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Senate

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

PRAYER

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

Let us pray.

O God, our shield, look with favor upon us. Lord, You have told us in James 4:2 that we have not because we ask not. We therefore continue to ask You to place Your healing hand on Senator JOHN MCCAIN. Astound us with Your power.

Today, we also pray that You would guide our lawmakers around the obstacles that hinder their progress, uniting them for the common good of this great land. Lord, enable them to go from strength to strength, as they fulfill Your purposes for their lives. Striving to please You, help them to stand for right and leave the consequences to You.

We pray in Your powerful 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 senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 20, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable LUTHER STRANGE, a Senator from the State of Alabama, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

RECESS SUBJECT TO THE CALL OF THE CHAIR

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

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

RECOGNITION OF THE MAJORITY LEADER

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

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

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

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

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

HEALTHCARE

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

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

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the Bush nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

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

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

HEALTHCARE

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

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

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

I usually enjoy being right, but in this case, I am very sad to have watched the worst possible scenario play out. Time after time, President Obama was faced with problems in implementation and in outcomes, and he would dismiss them by saying: ''It just needs more time,'' or, as this cartoon shows, ''it just needs a tune up.''

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

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

Even before its passage, my Republican colleagues and I talked about the danger that ObamaCare posed to private insurance markets.

Insurers have already left the market in droves. In Wyoming, we are down to one carrier. We lost the others to the economics of ObamaCare, and we will be lucky to keep the one we have. I know many people in our country are going to be in the position of having no insurers offering plans in their county.

How could this happen? It has happened because of politics being put before patients and an unwillingness to take on the hard task of fixing something that you have sold as the perfect solution.

I can tell you that healthcare isn't a simple issue. It is incredibly complex and, really, there is no one right way to tackle it. I was the ranking member of the Health, Education, Labor, and Pensions Committee when ObamaCare passed. We worked hard to find common ground. When it became clear that there was not a reciprocal commitment to that from our colleagues on the other side of the aisle, we did work hard to try to stop it.

Now we are finally in a position to do so. We have a President in the White House who is committed to repealing and replacing ObamaCare with better care before more irreparable harm is done. Republicans have been working on an approach that attempts to address both the short-term and long-term problems caused by ObamaCare.

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

Doing this isn't easy. You may have read a little something about the challenges of moving a healthcare bill forward, but the alternative is to do what our colleagues on the other side of the aisle have done for 7 years and watch ObamaCare crater. We don't think that is the right thing to do. We think we have an obligation, even if it is not an easy vote, to salvage our insurance system.

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

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

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

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

He reminded us that he has been serving on the Judiciary Committee for 8 years. He said that by confirming someone to the Federal bench like Mr. Bush, who has blogged about controversial political and policy matters, the Senate would be doing something unprecedented. Specifically, my friend from Minnesota—in angst—said, ''I don't think we have been here before.''

''I don't think we have been here before,'' he said. I would encourage my friend to think a little harder about his tenure on the Judiciary Committee. Just a few years ago, the Senate considered President Obama's nomination of Stephen Bough to be a Federal judge in Missouri. Mr. Bough had been quite an active blogger himself. His blogging and online commentary were not simply confined to political satire and sarcasm. His blogging didn't use merely flippant or intemperate language. His blogging demonstrated a real and palpable animus toward conservatives and Republicans in general, toward elected Republicans in particular, and by name—by name. He insulted and impugned people from his home State, such as Senators, his Governor, the President of the United States, and a Republican nominee for President, just to name a few.

Mr. Bough's posts were truly meanspirited. It wasn't just that he called Republicans ''knuckleheads''—which he did. That was when he was feeling especially kind. No, he said specific Republicans were ''corrupt.'' They had done ''evil things''—''evil things.'' I can go on and on about his corrosive rhetoric.

He approvingly posted an article describing how San Francisco was contemplating naming a sewage plant after President Bush as a suitable legacy for the President and posted another one that said his Governor was highly ''ignorant.''

His invective was not reserved to members of the political branches. He said that his State supreme court was the most corrupt in the history of the State. I am not making this up. He is an officer of the court, calling the supreme court the most corrupt in the history of his State.

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

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

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

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

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

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

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

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

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

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

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

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

The same courage that he showed as a soldier he showed here. JOHN MCCAIN and I led a group to deal with immigration reform. He had to take so many tough positions to do what was right. He was fearless. His word was good. He was good at compromising, and he was good at making his views known.

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

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

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

HEALTHCARE

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

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

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

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

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

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

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

seen that that failed approach does not work. I outlined three specific, nonideological proposals yesterday that we could work on together, right now, to stabilize the marketplaces and help bring down premiums. I believe they would pass quickly. My Republican friends do not seem to know what to do. My suggestion is to drop these failed ideas and work with Democrats on the commonsense, nonideological solutions that we Democrats have offered.

Here is one more point. I have heard some of my colleagues say they may vote for the motion to proceed next week because they are in favor of debate. I will remind them that the rules under reconciliation only allow for 20 hours of debate to be equally divided between the parties and 1 minute of debate allowed per amendment. That is not debate. The idea that you would vote on the motion to proceed in order to have a healthcare debate is absurd. If my colleagues want to debate healthcare, they should vote no on the motion to proceed and urge their leader to hold a real debate—in committees, in public hearings, on the floor, and through regular order, which is a process that they have spurned for 7 months—not 10 hours for each party, with 1 minute per amendment, on such an important proposal. That is not a debate. It is the legislative equivalent of ''Beat the Clock.'' This is serious business—the health and welfare of the American people—not some game show.

TRADE AND OUTSOURCING

Mr. President, just as the administration is flailing and failing on healthcare, they are failing on trade and outsourcing as well.

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

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

Mr. President, I reiterate my remarks from yesterday on the nomination of John Bush to the Sixth Circuit Court of Appeals. Many of my colleagues have been down on the floor and have expressed just how distressing and damaging this nomination will be.

His extreme record demonstrates that John Bush simply does not have the temperament to be an impartial Federal judge—the very least our system requires. Once again, I urge my colleagues to oppose his confirmation.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Ms. HASSAN. Mr. President, I thank our leader, Senator SCHUMER, for his remarks.

I join with Senator SCHUMER and all of our colleagues in wishing the very best to our tough and resilient American hero and colleague, JOHN MCCAIN. Our thoughts and prayers are with him and his family. We need him back here as fast as he can get here.

HEALTHCARE

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

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

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

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

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

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

I also have real concerns with Mr. Bush's record when it comes to the rights of LGBTQ Americans. Mr. Bush has made clear that he is vehemently opposed to marriage equality, calling it a ''no-compromise'' position. In 2011, he criticized the State Department for an announcement that led to more equal treatment of same-sex parents, and he has even used an offensive, antigay slur in a quote that he chose to use in public remarks.

Mr. Bush's deeply offensive public statements and his record indicate that he is an individual who is focused on extreme partisanship and who does not recognize the basic equality of all Americans. His statements and his actions tell us that he is not committed to the concept of equal justice under our laws. This is unacceptable for someone seeking a lifetime appointment to a job that requires sound judgment, objectivity, and, more than anything else, an essential commitment to fairness.

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

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. I ask unanimous consent to be allowed to speak as in morning business for up to 15 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, to the disappointment of the American

public, the world scientific community, and even to corporate giants like Goldman Sachs and Cargill, President Trump recently decided to withdraw the United States from the Paris Agreement. He cited as justification a slew of alternative facts. Some of the most egregious of these alternative facts came from a National Economic Resource Associates—a group we will call NERA in this speech—report that was commissioned and promoted by a group that calls itself the U.S. Chamber of Commerce but fronts for the fossil fuel industry. ''U.S. Chamber of Carbon'' might be a better and more accurate name for it.

The U.S. Chamber of Commerce, so-called, is a heavy hitter in Washington. It was the second largest spender of anonymous outside money, or dark money, in the 2016 Federal elections, second only to the National Rifle Association. In addition to all that political election spending, it wields the largest lobbying force on Capitol Hill. In 2015, the chamber dropped over $100 million on lobbying.

The U.S. Chamber of Commerce is one of climate action's most implacable enemies, as everybody here knows, despite the good climate policies of so many companies on its board. Along with Senators WARREN, SANDERS, and others, I examined this inconsistency between the positions of the chamber and of its board members in our recent report, ''The U.S. Chamber of Commerce: Out of Step with the American People and its Members.''

Mr. President. I ask unanimous consent to have printed in the RECORD excerpts from the report, ''The U.S. Chamber of Commerce: Out of Step with the American People and its Members.''

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

THE U.S. CHAMBER OF COMMERCE: OUT OF STEP WITH THE AMERICAN PEOPLE AND ITS MEMBERS

A Report from Senators Sheldon Whitehouse, Elizabeth Warren, Barbara Boxer, Bernard Sanders, Sherrod Brown, Jeff Merkley, Richard Blumenthal, and Edward Markey

(Select Climate Change Specific Excerpts)

EXECUTIVE SUMMARY

The United States Chamber of Commerce (the Chamber), the largest lobbying organization in the country, has used its considerable resources to fight legislation in Congress and Obama Administration actions on tobacco and climate change at home and abroad. A series of 2015 New York Times articles exposed the Chamber's aggressive tactics to help the tobacco industry fight international antismoking laws, regulations, and policies, and described the organization's systematic efforts to undermine the Environmental Protection Agency's work to address climate change and carbon pollution. These activities raised questions about the Chamber's policy-making process; one analyst concluded that ''the Chamber is at odds with the interests of some, if not most, of its membership in three other areas: climate change, minimum wages and tobacco,'' and described its advocacy as ''aligned with the small number of companies that are its largest contributors.''

In response to the 2015 allegations, Senators Sheldon Whitehouse, Elizabeth Warren, Barbara Boxer, Bernard Sanders, Sherrod Brown, Jeff Merkley, Richard Blumenthal, and Edward Markey examined the positions and actions of Chamber Board members to determine the extent to which the Chamber's activities on tobacco and climate change reflect its Board members' views and interests. The analysis focused on the 108 private-sector members of the Chamber's Board of Directors, which the Chamber describes as ''the principal governing and policymaking body of the U.S. Chamber of Commerce. . . . [that] determine[s] the U.S. Chamber's policy positions on business issues and advise[s] the U.S. Chamber on appropriate strategies to pursue.'' The findings of this analysis—based on correspondence with the Chamber's Board members and a review of publicly available information on Chamber Board member positions on tobacco and climate change—reveal the following:

The Chamber's positions and actions on tobacco and climate change are at odds with those of its Board members. Approximately half of the companies on the Chamber's Board of Directors have adopted anti-tobacco and pro-climate positions that contrast sharply with the Chamber's activities. Chamber Board member companies have acknowledged the public health harms of tobacco and support the efforts of their employees to quit smoking. They have also taken public positions and actions in support of efforts to reduce carbon emissions and address climate change. Despite the positions of its Board members, the Chamber opposes efforts in Congress and by the Administration to address these issues.

Not a single Board member explicitly supported the Chamber's lobbying efforts. In response to inquiries from several senators, 21 Chamber Board members distinguished their actions from the Chamber's on tobacco by describing their own positive efforts, and five respondents distinguished their actions and positions on climate change. Five additional companies on the Chamber's Board explicitly disagreed with the Chamber's positions on tobacco or tobacco lobbying activities. For example, Chamber Board member Celgene stated that it ''[does] not support tobacco use or policies that promote tobacco use.'' Steward Health Care Systems elaborated on its disagreement with the Chamber's actions, saying that it ''was the only company on the Chamber Board that went on record to oppose the initiative.'' Other respondents sidestepped key questions and failed to respond to questions about how they viewed the Chamber's activities. Not one Board member explicitly supported the Chamber's actions on tobacco and climate.

The Chamber's decision-making process and Board policy decisions are not transparent. Ten Chamber Board members revealed, in their responses to the congressional inquiries, that they had no knowledge of or input into the Chamber's lobbying activities on tobacco or climate issues. For example, Chamber Board member Edward Jones, Inc., indicated that the company ''[was] not advised of any campaigns... [and is] not aware of any processes'' to develop these campaigns. Sempra Energy reported that ''the issues raised in [the] letter have not been discussed during the short time [it has] been a member of the organization.'' Despite the Chamber's description of the Board as its ''principal governing and policymaking body,'' not one Chamber Board member explicitly indicated that they were fully aware of and able to provide their input and views to the Chamber regarding its actions on tobacco and climate.

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

I. INTRODUCTION

The United States Chamber of Commerce is the largest lobbying organization in the country. OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (the National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent $35 million on political expenditures (through super PACs, 501(c) organizations, and/or political party committees) that were ''outside'' or independent of candidates' campaign committees.

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

While the Chamber claims that it ''reflects the grassroots views of the entire business community'' and that it represents the ''interests of more than three million businesses of all sizes, sectors, and regions'' when it interacts with Congress, its positions and actions on tobacco and climate do not appear to reflect or communicate the positions of many of its member companies. The following analysis shows that approximately half of the companies on the Chamber's Board of Directors have publicly taken positions on tobacco and climate change that are in conflict with the Chamber's actions and positions. This calls into question the Chamber's allegedly transparent decision-making process, and suggests that the Chamber does not accurately represent the positions of its member companies.

Moreover, the Chamber's lobbying is at odds with its own public positions. The organization strongly professes that it is anti-tobacco, saying that it ''is not in the business of promoting cigarette smoking at home or abroad, period.'' It also claims to support the environment, saying that it ''has in its public documents, Hill letters and testimony, supported efforts to reduce greenhouse gas emissions in the atmosphere,'' and calling for a ''comprehensive climate change law.'' Plainly, there is a broad gap between the Chamber's stated policies, its Board members' positions, and its actual lobbying activities.

III. THE CHAMBER'S LOBBYING ON TOBACCO AND CLIMATE ISSUES

When the Chamber weighs in, many in Washington, D.C., listen. The Chamber is the largest lobbying organization in the country and claims to represent the ''interests of more than three million businesses of all sizes, sectors, and regions'' when it interacts with Congress. OpenSecrets, a nonprofit, nonpartisan research group that tracks the effects of money and lobbying, showed that in 2015 alone, the Chamber spent roughly $85 million on lobbying efforts, more than twice the amount spent by the second-highest organization (National Association of Realtors). During the 2013–2014 election cycle, the Chamber spent $35 million on political expenditures (through super PACs, 501(c) organizations, and/or political party committees)

that were ''outside'' or independent of candidates' campaign committees.

The Chamber has attacked U.S. climate policies with similar zeal. According to The New York Times, in early 2014, a group of 30 corporate lawyers, coal lobbyists, and Republican political strategists gathered at the Chamber's headquarters to devise legal strategies to dismantle the President's Clean Power Plan—before President Obama had even introduced a draft proposal of it. The Chamber has also been vocal about its opposition to climate action when testifying before Congress. For instance, the Chamber has testified in opposition to the Paris Agreement, despite the fact that many of its Board member companies have pledged to support the goals of the Agreement. Additionally, nearly all of Chamber campaign contributions—94%—have reportedly gone to climate change denier candidates.

V. FINDINGS

Based on the responses to the Tobacco and Climate Letters and public positions and policies of Board members, the report finds that:

Approximately half of the companies on the U.S. Chamber of Commerce's Board of Directors have anti-tobacco and/or pro-climate positions.

None of the respondents to the Tobacco and Climate Letters expressed explicit support for the Chamber's activities, and numerous Chamber Board members distanced themselves from Chamber activities on tobacco or climate.

The Chamber's decision-making process lacks transparency, even with respect to its Board members. A number of Board members were unaware of key Chamber policymaking and lobbying decisions on tobacco and climate.

Climate Change Findings

Almost half of the Chamber Board members (52 of 108, 48%) have taken public positions supporting efforts to reduce carbon emissions and address climate change, including eight of the companies that responded to the Senate inquiry on Chamber climate policies (see Appendix V). The remaining Board member companies appear to have no public position on climate change as a public health or environmental issue.

