beaches of Pensacola were blackened with tar and oil and we lost a whole season of our guests—tourists who come to this extraordinary State of natural environment, the beautiful Florida beaches. I hope that every Floridian will remember—whether you were a hotelier, a restaurateur, whether you had the dry cleaners, whether you had the taxi services—when you got hit in your pocketbook; I hope every American who rightly has an interest in protecting our beaches, our oceans, our marine life, decides to write in and complain to Secretary Zinke exactly what he is putting at risk with this proposal.

The Interior Department claims the revised proposal will lessen “unnecessary regulatory burdens”—those are their words—on the oil and gas industry, saving these businesses money. It is estimated it will save \$900-some million for the oil industry. What about all the other businesses that will be hurt by a spill if that blowout preventer doesn’t cut that pipe in two and seal off the well, which was the lesson learned from the BP Deepwater Horizon spill?

Do we want to go back and weaken these rules? The BP spill devastated my State’s economy, and 11 people lost their lives. Louisiana’s bayous were inundated with gooley oil.

I talked to two professors, researchers at Louisiana State University, LSU. They compared the critters that had developed in the bayous where the oil went into the bayous—the same kind of critter, a little fish that is about that big. Their progeny were stunning; they were mentally deformed. They could not act like normal killifish. It is a little fish about that big. They compared it to the bays and the bayous where those killifish hatched and grew in waters without oil sloshing around in those waters. For 87 days, 5 million barrels of oil gushed.

I bet folks don’t even realize there is a spill that is happening right now. As a matter of fact, it has been leaking for 13 years. In 2004, Hurricane Ivan toppled an offshore drilling platform owned by Taylor Energy. Because of the way the platform slid, several of the wells were buried and have yet to be plugged.

We all know it is not a question of if there will be another spill but when—and, oh, by the way, the one that has been going on since 2004. How catastrophic will the next one be? Is it going to be off of the Carolinas? Is it going to be off of Virginia, with all of our military fleet in Norfolk? Is it going to be off of Jacksonville and Mayport, as well as the subbase for our Trident submarines? Is it going to be off of Canaveral, where our commercial government rockets are launched into space, dropping first stages, and where the testing for the Trident submarine that is based in Georgia is done, with the telemetry on the Air Force Eastern Test Range? That is why more than 41,000 businesses on the Atlantic coast

have expressed opposition to drilling in the Atlantic Ocean, and that is why NASA doesn’t want drilling anywhere near the Kennedy Space Center. That is why the Department of Defense has said, time and again, that we should protect and extend the moratorium on drilling in the eastern gulf.

In 2006, bipartisan Senator Mel Martinez, a Republican from Florida, and I passed a moratorium for the eastern Gulf of Mexico, off of Florida, because of the military as well as all of the environmental things I have talked about.

Just at the end of last year, the Air Force came to us. It wants to put \$60 million of new improvements for exquisite telemetry, as we are testing some of our most sophisticated weapons systems in the gulf testing range, which is the Gulf of Mexico, off of Florida, but they don’t want to make that investment of \$60 million to upgrade all of the telemetry unless they have the assurance it is going to be off limits to oil drilling, not just until 2022, which is in the law, but extended another 5 years until 2027.

We cannot get it done. This Senator tried to get it into the Defense bill—an appropriate place. The Acting President pro tempore serves on that distinguished committee, the Armed Services Committee, which is led by JOHN MCCAIN. We couldn’t get it done because of oil interests not wanting to give the Air Force the security that its \$60 million investment on advanced telemetry would be protected for not 5 years from now but 10 years from now.

The only reason the administration wants to take the time to write a new one is, the oil industry wants it to open up a whole lot more acreage to drilling and not just in the gulf; it wants the entire Outer Continental Shelf of the United States—on the west coast and from New Jersey south, as one goes down the States, including the ones I have already mentioned in the Southeastern United States—Virginia, North Carolina, South Carolina, Georgia, Florida.

I don’t think we should expose even 1 acre of Federal waters to drilling until we have strong safety standards in place to protect against another spill, to protect the workers from losing their lives ever again, to protect the environment, to protect the coastal economies that are so dependent on the beautiful beaches, and to protect the national security interests of our testing and training ranges.

It took 6 years to finalize these rules, and now, in a matter of 30 days, comments are out there to undo these rules. That shouldn’t happen. Will other voices in the Senate speak up? It is happening right underneath our noses.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

#### TAX REFORM BILL AND WORK BEFORE THE SENATE

Mr. CORNYN. Mr. President, many recall that Christmas came a little early this year—or, I should say, last month—as we delivered comprehensive tax reform to the American people—a historic overhaul of our Nation's Tax Code and the first since 1986, more than three decades. Since that time, the President has now signed the bill into law, and we have already begun to see signs of how tax reform is transforming the economic landscape across the country and making life better for American citizens.

The New York Times reports that job creators are eager for the tax cuts to take effect and that a wave of optimism is surging among them. That is their quote, the New York Times. They report that businesses are ready to create jobs and raise wages. They will invest in new plants and equipment that will bolster economic growth, grow the economy, and help to create more jobs and improve take-home pay.

It is not just the New York Times that sees optimism spreading. There are plenty of real-world examples that illustrate that as well. One healthcare and home products company announced that in response to the tax bill, it would award all employees a \$100 bonus for each year they have worked for the company. So if an employee has been at the company for 8 years, the average tenure, that would be an extra \$800 in his or her pocket to fix their car, repair a water heater, or replace carpets in their living room.

Two telecom giants recently announced even larger bonuses for hundreds of thousands of their employees, raises of \$1,000 each. Now, it may be that these companies are getting ahead of the game, because in a tight labor market, where unemployment rates are relatively low and where economic activity goes up, we know there is going to be more and more competition for good workers, and that means that employers are going to be required to pay more for those workers in that competition for workforce and labor. So it may be that these companies are a little bit ahead of the game, but I expect to see, whether it is done as these companies have done it or not, in a low unemployment rate scenario where there is more competition for workers because more economic activity is occurring, that more jobs are being created and that we are going to see all workers' take-home pay increase as a result.

These companies have also said that they plan to increase capital spending in response to the tax reform we passed last month. Some banks have said they will raise their minimum wage to \$15

an hour and donate as much as \$400 million to community and nonprofit organizations.

One major airline in my home State of Texas announced that it will give all full-time and part-time employees a \$1,000 cash bonus and make \$5 million in additional charitable donations. They have also said—because they believe there is going to be an increased number of people flying—that they are going to buy more jets, more planes to accommodate that increase in air travel. This is all good stuff when we are looking at getting the economy growing again and creating more jobs and better wages.

Finally, German economists recently released a study finding that the U.S. corporate tax rate will now sharply improve incentives for foreigners to invest in America—exactly what we wanted to happen. Of course, this will come at the expense of high-tax countries in Europe. So just think of it as their loss is our gain, but that is exactly why we felt it was necessary on a bipartisan basis to reduce what was effectively the highest business tax rate in the world, at 35 percent. That is why people like Barack Obama in 2011 called for us on a bipartisan basis to reduce that rate and to make it more competitive, and the Democratic leader, Senator SCHUMER, and others, and Republicans on our side of the aisle all agreed that this was the right policy. Well, now we are beginning to see that policy pay off as a result of the bill we passed in December, which was signed into law on December 22.

I would say that all these examples are pretty telltale signs that the optimism reported by the New York Times isn't fake news. It is real. Tax reform is changing the economic landscape, paychecks are growing, and job creators are responding in all sorts of positive ways. I think that is a terrific way for us to begin 2018.

Now, for all of us who worry about what is going to happen to our individual paycheck, the good news is that the IRS is now working hard to update its withholding guidance documents and, once it does, Texans and Americans, in general, will begin seeing larger paychecks, more take-home pay hopefully as early as February.

Well, that is the good news. That is what we were able to accomplish at the end of last year that will hopefully continue to pay dividends in terms of economic growth and take-home pay and more jobs, but we still have a lot of work to do.

Over the next few weeks, we have a very, very full plate. First and foremost is funding the Federal Government and avoiding a shutdown come January 19, when our stopgap continuing resolution expires. It is crucial that both sides come together to ensure that critical government functions are not held hostage to other demands. High on my list is to make sure that we continue to fund our national security and the Department of De-

fense and continue to pay our warfighters and make sure that they receive the training and equipment they need in order to keep our Nation safe. That is just one of the items, but it is my highest priority.

The second is close to it, and that is making sure we provide natural disaster relief. This last year, we saw what seemed to be an unprecedented array of natural disasters—from wildfires out West to historic rain events like Hurricane Harvey in Texas and Louisiana, and hurricanes in Florida, the Virgin Islands and, of course, Puerto Rico. I commend the House for passing the \$81 billion disaster relief package last month, but with so many record-setting disasters this last year—first and foremost in my mind is Hurricane Harvey in Texas—we, in the Senate, need to take a little extra time to make sure that all of the varied competing interests are accommodated. In the coming weeks, I am going to continue to work with my colleagues to ensure that Texans whose homes, schools, roads, and workplaces were affected by the storm receive the help they deserve and so desperately need. We are not asking to be treated any better than anybody else, but we are not going to accept being treated worse.

We look forward to working together with our fellow Americans in Puerto Rico, in Florida, out West, and, of course, in Texas and Louisiana to make sure that we do our job and treat everybody exactly the same. The House bill is a useful starting point, but it is my hope that we can improve upon it and make sure Texas can fully recover and rebuild.

Third on my list of to-dos is an important national security program that most people may not have heard much about, which allows the Federal Government to obtain communications of foreign intelligence targets, which is set to expire on January 19. One of the technical advantages that the United States has over any other country in the world is our ability to listen to foreign actors and gather intelligence that will forearm our first responders and our national security apparatus, as well as others, to keep our Nation safe.

This particular law, which has been called the crown jewel of our national security by the Director of the FBI, is known as section 702 of the Foreign Intelligence Surveillance Act Amendments Act, an essential safeguard against terrorism and a valuable tool for gathering foreign intelligence, as I have said. We need to work quickly to ensure that it is reauthorized for a long term.

The fourth item on our to-do list is addressing the Deferred Action for Childhood Arrivals Program, or DACA. You will recall that back a few years ago now, President Obama decided to try to unilaterally issue an order providing work permits and legal status to roughly 800,000 children, now adults, who came with their parents illegally

to the United States. While these are certainly the most sympathetic group of people whom we need to address—and I think we can, and we will in a compassionate and honest sort of way—I am grateful to President Trump for returning the fate of this program where it belongs—in the hands of Congress. That is after President Obama's DACA provisions failed in Federal court.

I am confident that both sides can come to an agreement regarding the legal status of these roughly 800,000 individuals who were brought to the country illegally while they were still quite young. That includes 124,000 DACA recipients in my State of Texas alone.

Many of these individuals make valuable contributions and should not be penalized for decisions made by their parents, the legal ramifications of which they could not at such a young age fully understand or consent to. But any such agreement must include corresponding measures regarding an enforcement of our immigration laws.

I think that one of the biggest tragedies in recent years in our country is that the American people have simply lost confidence in their government when it comes to securing the border and enforcing our immigration laws. I believe this provides an opportunity, not only for us to provide compassionate relief to the DACA recipients I mentioned a moment ago but to restore an enforcement of our immigration laws, including border security, the additional personnel, and the technology required in order for us to know who is coming into our country and why they are here and to make sure that they only do so by legal channels.

My hope is that our Democratic colleagues will abandon their threats to shut down the government and will engage with us in good faith, because we stand ready to talk to them and negotiate in good faith as well.

Finally, on my personal to-do list is my goal to pass the bill we call the Fix NICS Act as soon as possible. This is to fix the National Instant Criminal Background Check System that is checked by federally licensed firearms dealers when somebody goes into a store to buy a firearm—whether it is a shotgun to hunt, a pistol to defend themselves, a rifle for hunting, or for home defense. I think it is really important in the wake of Sutherland Springs for us to get this bill passed.

This is the bill I filed after those terrible shootings in Sutherland Springs, which resulted in the loss of 26 innocent lives, with about that same number injured as well. This tragedy was entirely preventable because the individual who committed that heinous act on that day was legally disqualified from purchasing a firearm by the fact that he was a convicted felon, he had been convicted of domestic violence, and he had been committed to a mental health institution. But none of that information was uploaded by the Air

Force into the National Instant Criminal Background Check System.

What did he do when he went in to buy firearms? He simply lied, and he said he had no disqualifying event in his life like those I mentioned earlier—convicted felon, mental health institutionalization, and a domestic violence conviction. He simply lied about it. The background check system failed us and the people who were victims of that terrible day in Sutherland Springs. We need to get that fixed.