These 52 companies that support efforts to address climate change, have undertaken their own initiatives to reduce carbon emissions, support the EPA's work on climate change, or have publicly committed to support of the Paris Agreement.

Indeed, many Chamber Board members are national and international leaders on this issue. For example:

Allstate is a member of the Ceres Company Network, a group of companies that have agreed to improve their environmental and social performance, publicly report on their sustainability practices, and continuously improve their performance and disclosure on sustainability issues. Allstate was also named to the Climate Disclosure Leadership Index (CDLI) from 2008 to 2014 for its efforts to reduce its carbon footprint and transparency on its climate change adaptation.

AT&T is one of more than 150 companies to have signed on to the American Business Act on Climate Pledge. AT&T has committed to reduce its direct greenhouse emissions by 20 percent and reduce its electricity consumption by 2020.

BMO Financial Group stated that it is ''focused on reducing our environmental footprint, setting clear goals and consistently maintaining carbon neutrality across our entire enterprise.''

Las Vegas Sands was named to the CDP's ''A list'' in 2015 for its efforts to address and disclose corporate climate change information.

Ryder received the EPA SmartWay Excellence Award in 2013 and 2014 in recognition of its efforts to address carbon pollution and emissions.

Sanofi ''strives to reduce [its] environmental impact, so that [it] can contribute to decreasing the effects of climate change. This includes a two-pronged approach to reduce [its] carbon footprint and to combat diseases directly correlated with climate change.'' Sanofi says that it has reduced its carbon emissions by 60 times, cut transport costs by 50 percent, and has set a goal of reducing its water consumption by 25 percent between 2010 and 2020.

3M is a founding member of the National Climate Coalition. In its 2015 Sustainability Report, 3M touted its ''history of proactive leadership in addressing both the challenges and opportunities presented by climate change and energy conservation.''

UPS stated it was ''pleased to join 12 other firms at the White House on July 27, 2015, in launching the American Business Act on Climate Change . . . [W]e pledged first to reduce our carbon intensity by 20% by 2020, from a 2007 baseline. Second, we plan for our alternative fuel and technology fleet, which will number about 8,000 trucks by the end of the year, to have driven a cumulative 1 billion miles by 2017.''

No Chamber Board members that responded to the Senate letter explicitly supported the Chamber's lobbying actions on climate policy. Seven respondents to the Climate Letter indicated that they do not agree with every action taken by trade associations of which they are a member, and three companies declined to express a position. Two of the eleven companies that responded to the Climate Letter (Citadel and HCSC) indicated that they were not involved in the Chamber's climate-related activities, and the other nine did not indicate whether they were involved in the Chamber's climate policy decision-making process.

Despite the fact that nearly half of Chamber Board members have acknowledged the risk of climate change or are actively working to address the risks of climate change, the Chamber has opposed executive action on climate and lobbied heavily in support of legislation undermining climate action, assembling a ''vast network of lawyers and lobbyists ranging from state capitols to Capitol Hill, aided by Republican governors and congressional leaders,'' to oppose President Obama's climate change regulations.

VI. CONCLUSION

The Chamber claims that it ''reflects the grassroots views of the entire business community when the organization testifies before Congress or regulatory agencies, disseminates reports or statements to the media, or sends comments or letters to Capitol Hill and to policymakers.'' It states that ''everyone involved in the process must help develop positions that benefit the entire business community, rather than any given narrow interest . . . The process must be open and above board.''

But this investigation fmds these claims to be plainly untrue. Despite its claims of a representative policy-making process, the Chamber does not speak for many of its Board members on two of the most pressing public health issues of our time. The discrepancy between how the Chamber and its Board members act on tobacco and climate is stark. Bloomberg columnist Barry Ritholtz contends that it is easy for the Chamber to ignore its numerous member companies that oppose its stance because one third of its revenue comes from just 19 companies, many of them in the energy industry.

Indeed, based on the responses of Chamber Board member companies, the Chamber seems to act at will, without broadly consulting its leading members about fundamental policy positions on which it spends millions of dollars in collected dues.

Some American business icons have demonstrated leadership by disaffiliating themselves from the Chamber over fundamental policy disagreements. Apple, Exelon, and Pacific Gas and Electric (PG&E), have left the Chamber over its destructive climate policies. Nike left the Board for similar reasons, and other members—Intel, Johnson & Johnson, and Microsoft—publicly disagree with and distance themselves from the Chamber's climate position. And CVS Health withdrew its membership from the Chamber last year due to the group's tobacco lobbying.

Many Chamber members do good work to address the risks of tobacco and climate change. But too many of these members quietly disapprove of the Chamber's positions without taking action. As long as these Board members lend their tacit support to an organization that spearheads systematic efforts against policies to limit tobacco and climate change, it is difficult to accept their claims that they are anti-tobacco or good on climate.

We encourage Chamber Board members to stop looking the other way where there is disagreement, and defending their Chamber membership as supporting free speech. This positioning makes it appear as though they're trying to have it both ways and damages their credibility and efforts in support of positive action. These companies should take responsibility for the positions and actions of the Chamber, and use their leverage as an opportunity to shift the tenor of a powerful lobbying force away from harming public health and towards positions that help reduce tobacco use and address the risks of climate change.

Mr. WHITEHOUSE. When President Trump announced his withdrawal from the Paris Agreement, he used these alternative facts from that chamber-commissioned NERA report. Here is what Trump said:

Compliance with the terms of the Paris Accord and the onerous energy restrictions it has placed on the United States could cost America as much as 2.7 million lost jobs by 2025. . . . This includes 440,000 fewer manufacturing jobs.

End of alternative facts quote.

This was another assertion:

By 2040, compliance with the commitments put into place by the previous administration would cut production for the following sectors: paper down 12 percent; cement down 23 percent; iron and steel down 38 percent; coal—and I happen to love the coal miners—down 86 percent; natural gas down 31 percent. The cost to the economy at this time would be close to $3 trillion in lost GDP and 6.5 million industrial jobs, while households would have $7,000 less income and, in many cases, much worse than that.

End quote of his alternative facts.

Countless reviewers, including PolitiFact, Scientific American—that known crazy, phony, liberal publication, Scientific American—CNBC, and Fortune magazine, fact-checked the President's speech. It did not fare well. PolitiFact warned us to ''take these statistics with a grain of salt.'' An analysis of the underlying report was done by Kenneth Gillingham, an economics professor at Yale University. He pointed out that the NERA study made up a hypothetical set of policy actions to reach those goals. Those policy actions may well never have been

taken by anyone to comply with the Paris Agreement, but that was what they used. Second, NERA only modeled the cost side.

You have heard the phrase ''cost-benefit equation.'' They only looked at the costs. They didn't ever look at the benefit side. This is phony accounting when you only look at one side of the ledger.

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

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

Senator TED CRUZ cited the NERA report in his CNN op-ed urging President Trump to pull the United States out of the Paris Agreement a day before President Trump cited these stats in his withdrawal speech.

CRUZ, Trump, and the chamber ignored more than 1,000 companies that supported the United States remaining in the Paris Agreement, including several chamber member companies. Some of these have publicly distanced themselves from the chamber as a result of the President's decision. A recent Bloomberg news article was headlined, ''Paris Pullout Pits Chamber Against Some of Its Biggest Members.''

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

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

The article highlights the chamber's climate denial efforts, including its 2009 proposal to hold a public trial on climate science—what it dubbed ''the Scopes monkey trial of the 21st century.'' New Mexico-based utility PNM Resources actually quit the chamber because that idea was so preposterous.

The Washington Post identified 8 of the 25 companies that signed an ad in the New York Times supporting the Paris Agreement as chamber members, including GE, Microsoft, and Walt Disney. The CEOs of these companies publicly criticized President Trump's decision.

Microsoft's Brad Smith said:

> We're disappointed with the decision to exit the Paris Agreement. Microsoft remains committed to doing our part to achieve its goals.

GE's Jeff Immelt said:

> Disappointed with today's decision on the Paris Agreement. Climate change is real. Industry must now lead and not depend on government.

Walt Disney's Bob Iger said:

> As a matter of principle, I've resigned from the President's Council over the #Paris Agreement withdrawal.

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

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

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

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

With this appalling track record, why was he nominated? It is not hard to figure that out. He is here because through those offensive blog posts and by flagging himself as a loyal climate denier, he signals himself as a willing foot soldier of the big special interests. These big special interests are intent on capturing our courts, just as they have captured so much of Congress.

Judicial nominees like Mr. Bush are exactly what these special interests want, to make sure they can, first, maintain their dark money influence. That is their most particular key. That is the mother ship off of which all the other special interest mischief they perform comes from and of course to see to it that these big interests are never held accountable to the American people. That is the signal he sends.

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

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

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

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

I yield the floor.

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

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

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

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

[Rollcall Vote No. 164 Ex.]

YEAS—51

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

NAYS—47

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

NOT VOTING—2

McCain	Stabenow

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Wyoming.

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

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

EXECUTIVE CALENDAR

Mr. ENZI. Madam President, I ask unanimous consent that the Senate resume consideration of the Bernhardt nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

The PRESIDING OFFICER. The Senator from Florida.

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

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

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

He responded:

I am aware that, in response to the President's recent Executive Order on the Outer Continental Shelf, Secretary Zinke issued a Secretarial Order 3350 directing the Bureau of Ocean Energy Management to review and develop a new five-year plan. I support the President's and the Secretary's actions to examine new leasing opportunities within the OCS in order to advance the Administration's energy agenda.

Then Senator CANTWELL asked him: ''Do you support extending this moratorium?''

He responded: ''I support the President's and the Secretary's actions aimed at increasing offshore production while balancing conservation objectives.''

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

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

I ask unanimous consent to have the two letters printed in the RECORD.

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

OFFICE OF THE UNDER SECRETARY OF DEFENSE,
Washington, DC, April 26, 2017.

Hon. MATT GAETZ,
House of Representatives,
Washington, DC.

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

National security and energy security are inextricably linked and the DoD fully supports the development of our nation's domestic energy resources in a manner that is compatible with military testing, training, and operations. As mentioned in your letter, the complex of eastern Gulf of Mexico operating areas and warning areas provides critical opportunities for advanced weapons testing and joint training exercises. The moratorium on oil and gas ''leasing, pre-leasing, and other related activities'' ensures that these vital military readiness activities may be conducted without interference and is critical to their continuation. Emerging technologies such as hypersonics, autonomous systems, and advanced sub-surface systems will require enlarged testing and training footprints, and increased DoD reliance on the Gulf of Mexico Energy Security Act's moratorium beyond 2022. The moratorium is essential for developing and sustaining our nation's future combat capabilities.

Since signing the 1983 ''Memorandum of Agreement Between the Department of Defense and the Department of the Interior on Mutual Concerns on the Outer Continental Shelf,'' the two departments have worked cooperatively to ensure offshore resource development is compatible with military readiness activities. During recent discussions between the DoD and the Department of the Interior's Bureau of Ocean Energy Management, a question arose concerning whether Congress intended the moratorium to prohibit even geological and geophysical survey activities in the eastern Gulf. We would welcome clarification from Congress concerning this matter.

On behalf of the Secretary, I appreciate your interest in sustaining our testing and training activities in the eastern Gulf of Mexico.

Sincerely,

A.M. KURTA,
Performing the Duties of the Under Secretary of Defense for Personnel and Readiness.

DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE CHIEF OF STAFF,
Washington, DC, June 27, 2017.

Hon. BILL NELSON,
United States Senate,
Washington, DC.

DEAR SENATOR NELSON: I write this letter in whole-hearted support of a proposal seeking to extend the moratorium on leasing, preleasing, or any other related activity in any area east of the Military Mission Line in the Gulf of Mexico. I understand this provision is being considered for inclusion in the National Defense Authorization Act for Fiscal Year 2018.

The Air Force fully supports the development of our nation's domestic energy resources in a manner that is compatible with the military testing, training, and operations. The complex of eastern Gulf of Mexico operating areas and warning areas provides critical opportunities for advanced weapons testing and joint training exercises. The moratorium on oil and gas leasing, preleasing, and other related activities ensures that these vital military readiness activities may be conducted without interference and is critical to their continuation. Of course, we are always willing to work with the appropriate agencies to see if there are ways to explore for energy without hampering air operations.

The moratorium is essential for developing and sustaining the Air Force's future combat capabilities. Although the Gulf of Mexico Energy Security Act's moratorium does not expire until 2022, the Air Force needs the certainty of the proposed extension to guarantee long-term capabilities for future tests. Emerging technologies such as hypersonics, 5th generation fighters, and advanced subsurface systems will require enlarged testing and training footprints, and increased Air Force reliance on the moratorium far beyond 2022.

Please don't hesitate to contact me if you have any questions. I look forward to continuing our work with you to ensure America's Air Force remains the very best.

Sincerely,

DAVID L. GOLDFEIN,
General, USAF, Chief of Staff.

Mr. NELSON. The letters—one from the Office of the Secretary of Defense and the other from General Goldfein, the Chief of Staff of the Air Force—state they are needing to put a major investment of telemetry into the eastern gulf range for all of these sophisticated weapons systems, and they don't want this investment of the infrastructure with the moratorium ending in the year 2022. They want to extend the moratorium for another 5 years, to 2027. That is a reasonable request by the Department of Defense and the Department of the Air Force.

For example, a test can start way down in the South, off of Key West, and a cruise missile could go all the way, 300 miles, because of the size of this test range, and then it could have a land impact on Eglin Air Force Base. That is part of our testing regime.

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

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

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

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

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

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

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

After the 2010 BP oilspill, it became clear that the relationship between regulators and the oil industry was a problem so the Minerals Management Service was divided into two separate agencies in the Department of the Interior—the Bureau of Ocean Energy Management, which regulates lease sales, and the Bureau of Safety and Environmental Enforcement, which is supposed to ensure that safety standards are followed. Less than a decade later, people seem to have forgotten all of that, and they want to put the two back together again. It is another example of what is going on. Not only that, but the administration is trying to roll back the safety rules, like the well control rule that was finalized in November of last year. This long-overdue rule seeks to prevent what went so tragically wrong on the *Deepwater Horizon* rig from ever happening again.

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

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

Why do they know that?

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

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

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

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

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. What is the pending business?

The PRESIDING OFFICER. The Bernhardt nomination is pending.

Ms. CANTWELL. I thank the Chair.

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

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

The Deputy Secretary also performs very important functions as it relates

to the Secretary or in the Secretary's absence. In virtually all matters, the Deputy Secretary has the authority of the Secretary. That is why I look at this position with such an important critique, because we know in past positions there have been conflicts, and we know we have important policies to discuss, and we need to make sure we have no conflicts of interest.

I have made no secret that I have concerns about this nomination. Mr. Bernhardt is no stranger to this body and he is no stranger to the Department of the Interior. He held a number of senior political positions in the Department during the Bush administration beginning in 2006.

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

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

The President of the United States traveled the country when he was campaigning and said he wanted to drain the swamp from special interests, and he has repeated that many times over the last few years. But with Mr. Bernhardt's nomination, I am afraid he is not draining the swamp, he is actually helping to fill it.

The nominee's private sector experience as a registered lobbyist for companies whose main public policy focuses are in the Department of Interior creates an appearance of a conflict of interest. Also, the nominee wants to lead the Department that he sued four times.

It is true that Mr. Bernhardt has considerable experience. We saw another nominee come to this same post in a past administration on the same basis. People thought he had a lot of experience in a lot of these cases, but he obviously didn't follow the law and ended up going to jail because of his overreaching within the agency and organization.

So these are very important public policy issues, public lands issues—interests that the American people need to make sure are aboveboard and no conflicts of interest.

Mr. Bernhardt served in the highest levels of the Department of the Interior at a time when the inspector general called it ''a culture of ethical failure.'' I know that at the hearing he told us he tried to help change that failure of culture within the agency. The Inspector General also testified that ''ethics failures on the part of senior department officials—taking the form of appearances of impropriety, favoritism and bias—have been routinely dismissed with a promise 'not to do it again.' ''

While Mr. Bernhardt has given testimony about the fact that he tried to help change and get away from that culture, I still have concerns that his private sector client base poses a significant problem. The nominee's extensive client base in the area, which falls under the jurisdiction of the Department of the Interior, creates at least an inherent appearance of conflict. He and his clients have lobbied extensively on such matters as the Cadiz pipeline in California, opening up the Arctic National Wildlife Refuge to oil exploration, and weakening the Endangered Species Act. He has advocated in favor of expanding offshore drilling and lifting the moratorium in the Gulf after the Deepwater Horizon disaster. He also represented Westlands Water District, the Nation's largest irrigation district, as a registered lobbyist. His law firm represented Westlands in four different lawsuits against the Department of the Interior.

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

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

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

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

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

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

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

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

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

I thank the Presiding Officer.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

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

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

We both began our public service 1 year apart, interning in the Colorado State Legislature for a member of the Colorado State Legislature named Russell George, who would go on, eventually, to become the Colorado speaker of the house.

I will never forget when I began. It was in the second term of then-State Representative Russell George. I worked for him on Tuesdays and Thursdays in an internship through Colorado State University. He said: You should reach out and meet last year's intern because I think he could help you figure out the ropes around here and what you should know about the internship. He gave me the phone number for David Bernhardt. So I followed in the footsteps of David Bernhardt at the capitol, and I am excited to see the work that he continues to do.

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

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

The country will indeed benefit from having Mr. Bernhardt serve as Deputy Secretary, a position that is the second ranking official within the Department and has statutory responsibilities as the chief operating officer.

Along with Mr. Bernhardt's professional career, I believe it is important to fully understand his background and the foundation of his interest in public lands, which further qualifies him for this very important role.

Mr. Bernhardt is originally from the outskirts of the small town of Rifle, CO, located on Colorado's Western Slope. If you have driven through the Eisenhower Tunnel, the Veterans Memorial Tunnels, or if you go to Grand Junction, CO, you will have been right by and through Rifle, CO.

Few places more fully embody the spirit and mission of the agency he has been nominated to lead as Deputy Secretary. Growing up in rural Colorado instilled in David strong western values and interests, and, to this day, Mr. Bernhardt enjoys hunting, recreation, the outdoors, and fishing.

Rifle is located in Garfield County, an area where about 60 percent of the lands are Federal public lands. Think about the work he is about to take on upon confirmation: 60 percent of his home county is public lands.

Rifle was founded as a ranching community along the Colorado River, and it retains that heritage today, along with tremendous opportunities for world-class outdoor recreation, including fishing, hiking, skiing, rafting, and rock climbing. It also sits at the very edge of the Piceance Basin, an area in Colorado which has vast amounts of natural gas.

David grew up in the oil shale boom and bust and has said that the boom-and-bust cycle in Western Colorado has made him more sensitive to the potential benefits and the potential impacts—both environmental and social—of resources development.

In the 1980s, his hometown of Rifle was hit hard by the State's oil shale crash, and he personally experienced some of the hard times the Nation's rural communities often face. Much like the Department of the Interior itself, Rifle is a community that is a product of its public lands and the western heritage around it. It is centrally located, just a few miles away from the iconic Grand Mesa, the world's largest flat top mountain. The flat top's wilderness and the Roan Plateau represent a home base among these public lands, with virtually unmatched access to world-class outdoor experiences, which is why Mr. Bernhardt has such a passion for these issues.

His background and outlook on public lands and water issues assisted him in his prior service at the Department of the Interior, including in the Solicitor's role. Mr. Bernhardt's confirmation as Solicitor was confirmed by voice vote by the U.S. Senate in 2006. By voice vote, he was approved the last time he served at the Department of the Interior.

There have been other nominees—I think this has been a subject of debate on his nomination—considered by the Energy Committee and by this body who practiced private law from the time between their public service appointments at the Department of the Interior and the time they would come back to the administration. Mr. Bernhardt has taken the same steps these nominees did in order for his nomination to move forward today.

I think it is important to point out the Hayes-Schneider standard that was established for the Department of the Interior.

David Hayes, nominated for Deputy Secretary in the Obama administration, was confirmed by the Senate. He had previously served in the Clinton administration, and then he served in the Obama administration. In between that time, he had a private law practice.

Janice Schneider, nominated for Assistant Secretary under President Obama, served in the Clinton administration but in between served in a private law practice. What we see is another nominee who is a dedicated public servant, has gained experience in the private sector, and is willing to come back to public service to give back to our great country.

Mr. Bernhardt's integrity and ability are two of his strongest qualities for his nomination. Public service requires certain sacrifices. I certainly appreciate Mr. Bernhardt's and his family's acceptance of the nomination that will be considered by this body today.

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

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

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

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

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

Here is a letter from a wide variety of organizations: the International

Snowmobile Manufacturers Association, the Recreational Vehicle Industry, environmental organizations that have done great work in conservation, the National Shooting Sports Foundation. These are groups, organizations—not partisan efforts, but organizations that rely on Democrats and Republicans.

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

Here is a letter of support for David Bernhardt from the chief of the Penobscot Nation. The National Cattlemen's Beef Association supports the nomination of David Bernhardt. The list goes on and on.

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

I yield the floor.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

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

Mitch McConnell, Roger F. Wicker, John Thune, Tim Scott, John Hoeven, Pat Roberts, Orrin G. Hatch, Tom Cotton, John Barrasso, Thom Tillis, Michael B. Enzi, John Boozman, James M. Inhofe, John Cornyn, James Lankford, Mike Rounds, Cory Gardner.

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

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

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), and the Senator from Nebraska (Mr. SASSE).

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

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

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

[Rollcall Vote No. 165 Ex.]

YEAS—56

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Bennet	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heinrich	Rounds
Cassidy	Heitkamp	Rubio
Cochran	Heller	Schatz
Collins	Hoeven	Scott
Corker	Inhofe	Shelby
Cornyn	Isakson	Strange
Cotton	Johnson	Sullivan
Crapo	Kennedy	Thune
Cruz	King	Tillis
Daines	Lankford	Toomey
Donnelly	Lee	Wicker
Enzi	Manchin	Young
Ernst	McConnell	

NAYS—39

Baldwin	Franken	Nelson
Blumenthal	Gillibrand	Peters
Booker	Harris	Reed
Brown	Hassan	Sanders
Cantwell	Hirono	Schumer
Cardin	Kaine	Shaheen
Carper	Klobuchar	Tester
Casey	Markey	Udall
Coons	McCaskill	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden

NOT VOTING—5

Leahy	Moran	Stabenow
McCain	Sasse	

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

The motion is agreed to.

The Senator from Utah.

Mr HATCH. Mr. President, is it appropriate to make a speech at this time?

The PRESIDING OFFICER. It is.

Mr. HATCH. Thank you, Mr. President.

President Ronald Reagan used to say that people are policy. Attacking a new President's policies, therefore, often includes undermining his or her ability to appoint men and women to lead his or her administration.

The Constitution gives to the President the power to appoint executive branch officials. The Senate has the power of advice and consent as a check on that appointment power.

In the early months of the Obama administration, Senate Democrats were clear about how we should carry out our role in the appointment process. Less than 2 weeks after President Obama took office, the Judiciary Committee chairman said he wished that the Senate could have put the new Justice Department leadership in place even more quickly. Just 3 months into President Obama's first term, the chairman argued that, ''at the beginning of a presidential term, it makes sense to have the President's nominees in place earlier, rather than engage in needless delay.''

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

This chart is an illustration.

Democrats complained about obstruction when, during the first 6 months of the Obama administration, the Senate confirmed 69 percent of his nominations. Today marks 6 months since President Trump took the oath of office, and the Senate has been able to confirm only 23 percent of his nominations.

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

Democrats do not have the votes to defeat nominees outright. That is why the centerpiece of their obstruction campaign is a strategy to make confirming President Trump's nominees as difficult and time-consuming as possible.

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

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

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

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

President Trump and his three predecessors were each elected with the Senate controlled by his own political party. This is another illustration right here. At this point in the Clinton and George W. Bush administrations, the Senate had taken no cloture votes—nothing, none whatsoever—as you can see, on nominations. We took just four nomination cloture votes at this point during the Obama administration. So far in the Trump administration, the Senate has taken 33 cloture votes on nominations. Think about that. If that isn't obstruction, I don't know what is. It is not even close.

There is one very important difference between cloture votes taken in the beginning of the Clinton, Bush, or Obama administrations and those taken this year. In November 2013, Democrats effectively abolished nomination filibusters by lowering the vote

necessary to end debate from a supermajority of 60 to a simple majority. It now takes no more votes to end debate than it does to confirm a nomination. In other words, the Senate did not take cloture votes during previous administrations, even though doing so could have prevented confirmation.

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

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

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

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

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

[From www.wsj.com, July 12, 2017]

SENATE FIGHT OVER TRUMP'S NOMINEES HEATS UP

(By Brent Kendall and Natalie Andrews)

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

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

More than 30 nominees are sitting on the sidelines while they await a final Senate confirmation vote. Those include several picks for the Justice and Treasury departments, as well as new commissioners for a federal energy regulator that has been unable to conduct official business because of its vacancies.

If the currept pattern holds, many of these people may not be confirmed for their jobs before the Senate takes a break in mid-August. Senate Minority Leader Chuck Schumer (D., N.Y.) in most circumstances has been invoking Senate procedures to require up to 30 hours of debate per nominee, an amount of Senate floor time that means lawmakers can't confirm more than a handful of nominees each week.

The minority party often waives a requirement for lengthy debate, but Democrats are generally declining to do so. In response to GOP complaints, they cite what they call Republican obstructionism under President Barack Obama, including Republicans' refusal to hold a hearing or vote on Mr. Obama's Supreme Court nominee, Merrick Garland.

In the current environment, even noncontroversial nominees can take up several days of Senate time. For example, the Senate spent much of the first part of the week considering the nomination of David Nye to be a federal judge in Idaho. Mr. Nye was originally nominated by Mr. Obama and Mr. Trump renominated him after taking office.

Senators took a procedural vote Monday on Mr. Nye, but he wasn't confirmed until Wednesday afternoon, on a 100–0 vote.

Raw feelings on both sides of the aisle erupted this week. Republicans accused Democrats of unprecedented obstruction, saying it would take the Senate more than 11 years at the current pace before Mr. Trump could fully staff a government.

White House legislative affairs director Marc Short, in a press briefing Monday, accused Mr. Schumer of being an irresponsible champion of the ''resist'' movement. Senate Majority Leader Mitch McConnell (R., Ky.) cited the issue as a top reason for his decision to push back the Senate's planned August recess by two weeks.

On the Senate floor Wednesday, Mr. McConnell said Democrats were ''bound and determined to impede the president from making appointments, and they're willing to go to increasingly absurd lengths to further that goal.''

Democrats dismiss such characterizations given what they see as unprecedented Republican tactics toward Mr. Obama's nominees, especially Judge Garland. In February 2016, Republican Senate leaders said they wouldn't consider a Supreme Court nominee until after the election.

Democrats also note that Mr. Trump has yet to name people for hundreds of vacancies and say there have been paperwork problems with a number of people he has chosen.

''Our Republican friends, when they're worried about the slow pace of nominations, ought to look in the mirror,'' Mr. Schumer said on the Senate floor on Tuesday. The GOP complaints about the pace of confirmations, he added, ''goes to show how desperate our Republican leadership is to shift the blame and attention away from their healthcare bill.''

Mr. Schumer has said Democrats will generally insist on lengthy Senate debate time for nominees until Republicans start using traditional Senate procedures for advancing their health legislation, including committee hearings and bill markups.

Mr. McConnell has said Republicans have held numerous hearings on ACA issues in the past and it isn't necessary to do so for the current legislation.

Unlike the political fights earlier in the year over some of Mr. Trump's cabinet picks and his Supreme Court nomination of Neil Gorsuch, the current nominees at the head of the queue aren't high-profile, and some have bipartisan support.

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

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

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

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

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

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

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

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

(By Eric Kroh)

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

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

After taking office, Trump's five predecessors had their nominees to head the antitrust division confirmed by June at the latest. In the last 40 years, only Carter has taken longer to get his pick permanently installed after a change in administration. Carter nominated John H. Shenefield to be assistant attorney general on July 7, 1977, and he was confirmed on Sept. 15 of that year.

On the rung below, only two of five deputy assistant attorney general positions are currently filled at the antitrust division. Though the division is largely staffed by career employees and has been humming along under acting directors, the lack of a confirmed head and the vacancies at the deputy level could be a sign that the administration doesn't place a high priority on antitrust matters, according to Christopher L Sagers of the Cleveland-Marshall College of Law at Cleveland State University.

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

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

However, it has taken an unusually long time for Delrahim to make it through the logjam of nominations in the Senate. As of Friday, it has been 109 days since Trump announced Delrahim as his pick to lead the antitrust division. Of the past six administrations, only President George W. Bush's nominee took longer to confirm when the Senate approved Charles A. James on June 15, 2001, 120 days after he was nominated.

Popular wisdom holds that the antitrust division is hesitant to launch any major merger challenges or cartel investigations when it is operating under an acting assistant attorney general, but that is largely a canard, Sagers said.

It's true that the division has been mainly focused on addressing litigation and deal reviews that were already ongoing when Trump took office and continuing probes begun under Obama. However, past acting assistant attorneys general have not been afraid to take aggressive enforcement actions, such as the DOJ's challenge to AT&T's acquisition of T-Mobile in 2011 under acting head Sharis A. Pozen, Sagers said.

Nevertheless, the lack of permanent leadership is likely being felt at the division, Sagers said.

''At a minimum, it's a burden on the agency's ability to get all its work done,'' he said.

For example, the DOJ asked the Second Circuit on two occasions for more time to file its opening brief in a case involving the government's interpretation of a decades-old antitrust consent decree that applies to music performing rights organization Broadcast Music Inc. In its request, the DOJ said it needed to push back the filing deadline because of the turnover in leadership at the antitrust division.

''Given the context of decrees that govern much of the licensing for the public performance of musical works in the United States, this is an important issue,'' the DOJ said in an April court filing. ''In the meantime, there is still an ongoing transition in the leadership in the Department of Justice, and this is a matter on which the newly appointed officials should have an opportunity to review any brief before it is filed.''

The Second Circuit ultimately declined to grant the DOJ's second request for an extension.

The setting of big-picture policies at the antitrust division such as in the BMI case is exactly the kind of thing that can fall by the wayside under temporary leadership, Sagers said.

Depending on the industry, companies may also be waiting to see the direction the DOJ takes on merger reviews under the Trump administration before deciding to follow through with or pursue large deals, according to Andrea Murino, a partner with Goodwin Procter LLP.

''I do think it is something you have to factor in,'' Murino said.

Dealmakers may be watching to see how the DOJ acts on blockbuster transactions such as the AT&T-Time Warner merger. The antitrust division also has to decide whether to challenge German drug and chemicals maker Bayer AG's $66 billion acquisition of U.S.-based Monsanto Co.

The antitrust division's tenor will in large part be set by who will serve under Delrahim in the deputy assistant attorney general positions. Following Delrahim's confirmation, current acting Assistant Attorney General Andrew Finch will serve as his principal deputy. Last month, the DOJ named Donald G. Kempf Jr. and Bryson Bachman to two of the deputy assistant attorney general openings, leaving three vacancies remaining.

While it's preferable to have a full slate of officials and enforcers in place, the antitrust division will continue to review deals, go to court and police cartels until those seats are filled, Murino said.

''They've gone through this before, maybe just not for this length of time,'' she said. ''There is a slew of really talented career people that do not change with the political administration.

As long as those people are in place, they will keep the trains running on time.''

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

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

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

For two centuries, the confirmation ground rules called for reserving time-consuming rollcall votes for controversial nominees so that Senators could record their opposition. Nominations with little or no opposition were confirmed more efficiently by voice vote or unanimous consent.

Democrats have literally turned the confirmation process inside out. Before 2001, the Senate used a rollcall vote to confirm just 4 percent—4 percent—of judicial nominees and only 20 percent of those rollcall votes were unopposed nominees.