This is one of those rare times when folks who are ardent believers in the Second Amendment, as am I, and those who are perhaps less inclined to be enthusiastic about the Second Amendment rights of law-abiding citizens can come together and say: Let's at least fix the current law. Let's make sure that if somebody is disqualified from buying a firearm, this National Instant Criminal Background Check System actually works.

I am delighted to say that Senator MURPHY from Connecticut, Senator FEINSTEIN from California, and Senator SCHUMER, the Democratic leader from New York, have joined me and Majority Leader MCCONNELL and so many others on our side of the aisle to say that this is something we can and we should do. I simply cannot face the prospect of looking into the eyes of somebody who has lost a loved one as the result of a preventable mass shooting incident like we saw in Sutherland Springs. We have the ability here to pass legislation that will save lives and to prevent people who are legally disqualified from purchasing firearms from doing so.

All of these on this list are just a few of the challenges we face as a new year begins. I think these are things we can address on a bipartisan basis. I know we had some tough fights last year on healthcare and tax reform, and our Democratic colleagues seemed disinclined to help at all to work with us to pass those pieces of legislation. I am hoping that with this new year and, hopefully, the optimism that goes along with it, our colleagues will work with us in goodwill for all and a renewed determination to do what is right, not only for the folks we have the honor of representing but for our entire country.

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

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

#### DACA

Mr. DURBIN. Mr. President, on September 5 of last year, Attorney General Sessions announced the repeal of the

Deferred Action for Childhood Arrivals Program, which has been called DACA. The same day, President Trump called on Congress to come up with a solution to "legalize DACA."

The history of this issue I have explained many times on the floor, and I will say it briefly. Seventeen years ago, I introduced a bill called the DREAM Act, which said that if you were brought to the country as an infant, a toddler, a child, and you were raised in America and went to school here, had no problems of any serious nature with the law, that you would be given a chance to become a citizen of the United States.

Many of these children, of course, didn't have a voice in the decision of their families to come to this country, and this is the only country they know. They have gone to our schools. They have graduated from our schools. They stood up in the classrooms of those schools each and every day and pledged allegiance to that flag. It was their flag and their country. Many of them didn't learn until they were in high school, that technically, in the eyes of the law, this wasn't true; they were undocumented. They were illegal in the eyes of the law.

So what I tried to do with the DREAM Act was to give these young people a chance—a chance to become part of America's future and to become, ultimately, earning their way to legalization and earning their way to citizenship. That was the DREAM Act. We have passed it at various times in the Senate. We passed it in the House over the years. We have never done it at the same time, same year.

So I called on President Obama and asked him if he would issue an Executive order and do something to help these young people. He created DACA. DACA said to the young people: Come forward, pay your filing fee, go through a criminal background check, and we will let you stay in America for 2 years at a time, renewable, and we will let you work in this country. Well, more than 780,000 young people did that. They signed up, paid their fee, went through the background check, and received that protection. Then came President Trump who said: That is the end of the program. We are not going to protect these young people any longer.

Well, whatever happened to those 780,000 DACA-protected young people? Many of them are in school, they are in college, law school, medical school. Some of them joined our military. That is it. They went and took the oath and said: I will serve this country. I will bear allegiance to this country. I will give my life for this country in the U.S. military. Nine hundred of them are in the military today.

DACA is going to be eliminated as of March 5 of this year by President Trump, which means they will be asked to leave the U.S. military, to stop this volunteer service to our Nation. Another 20,000 are teachers all across this

country. High schools, grade schools, you name it, they are teaching, trying to find a way to help other young people do better with their lives. They lose their jobs when DACA expires and their DACA protection expires.

Thousands and thousands of them are doing important work, including as engineers, as police officers in training, as medics. These are people who are making this a better country, and all they have asked for is just a chance to be here and to be part of our future, but President Trump said: It is over. Now, Congress, do something about it.

Do you know what we have done since September 5, when the President issued that challenge? Take a look at this empty floor. That is what we have done—nothing. Nothing. Despite the President's challenge, despite the lives of all these young people hanging in the balance, we have done nothing. That is why I come to the floor today. This has to come to an end. We have to do the right and just thing for these young people. We have to make those who are eligible for the Dream Act, those who are eligible to be part of our future—we have to give them a chance, and that is why I come and ask for help today.

I can tell you we are losing about 1,000 of these young Dreamers each week. Their protection under DACA expires. What does it mean? It means that at any moment of any day, a knock on the door could mean they would be deported and many times other members of their family with them. Their lives in the United States would come to an end, and many of them would be deported to countries they have never ever known. They might have been there as infants. Perhaps it was Mexico; maybe it was Korea. They knew it, not personally, but only through family stories, and they would be sent to these countries, many times with no family, no connections, sometimes with no knowledge of the language that is spoken there.

They believe they are Americans. I think they should have a chance to become Americans in the full sense of the law.

(Mr. GARDNER assumed the Chair.)

I have come to the floor over the years after introducing the DREAM Act and urged my colleagues to do something. I am not alone. The coalition that has come together behind this issue is interesting. Over 75 percent of the American people think Congress—both Democrats and Republicans—should come together and pass the Dream Act. Over 75 percent of Americans believe that, and 60 percent of the people who voted for President Trump believe that.

We have Governors from both political parties urging us to do something, urgently, to help. Eleven of them, Democrats and Republicans, sent a letter to Congress, calling on us to pass the DACA legislation. Democratic Governors from Minnesota, Montana, Pennsylvania, and North Carolina; Re-

publican Governors from Nevada, Massachusetts, Vermont, Utah; and Alaska's Independent Governor all asked us to do something about it.

Poll after poll shows bipartisan support for the Dreamers. Even FOX News found that 79 percent of Americans support a path to citizenship for Dreamers. As I mentioned earlier, this support includes 63 percent of those voted for President Trump.

I have told this story many times on the floor, but it doesn't have the impact of telling the real-life story of those who are affected by this conversation and would be impacted by this law.

This is Zarna Patel. She is the 106th Dreamer whose story I have told on the Senate floor. When she was 3 years old, her family came to the United States from India. She grew up in North Carolina and in Coral Springs, FL. She was a brilliant student. In high school, she received the AP Scholar with Distinction Award from the College Board and the Math Scholars Award from her school's math department. She was president of her high school's environmental club. She started a recycling program at her school and led the school beautification project, beach cleanups, and an environmental science competition every year.

She was a member of the National Honor Society, the treasurer of the Science National Honor Society, a member of the Spanish National Honor Society, and a member of the Rho Kappa History National Honor Society. She was some student.

She still found time to volunteer as a tutor for disadvantaged kids and as a youth leader for the South Florida Hindu Temple.

She was brought to this country as a baby. She was the only undocumented person in her family. She, of course, didn't know it when she was brought here at age 3. But she didn't let her immigration status stop her at all.

She began college in Florida. Keep in mind, if you are one of these undocumented Dreamers, you don't qualify for any Federal assistance to go to school. If you want to go to college, you get a job and save the money to pay the tuition. She did it.

In Florida, she was on the dean's list. She graduated cum laude from the university's honors program, with a bachelor of science in nutrition and a minor in anthropology.

In college, she volunteered as a student leader for a community health clinic, helping uninsured and underserved patients. She was a leader of the Friends for Life pediatric cancer student group, and she volunteered at the pediatric ICU of Shands Hospital, spending time with patients there every single week.

She volunteered with a sports program for children with physical and mental disabilities and was a volunteer camp counselor for a week in summer camp for kids with diabetes. She was a summer volunteer for a community-

based effort to reduce healthcare disparities in her county.

Zarna says that she threw herself into these activities to prepare herself for her life's dream. Her life's dream was to go to medical school. She knew, though, that she didn't have a chance. She was undocumented. She didn't have a country. She grew up here. She did all these things in America, but legally, she wasn't recognized in America. Her immigration status was going to kill her dream. Despite being brought here as a baby, she did the very best with her life that she could possibly do.

Then, in 2012, President Barack Obama established the DACA Program. She heard about it and realized, miracle of miracles, she had a chance. She was now able to step out of the shadows, submit her name for a criminal background check, pay a \$500 filing fee, wait in line, and hope that she would be allowed to stay in America, protected by DACA, and it worked.

Something else happened at the same time. A university in my home State of Illinois, which I am very proud of—Loyola University—decided to do something that no other university in America would do. They decided to open up the competition for medical school to DACA-protected young people across America. They didn't give them special slots or quotas. No, they threw them into the pool. If you are good enough, you can compete with the best students in America. Guess what. These DACA students turned out to be some of the best students in America. They have 32 students at Loyola University Chicago Stritch School of Medicine studying to be doctors today under the DACA Program, which was eliminated by President Trump.

You say to yourself: It is lucky they got in under the wire. There is a problem. The problem is that on March 5, the DACA Program is eliminated by President Trump. By March 5, students like Zarna will lose their protection under the law, and as they lose their protection under the law, they are subject to deportation, which means a knock on the door and you can be gone.

They will not be allowed to legally work in America. What difference does it make if a medical student can't legally work? Well, I have come to learn it makes a big difference. You see, to be a successful medical student and become a doctor, you need a residency. A residency is a job in a hospital. It is a tough job. It isn't a 9-to-5 job during the course of the week. It is many hours of hard work. You don't get paid a lot of money, but you learn what it means to be a doctor and to treat people as they come into the hospital. So if you want to go to medical school and you want to graduate with a residency in a specialty, you need to be allowed to legally work in America.

Because of President Trump's decision to eliminate DACA, Zarna Patel and dozens just like her cannot seek a residency out of medical school. That

is the end of medical school. Despite all the success in their academic lives, they are stopped from going forward.

Zarna is a second-year student. If she is given a chance, she wants to be a doctor. In my State, we help pay for her education.

Here is the deal though. Zarna Patel, if you want to go to medical school and you don't have the money, my State of Illinois will loan you the money to go to medical school on one condition. You have to give us one year of service as a doctor, once you become a certified doctor in our State of Illinois, for the money we loaned to you. You can serve in the city of Chicago or you might serve in a rural community downstate.

She signed up for it. She said: I will do it. I will give a year of my life for each year of medical school if you will give me a chance to be a doctor.

Does this young woman sound like the kind of person we need in this country in the future? Does she sound like the kind of person who would be just the kind of doctor you would like to have? Well, sign me up. I am one of those who believes in her. I know her. I met her.

There are 31 other students at Loyola's medical school just like her. Their future is hanging on what happens in this empty Senate Chamber—whether in the next 2 weeks, the Senators from both sides of the aisle, Republican and Democrat, will come together and solve this problem.

I want to thank the Presiding Officer for being a positive part of this conversation—and he has been. It means an awful lot to me, and it means a lot to her and a lot of people who are counting on us to do our jobs as Senators.

We haven't worked out a perfect solution to this yet. We need to give and take, compromise, agree to some things I don't want to agree to—maybe the other side does the same—but to do our work, to pass a law. Isn't that why we were elected—to solve these problems rather than sit here and give speeches about the problems?

I want the day to come when these poor staff people breathe a sigh of relief and say: The Dream Act finally passed, and maybe DURBIN will stop giving these speeches on the floor about these magnificent young students. I would like that day to come soon, certainly before January 19.

Zarna wrote me a letter. She says:

As I got older . . . I began to understand just how complicated US immigration laws were and how stacked the odds were against me. Here I was, in a country that I loved, that I rooted for, that I thought to be the greatest in the world, while my family paid taxes for services that I would never be eligible for. There I was, serving a country that did not even value me as a human being, all because of a piece of paper. And yet, after all that I have been through and after all that this country has said about me, I still call it my heart, my passion and my home.

Close to 70 Dreamers are enrolled in our medical schools. I mentioned Loy-

ola, but there are others. I thank them all for giving these young people a chance. If DACA goes away and isn't replaced by Congress, they can't become doctors. They will be deported back to their countries, in many situations, where they haven't lived since they were babies.

Will we be a better country if Zarna Patel is asked to leave? Will we be a stronger Nation? Would Chicago, would Springfield, would Illinois be better? Of course not.

The Association of American Medical Colleges reports that the Nation's doctor shortage is going to get worse because a lot of boomers and others are getting older and need help. We need more doctors, and we need good ones—good ones like Zarna Patel promises to be.

Both the AMA and the Association of American Medical Colleges have warned that ending DACA will make the physician shortage in America worse. They have urged Congress to do something about it.