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

Today, with a Republican President again in office, Democrats are still trying to change the confirmation ground rules. The confirmation last week of David Nye to be a U.S. district judge was a prime example. The vote to end debate on the Nye nomination was 97 to 0. In other words, every Senator, including every Democrat, voted to end the debate. Most people with common sense would be asking why the cloture vote was held at all and why the delay.

But Democrats did not stop there. Even after a unanimous cloture vote, they insisted on the full 30 hours of postcloture debate time provided for under Senate rules. To top it off, the vote to confirm the nomination was 100 to 0.

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

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

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

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

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

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

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

While the Senate used time-consuming rollcall votes to confirm less

than 10 percent of the previous three Presidents' executive branch nominees, under President Trump, it is nearly 90 percent.

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

This is not how the confirmation process is supposed to work.

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

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

TAX REFORM

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

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

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

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

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

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

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

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

An inversion, if you will recall, is a transaction in which two companies merge, and the resulting combined entity is incorporated offshore. Let me repeat some numbers that I cited last week. In the 20 years between 1983 and 2003, there were just 29 corporate inversions out of the United States. In the 11 years between 2003 and 2014, there were 47 inversions—nearly double the number in half the amount of time. That number includes companies that are household names in the United States. This is happening in large part because of the perverse incentives embedded in our corporate tax system and the stupidity of us in the Congress to not solve this problem.

Keep in mind that I am only talking about inversions. There are also foreign takeovers of U.S. companies, not to mention arrangements that include earnings stripping and profit shifting. The collective result has been a massive erosion of the U.S. tax base and, perhaps more importantly, decreased economic activity here at home.

Make no mistake—our foreign competitors are fully aware of these incentives. They have recognized that lowering corporate tax rates can help them lure economic activity into their locations. Yet, in the face of this competition, the U.S. tax system has remained virtually frozen.

As I noted last week, reducing the corporate tax rate would help alleviate these problems, but more will be required, including reforms to our international tax system.

Currently, the United States uses what is generally referred to as a worldwide tax system for international tax, which means that U.S. multinationals pay the U.S. corporate tax on domestic earnings as well as on earnings acquired abroad. Taxes on those offshore earnings are generally deferred so long as the earnings are kept offshore and are only taxed upon repatriation to the United States after accounting for foreign tax credits and the like.

Put simply, this type of system is antiquated. The vast majority of our foreign counterparts have already done away with worldwide taxation and have converted to a territorial system. Generally speaking, a territorial system is one in which multinational companies pay tax only on earnings derived from domestic sources.

By clinging to its worldwide tax system and a punitively high corporate tax rate, the United States has severely diminished the ability of its multinational companies to compete in the world marketplace. Because U.S.-based companies are subject to worldwide taxation while their global competitors are subject to territorial taxation systems, U.S. companies all too often end up having to pay more taxes than their foreign competitors, putting them at a distinct competitive disadvantage.

Generally speaking, foreign-based companies pay taxes only once at the tax rate of the country from which they have derived the specific income. A U.S. multinational, on the other hand, generally pays taxes on offshore income at the rate set by the source country but then gets hit again—and at a punitively high rate—when it repatriates its earnings back to America.

This is stupidity in its highest sense. This needs to change. It is not only Republicans who are saying that; many Democrats have recognized this issue as well. For example, I will cite the Finance Committee's bipartisan working group on international tax, which is cochaired by Senators PORTMAN and SCHUMER, our ranking minority leader, which examined these issues thoroughly and produced a report in 2015. In that report, after noting that most industrialized countries have lower corporate rates and territorial systems, this bipartisan group of Senators said: ''This means that no matter what jurisdiction a U.S. multinational is competing in, it is at a competitive disadvantage.''

The report by Senators PORTMAN and SCHUMER and the members of their working group also referred to something called the lock-out effect. Simply put, the lock-out effect refers to the incentives U.S. companies have to hold foreign earnings and make investments offshore in order to avoid the punitive U.S. corporate tax. This is not a dodge or a tax hustle on the part of these companies; they are simply doing what the Tax Code tells them to do. The Tax Code essentially tells U.S. companies: You can have $100 in Ireland, say, or you can have $65 in the United States.

Well, no surprise here—companies generally opt to have $100 in Ireland.

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

HEALTHCARE

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

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

Here is what the CBO says about the bill that is currently being reworked behind closed doors by my Republican colleagues. The CBO says that, immediately, 15 million people would lose coverage by next year. That is a humanitarian catastrophe. It is something this country has never witnessed before—that number of people losing coverage in that short a period of time. Our emergency rooms would be overwhelmed as they would be unable to deal with the scope of that kind of humanitarian need. Ultimately, the number would rise to 22 million at the end of the 10-year window. We know it will be far bigger than that in the second 10 years because that is when the worst of the Medicaid cuts will happen, but 22 million is a lot of folks. It is no different than in the previous version, which was 23 million, or in the House's bill, which somehow got a majority vote in that place despite 24 million people losing health insurance, according to the CBO.

Today, 90 percent of Americans are covered by health insurance. The CBO says that number will go all the way down to 82 percent. I have heard my friend Senator CORNYN complain on this floor year after year that the ACA still leaves millions of Americans uncovered. This would make it even worse.

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

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

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

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

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

We are at this very frightening time in the negotiations when changes are being made to this bill not to improve policy but to try to win individual votes. That is what is happening as we speak. Behind closed doors, small changes are being made to this bill to try to win the votes of individual Senators, giving them specific amounts of money for their State, and their State alone, in order to win their vote. That is shameful, and it is no way to reorder one-fifth of the American economy. We are talking about 20 percent of the U.S. economy. And changes are being made to this bill right now that have nothing to do with good healthcare, that have only to do with winning individual votes to try to get to 50, because Republicans refuse to work with Democrats—refuse to work with us. So instead of building a product that could get big bipartisan support, Republicans are now down to a handful of their Members and are trying to find ways to deliver amounts of money to those Members' States in order to win their vote.

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

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

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

These are not changes that help the American healthcare system. They are not changes that benefit my State or

the State of the majority of Members here. Some of these changes don't benefit 98 of us; they only benefit 2 of us. And they are in this version of the bill in order to win votes, not to make good policy.

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

So even if you get a little bit of money to help a group of individuals in a handful of States transition, when that money runs out—and it will—they are back in the same place. All they are doing is temporarily postponing the enormity of the pain that gets delivered. And once again, this provision being delivered to only States with Medicaid expansion populations is being targeted in order to win votes, not in order to improve the entirety of the healthcare system.

Senator CORKER called out his colleagues today. He said that he was willing to vote for the motion to proceed, but he was growing increasingly uncomfortable with a bill that was increasingly—I think his word was ''incoherent.'' That is what happens when you get to the point where you have a deeply unpopular bill that everybody in the country hates and you need to put amounts of money in it to get a handful of additional votes. It becomes incoherent. And this was an incoherent bill to begin with. It is hard to make this bill more incoherent, but that is what is happening when these individual funds are being set up for Alaska, Louisiana, and Florida.

We could solve all of this if Republicans decided to work with Democrats. If we set aside the big tax cuts for the wealthy and the pillorying of the Medicaid Program, if we try to fix the real problems Americans face today, we could do it on a bipartisan way. And wouldn't that be great.

I get it that there is enormous political advantage for Democrats to sit on the sidelines and watch Republicans vote for a bill that has a 15-percent approval rating, just like there was political advantage for Republicans to sit on the sidelines and not do anything to help Democrats provide insurance to 20 million more Americans. Healthcare is a very thorny political issue, but it doesn't have to be that way. We could sit down together and own this problem and the solution together, and we could end healthcare being a permanent political cudgel that just gets used every 5 to 10 years by one side to beat the other side over the head.

We are Senators too. We got elected just like our Republican friends did. Why won't Republicans let Democrats into the room, especially after this bill has failed over and over again to get 50 votes from Republicans? We don't have a communicable disease. We aren't going to physically hurt you if you let us into that room. We are not lying when we say we have a desire to compromise.

Democrats aren't going to walk into a negotiating room and demand a single-payer healthcare system. We understand that we are going to have to give Republicans some of what they want; maybe that is flexibility in the benefit design that is offered on these exchanges. But Republicans are going to have to give Democrats some of what we want, which is the end to this madness—an administration that is trying to sabotage our healthcare system and destroy the healthcare our citizens get. But that could be a compromise. It is not illegal to meet with us. There are 48 of us; there are not 12 of us. My constituents in Connecticut deserve to have a voice in how one-fifth of the American economy is going to be transformed.

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

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

Mr. President, I yield the floor.

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

Mr. WYDEN. Mr. President, before he leaves the floor, I want to commend my colleague from Connecticut for a very thoughtful speech. I think he has made the case that the challenge ahead is really a two-part drill—first, to stop something that is especially ill advised, and second, to then move to a better way that really focuses on sunlight and bipartisanship. So I thank my colleague for his very thoughtful comments.

THINKING ABOUT SENATOR MCCAIN

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

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

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

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

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

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

HEALTHCARE

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

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

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

Let's be realistic about what the slush fund represents in the context of

the overall plan. Senate Republicans are steering tens of millions of Americans toward a cliff and are offering the world's smallest pillow to break the fall.

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

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

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

Nobody in this Chamber, with the possible exception of Senate Majority Leader MITCH MCCONNELL, can claim to really know what is coming down the pike on American healthcare. So with the health and well-being of hundreds of millions of Americans at stake, this shadowy, garbled, and wretched process really just leaves your jaw on the floor.

Senate Republicans seem to be speeding toward a vote on something. As I mentioned, there is the prospect of this $200 billion slush fund being dangled out there to help round up votes. My sense is that this slush fund is of zero consolation to the millions of Americans who live in States that didn't expand Medicaid. It is of zero consolation to the tens of millions of middle-class families who are going to have their tax cuts or healthcare ripped away and see their premiums skyrocket. It will be of zero consolation to middle-class families who are panicked over whether they are going to be able to take care of elderly parents and grandparents when long-term care through Medicaid is cut.

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

There is no escaping the consequences of whatever the Senate passes. If you had objections to TrumpCare or a repeal-only bill yesterday, this doesn't change a thing.

A few hours ago, the nonpartisan Congressional Budget Office—for folks who don't follow the lingo and CBO, those are our nonpartisan umpires. They put out an analysis of the third version of the Senate Republican healthcare bill. If you were hoping that was the charm, the news doesn't exactly help your cause.

The CBO found that it is still going to send premiums through the roof. The new version is going to kick 22 million Americans off their healthcare. It is still going to make healthcare unaffordable for millions of Americans with preexisting conditions. That is especially troubling to me—and I know the Presiding Officer is very interested in the policy foundations of these big issues. Before the Presiding Officer came to this body, I worked with one of our former colleagues, and we put together what is still the only comprehensive bipartisan health reform—seven Democrats, seven Republicans—that has been introduced in this body. One of the priorities that those Senators—and some of those colleagues on the other side of the aisle are still here; they were cosponsors of this bill, and many of the Democratic sponsors are still here. There was bipartisan agreement that there should be an airtight, loophole-free commitment to protecting people with preexisting conditions. As I said, seven Democrats, seven Republicans signed off on that bill. A number of them from both sides still serve in the U.S. Senate today.

Now what is being discussed is an approach that would make healthcare unaffordable for millions of people with preexisting conditions, really taking a big step back—and I have heard my colleague speak about this, commenting on TV shows and the like—toward the days when healthcare in America was for the healthy and the wealthy. That is what you get if you don't have airtight protections for those with preexisting conditions, if you don't have what we had in our original bill by seven Democrats, seven Republicans—airtight protections, loophole-free protections for those with preexisting conditions. If you don't have it, you are marching back to the days when healthcare was for the healthy and wealthy, where you could not move to another job if you got a great opportunity because you had a preexisting condition. You were immobilized. That is where this is going with the proposal to make healthcare unaffordable for millions of people with preexisting conditions, turning back the clock, moving away from what has strong bipartisan support in this Chamber with Senators on both sides who are still here.

For those who care about the affordability of health coverage, there is a statistic that really leaves you without words. Under the Senate Republican bill, in 2026, a middle-aged American who brings home $26,500 annually will face a deductible of $13,000—$13,000. If you are watching this, remember that figure the next time you hear that the Senate Republican bill lowers costs or puts the patient at the center of care. If this bill becomes law, that individual with a $13,000 deductible is one bad injury or diagnosis away from personal bankruptcy. How does that figure compare to the system on the books today, you might ask? Under the Affordable Care Act, that same individual's deductible is $800.

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

''Repeal and run'' means that 17 million Americans lose coverage in the first year; 32 million Americans lose coverage within a decade; premiums in private market plans double. It is easy to see why. My colleague in the Chair, the Presiding Officer, knows so well about the signals that are sent to the private marketplace; we are talking about the marketplace. If you are pouring gasoline on the fires of uncertainty in the private insurance sector and people can't plan and they can't calculate, what will happen during this 2-year transition? You are going to have bedlam in the marketplace. It is a prescription for trouble, and premiums and private market plans will double.

The numbers I am talking about are real lives. I was the director of the Gray Panthers senior citizens group for almost 7 years before I was elected to the Congress. This is my background. As I started to see government reports and the like, I came to realize that those reports—all those facts and figures on pieces of paper, long sheets of paper, figure after figure—are not really what this debate is all about. This is a debate about people, about their hopes and aspirations and what they want for the future. Families are worried, for example, about how they are going to pay for the care of an older parent. I think about those seniors I met as director of the Gray Panthers. They did nothing wrong. They scrimped and saved, and they didn't go on the special vacation. They didn't buy the boat. They did everything right. They educated their kids and tried to sock away a little money. What we know is, growing old in America is expensive. In spite of being careful about costs all their lives, when a spouse needed extra care or they had early onset of healthcare problems, they went through all the money they saved. Then they needed Medicaid.

Medicaid now picks up the costs of two out of three nursing home beds in

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

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

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

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

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

Frankly, their worry seems to be just as great in rural communities that President Trump won by large majorities because Medicaid expansion in my State has been enormously helpful. So many Oregon communities, under 10,000 in population, have been able to use Medicaid expansion at a hospital to maybe hire another person. It has really been a lifeline. They have an awful lot of people between 55 and 64. They are going to be charged five times as much as young people here, and they are going to get fewer tax credits to deal with it.

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

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

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

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

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

Democrats and Republicans absolutely can work together on the healthcare challenges facing the country. As soon as there is a willingness to drop this our-way-or-the-highway approach—this partisan approach known as reconciliation—there will be a good-faith effort on our side to find common ground.

I heard enough of the back-and-forth in this debate to know there is a bipartisan interest; for example, in flexibility for States. I know the President of the Senate is especially interested in this issue—flexibility for the States. He has given it a lot of thought. I want him to know I am always open to talking to him about this issue.

In the bill I described earlier—seven Democrats, seven Republicans—we had a special section which became law in the Affordable Care Act that in effect provided for what are called innovation waivers. The theory—and I am sure my colleague in the Chair has been thinking about these issues as well—is based on the idea we both have heard for years, conservatives have said, if those folks in Washington will just give us the freedom, we can find better ways to cover people, hold down the costs, and make what works in Louisiana work for us, and folks in Oregon can pursue what works for folks in Oregon.

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

I continue to feel very strongly about it. I wrote an entire section of my comprehensive bill to give States flexibility, and fortunately it was included in the Affordable Care Act. There ought to be room to work on these kinds of issues, State flexibility. There ought to be room to work on a bipartisan basis with respect to bringing down prescription drug costs.

I have indicated to the President of the Senate, I think the lack of transparency in the pharmaceutical market has really been a major factor in the reason that our people get hammered by escalating drug prices.

We have heard for so long that some of the middlemen—they are called pharmaceutical benefit managers. They came into being a few years ago. They said: We will negotiate for businesses or States or labor unions. We will negotiate a better deal for the consumer.

Consumers said: Hey, we will see that in our pocketbook. At home we would see that at a pharmacy, at Fred Meyer or Rite Aid or Walgreens or any of our pharmacies. These are all big pharmacies around the country. Right now, as of this afternoon, we don't know what these middlemen put in their pocket and what they put in our pocket.

There ought to be an opportunity to find common ground. I think there ought to be a chance for Democrats and Republicans to work together on approaches like my SPIKE bill, which says that when a big pharmaceutical company wants to drive up the prices, they should have to publicly justify why they are doing so.

There ought to be ways for Democrats and Republicans to work together and bring down prescription drug costs. There certainly is bipartisan interest in getting more competition and more consumers into the insurance markets. That means more predictability and certainty.

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

The reality is, there is only a very short time with respect to 2018 premiums. I know there are Republican Senators who would like to tackle challenges on a bipartisan basis. The message my colleagues and I are sending on this side of the aisle is, there are a lot of open arms here. Instead of taking the partisan route and causing devastation in our healthcare system, let's work together to make healthcare better and more affordable for all Americans.

I consider that kind of bipartisan cooperation to be the premier challenge of my time in public service, to work with colleagues, common sense, looking for common ground. I have heard one after another of my colleagues on this side of the aisle state that in just the last few days.

Let us set aside this partisan our-way-or-the-highway approach, opt for the alternative, which is more sunshine and more bipartisanship. I will pledge to you everything in my power on the Senate Finance Committee to bring that about.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MANUFACTURING

Mr. BLUNT. Mr. President, the White House started out this week with all kinds of activities on the White House grounds pertaining to things that we make here in America and the importance of manufacturing and, frankly, the kinds of good jobs that have traditionally come with manufacturing.

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

With all of the other discussions this week, it would be a shame to not think about those products from every State that the President talked about this week, that were on the Capitol grounds, and that are reflective of companies that are almost brandnew and companies that are a century old, where people had figured out how to be competitive enough in what they were doing that they could make a living for themselves and lots of other people, doing just that. In fact, manufacturing employs 12.3 million people in the country today, including more than 260,000 people in my State of Missouri. There is no doubt that we benefit from those kinds of jobs.

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

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

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

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

There are ways—when we need to transition to some other kind of utility provider if we want to transition in fuels or sources or whatever—there are ways to do that. The way to do that is to say that the next time you have to build something, the next time you have to borrow money that the utility users are going to pay back over 20 or 30 years, once you have paid for what you are doing now that has met all the requirements, you have to do it differently than what that silly rule would have said, because it would have said you have to pay for what you already have, but you have to also be paying for what you immediately had to replace it with.

This would have been like if you had the CAFE standards, the miles-per-gallon standards, if that same agency would have said: OK, we are going to have new miles-per-gallon standards and they are effective immediately, and if you have a car that doesn't meet those standards, you of course have to keep paying for your car, but you also have to have a new car. That is what we were about to tell utility users and families. And if you don't think that would have had an impact on jobs, you are just not thinking about jobs.

There was a water rule, the waters of the United States, that would have done about the same thing. Both of those have been pushed back by the courts, and hopefully we are walking toward a more reasonable situation where we are thinking about how to accomplish the same goals in a way that lets families accomplish their dreams.

Then the second thing, the transportation issue: Does the transportation system work for what you want to make? Can you get the material where you need to get it? Can you get a product in a way that continues to make you competitive? And the State and Federal Government and local governments are very, very much in charge of the decisions that make that environment whatever it is.

So when we are thinking about ''Made in America,'' we have to think about those things. Then we have to think, with that infrastructure in place, what is the third and crucial piece of that puzzle coming together? It is a workforce that is competitive and prepared and an education system that is prepared to help with whatever comes next.

If we think we know what the average person, or any person, is going to be doing and how they are going to be doing it 20 years from now, I suspect none of us are quite that able to predict what 20 years from now is going to look like. In fact, if we had thought about the way we do most of the work we do now 20 years ago, it would be amazing: Oh, it is just 20 years later, but we didn't have the cell phone, we didn't have an iPad, we didn't have a computer. There was nothing at the factory that did what that machine does right now. We have to have a workforce that is ready, and we have to do all we can to make that workforce ready.

On the infrastructure front, we need to look not only at the infrastructure bill that is coming up, but also how many more tools can we put in the tool box. Senator WARNER and I reintroduced the BRIDGE Act to provide one more tool to create more incentive for private sector partnerships, to do things differently than we have done them before. If we are going to get different results, we have to do different things. If we do just exactly what we have been doing, we are going to get just exactly what we have been getting.

So as the President focuses, I think properly, on the kinds of American jobs that create stronger families and more opportunities, we don't want to lose

this week without also thinking about those jobs, thinking about the 12.3 million Americans who work at making things, thinking about the more than a quarter of a million Missourians who do that. Think about the others who work at growing things and how an economy that makes things and grows things is a stronger economy than an economy where people just trade services with each other. There is nothing wrong with trading services, but if you do that on top of a productive economy, it has a much better likelihood for everyone involved to serve the people who provide the services, as well as the people who are out there making things that are competitive in the world to have better opportunities.

I appreciate the President and Vice President this week calling attention to that important part of what we do as we move toward transportation and infrastructure and other things.

THOUGHTS AND PRAYERS FOR SENATOR MCCAIN

Mr. President, while I am on the floor, I want to mention for just a minute our friend, JOHN MCCAIN. I know lots of prayers have been said for Senator MCCAIN and his family. Lots of stories today have been told and traded, and there are lots of stories to tell.

When I was in the House for 14 years, I was often in brief meetings with Senator MCCAIN. Frankly, I never grew to appreciate him anywhere near like I did when I had a chance to begin to work with him every day. For me, at least, he was an acquired taste. It took time to really see his strength, his tenacity, and to understand that irascibility was just part of who he is and part of his determination to make the country and the Congress and the Senate better.

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

He is a man who served his country day after day after day, and still does; a believer in what we stand for; someone who has traveled all over the world, as I have had a chance to travel to dangerous spots and other places. Over and over again, as I would get there, people would say: Here is what Senator MCCAIN had to say when he was here. Here is what Senator MCCAIN did when he was here. Senator MCCAIN was here last week. He was there, always proud of the independence and determination and democracy and freedom that he stands for.

We all know he is in a fight right now, but we all also know he is a fighter. He is not a man who surrenders. I know the prayers of not only the Senate but so many people all over the country and, frankly, all over the world go out to help JOHN MCCAIN as he faces this fight.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. WARREN. Mr. President, I rise today to oppose the nomination of David Bernhardt as the next Deputy Secretary of the Interior.

Mr. Bernhardt has shown that he is unwilling to fight for the long-term conservation of our public lands and the responsible use of our public resources. By his own admission, he intends to be a big business yes-man for the Trump administration's extreme disregard for our environment and the human lives that are affected.

President Trump promised to drain the swamp of DC, but with each day of this administration, this Republican-controlled Senate approves yet another corporate insider to help out big business. The decision to nominate Mr. Bernhardt is no exception. He is another conflict-ridden, climate-dismissing Trump appointee who favors profits over people.

Let's look at his record. Mr. Bernhardt has extensive political experience in the Department of the Interior under the Bush administration, but in his tenure at the Department, including the 2 years he oversaw the ethics division, the Department was awash in ethical scandals and scientific misconduct.

And what did he do after he left government service? He scooted off to a lucrative lobbying firm to help Big Oil and other extraction companies maximize their profits by expanding offshore drilling and delaying air pollution limits on coal plants, regardless of the impact that would have on our children's future.

Even Mr. Bernhardt isn't proud of his own record. Prior to his nomination, his lobbying firm bio bragged about recently helping corporations fight against the Endangered Species Act, supporting corporate interests in offshore drilling and exploration for fossil fuels, and helping mining companies pursue public lands for development. He openly bragged about recently representing ''an entity under investigation by a Federal Agency'' and ''entities accused of violating the Department of the Interior's regulations.'' He swaggered through Washington. That is, he swaggered right up until he was under consideration for the No. 2 spot at Interior. Now that he is in the public spotlight, he has scrubbed all those pro-industry, pro-pollution references from his bio. Now that the public is paying attention, he is putting out a clean image of a public servant who just happens to advise big corporations from time to time.

Beyond the ties Mr. Bernhardt still has to industry, I am alarmed by his willingness to serve as the corporate rubberstamp that President Trump wants. Mr. Bernhardt is a walking conflict of interest who has taken one spin through the revolving door, and now he is coming back around again for a second pass.

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

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

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

In other words, don't bother me with the facts; we will just stick to whatever President Trump tells us to do.

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

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

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

The American people deserve leadership at the Department of the Interior—leadership that is committed to ensuring that our public resources and

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

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

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

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

VOTE EXPLANATION

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

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

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

Mrs. MURRAY. Mr. President, July 22, 2017, marks the 30th anniversary of the enactment of the McKinney-Vento Homeless Assistance Act, our Nation's landmark law designed to prevent and address homelessness. Many communities in my home State of Washington and across the country are confronting a surge in homeless and housing-insecure individuals, and the resources brought to bear by McKinney-Vento are essential to continued progress. The McKinney-Vento Act also marked the first time that Congress provided dedicated funding to ensure equal educational opportunities for children and youth who are experiencing homelessness. The law requires States and school districts to remove barriers that homeless children and youth face in receiving a high-quality education. In the years since the McKinney-Vento Act was passed, hundreds of thousands of young people experiencing homelessness have received the supports they need in order to attend school, graduate, and secure a well-paying job that can provide for their families.

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

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

RECOGNIZING THOSE WHO SERVED ON WAKE ISLAND

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

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

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

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

''Following the battle, 98 civilian construction workers were kept on Wake Island to labor for the Japanese. When their work was complete, they were forced to dig their own graves before being executed. The remaining defenders of the island, both military and civilian, were taken as prisoners of war by the Japanese and held for 44 months. These brave heroes endured exceedingly harsh conditions, serving as slave labor for the Japanese government in Japan and China. Many died in captivity. In 1981 the civilian MK employees were granted Veteran status in recognition of their service in the War of the Pacific . . .''

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

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR RICHARD E. HAGNER

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

A native of Milwaukee, WI, Major Hagner was commissioned as an infantry officer after his graduation from

North Georgia College and State University with a bachelor of science degree. He subsequently earned master's degrees in joint information operations from the Naval Postgraduate School and legislative affairs from the George Washington University.

Major Hagner has served in a broad range of assignments during his Army career. He has served as a rifle platoon leader, communications officer, and network engineer, becoming instrumental to the success of his units from the battalion to brigade level. Notably, he has also commanded at the company level in Mannheim, Germany, following a demanding combat deployment to Afghanistan. His leadership has brought great credit to the U.S. Army.

In 2015, Major Hagner was selected to be an Army congressional fellow, where he served in the offices of the late Congressman Alan Nunnelee of Mississippi and Congressman Steve Israel of New York. I have had the privilege of working with him in his role as a congressional budget liaison officer. In that role, Richard ensured the Army's budget positions were well represented before the appropriations committees.

It has been a pleasure to have worked with MAJ Richard Hagner. His leadership, thoughtful judgment, and exemplary work have been a positive influence on his soldiers, peers, and superiors throughout his career. I am pleased to recognize and commend his dedication to our Nation and service to the U.S. Congress as an Army congressional liaison.●

TRIBUTE TO JIM SINCLAIR

● Mr. DAINES. Mr. President, this week, I have the distinct honor of recognizing Jim Sinclair of Plains for the leadership he has provided to his community in northwest Montana. As the senior pastor of his church, Jim has provided a helping hand to others for over two decades.

The people of Sanders County know Jim and his wife, Renee, for the admirable work their ministry has done to support those in need. Before becoming a pastor, Jim made a living harvesting timber, and those skills have been valuable with helping the most vulnerable members of their community stay warm during the cold Montana winters. In addition to distributing firewood, Jim's church harnesses the talents of many volunteers in order to provide a food bank, soup kitchen, and clothing bank. Jim's hands on approach to ministry has empowered his community to help each other overcome challenges.

Communities like Plains depend on folks like Jim and Renee, as well as the dozens of volunteers they have mentored over the years. I thank them for all the hard work they have done and wish them the best as their ministry continues to grow in the service of others.●

RECOGNIZING ST. PAUL AFRICAN METHODIST EPISCOPAL CHURCH

● Mr. MANCHIN. Mr. President, I am proud to stand before you this evening to celebrate the 125th anniversary of the founding of the St. Paul African Methodist Episcopal Church. First built on Court Street in Charleston, WV, St. Paul African Methodist Episcopal Church has served as a bedrock of faith since its founding in 1892.

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

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

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

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

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

RECOGNIZING ROHINNI

● Mr. RISCH. Mr. President, today I would like to highlight the innovation, creativity, and entrepreneurial spirit that is found all across my home State of Idaho. Every month, I recognize a small business owner from one of our Idaho communities who embodies the spirit of innovation and determination in delivering a product or service that makes a substantial difference in the lives of many Americans. The small business that I would like to highlight this month has done just that by having an outsized influence on the microelectronic and lighting industries. As chairman of the Senate Committee on Small Business and Entrepreneurship, I am pleased to honor Rohinni as the Small Business of the Month for July 2017.

The future is bright for this Coeur d'Alene based technology startup. Rohinni develops and manufactures LED lighting products. Described as ''the World's Thinnest LED lighting,'' they allow light to be printed in any shape, on any surface, and for any need. The company's products have already been applied in many different fields, including transportation and consumer electronics.

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

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

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

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

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

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

To the Congress of the United States:

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

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

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

DONALD J. TRUMP.
THE WHITE HOUSE, *July 20, 2017.*

MESSAGES FROM THE HOUSE

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

H.R. 2883. An act to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity.

H.R. 2910. An act to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes.

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

H.R. 218. An act to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay.

H.R. 2825. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes.

MEASURES REFERRED

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

H.R. 218. An act to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; to the Committee on Energy and Natural Resources.

H.R. 2825. An act to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2883. An act to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; to the Committee on Energy and Natural Resources.

H.R. 2910. An act to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–2266. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Freedom of Information Act Regulations'' (RIN3038–AE57) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2267. A communication from the Secretary of Defense, transmitting the report of three (3) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2268. A communication from the Secretary of Defense, transmitting the report of two (2) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2269. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2270. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Frank C. Pandolfe, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–2271. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a certification of the Advanced Arresting Gear (AAG) program; to the Committee on Armed Services.

EC–2272. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the annual report of the National Security Education Program for fiscal year 2016; to the Committee on Armed Services.

EC–2273. A communication from the Acting Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, a report relative to Army Industrial Facilities Cooperative Activities with Non-Army Entities for Fiscal Year 2016; to the Committee on Armed Services.

EC–2274. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Minority and Women Inclusion Final Rule'' (RIN2590–AA78) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–2275. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report entitled ''Quality of Water, Colorado River Basin, Progress Report No. 25''; to the Committee on Energy and Natural Resources.

EC–2276. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Illinois; NAAQS Updates'' (FRL No. 9964–97–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Environment and Public Works.

EC–2277. A communication from the Director of Congressional Affairs, Office of New Reactors, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of

a rule entitled ''Generic Aging Lessons Learned for Subsequent License Renewal Applications for Nuclear Power Plants'' (NUREG–2191, Volumes 1 and 2; and NUREG–2192) received during adjournment of the Senate in the Office of the President of the Senate on July 14, 2017; to the Committee on Environment and Public Works.

EC–2278. A communication from the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board's 2017 Annual Report; to the Committee on Finance.

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

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

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

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

EC–2283. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–97, ''Fiscal Year 2017 Revised Local Budget Temporary Adjustment Act of 2017''; to the Committee on Homeland Security and Governmental Affairs.

EC–2284. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–99, ''Fiscal Year 2018 Local Budget Act of 2017''; to the Committee on Homeland Security and Governmental Affairs.