Here is what the American Medical Association says:

Estimates have shown that the DACA initiative could help introduce over 5,400 previously ineligible [doctors] into the U.S. healthcare system in the coming decades to help address [physician] shortages and ensure patient access to care. . . . Removing those with DACA status will particularly create care shortages for rural and other underserved areas. . . . Without these physicians, the AMA is concerned that the quality of care in these communities will be negatively impacted.

When we introduced the Dream Act, Senator LINDSEY GRAHAM, Republican of South Carolina, said: "The moment of reckoning is coming." It is coming soon and coming in a matter of days. By January 19, we have to do something. We have run out of time, and we have run out of excuses. We have run out of the opportunity to help Zarna Patel and a lot of people like her be a part of America's future. Now is the time to act.

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

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Thank you, Mr. President, and happy new year to you.

For my 191st "Time to Wake Up" speech, I want to take the change of years to reflect on what 2017 meant for our carbon pollution of the Earth's climate and what 2018 may bring.

Our human use of fossil fuels continued to pour carbon dioxide into the atmosphere in 2017. The concentration of CO<sub>2</sub> in the atmosphere now stands at almost 407 parts per million—the high-

est in human history and more than 100 parts per million above the safe range in which human development for millennia has flourished. Each year brings a new record concentration of CO<sub>2</sub> in our atmosphere, and this will continue to worsen until the world weans itself off fossil fuels.

Of course, the contamination of our Earth and atmosphere by carbon pollution is matched by the contamination of our politics by unlimited and often hidden fossil fuel industry money, threats, and promises. When the accounting comes for what they have done to the Government of the United States, there will be a lot to answer for.

We are in a heck of a cold snap now, as the boundaries of normal weather get blown out in all directions by climate change, but the underlying, steady warming trend through all these new extremes of hot and cold and wet and dry is obvious.

Here in the United States, everyone in the lower 48, except for a few pockets up in the Northwest where things stayed fairly steady, has seen hotter than average temperatures. This represents hot. This represents cold. As you can see, most of the map matches the hot end. These are the mean temperature departures from average for January to November 2017.

Residents of the desert Southwest and of coastal Texas and Louisiana and much of the Southeast lived through their hottest year ever in 2017. Record warming is this color. You see it all through these areas, record warmest temperature.

Up in the Arctic, where temperatures are rising twice as fast as the rest of the globe, 2017 was the second hottest year ever. In Barrow, AK, the temperature rose so rapidly that computer algorithms kicked in and flagged the underlying data as suspect. The computer felt something must have gone wrong with the equipment and flagged the data as suspect. In fact, the readings were extraordinary, but they were real. That was the temperature.

We also saw a punishing onslaught of extreme weather in 2017, making it the most expensive disaster year in U.S. history, costing nearly \$400 billion in damages. The United States had averaged fewer than six billion-dollar weather-related disasters a year. Between January and late October 2017, we experienced 16, which killed 282 people. Final estimates of the devastation during 2017 aren't complete. It may prove that 1,000 lost lives are attributable to Hurricane Maria and its aftermath in Puerto Rico.

The 2017 Atlantic hurricane season brought 17 named storms, 10 hurricanes, and 6 major hurricanes—those with average wind speeds exceeding 115 miles per hour.

In August, Hurricane Harvey roared ashore with winds over 130 miles per hour, dropping more than 60 inches of rain over the Houston and Port Arthur areas. Areas that aren't even on the

flood maps found themselves flooded. Scientists agree that the unprecedented Texas deluge was only made possible by a warming atmosphere.

September brought Hurricanes Irma and Maria, which ravaged the Caribbean, including the U.S. Virgin Islands, Puerto Rico, and the Bahamas, as well as Florida. Much of Puerto Rico is still without power months after the storm. Abnormally warm waters in the tropical Atlantic fueled this punishing succession of storms.

Out West, 2017's high temperatures and low rainfall created conditions ripe for wildfire.

As of November, more than 6.4 million acres had burned—an area roughly the size of the Commonwealth of Massachusetts—making 2017 the third most active fire year in history.

In October, fast-moving wildfires laid waste to the California wine country, destroying almost 9,000 structures and killing more than 40 people. They were the costliest fires in U.S. history, bringing \$9 billion in damage and \$85 billion in economic loss.

In December, the Thomas fire exploded across coastal California, burning over 280,000 acres on its way to becoming the largest wildfire in California history. Notably, fire season should have been over by then in California, extinguished by December's customary winter rains, but not in 2017. Southern California had near-record low rainfall this winter, leaving vegetation desiccated and ready to ignite.

The evidence continued to pile up in 2017 of the connection between climate change and this extreme weather. The American Meteorological Society released a report showing that a majority of extreme weather and climatic events in 2016 were influenced by human-caused climate change. Indeed, the report found that the record average global temperatures in 2016, the record warm waters in the North Pacific, and the record temperatures in Asia simply would not have occurred without human-caused climate change.

We should not—as we too often do—overlook the oceans. The added carbon dioxide in the atmosphere that has run up the concentration to 407 parts per million alters the ocean's very chemistry. The added heat trapped by that carbon dioxide in the atmosphere gets picked up by the oceans, and it raises ocean temperatures. Warmer, more acidic seas destroy coral reefs, displace fisheries, and rise along populous shores. We measure all this already.

With all these alarm bells ringing, how did the United States respond in 2017 to the climate crisis? Our newly inaugurated President, Donald Trump, pointedly ignored the global political and scientific consensus that climate change poses a grave risk to our way of life—a prediction shared by our State universities, our National Laboratories, our major scientific associations, and even our military. President Trump nominated fossil fuel stooge

Scott Pruitt to run the Environmental Protection Agency. For Energy Secretary, Trump nominated Rick Perry, who uses his office to promote fossil fuel, even announcing a plan to subsidize the coal industry after private meetings with big Trump coal company donors. Then there is Ryan Zinke, Trump's Secretary of the Interior, who decided to reopen public lands to coal mining and wants to roll back the rule limiting methane emissions from oil and gas drilling on our American public lands. It is literally the three stooges.

In May, President Trump announced America's withdrawal from the Paris climate agreement, leaving the United States the only country on Earth to reject this landmark pact.

This is not leadership; this is its corrupted opposite. This administration is in hock to the fossil fuel industry like no other. Trump and his pals haven't drained the swamp; they have jumped right in with the biggest swamp monsters of all.

The U.S. Chamber of Commerce pays for a phony “study” claiming the Paris Agreement would cost jobs and economic growth; Trump pulls us out of Paris. The American Petroleum Institute complains about rules limiting methane emissions; Pruitt and Zinke try to roll them back. The Auto Alliance complains about fuel efficiency standards that the auto companies agreed to for American cars; Pruitt starts a project to water them down. Trump takes money by the shovelful from fossil fuel donors, and Pence dances on the Koch brothers' strings.

Yet 2017 offered reasons to remain optimistic. First is the explosion in renewable energy.

In 2017, renewables provided nearly 20 percent of electricity generation in the United States. As wind and solar costs fell, utilities across the country—even in red States—invested heavily in wind and solar. The renewable energy industry hit 3.3 million jobs—more than all fossil fuel jobs combined.

More good news: The leadership void left by the corrupted Trump administration was filled by thousands of State and local governments, businesses, academic institutions, and faith organizations which pledged to honor the Paris Agreement and reduce their carbon emissions. The States of California, Connecticut, Hawaii, New York, North Carolina, Oregon, Virginia, Washington, and, I am proud to say, Rhode Island, have all declared that they are still in. Alaska announced it would meet its goals. What is more, California and Washington joined with Canada, Chile, Colombia, Costa Rica, and Mexico to announce a plan to put a price on carbon to rein in emissions.

Businesses in 2017 exercised climate leadership in the marketplace. Leading asset manager BlackRock helped break the back of Exxon's and Occidental Petroleum's opposition to shareholder resolutions requiring them to report their climate risk to their share-

holders. Multinational insurance firm AXA announced it would divest from its tar sands holdings and stop insuring pipelines that transport tar sands oil. Credit rating agency Moody's announced it will consider climate risk in rating coastal communities' municipal bonds. Companies like Microsoft and Unilever have their own baked-in, internal carbon price to help them reduce the carbon intensity of their operations.

Then there are the court battles. In 2017, multiple California municipalities sued fossil fuel companies under the State public nuisance law to seek help with the huge adaptation costs they face as sea level rises and extreme weather becomes more common.

State attorneys general in Massachusetts and New York defeated attempts by ExxonMobil to disrupt their fraud investigation into whether the company has been covering up what it knew about the risks posed by fossil fuels. By the way, at the very end of last year, we discovered there were reports through the American Petroleum Institute of the dangers of climate change from renowned scientists, including Edward Teller, going back to 1959. That is how long this coverup may have been going on.

So these various things that are happening among businesses, among States, among leaders, among other countries, among State attorneys general, and the courts give me hope for 2018. The renewable energy revolution will continue. It is unstoppable as prices drive the market their way. Forward-thinking business leaders will realize they must fight for good climate policy not just within their own companies but also here in Washington. They need to start showing up. America's courts will provide a forum for truth and disclosure—two things very scarce in climate denial—which fossil fuel companies, for that reason, have for years fiercely fought to avoid, but judges will insist on answers, plaintiffs are entitled to discovery, and lying in court gets you punished.

World and State and local leaders have picked up the mantle abandoned by Washington Republicans and, who knows, there is always hope. Republicans and Democrats in Congress just might reflect on 2017—on the hurricanes and the wildfires and all the changes already taking place in our home States; may reflect on what all of our home State universities are telling us; may look at where young and independent voters are on this issue; may heed the longstanding warnings of our U.S. military and maybe—just maybe—step out from under the bullying shadow of the fossil fuel industry and come together to solve our climate crisis.

Here are my 2018 resolutions: Let's put a price on carbon emissions so their release into the atmosphere reflects the true cost, as market theory says it should. This market-based solution is endorsed by leading thinkers and analysts on the left and the right.



Let's also launch carbon capture and storage, including direct air capture. Let's launch carbon-free advanced nuclear technologies. Let's help America lead the world in the fight to stave off irreversible climate catastrophe with the new technologies that we are the world's best at developing. Finally, for coastal States like my home State of Rhode Island—which faced the irrevocable upward march of warming seas on a warming planet—let's make sure coastal communities have the resources they need to predict and prevent or prepare for the future that looms.

We owe this to our children and to our children's children. We owe it to all future generations that will look back at us and ask: When it was so obvious, how is it possible that the Government of the United States—how is it possible that this city on a hill—could do nothing but the bidding of the most conflicted industry on the planet? In 2018, let's get this right.

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. INHOFE. 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. INHOFE. Mr. President, I ask unanimous consent to speak in morning business for such time as I may consume.

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

Mr. INHOFE. Mr. President, I begin by wishing everyone a happy new year, and hopefully everyone had a great Christmas. We did.

I have three observations I wish to make about 2018. First, here in Washington, we are experiencing some really frigid temperatures this week. Let me tell my colleagues that in Oklahoma, it was even colder there than it was here. That is unusual, but it was. So we experienced recordbreaking, bitter, cold weather, and it was pretty miserable, but the great, warm people of Oklahoma had a great Christmas, New Year's, and everything is good. Many parts of the country saw 2017 with the recordbreaking cold weather, and meteorologists are predicting more recordbreaking cold for the rest of the week and the beginning of next week.

I bring this up to highlight the fact that President Trump joked last week on Twitter. He said: "We could use a little bit of that good old global warming." I say it a little bit differently. I say: Where is global warming when we need it because we sure needed it this last week. Well, the alarmists went crazy over this. Let me explain what an alarmist is.

Alarmists believe global warming is coming due to anthropogenic gases, and the world is coming to an end.

They are the ones who jumped on that, and they actually went crazy for not understanding the difference between weather and climate.

We keep saying the same thing. Every time we go through one of these periods where we experience an event again, we have the same thing that comes up, and we talk about it. Climate is always changing. We understand that. We actually had a unanimous vote on the floor of the Senate, saying, yes, climate changes; it has always changed. Historically, scripturally, there has always been change. We understand that. Anyway, I remember I have been criticized for the same thing.

My colleagues might remember, I brought a snowball here a couple of Februaries ago to show we are not experiencing climate change when it snows in February, after we have been told for decades that soon we wouldn't have any snow again.

That was really kind of a fun thing. I had some of the pages lined up, and I asked: Which one of you guys is the most athletic? It happened that the guy who raised his hand—they all pointed to him and said: He is the guy who is most athletic, and he was from Oklahoma. So I said: I will tell you what I will do. I will take the snowball, throw it up there at the Presiding Officer, and you intercept it. If you don't intercept it, it will be a mess. He intercepted it. It was beautiful.