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

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

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

EC–2288. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Navigation and Navigable Waters, and Shipping: Technical, Organizational, and Conforming Amendments'' (Docket No. USCG–2016–0498) received in the Office of the President of the Senate on July 18, 2017; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

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

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

ASSEMBLY JOINT RESOLUTION NO. 9

Whereas, In 2010, the Patient Protection and Affordable Care Act (Public Law 111–148), commonly known as the Affordable Care Act, was passed by Congress and signed into law by President Barack Obama; and

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

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

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

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

Whereas, The Affordable Care Act further mandates health insurance coverage for colorectal cancer screening tests for persons who are between 50 and 75 years of age, mammograms annually for women who are over 40 years of age, and regular screenings of women for cervical cancer and the human papillomavirus vaccine to prevent cervical cancer: and

Whereas, The Affordable Care Act mandates health insurance coverage for immunization vaccines for children, including, without limitation, diphtheria, tetanus, pertussis, influenza, measles and rotavirus; and

Whereas, The Affordable Care Act includes many other benefits and protections to ensure access to health care by all; and

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

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

Resolved by the Assembly and Senate of the State of Nevada Jointly, That the members of the 79th Session of the Nevada Legislature hereby urge Congress to fully preserve the critical benefits afforded by the Affordable Care Act which many Nevadans have come to rely upon; and be it further

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

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

Resolved, That this resolution becomes effective upon passage.

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

HOUSE RESOLUTION NO. 79

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

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

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

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

Resolved by the House of Representatives, That we support and encourage the International Criminal Court io conduct an independent investigation into the human rights violations allegedly occurring in the Chechen Republic of Russia; and be it further

Resolved, That copies of this resolution be transmitted to the President of the International Criminal Court, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–70. A resolution adopted by the House of Representatives of the State of Colorado relative to ensuring access to reproductive care; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION 17–1005

Whereas, Colorado has always been committed to a quality health care system and to creating policies that meet the health needs of women and families, including affordable reproductive health services; and

Whereas, Colorado was the first state to allow safe, legal abortion on a bipartisan basis in 1967; and

Whereas, The American College of Obstetricians and Gynecologists has stated that ''[s]afe, legal abortion is a necessary component of women's health care'', and health providers and associations affirm that good access to reproductive health care deeply and positively impacts women's lives and futures; and

Whereas, Reproductive health care is both safe and common. More than 90% of women have used contraception, about three in ten women will have an abortion in her lifetime, and more than half of women will have a child at some point in their lives.

Whereas, People may disagree with the decision to seek an abortion, but it is a decision that each person should make for themselves with the counsel of their health providers, their families, and their faiths; and

Whereas, Rates of maternal mortality are decreasing around the world, but increasing in the United States for women of color who face an alarming and disparate rate of pregnancy complications and maternal mortality; and

Whereas, Restrictions on the availability of reproductive health care and limits on health coverage, such as policies denying insurance coverage for reproductive health services, have a disparate impact on low-income women and women of color and their families; and

Whereas, Obstacles to obtaining the best method of contraception for each person's unique health and life circumstances remain a barrier to many; and

Whereas, Low-income women and women of color face a higher rate of unintended pregnancy, so ensuring access to contraception is a critical part of helping to address health disparities in marginalized communities; and

Whereas, An inability or difficulty to conceive is not only emotionally difficult for people looking to start a family but can be prohibitively expensive, so we must do more to help people seeking to build their families, regardless of sexual orientation or gender identity; and

Whereas, There is a continued need to address inequities in health care access and ensure culturally and linguistically appropriate training of health providers: Now, therefore, be it

Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado:

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

(1) Colorado continues to be a state where all individuals' health remains a top priority, and Coloradans resist attempts to undermine the right to access reproductive health care;

(2) Access to comprehensive and affordable reproductive health care is critical to ensure that people have the information and services to prevent unintended pregnancies, the support to have healthy pregnancies and become parents when they are ready, and the ability to raise their children in a safe and healthy environment and to be able to care for their families with dignity;

(3) State, county, and city health departments shall promote policies to ensure access to a full range of reproductive health care, including abortion, and eliminate disparities that prevent low-income women and women of color from seeking safe, high-quality care;

(4) Both public and private health insurance should cover the full range of reproductive health care, including abortion;

(5) Facilities and professionals providing reproductive health services shall not be subjected to regulations that do not have a medical benefit and that are more burdensome than those imposed on other facilities or health care professionals that provide medically comparable procedures. Provision of services should be based on the best medical practices as developed by medical experts and supported by medical evidence.

(6) All qualified health care professionals shall be able to provide the full range of reproductive health care, including abortion, and have access to appropriate medical training; and be it further

Resolved, That copies of this Resolution be sent to President Donald J. Trump; Vice President Mike Pence; Paul Ryan, Speaker of the United States House of Representatives; Orrin Hatch, President Pro Tempore of the United States Senate; Governor John W. Hickenlooper; Dr. Larry Wolk, Executive Director, Colorado Department of Public Health and Environment; and the members of Colorado's Congressional Delegation.

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

HOUSE RESOLUTION 17–1008

Whereas, Colorado libraries are a vital and essential public resource that provide free and equal access to educational and recreational material and enrich the lives of all citizens; and

Whereas, Libraries play a critical role in democracy and community development by promoting civil discourse and empowering citizens to learn, imagine, and succeed; and

Whereas, Libraries across Colorado lead the way in developing new and innovative ways of meeting the needs of and uniting the state's increasingly diverse population; and

Whereas, Colorado receives $2.7 million annually from the federal Institute of Museum and Library Services (IMLS) for library services and technology, which is roughly two-thirds of the State Library's total operational costs; and

Whereas, The IMLS is the main funding source for more than 40 different Colorado library services and programs, yet costs less than 49 cents per resident; and

Whereas, One such program is the Check Out Colorado State Parks program, now in its second year. The program allows each library to offer two Colorado state park passes and activity backpacks to library patrons. The program was used almost 4,000 times total, or more than 165 times a week in the first six months; and

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

Whereas, The IMLS funds support professional development programs like the Career Online High School, which, when launched this month, will help more than 200 adults in 17 libraries across the state earn high school diplomas and career experience, and the Highly Effective School Library program, which helps schools provide tools for students to develop 21st century skills and meet academic standards; and

Whereas, Essential library programs and services, such as the Colorado Talking Book Library, Colorado's historic newspaper collection, the state's institutional libraries, state publications, and many others all receive funding support through the IMLS; and

Whereas, This vital funding from the IMLS allows every Coloradan to have access to these programs and ensures that Colorado's rich diversity and culture is represented by libraries across the state, including the Blair-Caldwell African American Research Library in Denver's historic Five Points neighborhood that is devoted to preserving and showcasing the many contributions of African Americans to Colorado and the West and is one of only five library institutions in the nation that encompasses a circulating collection, archive, and museum; and the Rodolfo ''Corky'' Gonzalez Branch Library, designed specifically to celebrate the diverse and culturally rich community of West Denver; and be it

Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado:

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

(1) Declare our support and appreciation for Colorado libraries and staff; and

(2) Recognize that the invaluable public services and programs provided by Colorado libraries and staff cannot be sustained without the funding support of the federal Institute of Museum and Library Services; and be it further

Resolved, That copies of this Resolution be sent to Donald Trump, President of the United States; Mike Pence, Vice President of the United States; John Hickenlooper, Governor of Colorado; the Colorado Association of Libraries; the Colorado Department of Education; and the members of Colorado's Congressional delegation.

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

HOUSE CONCURRENT RESOLUTION NO. 18

Whereas, state legislatures across the United States have passed measures known as ''Right to Try'' laws authorizing access by terminally ill patients to investigational drugs and other potentially life-saving methods of treatment; and

Whereas, as of the date of filing of this Resolution, at least thirty-three U.S. states, including Louisiana, have established a Right to Try law; and

Whereas, Louisiana's Right to Try law, enacted through House Bill No. 891 (Act No. 346) of the 2014 Regular Session, sets forth the following legislative findings:

(1) The process of approval for investigational drugs, biological products, and devices in the United States often takes many years.

(2) A terminally ill patient does not have the luxury of waiting for an investigational drug, product, or device to receive final approval from the U.S. Food and Drug Administration (FDA); and

Whereas, this law (R.S. 40:1169.1 et seq.) provides that, subject to certain conditions, terminally ill patients in Louisiana are authorized to use drugs, biological products, and devices that have successfully completed phase one of an FDA-approved clinical trial but which remain under investigation in the clinical trial process and have not yet been approved by the FDA for general use; and

Whereas, the Trickett Wendler Right to Try Act of 2017 has been introduced in the One Hundred Fifteenth United States Congress as S. 204 and would codify in federal law the essential provisions of the Right to Try laws of Louisiana and other states; and

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

Whereas, the Trickett Wendler Right to Try Act of 2017 and the Right to Try law of Louisiana affirm the fundamental right of a patient with a terminal illness to attempt to preserve his own life by accessing available investigational drugs, biological products, and devices; and that the decision to pursue such a course of treatment is one that rightfully should be made by a terminally ill patient in consultation with his physician, and not by the government: Now, therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to pass the Trickett Wendler Right to Try Act of 2017; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–43. A joint resolution adopted by the General Assembly of the State of Colorado designating April 2017 as ''Second Chance Month''; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION 17–1026

Whereas, Every person is endowed with human dignity; and

Whereas, Redemption and second chances are American values; and

Whereas, An estimated 65 million American citizens have a criminal record; and

Whereas, Eighty-six thousand people are currently incarcerated or under the supervision of the Colorado Department of Corrections, and data shows that approximately 95 percent of those in state prison will be released to their communities; and

Whereas, Individuals with a criminal record often face a ''second prison'' of significant barriers, also known as collateral consequences; and

Whereas, Many of these collateral consequences fail to provide any proven public safety benefit, are mandatory, and take effect automatically, regardless of the seriousness of the offense, the time passed since the offense, or the individual's efforts to make amends and earn back the public's trust; and

Whereas, The inability to find gainful employment and other collateral consequences of conviction inhibit the economic mobility of people with a criminal history, which negatively impacts the well-being of their children and families for generations; and

Whereas, Collateral consequences contribute to recidivism, increase victimization, decrease public safety, and result in lost economic output for Colorado and the United States; and

Whereas, BKB Limited, BornFit, Denver Scrap Metal Recycling, Hallucination Sports, H.E.A.T. Inc., Lifted From The Rut, the Hornbuckle Foundation, Prison Fellowship, Second Chances Denver, The Shores Treatment & Recovery, TRIBE Recovery Services, and Youth for Christ sponsored the annual Second Chances 5k on Saturday, April 8, 2017, in Denver, Colorado, in order to raise awareness of the obstacles that people with a criminal record face and to provide opportunities for members of the community to run or walk in honor of second chances; and

Whereas, April 21, 2012, is the anniversary of the death of Charles Colson, who used his second chance following his incarceration for a Watergate-related crime to found Prison Fellowship, the nation's largest Christian nonprofit serving prisoners and their families; and

Whereas, The designation of April as ''Second Chance Month'' can increase public awareness about the need for closure for those with a criminal record and about opportunities to provide second chances: Now, therefore, be it

Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado, the Senate concurring herein:

That we, the members of the Colorado General Assembly:

(1) Designate April 2017 as ''Second Chance Month'';

(2) Honor the work of communities, governmental institutions, nonprofits, congregations, employers, and individuals in removing unnecessary legal and societal barriers that prevent individuals with a criminal record from becoming productive members of society; and

(3) Call upon the people of Colorado to observe ''Second Chance Month'' through actions and programs that promote awareness of the ''second prison'' and provide second chances for those who have paid their debt; and be it further

Resolved, That copies of this Joint Resolution be sent to Donald Trump, President of the United States; Mike Pence, Vice President of the United States; Jeff Sessions, Attorney General of the United States; John Hickenlooper, Governor of Colorado; Donna Lynne, Lieutenant Governor of Colorado; Rick Raemisch, Executive Director of the Colorado Department of Corrections; BKB Limited; BornFit; Denver Scrap Metal Recycling; Hallucination Sports; H.E.A.T. Inc.; Lifted From The Rut; the Hornbuckle Foundation; Prison Fellowship; Second Chances Denver; The Shores Treatment & Recovery; TRIBE Recovery Services; Youth for Christ; and the members of Colorado's Congressional delegation.

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

HOUSE RESOLUTION 17–1004

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

Whereas, Rev. Dr. King's faith, resiliency, and commitment to justice became known worldwide through his speeches, writings, and actions; and

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

Whereas, Rev. Dr. King withstood attacks on his home and family, among numerous other threats and setbacks, standing firm in his conviction that although the arc of the moral universe is long, it bends towards justice; and

Whereas, Rev. Dr. King led the Montgomery bus boycott, a 13-month protest beginning in 1955, against the segregated city bus lines; and

Whereas, The Montgomery bus boycott led to the integration of the Montgomery city bus system and is widely credited as the beginning of the civil rights movement in America; and

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

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

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

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

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

Whereas, Rev. Dr. King's 13 years of nonviolent leadership ended abruptly and tragically when, on April 4, 1968, he was assassinated while standing on the balcony of the Lorraine Motel in Memphis, Tennessee; and

Whereas, Rev. Dr. King's life and work continue to echo in our lives as we strive to reach the lofty goal he set when he said, ''Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear-drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.''; and

Whereas, Rev. Dr. King's birthday is a federal holiday in the United States and a state holiday in the state of Colorado, which is celebrated each year on the third Monday in January; and

Whereas, On Monday, January 16, 2017, we celebrate the 31st anniversary of Rev. Dr. King's holiday: Now, therefore, be it

Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado:

That we, the members of the Colorado General Assembly, hereby encourage appropriate observances, ceremonies, and activities to commemorate the federal and state legal holiday honoring the Rev. Dr. Martin Luther King, Jr., throughout all cities, towns, counties, school districts, and local governments within Colorado; and be it further

Resolved, That copies of this Joint Resolution be sent to President Barack Obama, Honorable Governor John Hickenlooper, the Congressional Black Caucus, the National Black Caucus of State Legislators, and the members of Colorado's congressional delegation: Senators Michael Bennet and Cory Gardner and Representatives Diana DeGette, Jared Polis, Scott Tipton, Ken Buck, Doug Lamborn, Mike Coffman, and Ed Perlmutter.

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

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 1603. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2018, and for other purposes (Rept. No. 115–131).

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

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

*David Joel Trachtenberg, of Virginia, to be a Principal Deputy Under Secretary of Defense.

*Charles Douglas Stimson, of Virginia, to be General Counsel of the Department of the Navy.

*Owen West, of Connecticut, to be an Assistant Secretary of Defense.

*Ryan McCarthy, of Illinois, to be Under Secretary of the Army.

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

*Air Force nomination of Gen. Paul J. Selva, to be General.

Army nomination of Maj. Gen. Bruce T. Crawford, to be Lieutenant General.

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

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

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

Army nomination of Lt. Gen. Stephen R. Lyons, to be Lieutenant General.

Army nomination of Maj. Gen. Charles W. Hooper, to be Lieutenant General.

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

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

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

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

Marine Corps nomination of Maj. Gen. John J. Broadmeadow, to be Lieutenant General.

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

Marine Corps nomination of Lt. Gen. Vincent R. Stewart, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Herman S. Clardy III, to be Lieutenant General.

Army nomination of Lt. Gen. William C. Mayville, Jr., to be Lieutenant General.

Army nomination of Maj. Gen. Richard D. Clarke, to be Lieutenant General.

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

Marine Corps nomination of Maj. Gen. Daniel J. O'Donohue, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Michael A. Rocco, to be Lieutenant General.

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

Air Force nomination of Brig. Gen. John D. Slocum, to be Major General.

Air Force nomination of Brig. Gen. Anthony J. Carrelli, to be Major General.

Air Force nomination of Brig. Gen. Sam C. Barrett, to be Major General.

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

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

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

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

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

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

Air Force nominations beginning with William John Ackman and ending with Michael D. Zollars, which nominations were received by the Senate and appeared in the Congressional Record on June 5, 2017.