Sometimes people have to quit being so serious about all of this stuff and realize there are things that are happening that people need to talk about, that are for real, on point. Some might remember Al Gore made some pretty outrageous claims. Enough years have gone by, but he said that by the deadlines he pointed out, global warming was going to cause all the snow to melt on Mount Kilimanjaro. I was not far from Kilimanjaro just a few weeks ago, and the snow is still there.

He said that by 2016 the Arctic would be completely melted and all the polar bears would be extinct. None of that happened. The only thing that has happened, according to an article in the New York Times, is that Al Gore has now become the first environmental billionaire. Critics were quick to jump on my case when he did that, and I had to remind them that there is a difference between weather and climate.

Those same critics are also quick to jump on weather events when it supports their cause. Whenever there is a particularly bad tornado in Oklahoma—and we have had tornadoes in Oklahoma; I have never seen a good tornado—there are people who have witnessed them, and I am immediately asked if this will cause me to change my mind about global warming or climate change. I said: Why? Alarmists have been insisting for a long period of time that the world is coming to an end, and it is coming to an end because of global warming.

After this past hurricane season, I was repeatedly asked if I thought climate

change was to blame for the tragic natural disasters. Again, I responded: You alarmists have been insisting that weather isn't climate; so why do you change your position now?

I am not surprised that we have hurricanes during hurricane season, we have tornadoes during tornado season, and we have cold and snow during the winter. That is not unique to just my State of Oklahoma. That is all over the country and all over the world.

We hear constantly that natural disasters are getting worse. Yet, when we look at the data, there is no support for the conclusion. When category 4 Hurricane Harvey hit Texas and other Gulf States, it was the first major hurricane to make landfall in the continental United States for 12 years. The next largest gap between major hurricanes actually lasted only 8 years, and that was in the 1860s. Tornado activity has also been down in recent years, with the latest data of 2016 showing a continued low number of tornadoes across the United States. I might say that this is also true for my State of Oklahoma. Since we are experiencing recordbreaking cold last week and this week in much of the country, we are once again reminded that weather is not climate.

So what is happening on the climate front? Now, keep in mind that the alarmists are the ones saying that the world is coming to an end because of global warming. They say that we all will be burned to death and temperatures are skyrocketing. Over the last couple of years, we have been told that it was the hottest year on record. We have been scolded by the jet-setting Hollywood celebrities about our carbon footprint, but, again, if we actually look at the data, there isn't support for all of this hysteria.

The Obama administration touted 2014, 2015, and 2016 as the hottest years on record. But the increases are well within the margin of error. In 2016, NOAA said the Earth warmed by 0.04 degrees Celsius, and the British Government pegged it at 0.01 Celsius. However, the margin of error is 0.1 degree, not 0.01. So it is all statistically meaningless and below the doom-and-gloom temperature predictions from all the various models from consensus scientists.

Now, this is interesting. Steven Koonin was appointed Under Secretary for Science at the Department of Energy by President Obama. That was during the Obama administration. He said: "The Obama administration relentlessly politicized science and aggressively pushed a campaign about that politicized science." In other words, he used that to make a case that is not true, and this comes out of his own administration.

In September 2017, University of Alabama in Huntsville climate scientists John Christy and Richard McNider published a study showing no acceleration in global warming for the last 23 years.

Their research shows that if you remove the climate effects of two volcanic eruptions and the El Nino and La Nina systems that occurred over the last 38 years, there has been no change since the early 1990s to the rate of warming and that model predictions from the IPCC are overstated by about double.

Keep in mind that the IPCC is the Intergovernmental Panel on Climate Change of the United Nations. They started this about 40 years ago, and their scientists have been completely discredited.

I remember when that took place in Copenhagen. They had one of the big annual United Nations parties. At that time, Lisa Jackson was Obama's Administrator of the EPA. She knew I was going to go there and tell the truth to all these people.

I asked her this question on the public record. In the event that I leave town and you are going to start regulating global warming, you have to first declare that there is an urgency to this and you have to use a scientific declaration. What science will you use?

She said: We are going to use the IPCC, or the Intergovernmental Panel on Climate Change.

As luck would have it, just a matter of days after, the IPCC was totally rejected. Everyone remembers how they had been caught rigging the information in terms of weather, and it was really quite a mess.

Going back to Christy's explanation, which just came out the other day, the volcanic eruptions cooled the Earth when ash, soot, and debris entered the atmosphere and sunlight was reflected away. "Those eruptions happened relatively early in our study period, which pushed down temperatures in the first part of the dataset, which caused the overall record to show an exaggerated warming trend."

So we have two respected climate scientists using sound science to discredit the so-called consensus scientists. By the way, there are hundreds of other scientists out there. One of the best known is a guy from MIT named Richard Lindzen. He has been very outspoken on this.

So every time we hear people talking that "there is a consensus of science," I think we know better. Remember that the media does not share the studies. So quite often they do not say anything about some of the failed practices being used to draw us to these conclusions. I am thankful we have a President and an administration that refuses to handcuff our economy with policies based on overblown headlines.

So while we continue to have tornadoes in May, hurricanes in the fall, and bitterly cold temperatures in the winter, we must remember that the climate has been stable over the last few decades, and we shouldn't give in to the fearmongers out there. Rather, we should focus on actual threats to American families, like the regime which calls for "death to America" and "death to Israel."

## IRAN

Mr. INHOFE. Mr. President, one week ago today, the men and women of Iran began protesting in the streets. It began with people speaking out against a sluggish economy, and economic growth does not exist in Iran. People finally got fed up with it. Keep in mind that the country of Iran is still recognized as the financial backbone of terrorism throughout the world.

The State media in Iran has reported that over 20 individuals have died in these protests for their own freedom and over 450 have been arrested since the regime's violent crackdown against the protesters. Let's keep in mind what they are protesting for. They just want some of the freedoms they know other countries have, and right now they don't see any other way to make this happen.

In an act that defies transparency and democratic principles, the regime has shut down social media and messaging sites, limiting the flow of information about the protests. In other words, they are not letting the outside world know what is going on there. Iran clearly thinks they can get away with this flagrant disregard of human rights, and why shouldn't they? Under the Obama administration, Iran was able to violently crack down on democratic protesters in 2009, to continue ballistic missile tests in violation of U.N. resolutions, and to finance terrorist organizations in the region without international condemnation or repercussions. Remember, Iran is the financial backbone of terrorism in that part of the world.

Just last month we learned how the Obama administration undermined law enforcement efforts against Hezbollah's drug trafficking operations. Hezbollah is well-known to be a proxy of Iran. Everybody knows it is a terrorist organization. But rather than going after the financial backing of a known terrorist organization, Obama swept it under the rug. His focus was on creating and then protecting the flawed Iran nuclear deal—a deal Obama promised would end Iran's aggressive behavior in the region and promote reforms in Iran through economic opportunity.

The actual results of the deal have never been clearer. The ruling elite of Tehran continues their aggressive behavior by putting their nation's resources toward supporting Assad's regime in Syria, testing ballistic missiles, and committing human rights abuses against women and religious minorities. It is no wonder that freedom-loving men and women in Iran seek meaningful change.

Fortunately, President Trump has already been clear that the United States stands behind the rights of Iranian citizens for peaceful protests.

Maybe the Ayatollah doesn't recall or didn't get the message from President Trump when he was sworn in last year: Under President Trump, America is the leader of the free world again—

standing up for common, human dignity and democratic values. He has backed up his support with action, weighing additional sanctions against the regime and having U.N. Ambassador Nikki Haley—who is doing a great job, by the way—call for emergency U.N. meetings to address the human rights concerns.

I support his efforts and look forward to working with the President and his administration to enact any needed sanctions against Iran in order to advance freedom and democracy.

## TAX REFORM BILL AND GOVERNMENT REGULATION

Mr. INHOFE. Mr. President, I mentioned that there were three things I wanted to address for this new year. The third is tax reform.

We are approaching 1 year under President Trump's administration, and we are already seeing the benefits of tax reform and cutting harmful regulations.

The comprehensive tax reform legislation passed by Congress last month will allow American families to keep more of their hard-earned money—which we had been talking about for a long time—and it will make it easier for businesses to grow and hire more hardworking people.

Already, businesses across the country—such as American Airlines, Southwest Air, Boeing, Comcast, Wells Fargo, AT&T, and Express Employment Professionals, headquartered in Oklahoma City, in my State of Oklahoma—have announced investments in their employees and businesses as a result of the tax bill.

Clearly, the tax reform will compound the economic growth we have already seen as a result of President Trump's consistent efforts to cut regulations his first year.

Following the severe economic recession of 2008 and uncertainty in the future, many companies had chosen not to invest in their business or their employees. During the Obama administration, Federal bureaucrats unleashed hundreds of regulations that increased the cost of doing business, stifling job creation, and the result was obvious.

According to a report by the Heritage Foundation, by 2015 Obama's regulations were costing taxpayers over \$100 billion a year. With these limitations on job creators, it is no surprise that the average GDP growth under President Obama was just a little over 1.5 percent—no matter that previously, throughout history, in the United States it has consistently been about 3 percent.

In less than 1 year, by directing Federal agencies to delay, withdraw, or invalidate 1,600 planned regulatory actions, President Trump has done what President Obama was unable to do in 8 years; that is, to restore the confidence of the American business community. He did this by reversing the Obama regulations. I have one—in fact, I have

taken the time to list these regulations that were putting people out of business.

I ask unanimous consent to have printed in the RECORD a document entitled "Congressional Review Act Resolutions Passed" at the conclusion of my remarks.

There are two ways you can get rid of regulations. One way is to do it through Executive actions. I think everyone knows what that is. The more difficult way is to do it through the Congressional Review Act Resolutions; that is, the CRAs. I was very proud of the first CRA that we were able to get passed. It was one that I introduced, and it was one that is very popular. It was a rule that was put in during the Obama administration that said that we were in competition with the domestic oil and gas companies with China or some other company, and we had to give to them how we put together our playbook, which would put the U.S. companies at a disadvantage.

We did a CRA on that, and I was very proud to do that. I think people should look at these and realize the great results we had as a result of doing away with the overregulations. I have them listed here, and this is something people are not really aware of.

On January 1, the New York Times even recognized the positive effect of the President's deregulatory agenda. This doesn't happen very often with the New York Times, but they reported on a new "wave of optimism" in American business.

Listen to this. The "Trump effect"—this is what the New York Times is calling it, very appropriately, I might add—"is beginning to translate to investment in new plants, equipment, and facility upgrades that bolster economic growth."

This is from the New York Times. They continued by saying that with the lowest unemployment rate in 17 years, we are also seeing the "Trump effect"—again, that is their term—on wages as businesses invest in their workforce by raising wages to keep attracting skilled employees.

This week the Wall Street Journal reported that cities like Minneapolis have seen a 4-percent wage growth in the last year—the highest growth in 6 years.

I am confident we are going to hear more success stories around the country. The proof is in the numbers. For the first two full quarters of the Trump administration, starting with the second quarter of 2017—the ones he would have control over—we have increased the GDP growth to over 3 percent. That is pretty amazing—over 3 percent. This is from the average of 1½ percent.

What is important about this is, for each 1 percent increase in economic activity, or the GDP, that translates into additional revenue coming into the government of about \$3 trillion over a 10-year period. That is why, in the 1981 tax cut under Reagan, they started the year with the total revenue coming in

to be \$469 billion. But then, as a result of the tax reduction, the increased economic activity increased it to \$750 billion. We actually increased our revenue by decreasing the individual rate.

Finally, the made-in-America economy is running at full speed again. We have three huge success stories of the Trump administration: No. 1, eliminating the Obama overregulations to free up businesses and, No. 2, reestablishing America as a leader in the free world by reversing the Obama policy of appeasement. Hiram Mann said: "No man survives when freedom fails, the best men rot in filthy jails, and those who cry 'appease, appease' are hanging by those they tried to please." And No. 3 is tax reform—the first tax reform in three decades.

With that, I want to say happy new year; 2018 is going to be great.

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

#### CONGRESSIONAL REVIEW ACT RESOLUTIONS PASSED

1. SEC Rule requiring oil and gas companies to disclose their "playbooks" on how to win deals. Inhofe CRA—first signed since 2001.
  2. Stream Buffer Zone rule that blocks coal mining.
  3. Education rule mandating federal standards for evaluating teacher performance.
  4. Education rule establishing national school board.
  5. Interior rule that blocked Alaska-control of hunting & fishing.
  6. Social Security rule that put seniors with "representative payees" on gun-ban list.
  7. OSHA rule that changed paperwork violation statute of limitations from 6-months to 5-years.
  8. Defense rule that blocked contractors from getting deals if suspected (not convicted) of employment-law violations.
  9. Labor rule blocking drug-testing of unemployed beneficiaries.
  10. BLM rule blocking oil and gas development on federal lands.
  11. Federal Communications Commission rule that would have established 2nd regime of privacy rules in addition to Federal Trade Commission.
  12. HHS rule that would make it easier for states to fund Planned Parenthood.
  13. Department of Labor (DOL) rule forcing private sector employees onto government run retirement plans.
  14. DOL rule allowing states to bypass protections on retirement plans.
  15. CFPB Arbitration Rule.
- Note: the 15 CRAs are estimated to save the American taxpayers \$3.7 billion. Inhofe's revoking SEC rule for oil and gas companies will save almost \$1.3 billion.

#### TRUMP EXECUTIVE ACTIONS

1. Regulatory reform: requires 2 regulations be repealed for each new regulation.
2. WOTUS: directs EPA to rescind Waters of the United States Act.
3. Energy: repeals clean power plan, other harmful regulations . . . ending War on Fossil Fuels.
4. Mexico City: reinstates ban of fed funds going to NGOs that do abortions.
5. Hiring Freeze: freezes federal hiring (excepted military).
6. Military: rebuilds military.
7. Approves Keystone XL pipeline.
8. Approves Dakota Access pipeline.
9. Permit Streamlining: expedites infrastructure and manufacturing project permits.

10. Immigration: 90 day suspension on visas for visitors from Syria, Iran, Libya, Somalia, Sudan, Yemen. 20 day suspension of U.S. Refugee Admission Program.

11. Sanctuary Cities: blocks federal Department of Justice grants to sanctuary cities.

12. Dodd-Frank: demands review of Dodd-Frank banking regulations and demanding roll-back.

13. Shrink government: directs federal agencies to reorganize to reduce waste and duplication.

14. Trade: evaluates policies to reduce trade deficit.

15. Opioids: fed task force to address opioid drug crisis.

16. Fiduciary rule: delays implementation of bad DOL rule.

17. Religious Liberty: Eases enforcement of Johnson Amendment and grants other protections for religious freedom.

18. Offshore drilling: revises Obama-era offshore drilling restrictions and orders a review of limits on drilling locations.

19. National Monuments: Directs a review of national monument designations.

20. Improves accountability and whistleblower protections for VA employees.

21. Affirms local control of school policies and examines Department of Ed regulations.

22. Reviews agricultural regulations.

23. Reviews use of H-1B visas.

24. Top-to-bottom audit of Executive Branch.

25. Moves Historically Black Colleges and Universities offices from Department of Ed to White House.

26. Obamacare: directs federal agencies to ease burdens of ACA.

27. Establishes American Technology Council.

28. Establishes office of Trade and Manufacturing Policy.

29. Identifies and reduces tax regulatory burdens.

30. "Hire America, Buy America."

31. Establishes a collection and enforcement of antidumping and countervailing duties and violations of Trade and Customs laws.

32. Creates an order of succession within DOJ.

33. Revokes federal contracting executive orders.

34. Establishes Presidential Advisory Commission on Election Integrity.

35. Reforms education and workforce programs and expands apprenticeship opportunities.

36. Updates visa and foreign visitor implementation plans through DHS and State Department.

37. Strengthens cybersecurity for federal networks and critical information technology infrastructure.

38. Revives National Space Council.

39. Extends actions against Sudan to October.

40. Establishes presidential advisory council on infrastructure at Department of Commerce.

41. Strengthens domestic manufacturing and defense industrial base.

42. Issues additional streamlining and accountability in the environmental review and permitting process for all infrastructure projects—also revokes Obama flood risk management standard order.

43. Imposes new sanctions on Venezuela.

44. Revokes Obama order that prohibited state, local, and tribal law enforcement entities from accessing federal response equipment.

45. Prohibits acquisitions by China entities of a semiconductor company for national security reasons.

46. Trade: widens trade sanctions on North Korea.

47. Committees: continuing certain Federal Advisory Committees.

48. Revokes Obama order that created labor-management forums.

49. Promotes healthcare choice and competition across the United States.

50. Provides the Secretary of Defense additional authority to manage personnel requirements.

51. Resumes the United States Refugee Admissions Program with Enhanced Vetting Capabilities.

Mr. INHOFE. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### NOMINATION OF JOHN ROOD

Ms. WARREN. Mr. President, I rise today to discuss the nomination of John Rood for the position of Under Secretary of Defense for Policy.

I am concerned about the influence of different industries on key positions in government. Today, the specific problem under discussion is the influence of the defense industry over the Pentagon. The defense industry in America is powerful and profitable. The big five defense contractors together represented more than \$100 billion in government contracts in 2016 alone. Think about that—5 corporations, \$100 billion in taxpayer money in 1 year.

The defense industry in America is powerful. President Trump has stocked the Pentagon with an unprecedented number of nominees from defense industry. These nominees will oversee all those government contracts. They will influence which companies get billions in taxpayer dollars and what exactly those companies have to do to collect their checks. Without strict ethics rules and oversight, these nominees have the power to significantly influence the profitability of their former employers—the same companies that may, once again, be the nominees' future employers after they have finished their government service.

Mr. Rood may be a decent man, but he is the latest example of this trend. He will come to the Defense Department directly from Lockheed Martin International, where he was most recently a senior vice president. Lockheed is the biggest of the big five defense contractors. In 2016, the U.S. Government awarded the company over \$40 billion in contracts. That was in 1 year.

According to his official bio submitted to the Senate Armed Services Committee, Mr. Rood's responsibilities included "developing and executing strategies to grow Lockheed Martin's international business" and "managing marketing and government relations activities" overseas. In other words, he was responsible for selling Lockheed's products to other countries, and it seems as though he was pretty good at it. Lockheed made over \$12 billion—or more than one-quarter of its net sales—from its international customers in 2016.

Here is why that matters. According to Lockheed's most recent annual statement, the international division

that Mr. Rood managed made about 66 percent of its sales to foreign customers through the Pentagon's Foreign Military Sales Program. This is a program that allows for the sale of U.S. defense products overseas.

In that same report, Lockheed acknowledges that its foreign sales are "highly sensitive" to changes in regulations and "affected" by U.S. foreign policy. In other words, government officials influence whether Lockheed's foreign military sales barely break even or whether sales shoot through the roof and bring in billions of dollars for Lockheed.

If confirmed as Under Secretary of Policy, Mr. Rood will play a significant role in setting U.S. defense policy and overseeing the regulation of foreign military sales of those very same products to those very same countries. If he is given this job with no constraints, Mr. Rood could implement policies that increase Lockheed's profitability, whether that is in the interest of the American people or not.

Chairman MCCAIN and I questioned Mr. Rood about this conflict of interest during his confirmation hearing. I asked him a simple yes-or-no question: Would he commit not to seek a waiver from his obligation to recuse himself from Lockheed Martin business, as required by his ethics agreement? That is all I asked.

He hemmed, he hawed, and finally made it clear that, well, no, he would not make that commitment.

So I asked him another simple question: Would he at least recuse himself from policy discussions about the sale of Lockheed Martin products through the Foreign Military Sales Program?

The answer was again clear. No, he would not make that commitment either.

I followed up with additional written questions. I asked: "Mr. Rood, will you commit not to seek or accept a waiver from your recusal obligations under your ethics agreement?"

Here is his response. "I am concerned that a commitment never to seek or accept a waiver could unnecessarily restrict my ability, if confirmed, to take an action that is important to U.S. national security and defense interests should a circumstance arise that is currently unforeseen."

In other words, no, he would not commit to abide by his own ethics agreement. Just think for a minute about what that means. President Trump has nominated an industry executive to one of our most senior national security positions, and that individual is unwilling to steer clear of the conflicts of interest involved in doing that job.

I think the standard here should be pretty simple. If a nominee cannot do the job to which he has been nominated without seeking a waiver from his ethical obligations, then he should not have that job.

Mr. Rood is not the only Trump nominee with this problem. The President has nominated many other execu-

tives from industry to the most senior positions at the Department of Defense. The Deputy Secretary of Defense was previously a senior vice president at Boeing. He now runs the Pentagon's budget process, including making the final call on which defense programs get funding and which do not.

The Secretary of the Army was a senior lobbyist for Raytheon and even ran Raytheon's political action committee. The Under Secretary of the Army, the No. 2 position, was also a vice president at Lockheed. The Deputy Chief Management Officer previously ran XCOR Aerospace, now a bankrupt developer of rocket engines and space launch systems. The Under Secretary of Defense for Acquisition, Technology, and Logistics spent her career at Textron, an aerospace and defense contractor.

I could go on with this list. I don't doubt that many of these individuals are service-minded, and I know that many have also served honorably in government, both in and out of uniform. I also believe that a strong partnership between government and industry is important to our national defense.

Industry experience, in and of itself, does not disqualify someone from public service, but there must be balance. When too many top government jobs are filled by industry insiders, we risk corporate capture of the whole policy making process.

The overrepresentation of defense industry officials at the highest levels of the Department of Defense has real consequences. It suggests to the American people that only one viewpoint or one experience will dominate our policy making decisions. No outsiders, no one with a competing point of view need apply, and the revolving door between industry and government raises questions about who our government serves.

No taxpayer should have to wonder whether the top policy makers at the Pentagon are pushing defense products and foreign military sales for any reason other than the protection of the United States of America. No American should have to wonder whether the Defense Department is acting to protect the national interests of our Nation or the financial interests of the five giant defense contractors. No man or woman in uniform should have to wonder whether their civilian leaders are putting the private financial interests of themselves and their friends ahead of the safety and the interests of our military servicemembers.

The American people have a right to know who their government works for and that the senior leadership of the Department of Defense is putting our national security first. Everyone has a right to know that. The readiness and safety of our men and women in uniform is too important for any of us to have to ask those questions.

As a member of the Senate Armed Services Committee, I will not vote to confirm any nominee from industry

who does not agree to fully recuse himself or herself from matters involving their former employer for the duration required by their ethics agreement, without waiver and without exception. I think we owe our soldiers, sailors, airmen, and marines at least that much.

Because he will not make the commitment to abide by his own ethics agreement without waiver or exception, I will be voting against Mr. Rood as Under Secretary of Defense, and I urge other Senators to do the same.

I yield back.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### HONORING DOUGLAS COUNTY SHERIFF'S DEPUTY ZACKARI PARRISH

Mr. GARDNER. Mr. President, I rise to speak about a horrible tragedy that took place in the early morning hours of December 31 in Douglas County, CO, when most Coloradans were waking up and preparing for a celebration that evening to bring in the new year. Hours later, a gunman would open fire on Douglas County sheriff's deputies in what has been described by law enforcement as an ambush-style attack.

The gunman injured two citizens as well as Sheriff's Deputies Michael Doyle, Jeff Pelle, Taylor Davis, and Castle Rock Police Department Officer Thomas O'Donnell. A fifth officer, Douglas County Sheriff's Deputy Zackari Parrish, heroically gave his life during this ambush in an attempt to save the lives of others.

Deputy Parrish was 29 years old and is survived by his wife, Gracie, and their two young daughters.

Zack's lifelong dream was to become a police officer. He attended Arapahoe Community College Law Enforcement Academy part time while he worked full time at a bank so he could make these dreams come true. Following graduation, Zack served for 2 years as an officer at the Castle Rock Police Department and spent the last 7 months as a Douglas County sheriff's deputy. His selfless nature and devotion to his family and friends was a testament to his tireless drive to protect his community. He was what every officer strives to be—dedicated to the job, persistent, and detail oriented.

At a vigil to honor Zack earlier this week, his fellow deputies shared Zack's "knack for finding things other cops missed." They spoke of "how he always wanted to chase the bad guys" and how, even when it was time to go home, Zack would "stay late to make one more check on patrol." His family and friends spoke of how Zack was

known for his "bear-sized love" and even more so for his bear-sized hugs.

These are the qualities of those who righteously wear the blue uniform. These are the qualities that keep the rest of us safe and sound. These are the qualities of a hero. Zack, like all law enforcement officers, went to work each and every day being prepared to walk that thin blue line.

Colleagues at the vigil spoke about how Zack was not only dedicated to the difficult parts of the job but also to lifting the spirits of his fellow officers. According to his fellow deputies, Zack was known as the guy who would "hunt for the best Christmas lights." It is that kind of passion, good nature, and of course love for his community that Zack will be remembered for.

As we saw on New Year's Eve, while the rest of us spent time with our families and friends, our brave law enforcement officers were protecting our communities. Their sacrifice is why we were able to celebrate with our loved ones.