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

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

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

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

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

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

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

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

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

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

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

Army nominations beginning with Michael A. Adams and ending with D012118, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

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

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

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

Army nomination of Dareen A. Douchi, to be Major.

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

Army nomination of Barry Murray, to be Lieutenant Colonel.

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

Army nominations beginning with Joseph H. Afanador and ending with D013069, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

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

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

Army nominations beginning with Daniel F. Alemany and ending with Brittany E. Mccroan, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

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

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

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

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

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

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

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

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

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

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

Army nominations beginning with Ryan C. Agee and ending with D011536, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

Army nominations beginning with Erik C. Alfsen and ending with D013346, which nominations were received by the Senate and appeared in the Congressional Record on July 13, 2017.

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

Army nomination of Jay A. Johannigman, to be Colonel.

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

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

Navy nominations beginning with Sarah R. Boutwell and ending with Andrew F. Young, which nominations were received by the Senate and appeared in the Congressional Record on June 15, 2017.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

By Mr. HATCH for the Committee on Finance.

*David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury.

By Mr. GRASSLEY for the Committee on the Judiciary.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

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

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

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

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

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

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

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

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

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

By Mr. JOHNSON:

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

By Mr. ISAKSON (for himself, Mr. TESTER, Mr. ROUNDS, Mrs. MCCASKILL, Mr. TILLIS, Mr. MANCHIN, Mr. HELLER, Ms. KLOBUCHAR, Mr. CORNYN, Mr. FRANKEN, Mr. CRAPO, Mr. DONNELLY, Mr. INHOFE, Ms. DUCKWORTH, Mr. SULLIVAN, Mr. KAINE, Mr. DAINES, Mr. UDALL, Ms. COLLINS, Ms. HEITKAMP, Mr. BLUNT, Mr. PETERS, Mr. RUBIO, Mr. BROWN, Mr. ROBERTS, Mr. HEINRICH, Mr. MORAN, Ms. HIRONO, Mrs. CAPITO, Ms. HASSAN, Mr. BOOZMAN, Mr. CARDIN, Mrs. FISCHER, Mr. NELSON, Ms. STABENOW, Mrs. SHAHEEN, Mrs. MURRAY, Mr. BLUMENTHAL, Ms. WARREN, and Mr. CASSIDY):

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

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

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

By Ms. HIRONO (for herself and Mr. MERKLEY):

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

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

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

By Mrs. GILLIBRAND:

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

By Mr. HOEVEN:

S. 1603. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending

September 30, 2018, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LEE (for himself, Mr. LEAHY, Mr. HOEVEN, and Mr. CRUZ):

S. 1604. A bill to establish the Daniel Webster Congressional Clerkship Program; to the Committee on Rules and Administration.

By Mr. CASEY (for himself, Mrs. MURRAY, Ms. CORTEZ MASTO, Mr. BLUMENTHAL, Ms. WARREN, Mrs. GILLIBRAND, and Mrs. FEINSTEIN):

S. 1605. A bill to improve the response to sexual assault and sexual harassment on board aircraft operated in passenger air transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself and Mr. FRANKEN):

S. 1606. A bill to authorize grants for the support of caregivers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

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

By Mr. FLAKE (for himself, Mr. PAUL, Mr. DONNELLY, and Mr. MURPHY):

S. 1608. A bill to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes; to the Committee on Rules and Administration.

By Mr. ALEXANDER:

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

By Mr. SCOTT (for himself and Mr. GRASSLEY):

S. 1610. A bill to require law enforcement agencies to report the use of lethal force, and for other purposes; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself and Mr. ROUNDS):

S. 1611. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HATCH:

S. 1612. A bill to expand the definition of highway safety improvement project under section 148 of title 23, United States Code, to include education integrated into an approved State strategic highway safety plan, and for other purposes; to the Committee on Environment and Public Works.

By Mr. RISCH:

S. 1613. A bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes; to the Committee on Environment and Public Works.

By Ms. DUCKWORTH:

S. 1614. A bill to provide for the regulation of video visitation services and inmate calling services by the Federal Communications Commission generally, to establish criteria for the provision of video visitation services by the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. DURBIN, Mr. FLAKE, and Mr. SCHUMER):

S. 1615. A bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children and for other purposes; to the Committee on the Judiciary.

By Mr. CRAPO (for himself, Mr. PERDUE, Mr. TILLIS, Mr. COTTON, Mr. SCOTT, Mr. HELLER, Mr. ROUNDS, Mr. TOOMEY, Mr. SHELBY, Mr. CORKER, Mr. SASSE, Mr. MORAN, Mrs. CAPITO, Mr. HATCH, Mr. ISAKSON, Mr. BARRASSO, Mr. WICKER, Mr. ENZI, Mr. RUBIO, Mr. BLUNT, Mr. CRUZ, Mr. LANKFORD, Mr. STRANGE, and Mr. COCHRAN):

S.J. Res. 47. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Arbitration Agreements''; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ENZI (for himself, Ms. HEITKAMP, Mr. CRAPO, Mr. INHOFE, Mr. RISCH, Mr. CORNYN, Mr. TESTER, Mr. LANKFORD, Mr. HOEVEN, Mr. BARRASSO, Mr. HEINRICH, Mr. UDALL, Mr. THUNE, Mr. MERKLEY, and Mr. ROUNDS):

S. Res. 225. A resolution designating July 22, 2017, as ''National Day of the American Cowboy''; to the Committee on the Judiciary.

By Ms. BALDWIN:

S. Res. 226. A resolution designating the week of July 17 through July 21, 2017, as ''National Ectodermal Dysplasias Week'' and supporting the goals and ideals of National Ectodermal Dysplasias Week to raise awareness and understanding of ectodermal dysplasias; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself, Ms. DUCKWORTH, Mr. UDALL, Mr. DURBIN, and Mr. MORAN):

S. Res. 227. A resolution recognizing ''National Youth Sports Week'' and the efforts by parents, volunteers, and national organizations in their efforts to promote healthy living and youth development; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Mr. COONS, Mr. BOOKER, and Mr. MERKLEY):

S. Res. 228. A resolution calling for a credible, peaceful, free, and fair presidential election in Kenya in August 2017; to the Committee on Foreign Relations.

By Mr. ROUNDS:

S. Con. Res. 22. A concurrent resolution expressing the sense of Congress on the use of the Intergovernmental Personnel Act Mobility Program and the Department of Defense Information Technology Exchange Program to obtain personnel with cyber skills and abilities for the Department of Defense; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 372

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

S. 431

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

S. 563

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

S. 609

At the request of Mr. MORAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 609, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 690

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 690, a bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years.

S. 708

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

S. 794

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

S. 952

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

S. 1034

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

S. 1122

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

S. 1182

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

S. 1311

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

S. 1393

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

S. 1462

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

S. 1526

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

S. 1533

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

S. 1546

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

S. 1552

At the request of Mr. FLAKE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1552, a bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that up to 10 percent of their income tax liability be used to reduce the national debt, and to require spending reductions equal to the amounts so designated.

S. 1558

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

S. 1559

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

S. 1562

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

S. 1587

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

S. 1588

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

S. 1589

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

S.J. RES. 17

At the request of Mr. CORNYN, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S. CON. RES. 15

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

S. RES. 75

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

S. RES. 160

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 160, a resolution honoring the service to United States Armed Forces provided by military working dogs and contract working dogs, also known as ''war dogs''.

S. RES. 223

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 223, a resolution honoring the life and legacy of Liu Xiaobo for his steadfast commitment to the protection of human rights, political freedoms, free markets, democratic elections, government accountability, and peaceful change in the People's Republic of China.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

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

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

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

past the high school level. Even without a significant investment, though, infrastructure industries are already struggling to meet workforce demands. Workers in infrastructure industries are expected to retire at a 50% higher rate than the general workforce. And historic inequities that have limited women and people of color from accessing these jobs have further constrained the pipeline of potential workers. To ensure infrastructure investments benefit businesses, workers and the economy, the U.S. must invest in the creation of a diverse pipeline of workers with skills necessary to access in-demand opportunities.

Industry and sector partnerships are a proven strategy for helping workers prepare for middle-skill jobs and helping businesses find skilled workers. Congress requires States and local areas to support the development of these partnerships under the Workforce Innovation and Opportunity Act (WIOA), but no dedicated funding has been provided for these activities. Work-based learning strategies, such as apprenticeships, are common pathways to skilled jobs in infrastructure industries. Many small and medium-sized businesses shy away from developing high-quality work-based learning programs, however, because of real or perceived costs associated with the strategy.

This is why I am pleased to introduce with my colleague, Senator PORTMAN, the Building U.S. Infrastructure by Leveraging Demands for Skills Act or BUILDS Act. The BUILDS Act creates a grant program that would support industry and sector partnerships working with local businesses, industry associations and organizations, labor organizations, State and local workforce boards, economic development agencies and other partners engaged in their communities to encourage industry growth, competitiveness and collaboration to improve worker training, retention and advancement in targeted infrastructure clusters.

Specifically, the bipartisan BUILDS Act would leverage sector partnerships to engage businesses in work-based learning programs. Businesses and industries would be incentivized to work with the greater community to create on-the-job training programs to fill the jobs necessary to expand the Country's infrastructure system. Additionally, businesses and education providers would be connected to develop classroom curriculum to complement on-the-job learning. Workers on the other hand, would receive support services such as mentoring and career counseling to ensure that they are successful from the pre-employment to placement in a full-time position.

Our Country desperately needs improvements to critical infrastructure like our roads and bridges, however to do that work we must have a trained workforce that's ready to fill these good-paying jobs. Virginia businesses in the transportation, construction, energy, and information technology industries continue to tell me they have trouble finding job applicants with the necessary skills. This bill will help workers get the job training they need to be hired. I hope that my colleagues on both sides of the aisle consider the BUILDS Act as a necessary component to any investment in our Nation's infrastructure.

SUBMITTED RESOLUTIONS

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

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

S. RES. 225

Whereas pioneering men and women, recognized as ''cowboys'', helped to establish the American West;

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

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

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

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

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

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

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

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

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

Whereas the cowboy is an American icon; and

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

Resolved, That the Senate—

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

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

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

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

S. RES. 226

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

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

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

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

Whereas symptoms of ectodermal dysplasias in an individual can include—

(1) the inability to perspire;

(2) lack of tears in the eyes;

(3) cleft lip and palate;

(4) sparse saliva;

(5) missing fingers or toes; and

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

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

Whereas there is no cure for ectodermal dysplasias;

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

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

(1) are specific to each syndrome; and

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

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

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

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

Whereas coverage for complex and medically necessary dental procedures that are required because of ectodermal dysplasias, including prosthetic teeth and bone grafts, is routinely denied;

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

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

Whereas scientists across the United States are conducting research projects and

clinical trials and are hopeful that breakthroughs in ectodermal dysplasias research and treatment are forthcoming; and

Whereas the Senate is an institution that can raise awareness about ectodermal dysplasias to the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of July 17 through July 21, 2017, as ''National Ectodermal Dysplasias Week'';

(2) supports the goals and ideals of National Ectodermal Dysplasias Week to raise awareness and understanding of ectodermal dysplasias;

(3) encourages the people of the United States to become more informed about—

(A) ectodermal dysplasias; and

(B) the role of comprehensive treatment for all symptoms of ectodermal dysplasias, including dental manifestations, in improving quality of life; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the National Foundation for Ectodermal Dysplasias, a nonprofit organization dedicated to improving the lives of individuals affected by ectodermal dysplasias.

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

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

S. RES. 227

Whereas July 16 through 22 is ''National Youth Sports Week'', a celebration of youth sports participation and all of the benefits youth derive from engagement in sports;

Whereas a primary goal in youth sports is to encourage active participation by all youth in healthy physical activities according to their age, interests, and abilities;

Whereas the relationship between sports skills and life skills provide young athletes with fundamental values, compassion, and the good ethics needed to succeed both on and off the playing field;

Whereas, in 2008, the National Council of Youth Sports (''NCYS'') reported that there are more than 60,000,000 registered participants in organized amateur youth sports programs;

Whereas youth sports offer a multitude of positive benefits to participants that extend far beyond the playing field, including—

(1) improved academic performance, such as increased school attendance, lower dropout rates, higher high school graduation rates, and higher grade point averages;

(2) increased health and positive physical behaviors, such as improved health factors, and prevention of obesity, chronic diseases, and other health problems;

(3) social well-being, such as character development, and exposure to positive role models; and

(4) improved psychological health, such as decreased likelihood of substance abuse, reduced instances of behavioral misconduct, and high self-esteem; and

Whereas National Youth Sports Week highlights the efforts made toward—

(1) promoting physical activity in all segments of the community;

(2) living healthy;

(3) making access to physical activities easier by removing barriers to creating youth development activities;

(4) encouraging youth development activities and outcomes; and

(5) improving the safety of participating in physical activities: Now, therefore, be it

Resolved, That the Senate recognizes the millions of youth throughout the United States who benefit from youth sports, and the parents, volunteers, and local and national organizations, such as the National Council of Youth Sports, that make youth sports in the United States possible.

SENATE RESOLUTION 228—CALLING FOR A CREDIBLE, PEACEFUL, FREE, AND FAIR PRESIDENTIAL ELECTION IN KENYA IN AUGUST 2017

Mr. CARDIN (for himself, Mr. COONS, Mr. BOOKER, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 228

Whereas the United States has deep interests in Kenya's democratic stability and regional leadership, and a free and fair election in Kenya holds regional significance as an example for other African countries with elections scheduled in the near future;

Whereas Kenya has general elections scheduled for August 8, 2017;

Whereas electoral violence in 2007 and 2008 resulted in the deaths of at least 1,300 people and the displacement of 600,000 in Kenya, effectively paralyzing the country and the wider region for more than two months before the creation of a power-sharing government;

Whereas the people of Kenya adopted a new constitution in 2010 that sought to devolve power to 47 counties and their elected governors and local representatives;

Whereas the public confidence in the electoral process is critical both to continued democratic progress in Kenya and to ensuring the transparency in electoral preparations that is vital for the success of the August 8, 2017, elections;

Whereas, despite having a permissible legal environment, the Government of Kenya has taken actions to limit democratic space for civil society and media organizations, which could adversely affect their contributions to a credible, peaceful election and broader democratic consolidation;

Whereas there have been deeply concerning instances of hate speech by all sides in Kenya, inciting supporters to ethnic violence as a means by which to gain electoral advantage, intimidate electoral rivals, or suppress voter turnout; and

Whereas the political parties, monitoring groups, and the media in Kenya have the legal authority to record polling station results and tallies at the constituency and national levels in order to ensure that the process is perceived as honest and transparent: Now, therefore, be it

Resolved, That the Senate—

(1) calls upon the Government of Kenya and opposition parties in Kenya—

(A) to hold credible, peaceful, free, and fair presidential elections in August 2017 in order to advance democratic consolidation in Kenya and promote stability in the broader region; and

(B) to condemn in the strongest terms the use of hate speech and the incitement of violence by political candidates, the media, or any Kenyan citizens;

(2) calls upon Kenyan citizens to fully and peacefully participate in the general elections and seek to resolve any disputes over results through the legal system;

(3) calls upon Kenyan political candidates at the national, county, and local levels to respect the Electoral Code of Conduct and the Political Party Code of Conduct;

(4) encourages political parties, civil society, and the media in Kenya to act responsibly with their parallel vote tabulations so as not to usurp the role of the electoral commission as the official source for declaring official election results;

(5) encourages civil society organizations in Kenya to continue providing critical early warning and response measures to mitigate election-related violence and further strengthen democratic processes;

(6) commends the key role the faith-based community has played in ensuring a peaceful pre- and post-election environment through periodically convening the Multi-Sectoral Forum to deliberate on matters of governance, election management, and looming insecurity;

(7) supports efforts by the Department of State and the United States Agency for International Development (USAID), including the Bureau of Conflict and Stabilization Operations, the Bureau of Democracy, Human Rights, and Labor, and the Bureau of African Affairs, to assist election-related preparations in Kenya, including programs focused on conflict mitigation;

(8) strongly encourages the President to appoint an Assistant Secretary of State for African Affairs in order to bolster diplomatic engagement with the Government of Kenya, the opposition, and the donor community, which has historically been critical during Kenya's elections; and

(9) calls upon the United States Government and other international partners, especially election-focused nongovernmental organizations, to continue to support Kenya's efforts to address the remaining electoral preparation challenges and identify gaps in which additional resources or diplomatic engagement could make important contributions to the conduct of the elections.