We owe so much to Zack and the law enforcement officers across Colorado and across the country for their service. When a tragic event like this unfolds, I am often reminded of the words of LTC Dave Grossman, who wrote that American law enforcement is the loyal and brave sheep dog that is always standing watch for the wolf that lurks in the dark.

Regardless of their personal safety, our law enforcement officers run toward the danger. They are always there to help others serve our communities, and often through the worst of times, they provide hope and safety to our families, including mine, including yours.

I continue to pray—and let all of us continue to pray—for the other four officers and two citizens who were injured in the attack. We must continue to honor Zack's memory and support his brothers in blue as they continue his work and support his dearly loved family as they begin the new year in a way they never could have imagined. We honor his legacy and those who serve.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The assistant bill clerk read the nomination of John C. Rood, of Arizona, to be Under Secretary of Defense for Policy.

The PRESIDING OFFICER. There is 30 minutes equally divided for debate on this nomination.

The Senator from Colorado.

Mr. GARDNER. Mr. President, I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from Utah (Mr. HATCH), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Georgia (Mr. PERDUE), the Senator from Idaho (Mr. RISCH), the Senator from Florida (Mr. RUBIO), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea," the Senator from Idaho (Mr. RISCH) would have voted "yea," and the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) is necessarily absent.

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

The result was announced—yeas 81, nays 7, as follows:

[Rollcall Vote No. 1 Ex.]

#### YEAS—81

Baldwin	Ernst	Murphy
Barrasso	Feinstein	Murray
Bennet	Fischer	Nelson
Blumenthal	Flake	Paul
Blunt	Gardner	Peters
Boozman	Graham	Portman
Brown	Grassley	Reed
Cantwell	Hassan	Roberts
Capito	Heinrich	Rounds
Cardin	Heitkamp	Sasse
Carper	Hirono	Schatz
Casey	Hoeven	Schumer
Cassidy	Inhofe	Shaheen
Cochran	Isakson	Shelby
Collins	Johnson	Smith
Coons	Jones	Stabenow
Corker	Kaine	Sullivan
Cornyn	Kennedy	Tester
Cortez Masto	King	Thune
Cotton	Klobuchar	Tillis
Crapo	Lankford	Toomey
Cruz	Leahy	Udall
Daines	Lee	Van Hollen
Donnelly	Manchin	Warner
Duckworth	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Young

#### NAYS—7

Booker	Markey	Wyden
Gillibrand	Sanders	
Harris	Warren	

## NOT VOTING—12

Alexander	McCain	Perdue
Burr	Merkley	Risch
Hatch	Moran	Rubio
Heller	Murkowski	Scott

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 PRESIDING OFFICER. The Democratic leader.

## LETTER OF RESIGNATION

Mr. SCHUMER. Madam President, as in legislative session, I ask unanimous consent that the resignation letter of former Senator Al Franken to Governor Dayton be read and spread upon the Journal and printed in the RECORD.

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

U.S. SENATE,

Washington, DC, December 24, 2017.

Governor MARK DAYTON,  
Office of Governor Mark Dayton & Lt. Governor  
Tina Smith, Saint Paul, MN.

DEAR GOVERNOR DAYTON: I write to resign my seat as a United States Senator for the State of Minnesota effective at 1 pm Eastern Standard Time on January 2, 2018. Serving the State of Minnesota in the U.S. Senate has been a privilege and an honor. I am grateful to Minnesotans for giving me the chance to serve our state and our nation, and I am proud to have worked on their behalf.

Sincerely,

AL FRANKEN,  
United States Senator.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

## ORDER OF BUSINESS

Mr. MCCONNELL. Madam President, for the information of all Senators, there will be no further rollcall votes during this week's session of the Senate.

## LEGISLATIVE SESSION

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

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

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session

to consider Calendar No. 370, William Campbell.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of William L. Campbell, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

## CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of William L. Campbell, Jr., of Tennessee, to be United States District Judge for the Middle District of Tennessee.

Mitch McConnell, Deb Fischer, John Bar-  
rasso, John Thune, Roger F. Wicker,  
James M. Inhofe, Johnny Isakson,  
Mike Crapo, Tom Cotton, Chuck Grass-  
ley, Thom Tillis, Mike Rounds, Mi-  
chael B. Enzi, James Lankford,  
Lindsey Graham, Pat Roberts, Todd  
Young.

## LEGISLATIVE SESSION

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

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

The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 371, Thomas Parker.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Thomas Lee Robinson Parker, of Tennessee, to be United States District Judge for the Western District of Tennessee.

## CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Thomas Lee Robinson Parker, of Tennessee, to be United States District Judge for the Western District of Tennessee.

Mitch McConnell, Deb Fischer, John Bar-  
rasso, John Thune, Roger F. Wicker,  
James M. Inhofe, Johnny Isakson,  
Mike Crapo, Tom Cotton, Chuck Grass-  
ley, Thom Tillis, Mike Rounds, Mi-  
chael B. Enzi, James Lankford,  
Lindsey Graham, Pat Roberts, Todd  
Young.

## LEGISLATIVE SESSION

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

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

The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 389, Michael Brown.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Michael Lawrence Brown, of Georgia, to be United States District Judge for the Northern District of Georgia.

## CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Michael Lawrence Brown, of Georgia, to be United States District Judge for the Northern District of Georgia.

Mitch McConnell, Deb Fischer, John Bar-  
rasso, John Thune, Roger F. Wicker,  
James M. Inhofe, Johnny Isakson,  
Mike Crapo, Tom Cotton, Chuck Grass-  
ley, Thom Tillis, Mike Rounds, Mi-  
chael B. Enzi, James Lankford,  
Lindsey Graham, Pat Roberts, Todd  
Young.

## LEGISLATIVE SESSION

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

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

The motion was agreed to.



## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 435, Walter Counts.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Walter David Counts III, of Texas, to be United States District Judge for the Western District of Texas.

## CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Walter David Counts III, of Texas, to be United States District Judge for the Western District of Texas.

Mitch McConnell, Deb Fischer, John Barasso, John Thune, Roger F. Wicker, James M. Inhofe, Johnny Isakson, Mike Crapo, Tom Cotton, Chuck Grassley, Thom Tillis, Mike Rounds, Michael B. Enzi, James Lankford, Lindsey Graham, Pat Roberts, Todd Young.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the mandatory quorum calls be waived and that notwithstanding rule XXII, the cloture motions filed during today's session of the Senate ripen at 5:30 p.m. on Monday, January 8.

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

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to 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.

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

## VOTE EXPLANATION

• Mr. RUBIO. Madam President, due to family commitments, I missed today's vote. Senate leadership was aware of my absence, which would not impact today's confirmation vote.●

## TRIBUTE TO MATT MARTIN

Mr. TILLIS. Madam President, today I wish to recognize Matt Martin and congratulate him on his investiture as the U.S. attorney for the Middle District of North Carolina.

Matt earned his law degree and undergraduate degree from the University of North Carolina at Chapel Hill, both with the highest honors. Listed as one of North Carolina's "Super Lawyers," Matt has extensive legal experience. Matt was an associate at Covington & Burling here in DC before moving back to Raleigh, NC, where he became partner at Smith Anderson. Most recently, Matt worked as the associate general counsel for Duke Energy.

In addition to a sterling career in private practice, Matt exemplifies what it means to be a community servant. He has served on the board of directors for a number of philanthropic organizations, including the Food Bank of Central and Eastern North Carolina, Meals on Wheels of Wake County, the Youth Life Foundation of the Triangle, and the Marbles Kids Museum. Additionally, he served as chairman of the Wake County Planning Board in Wake County, NC.

Finally, Matt is actively engaged in leading the next generation of attorneys. As a member of the North Carolina Bar Association's professionalism committee, Matt works on legal education programs and coaches law students and junior attorneys through internship programs and formal and informal mentoring.

It was an honor to join Senator BURR in recommending Matt Martin to President Trump. He is a dedicated professional who has extensive legal knowledge and expertise. In addition, he is widely respected in the legal profession and the North Carolina community at large. I know that Matt will excel in leading the U.S. attorney's office.

## ADDITIONAL STATEMENTS

## REMEMBERING MARY ANN RITTER ARNOLD

• Mr. BOOZMAN. Madam President, today I wish to remember the life and service of Mayor Mary Ann Ritter Arnold who served as mayor of Marked Tree, AR, in Poinsett County. Mayor Ritter passed away Thursday, December 21, at the age of 90.

Mary Ann was devoted to the town of Marked Tree and loved it as much as anybody. Her family has been a part of the town from its inception, and she would fondly remark about how she loved "this little ol' town" any chance she got.

Earlier in life, she studied at the University of Missouri, where she graduated in 1948 with a degree in home economics and fashion design. She married her husband, Sidney, and later, they moved back to Mary Ann's hometown of Marked Tree. In 1976, Mary

Ann became president of E. Ritter & Company, one of the most successful family owned businesses in Arkansas.

A trailblazer in many respects, Mary Ann was the first woman elected mayor of Marked Tree when she won the job in 2013. She gave back to the community in so many ways, both through the business she helped lead, as well as through her own personal engagement and involvement with her neighbors and fellow citizens.

Among her many notable accomplishments and activities, she was president of the Arkansas Telephone Association, president of the Arkansas Agricultural Council, was a longtime member and former president of the Marked Tree Rotary Club, served as a justice of the peace, and was on the Poinsett County Quorum Court for 22 years. She also served on the St. Francis Levee Board and with the Crowley's Ridge Girl Scout Council. In 2015, she was inducted into the Arkansas Women's Hall of Fame.

A devoted wife and mother, an astute and successful businesswoman, and a dedicated public servant, Mayor Ritter is truly missed and admired. Her legacy lives on through her family and by way of the tremendous impact she had on so many in Marked Tree. I send my condolences to her loved ones and the community and join them in celebrating her remarkable life.●

## TRIBUTE TO LINDA CLOUTIER-NAMDAR

• Mr. SANDERS. Madam President, today I would like to recognize and honor a remarkable Vermonter, Linda Cloutier-Namdar, who is the recipient of Vermont's 2018 Teacher of the Year Award.

Linda Cloutier-Namdar has taught ninth grade core at Essex High School since its inception, helping set a supportive tone during the critical transition period into high school. She is also a class adviser, serves on a number of school committees, partakes in school literacy initiatives, and is a member of the districtwide English Language Arts Vertical Team.

Linda's love of teaching extends outside of the classroom as well, through her work with the Flynn Theater for the Performing Arts as a teacher leader, the Essex Westford Education Association, and the Vermont Writing Collaborative.

The 2018 Teacher of the Year Award is a fitting testament to Linda's efforts in and out of the classroom and to her dedication to her students' academic success. She has had an enormously positive impact on countless young people in our State and has earned the respect of her colleagues, students, and community through her unwavering commitment to students' personal and intellectual growth.

I would like to offer Linda Cloutier-Namdar my warmest congratulations on this well-deserved award. Vermont is honored to have Linda represent our

State in the National Teacher of the Year competition.●

# MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

## ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on December 22, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. UPTON) had signed the following enrolled bills:

S. 1393. An act to streamline the process by which active duty military, reservists, and veterans receive commercial driver's licenses.

S. 1532. An act to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking.

S. 1766. An act to reauthorize the SAFER Act of 2013, and for other purposes.

H.R. 267. An act to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes.

H.R. 381. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point".

H.R. 518. An act to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes.

H.R. 560. An act to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes.

H.R. 699. An act to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon.

H.R. 863. An act to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes.

H.R. 954. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

H.R. 1242. An act to establish the 400 Years of African-American History Commission, and for other purposes.

H.R. 1306. An act to provide for the conveyance of certain Federal land in the State of Oregon, and for other purposes.

H.R. 1927. An act to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes.

H.R. 2142. An act to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

H.R. 2228. An act to provide support for law enforcement agency efforts to protect the mental health and well-being of law enforcement officers, and for other purposes.

H.R. 2331. An act to require a new or updated Federal website that is intended for use by the public to be mobile friendly, and for other purposes.

H.R. 2611. An act to modify the boundary of the Little Rock Central High School National Historic Site, and for other purposes.

H.R. 4661. An act to reauthorize the United States Fire Administration, the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

## ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Acting President pro tempore (Mr. STRANGE) announced that on December 23, 2017, during the adjournment of the Senate, he had signed the following enrolled bills, which were previously signed by the Speaker pro tempore (Mr. UPTON):

S. 1393. An act to streamline the process by which active duty military, reservists, and veterans receive commercial driver's licenses.

S. 1532. An act to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking.

S. 1766. An act to reauthorize the SAFER Act of 2013, and for other purposes.

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on December 27, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, without amendment:

S. 2273. An act to extend the period during which vessels that are shorter than 79 feet in length and fishing vessels are not required to have a permit for discharges incidental to the normal operation of the vessel.

## ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Acting President pro tempore (Mr. COTTON) announced that on December 27, 2017, during the adjournment of the Senate, he had signed the following enrolled bills, which were previously signed by the Speaker pro tempore (Mr. UPTON):

H.R. 267. An act to redesignate the Martin Luther King, Junior, National Historic Site in the State of Georgia, and for other purposes.

H.R. 560. An act to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes.

H.R. 1242. An act to establish the 400 Years of African-American History Commission, and for other purposes.

H.R. 1306. An act to provide for the conveyance of certain Federal land in the State of Oregon, and for other purposes.

H.R. 1927. An act to amend title 54, United States Code, to establish within the National Park Service the African American Civil Rights Network, and for other purposes.

## ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Acting President pro tempore (Mr. TILLIS) announced that on December 29, 2017, during the adjournment of the Senate, he had signed the following enrolled

bills, which were previously signed by the Speaker pro tempore (Mr. UPTON):

H.R. 381. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point".

H.R. 699. An act to amend the Omnibus Public Land Management Act of 2009 to modify provisions relating to certain land exchanges in the Mt. Hood Wilderness in the State of Oregon.

H.R. 863. An act to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes.

H.R. 2142. An act to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes.

H.R. 2228. An act to provide support for law enforcement agency efforts to protect the mental health and well-being of law enforcement officers, and for other purposes.

H.R. 2331. An act to require a new or updated Federal website that is intended for use by the public to be mobile friendly, and for other purposes.

## ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Acting President pro tempore (Mr. GRASSLEY) announced that on January 2, 2018, during the adjournment of the Senate, he had signed the following enrolled bills, which were previously signed by the Speaker pro tempore (Mr. UPTON):

H.R. 518. An act to amend the Energy Policy and Conservation Act to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination from energy conservation standards for external power supplies, and for other purposes.

H.R. 954. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

H.R. 2611. An act to modify the boundary of the Little Rock Central High School National Historic Site, and for other purposes.

H.R. 4661. An act to reauthorize the United States Fire Administration, the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

## ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on January 3, 2018, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mrs. COMSTOCK) had signed the following enrolled bill:

S. 2273. An act to extend the period during which vessels that are shorter than 79 feet in length and fishing vessels are not required to have a permit for discharges incidental to the normal operation of the vessel.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bill was signed on January 3, 2018, during the adjournment of the Senate, by the Acting President pro tempore (Mr. GRASSLEY).

### MEASURES PLACED ON THE CALENDAR

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

S. 2274. A bill to provide for the compensation of Federal employees affected by lapses in appropriations.

### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4667. An act making further supplemental appropriations for the fiscal year ending September 30, 2018, for disaster assistance for Hurricanes Harvey, Irma, and Maria, and calendar year 2017 wildfires, and for other purposes.

### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on December 22, 2017, she had presented to the President of the United States the following enrolled bill:

S. 1536. An act to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, and for other purposes.

The Secretary of the Senate reported that on December 27, 2017, she had presented to the President of the United States the following enrolled bills:

S. 1393. An act to streamline the process by which active duty military, reservist, and veterans receive commercial driver's licenses.

S. 1532. An act to disqualify from operating a commercial motor vehicle for life and individual who uses a commercial motor vehicle in committing a felony involving human trafficking.

The Secretary of the Senate reported that on today, January 3, 2018, she had presented to the President of the United States the following enrolled bill:

S. 2273. An act to extend the period during which vessels that are shorter than 79 feet in length and fishing vessels are not required to have a permit for discharges incidental to the normal operation of the vessel.

### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-3832. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation as an emergency requirement all funding so designated by the Congress in the Further Additional Continuing Appropriations Act, 2018, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the enclosed list of accounts; to the Committee on the Budget.

### 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. REED (for himself, Mr. WHITEHOUSE, Mr. DURBIN, Ms. KLOBUCHAR, and Mr. CARDIN):

S. 2275. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents and for other purposes; to the Committee on the Judiciary.

### ADDITIONAL COSPONSORS

S. 253

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 322

At the request of Mr. PETERS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 448

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 448, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 1018

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1018, a bill to provide humanitarian assistance for the Venezuelan people, to defend democratic governance and combat widespread public corruption in Venezuela, and for other purposes.

S. 1050

At the request of Ms. DUCKWORTH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American

Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1503

At the request of Ms. WARREN, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 1503, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 1520

At the request of Mr. WICKER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1520, a bill to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. 1674

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1674, a bill to provide grants for the repair, renovation, and construction of public elementary schools and secondary schools, to establish a school infrastructure bond program, and for other purposes.

S. 1693

At the request of Mr. PORTMAN, the names of the Senator from Alabama (Mr. SHELBY), the Senator from South Dakota (Mr. ROUNDS), the Senator from Kansas (Mr. ROBERTS) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1693, a bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking.

S. 1795

At the request of Mrs. MURRAY, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1795, a bill to amend the Higher Education Act of 1965 to improve the financial aid process for homeless children and youths and foster care children and youth.

S. 1978

At the request of Ms. HEITKAMP, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1978, a bill to delay the annual fee on health insurance providers until 2020 and to make such fee tax deductible.

S. 2060

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2060, a bill to promote democracy and human rights in Burma, and for other purposes.

S. 2136

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2136, a bill to expand the

monthly payments that may be eligible for public service loan forgiveness.

S. 2159

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2159, a bill to require covered harassment and covered discrimination awareness and prevention training for Members, officers, employees, interns, fellows, and detailees of Congress within 30 days of employment and annually thereafter, to require a biennial climate survey of Congress, to amend the enforcement process under the Office of Congressional Workplace Rights for covered harassment and covered discrimination complaints, and for other purposes.

S. 2174

At the request of Mr. YOUNG, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2174, a bill to direct the Secretary of Veterans Affairs to conduct a study on the Veterans Crisis Line.

S. 2203

At the request of Mrs. GILLIBRAND, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 2203, a bill to amend title 9 of the United States Code with respect to arbitration.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. WHITEHOUSE, Mr. DURBIN, Ms. KLOBUCHAR, and Mr. CARDIN):

S. 2275. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents and for other purposes; to the Committee on the Judiciary.

Mr. REED. Mr. President, today I am introducing the Liberian Refugee Immigration Fairness Act of 2018 along with Senators WHITEHOUSE, DURBIN, KLOBUCHAR, and CARDIN.

In 1989, a seven-year civil war broke out in Liberia that would claim the lives of over 150,000 people and displace more than half of the Liberian population. A second civil war followed from 1999 to 2003. Then in 2014, Liberia's recovering health system faced the challenge of responding to the Ebola virus outbreak in West Africa. As a result of all of these tragedies, thousands of Liberians have sought refuge in the United States, living and working here under the Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) systems.

The simple truth is that the United States is now home to these law-abiding and tax-paying Liberians. They fled violence, disease, and turmoil to come here. Many now have children who are American citizens, some of whom serve in the Armed Forces. They have worked hard, played by the rules, paid their dues, and submitted to rigorous background checks and vetting. And,

while I and several of my colleagues have worked for years to urge the extension of legal status for this community, DED for Liberians is set to expire next March.

I have offered the Liberian Refugee Immigration Fairness Act in every Congress since 1999 because this community deserves a long-term solution after decades of uncertainty. If nothing is done, American families will be thrown into crisis and torn apart. This legislation provides legal status and a pathway to citizenship for qualifying Liberian refugees.

This legislation is a much-needed first step for a community in need, and should be part of any bipartisan and comprehensive solution for our broken immigration system. I thank Senators WHITEHOUSE, DURBIN, KLOBUCHAR, and CARDIN for cosponsoring this bill and urge my colleagues to join us to finally provide citizenship for Liberians who contribute so much to our American community.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1868. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill S. 925, to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

#### TEXT OF AMENDMENTS

SA 1868. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill S. 925, to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, 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 "Veterans E-Health and Telemedicine Support Act of 2017" or the "VETS Act of 2017".

##### SEC. 2. LICENSURE OF HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF VETERANS AFFAIRS PROVIDING TREATMENT VIA TELEMEDICINE.

(a) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1730A the following new section:

##### "§ 1730B. Licensure of health care professionals providing treatment via telemedicine"

"(a) IN GENERAL.—Notwithstanding any provision of law regarding the licensure of health care professionals, a covered health care professional may practice the health care profession of the health care professional at any location in any State, regardless of where the covered health care professional or the patient is located, if the covered health care professional is using telemedicine to provide treatment to an individual under this chapter.

"(b) COVERED HEALTH CARE PROFESSIONALS.—For purposes of this section, a covered health care professional is any health care professional who—

"(1) is an employee of the Department appointed under the authority under section 7306, 7401, 7405, 7406, or 7408 of this title or title 5;

"(2) is authorized by the Secretary to provide health care under this chapter;

"(3) is required to adhere to all standards of quality relating to the provision of medicine in accordance with applicable policies of the Department; and

"(4) has an active, current, full, and unrestricted license, registration, or certification in a State to practice the health care profession of the health care professional.

"(c) PROPERTY OF FEDERAL GOVERNMENT.—Subsection (a) shall apply to a covered health care professional providing treatment to a patient regardless of whether the covered health care professional or patient is located in a facility owned by the Federal Government during such treatment.

"(d) RELATION TO STATE LAW.—(1) The provisions of this section shall supersede any provisions of the law of any State to the extent that such provision of State law are inconsistent with this section.

"(2) No State shall deny or revoke the license, registration, or certification of a covered health care professional who otherwise meets the qualifications of the State for holding the license, registration, or certification on the basis that the covered health care professional has engaged or intends to engage in activity covered by subsection (a).

"(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to remove, limit, or otherwise affect any obligation of a covered health care professional under the Controlled Substances Act (21 U.S.C. 801 et seq.)."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1730A the following new item:

"1730B. Licensure of health care professionals providing treatment via telemedicine."

##### (c) REPORT ON TELEMEDICINE.—

(1) IN GENERAL.—Not later than one year after the earlier of the date on which services provided under section 1730B of title 38, United States Code, as added by subsection (a), first occur or regulations are promulgated to carry out such section, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the effectiveness of the use of telemedicine by the Department of Veterans Affairs.

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of the following:

(A) The satisfaction of veterans with telemedicine furnished by the Department.

(B) The satisfaction of health care providers in providing telemedicine furnished by the Department.

(C) The effect of telemedicine furnished by the Department on the following:

(i) The ability of veterans to access health care, whether from the Department or from non-Department health care providers.

(ii) The frequency of use by veterans of telemedicine.

(iii) The productivity of health care providers.

(iv) Wait times for an appointment for the receipt of health care from the Department.

(v) The use by veterans of in-person services at Department facilities and non-Department facilities.

(D) The types of appointments for the receipt of telemedicine furnished by the Department that were provided during the one-year period preceding the submittal of the report.

(E) The number of appointments for the receipt of telemedicine furnished by the Department that were requested during such period, disaggregated by medical facility.

(F) Savings by the Department, if any, including travel costs, from furnishing health care through the use of telemedicine during such period.

#### VETERANS E-HEALTH AND TELE-MEDICINE SUPPORT ACT OF 2017

Mr. McCONNELL. Madam President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 925 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 legislative clerk read as follows:

A bill (S. 925) to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

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

Mr. McCONNELL. I ask unanimous consent that the Ernst 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. 1868) 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 "Veterans E-Health and Telemedicine Support Act of 2017" or the "VETS Act of 2017".

#### SEC. 2. LICENSURE OF HEALTH CARE PROFESSIONALS OF THE DEPARTMENT OF VETERANS AFFAIRS PROVIDING TREATMENT VIA TELEMEDICINE.

(a) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1730A the following new section:

#### "§ 1730B. Licensure of health care professionals providing treatment via telemedicine"

"(a) IN GENERAL.—Notwithstanding any provision of law regarding the licensure of health care professionals, a covered health care professional may practice the health care profession of the health care professional at any location in any State, regardless of where the covered health care professional or the patient is located, if the covered health care professional is using telemedicine to provide treatment to an individual under this chapter.

"(b) COVERED HEALTH CARE PROFESSIONALS.—For purposes of this section, a covered health care professional is any health care professional who—

"(1) is an employee of the Department appointed under the authority under section 7306, 7401, 7405, 7406, or 7408 of this title or title 5;

"(2) is authorized by the Secretary to provide health care under this chapter;

"(3) is required to adhere to all standards of quality relating to the provision of medicine in accordance with applicable policies of the Department; and

"(4) has an active, current, full, and unrestricted license, registration, or certification in a State to practice the health care profession of the health care professional.

"(c) PROPERTY OF FEDERAL GOVERNMENT.—Subsection (a) shall apply to a covered health care professional providing treatment to a patient regardless of whether the covered health care professional or patient is located in a facility owned by the Federal Government during such treatment.

"(d) RELATION TO STATE LAW.—(1) The provisions of this section shall supersede any provisions of the law of any State to the extent that such provision of State law are inconsistent with this section.

"(2) No State shall deny or revoke the license, registration, or certification of a covered health care professional who otherwise meets the qualifications of the State for holding the license, registration, or certification on the basis that the covered health care professional has engaged or intends to engage in activity covered by subsection (a).

"(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to remove, limit, or otherwise affect any obligation of a covered health care professional under the Controlled Substances Act (21 U.S.C. 801 et seq.)."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1730A the following new item:

"1730B. Licensure of health care professionals providing treatment via telemedicine."

#### (c) REPORT ON TELEMEDICINE.—

(1) IN GENERAL.—Not later than one year after the earlier of the date on which services provided under section 1730B of title 38, United States Code, as added by subsection (a), first occur or regulations are promulgated to carry out such section, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the effectiveness of the use of telemedicine by the Department of Veterans Affairs.

(2) ELEMENTS.—The report required by paragraph (1) shall include an assessment of the following:

(A) The satisfaction of veterans with telemedicine furnished by the Department.

(B) The satisfaction of health care providers in providing telemedicine furnished by the Department.

(C) The effect of telemedicine furnished by the Department on the following:

(i) The ability of veterans to access health care, whether from the Department or from non-Department health care providers.

(ii) The frequency of use by veterans of telemedicine.

(iii) The productivity of health care providers.

(iv) Wait times for an appointment for the receipt of health care from the Department.

(v) The use by veterans of in-person services at Department facilities and non-Department facilities.

(D) The types of appointments for the receipt of telemedicine furnished by the Department that were provided during the one-year period preceding the submittal of the report.

(E) The number of appointments for the receipt of telemedicine furnished by the Department that were requested during such period, disaggregated by medical facility.

(F) Savings by the Department, if any, including travel costs, from furnishing health care through the use of telemedicine during such period.

The bill (S. 925), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### MEASURE READ THE FIRST TIME—H.R. 4667

Mr. McCONNELL. Madam President, I understand that there is a bill at the desk, and I ask for its first reading.

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

The legislative clerk read as follows:

A bill (H.R. 4667) making further supplemental appropriations for the fiscal year ending September 30, 2018, for disaster assistance for Hurricanes Harvey, Irma, and Maria, and calendar year 2017 wildfires, and for other purposes.

Mr. McCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

#### ORDERS FOR THURSDAY, JANUARY 4, 2018

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Thursday, January 4; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, following leader remarks, the Senate proceed to executive session and resume consideration of the Counts nomination; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m.

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

#### ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. McCONNELL. Madam 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 6:35 p.m., adjourned until Thursday, January 4, 2018, at 11 a.m.

#### NOMINATIONS RETURNED TO THE PRESIDENT

Wednesday, January 3, 2018

The following nominations transmitted by the President of the United States to the Senate during the first session of the 115th Congress, and upon which no action was had at the time of the sine die adjournment of the Senate, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

#### AMTRAK BOARD OF DIRECTORS

LEON A. WESTMORELAND, OF GEORGIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

#### CONSUMER PRODUCT SAFETY COMMISSION

ANN MARIE BUERKLE, OF NEW YORK, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2018.



ANN MARIE BUERKLE, OF NEW YORK, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION.

DANA BAIOCOCCO, OF OHIO, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2017.

#### DEPARTMENT OF AGRICULTURE

SAMUEL H. CLOVIS, JR., OF IOWA, TO BE UNDER SECRETARY OF AGRICULTURE FOR RESEARCH, EDUCATION, AND ECONOMICS.

#### DEPARTMENT OF COMMERCE

BARRY LEE MYERS, OF PENNSYLVANIA, TO BE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE.

#### DEPARTMENT OF DEFENSE

CHARLES DOUGLAS STIMSON, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE NAVY.  
DEAN L. WINSLOW, OF DELAWARE, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

ALEX A. BEEHLER, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE ARMY.

MICHAEL D. GRIFFIN, OF ALABAMA, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE.

PHYLLIS L. BAYER, OF MISSISSIPPI, TO BE AN ASSISTANT SECRETARY OF THE NAVY.

#### DEPARTMENT OF EDUCATION

JAMES BLEW, OF CALIFORNIA, TO BE ASSISTANT SECRETARY FOR PLANNING, EVALUATION, AND POLICY DEVELOPMENT, DEPARTMENT OF EDUCATION.

MITCHELL ZAIS, OF SOUTH CAROLINA, TO BE DEPUTY SECRETARY OF EDUCATION.

KENNETH L. MARCUS, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR CIVIL RIGHTS, DEPARTMENT OF EDUCATION.

#### DEPARTMENT OF ENERGY

DAVID S. JONAS, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF ENERGY.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

BRETT GIROIR, OF TEXAS, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO THE QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

STEPHEN PARENTE, OF MINNESOTA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

ALEX MICHAEL AZAR II, OF INDIANA, TO BE SECRETARY OF HEALTH AND HUMAN SERVICES.

#### DEPARTMENT OF HOMELAND SECURITY

KEVIN K. MCALEENAN, OF HAWAII, TO BE COMMISSIONER OF U.S. CUSTOMS AND BORDER PROTECTION, DEPARTMENT OF HOMELAND SECURITY.

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

BRIAN D. MONTGOMERY, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

ROBERT HUNTER KURTZ, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

#### DEPARTMENT OF JUSTICE

BRIAN ALLEN BENCKOWSKI, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

JEFFREY BOSSERT CLARK, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.

ERIC S. DREIBAND, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

JESSE SEROYER, JR., OF ALABAMA, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS.

JOSEPH H. HUNT, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.

#### DEPARTMENT OF LABOR

PATRICK PIZZELLA, OF VIRGINIA, TO BE DEPUTY SECRETARY OF LABOR.

CHERYL MARIE STANTON, OF SOUTH CAROLINA, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR.

WILLIAM BEACH, OF KANSAS, TO BE COMMISSIONER OF LABOR, STATISTICS, DEPARTMENT OF LABOR, FOR A TERM OF FOUR YEARS.

SCOTT A. MUGNO, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF LABOR.

JAMES EDWIN WILLIAMS, OF UTAH, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF LABOR.

#### DEPARTMENT OF STATE

JAY PATRICK MURRAY, OF VIRGINIA, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

JAY PATRICK MURRAY, OF VIRGINIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS.

DOUG MANCHESTER, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

KATHLEEN TROIA MCFARLAND, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SINGAPORE.

ERIC M. UELAND, OF OREGON, TO BE AN UNDER SECRETARY OF STATE (MANAGEMENT).

SAMUEL DALE BROWNBAC, OF KANSAS, TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.

RICHARD GRENELL, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF GERMANY.

JAMES RANDOLPH EVANS, OF GEORGIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LUXEMBOURG.

STEPHEN AKARD, OF INDIANA, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE.

YLEEM D. S. POBLETE, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (VERIFICATION AND COMPLIANCE).

SUSAN A. THORNTON, OF MAINE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (EAST ASIAN AND PACIFIC AFFAIRS).

#### DEPARTMENT OF THE INTERIOR

SUSAN COMBS, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

RYAN DOUGLAS NELSON, OF IDAHO, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR.

#### DEPARTMENT OF THE TREASURY

ADAM LERRICK, OF WYOMING, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY.

ISABEL MARIE KEENAN PATELUNAS, OF PENNSYLVANIA, TO BE ASSISTANT SECRETARY FOR INTELLIGENCE AND ANALYSIS, DEPARTMENT OF THE TREASURY.

DAVID J. RYDER, OF NEW JERSEY, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS.

#### DEPARTMENT OF TRANSPORTATION

PAUL TROMBINO III, OF WISCONSIN, TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION.

DIANA FURCHTGOTT-ROTH, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION.

#### ENVIRONMENTAL PROTECTION AGENCY

MICHAEL DOURSON, OF OHIO, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY.

ANDREW WHEELER, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

#### EXECUTIVE OFFICE OF THE PRESIDENT

KATHLEEN HARTNETT WHITE, OF TEXAS, TO BE A MEMBER OF THE COUNCIL ON ENVIRONMENTAL QUALITY.

#### EXPORT-IMPORT BANK OF THE UNITED STATES

SCOTT GARRETT, OF NEW JERSEY, TO BE PRESIDENT OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2021.

#### FEDERAL COMMUNICATIONS COMMISSION

BRENDAN CARR, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL COMMUNICATIONS COMMISSION FOR A TERM OF FIVE YEARS FROM JULY 1, 2018.

#### FEDERAL DEPOSIT INSURANCE CORPORATION

JELENA MCWILLIAMS, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF SIX YEARS.

JELENA MCWILLIAMS, OF OHIO, TO BE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF FIVE YEARS.

#### FEDERAL ELECTION COMMISSION

JAMES E. TRAINOR III, OF TEXAS, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2023.

#### FEDERAL RESERVE SYSTEM

RANDAL QUARLES, OF COLORADO, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2018.

JEROME H. POWELL, OF MARYLAND, TO BE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOUR YEARS.

MARVIN GOODFRIEND, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR A TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2016.

#### FINANCIAL STABILITY OVERSIGHT COUNCIL

THOMAS E. WORKMAN, OF NEW YORK, TO BE A MEMBER OF THE FINANCIAL STABILITY OVERSIGHT COUNCIL FOR A TERM OF SIX YEARS.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

JAMES BRIDENSTINE, OF OKLAHOMA, TO BE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

JEFFREY DEWITT, OF ARIZONA, TO BE CHIEF FINANCIAL OFFICER, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

#### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

STEVEN GARDNER, OF KENTUCKY, TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT.

#### THE JUDICIARY

DAMIEN MICHAEL SCHIFF, OF CALIFORNIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

DAVID RYAN STRAS, OF MINNESOTA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT.

STEPHEN S. SCHWARTZ, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS.

THOMAS ALVIN FARR, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA.

CHARLES BARNES GOODWIN, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA.

MARK SAALFIELD NORRIS, SR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.

WILLIAM M. RAY II, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

ELI JEREMY RICHARDSON, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE.

ANNEMARIE CARNEY AXON, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

LILES CLIFTON BURKE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

MICHAEL B. BRENNAN, OF WISCONSIN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT.

MICHAEL JOSEPH JUNEAU, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

HOLLY LOU TETTER, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS.

JEFFREY UHLMAN BEAVERSTOCK, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ALABAMA.

RYAN WESLEY BOUNDS, OF OREGON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

TERRY FITZGERALD MOORER, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF ALABAMA.

BRETT JOSEPH TALLEY, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA.

ELIZABETH L. BRANCH, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT.

MATTHEW J. KACSMARYK, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF TEXAS.

EMILY COODY MARKS, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF ALABAMA.

JEFFREY CARL MATER, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TEXAS.

MATTHEW SPENCER PETERSEN, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

BARRY W. ASHE, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA.

DANIEL DESMOND DOMENICO, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO.

STUART KYLE DUNCAN, OF LOUISIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.

KURT D. ENGELHARDT, OF LOUISIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.

#### IN THE NAVY

NAVY NOMINATION OF CAPT. PAUL A. STADER, TO BE REAR ADMIRAL (LOWER HALF).

#### IN THE AIR FORCE

AIR FORCE NOMINATION OF DAVID P. HAWORTH, TO BE COLONEL.

AIR FORCE NOMINATION OF DORI M. BAKER, TO BE LIEUTENANT COLONEL.

#### FOREIGN SERVICE

FOREIGN SERVICE NOMINATION OF KENNETH W. MACLEAN.

FOREIGN SERVICE NOMINATION OF TANYA S. URQUIETA.

FOREIGN SERVICE NOMINATION OF DAVID A. ASHFORD.

FOREIGN SERVICE NOMINATION OF DAVID CHARLES MILLER.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MICHAEL ASHKOURI AND ENDING WITH OMAR ROBLES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 5, 2017.

### CONFIRMATION

Executive nomination confirmed by the Senate January 3, 2018:

#### DEPARTMENT OF DEFENSE

JOHN C. ROOD, OF ARIZONA, TO BE UNDER SECRETARY OF DEFENSE FOR POLICY.