SENATE CONCURRENT RESOLUTION 22—EXPRESSING THE SENSE OF CONGRESS ON THE USE OF THE INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND THE DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE

Mr. ROUNDS submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 22

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SHORT TITLE.

This concurrent resolution may be cited as the ''Whole of Society Cyber Personnel Cooperation Resolution of 2017''.

SEC. 2. SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE.

It is the sense of Congress that—

(1) the Department of Defense should fully use the Intergovernmental Personnel Act Mobility Program (IPAMP) and the Department of Defense Information Technology Exchange Program (ITEP) to obtain cyber personnel across the Government by leveraging cyber capabilities found at the State and local government level and in the private sector in order to meet the needs of the Department for cybersecurity professionals; and

(2) the Department should implement at the earliest practicable date a strategy that includes policies and plans to fully use such programs to obtain such personnel for the Department.

AMENDMENTS SUBMITTED AND PROPOSED

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

SA 261. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1519, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

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

At the end of subtitle C of title XVI, add the following:

SEC. 1630C. SENSE OF CONGRESS ON USE OF INTERGOVERNMENTAL PERSONNEL ACT MOBILITY PROGRAM AND DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY EXCHANGE PROGRAM TO OBTAIN PERSONNEL WITH CYBER SKILLS AND ABILITIES FOR THE DEPARTMENT OF DEFENSE.

It is the sense of Congress that—

(1) the Department of Defense should fully use the Intergovernmental Personnel Act Mobility Program (IPAMP) and the Department of Defense Information Technology Exchange Program (ITEP) to obtain cyber personnel across the Government by leveraging cyber capabilities found at the State and local government level and in the private sector in order to meet the needs of the Department for cybersecurity professionals; and

(2) the Department should implement at the earliest practicable date a strategy that includes policies and plans to fully use such programs to obtain such personnel for the Department.

SA 261. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1273. STRATEGY TO IMPROVE DEFENSE INSTITUTIONS AND SECURITY SECTOR FORCES IN NIGERIA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive strategy to support improvements in defense institutions and security sector forces in Nigeria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

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

(2) An assessment of efforts by the Government of Nigeria to improve civilian protection, accountability for human rights violations, and transparency in the defense institutions and security sector forces.

(3) A description of the key international and United States diplomatic, development, intelligence, military, and economic resources available to address instability across Nigeria, and a plan to maximize the coordination and effectiveness of these resources to counter the threats posed by Boko Haram, ISIS-WA, and Niger Delta militants.

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

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

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

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

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

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

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

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

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

(9) A plan for the United States Government to work with the Nigerian military, international organizations, and nongovernmental organizations to demilitarize the humanitarian response to the food insecurity and population displacement in northeastern Nigeria.

(10) Any other matters the President considers appropriate.

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

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

(2) descriptions of the steps taken and outcomes achieved under each of the plans described in paragraphs (7), (8), (9), and (10) of subsection (a), as well as assessments of the effectiveness and descriptions of the metrics used to evaluate effectiveness for each such plan.

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

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

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

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

AUTHORITY FOR COMMITTEES TO MEET

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

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 20, 2017 at 10 a.m. to conduct a hearing entitled, ''Housing Finance Reform: Maintaining Access for Small Lenders''.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a nomination hearing on Thursday, July 20, 2017, at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FINANCE

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

COMMITTEE ON FOREIGN RELATIONS

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

COMMITTEE ON JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on July 20, 2017, at 9:30 a.m., in SD–226 of

the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON VETERANS' AFFAIRS

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

COMMITTEE ON INTELLIGENCE

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

SUBCOMMITTEE ON TECHNOLOGY, INNOVATION, AND INTERNET

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Thursday, July 20, 2017, at 10 a.m. in room 253 of the Russell Senate Office Building. The Committee will hold Subcommittee Hearing on ''An Update on FirstNet.''

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

SUBCOMMITTEE ON FISHERIES, WATER AND WILDLIFE

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

ORDERS FOR MONDAY, JULY 24, 2017

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

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

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

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

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

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

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

DEPARTMENT OF JUSTICE

BART M. DAVIS, OF IDAHO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS, VICE WENDY J. OLSON, RESIGNED.

JOSHUA J. MINKLER, OF INDIANA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS, VICE JOSEPH H. HOGSETT, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

BETTY S. ALEXANDER
ERICA L. ARNOLD
ARON W. BOWLIN
MELISSA K. BURKE
REGINALDO F. CAGAMPAN
TREVOR W. CARLSON
TAMERA A. CORSON
VIRGILIO S. CRESCINI
JESUS M. CRESPODIAZ
VIRGINIA H. DAMIN
CHRISTINE D. DAVIES
DANA DONES
JAMES J. DRISCOLL
CHRISTA D. DUNCANARFAA
TREVR W. EBORN
BRIAN E. ELLIS
CAROL M. ELLSWORTH
BROOKES A. ENGLEBERT
JENNIFER M. FAUST
THOMAS N. FULLER
LACY L. GEE
EDITH R. GLANTON
ELIZABETH K. GLOOR
NOELLE M. GRIFFITH
STACEY M. HAMLETT
BRADLEY S. HAZEN
LAWRENCE B. HENRY
RACHEL S. HERNANDEZ
DANETTE R. HINELY
STUART R. HITCHCOCK
TODD A. HLAVAC
KARI L. JOHNDROWCASEY
ROBERT D. JOHNS
MATTHEW C. JONES
JAMES A. KETZLER
MONICA A. KNAPP
SHANE E. LAWSON
SARAH A. LEDFORD
BRANDON J. LIMTIACO
MARY F. LISEC
LEAH M. LIZADA
RODRIGO F. LOPEZ
RUBEN A. LOPEZ
DANIEL S. MCCLURE
ALEAH J. MCHENRY
HILARY A. MEYER
KEVIN J. MICHEL
ERIC J. MILLER
MARK J. MILLER
ERIN C. MOHAN
AARON C. MYERS
ERIN R. OCKERREZA
KRISTINA R. OLIVER
KAREN L. ORTOLANI
JOSE L. PINON
JESSICA M. PIPKIN
SHANNA C. POWELLSEARCEY
SHARON QUALLIO
VALERIE R. QUINN
PETER W. SCHENKE
EILEEN SCOTT
SEBASTIAN STACHOWICZ
JACK A. STANSBURY
SHALANDA D. STEPHENS
KENDER W. SURIN
MELISSA R. TRONCOSO
LIGIA B. VILLAJUANA
ABIGAIL T. WHITE
ALFONZA WILLIS
BRANDON K. WOLF
JAMES S. ZMIJSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

DOMINIC J. ANTENUCCI
JOHN J. BOYD
LOUIS E. BUTLER
MATTHEW P. CUTCHEN
CHRISTOPHER J. DEERWESTER
HOLLY H. DIDAWICK
GUY W. EDEN
ERIKA C. GEHLEN
NATHANIEL R. GROSS
BRIAN A. HAHN
TEMPERANCE C. HUFFSTETLER
KIMBERLY J. KELLY
JAMES M. KENNEDY, JR.
BRIAN D. KORN
DAVID H. LEE
COURTNEY E. LEWIS
ABIGAIL L. MEYERS
MARY R. MURPHY
SARA A. ONEILMILLER
JEFFREY J. PIETRZYK
AARON M. RIGGIO
BENJAMIN C. ROBERTSON
ELIZABETH M. ROCHE
JACOB W. ROMELHARDT
IAN SANTICOLA
RYAN SANTICOLA
LISA M. SENAY
DAVID M. SHULL
CHRISTOPHER C. SWAIN
CRAIG S. THEDWALL
SEAN M. THOMPSON
CHRISTOPHER P. TOSCANO
GRAHAM C. WINEGEART
MATTHEW J. WOOTEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CLEMIA ANDERSON
JOHNFRITZ E. ANTOINE
JANETTE B. ARENCIBIA
STEFANIE M. BLIGHTON
JON D. CHAMPINE
SHAWNNA M. CHEE
JANIESE A. CLECKLEY
LESLIE R. COUNCILOR
WILLIAM T. CRIDER
PRASAD B. DIWADKAR
SCOTT E. DUNN
MARIA D. EDUSADA
JANINE E. ESPINAL
ROMMEL D. FLORES
MONICA E. GONZALEZ
BRADEY R. GOTTO
KIBWE A. HAMPDEN
MELISSA J. HARNLY
SCOTT A. HAZELRIGG
SAMUEL H. JARVIS
JASON M. JONES
PAMELA M. KLEPACTULENSRU
CODY L. LALLATIN
AUSTIN W. LATOUR
SAMUEL Y. LEVIN
CARL E. LONG, JR.
DAVID J. LOOMIS II
KEVIN J. LYLE
VENANCIO MAYSONET
SEAN M. MCCARTHY
BERNARD C. MCDONALD
KEVIN P. MCMULLEN
JOSHUA A. MILLER
NAUSHEEN MOMEN
THOMAS P. MURPHY
JULIA A. NEFCZYK
MARGARET M. PARKS
DARREN J. PIERCE
JOHN B. PRICE
MATHEW A. RANDOLPH
ELIZABETH C. RAPHAEL
CHAD J. REES
ALBERT RICCARDI III
JUAN N. ROSARIO
NATHAN L. SEAMAN
DOUGLAS A. SEARLES
ERIN M. SIMMONS
ELIZABETH G. SKOREY
JOSEPH A. SORCIC
KEVIN L. STARKEY
CHRISTOPHER T. STEELE
LEEDJIA A. SVEC
JARED H. TAYLOR
GEORGE W. VANCIL
DEAN J. WAGNER, JR.
MARK D. WAKEFIELD
STACY J. WASHINGTON
MICHAEL A. ZUNDEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ERIC F. BAUMAN
ROBIN C. BENNETT
KITTIMA BOONSIRISERMSOOK
MARK A. BUCKNER
LAURA N. CARLE
JOSHUA E. COHEN
CAREY H. COLLINSDEISLEY
DEREK T. FAGEN
EDWARD J. GIVENS, JR.
BENJAMIN M. GRAY
JAYSON H. HUBER
DAMON T. JENSEN
DAVID Z. LIU
RUOHONG LIU
JASON W. MATHYS
JENNIFER L. MCGUIREHAVEMAN
CALEB J. NOORDMANS
MELANIE A. PERRY
BARRY E. PETERSON
BRYAN P. RASMUSSEN
SHAWN D. TEUTSCH
PHILLIP S. TIMMONS
JOSHUA C. TREESH
LESLIE H. TRIPPE
WALTER B. VOLINSKI, JR.
EVAN R. WHITBECK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

THOMAS B. ABLEMAN
JAVIER AGRAZ, JR.
ARRIEL E. ATIENZA

JONATHAN D. AUTEN
SARAH B. BALLARD
PATRICK D. BARKER
THOMAS K. BARLOW
JASON R. BERNHARD
WILLIAM A. BOLLER
KIM E. BURKE
AMY A. CANUSO
GREGORY G. CAPRA
PETER N. CARBONE
JOHN M. CHILDS
ANNA Y. CHOE
JAMES CHUNG
DELBERT D. CLARK
JAMES K. CLARK
DEBRA D. COFFEY
RANDY W. CONNOLLY
JERALD L. COOK
PATRICK D. CRONYN
GARFIELD CROSS
EMILY L. CROSSMAN
LAWRENCE C. DECKER
JUSTIN J. DEGRADO
JULIE E. DIERKSHEIDE
BRIAN M. DIMMER
MARK S. DOUGLAS
ADRIAN ELLIOTT
KENNETH M. FECHNER
DARYL B. FICK, JR.
ELIZABETH M. FOWLER
SHARI L. GENTRY
ANTONINO GERMANA
LISA K. GIBSON
DOMINIC T. GOMEZLEONARDELLI
DAVID E. GREENE
STEVEN D. GRIJALVA
RICHARD T. GROSSART
SUZANNE R. GUDEMAN
DAVID A. HELTZEL
KHRISTINA J. HOOVER
KRISTOFER A. KAZLAUSKAS
TERRENCE M. KILFOIL
CHARLES C. KO
KELLY G. KOREN
MICHAEL J. KRZYZANIAK
JACQUELINE S. LAMME
JONATHAN S. LEIBIG
DEREK N. LODICO
KATHLEEN M. LOVE
MARTIN W. LUNCEFORD
DOUGLAS C. MCADAMS
JONATHAN D. MCDIVITT
LUCAS S. MCDONALD
SEAN F. MCGRATH
JIAN M. MEI
ELLIE C. K. MENTLER
DEREK M. MILETICH
KYLE E. MILLER
LYNITA H. MULLINS
THOMAS J. MURPHY II
WAYNE T. MURPHY
JOSHUA D. NASSIRI
MEGHANN E. NELLES
BENJAMIN E. NELSON
LUKE C. NICHOLAS
JUSTIN J. NORK
ALFRED J. OWINGS II
DAVID A. PAZ
ANGEL J. PEREZ
JAMI J. PETERSON
CHRISTOPHER R. PHILLIPS
HUY Q. PHUN
EVELYN M. POTOCHNY
HOWARD I. PRYOR II
BENJAMIN N. QUARTEY
JODIE D. RAPPE
WILLIAM W. REYNOLDS, JR.
NELLY K. RICE
JAMES R. RIPPLE
CHRISTA M. ROBINSON
MATTHEW W. ROSE
BRIANNA L. RUPP
MICHELLE J. SANGIORGI
JOSEPH W. SCHMITZ
ALBERT J. SCHUETTE, JR.
ANIL N. SHAH
MANISH SINGLA
JASON E. SMITH
MONIQUE E. SMITH
LEAH K. SPRING
KRISTINA J. STCLAIR
THEODORE J. STEELMAN
EDWARD T. STICKLE, JR.
NICHOLAS N. SWEET
VIRGINIA P. TETI
ROBERT N. UNISZKIEWICZ
JOHANNAH K. VALENTINE
MARCEL M. VARGAS
SHELTON A. VIOLA
WILLIAM H. WARD
JOHN G. WHALEY
KRISTI M. WOOD
JEFFREY C. WORTHLEY
BRUCE A. YEE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ERIC W. HASS
GAIL M. MULLEAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CHRISTOPHER L. ALMOND
REBECCA W. BARRETT
PETER R. BENSON
BLAKE E. BURKET
BRANDON M. CASPERSON
JUAN CHAVIRA
ANDREW D. CLINE
JAMES M. DOHM
GRADY D. DONATHAN IV
ELIZABETH A. DURIKA
ALAN W. EICHELMAN
TIMOTHY W. GLEASON
LAKEEVA B. GUNDERSON
JACKSON R. HABECK
ROBERT B. HAGEL
BENJAMIN P. HOFMAN
CARL E. JACKSON, JR.
WEURIELUS D. JOHNSON
TIMOTHY W. KABER
GREG C. KIRK
ROBERT D. KLEINMAN
DENNIS LA
CHAD M. MARSHALL
ANGELIQUE N. MCBEE
ANDREW W. OLSEN
BRYAN M. PARNELL
FEDERICO PEREZROMERO
WILLIAM R. PITCAIRN IV
AARON J. RIPPLE
DANIEL J. SCHMITT
JACOB W. SEGALLA
THOMAS J. SOLETHER
JUSTIN D. SPINKS
CORTNEY B. STRINGHAM
BENJAMIN H. TURNER
DANIEL W. WALL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ROBERT E. BRADSHAW
AARON C. CARLTON
THOMAS T. COOK
JAMES L. DANCE
JERRY D. DURHAM
STEPHEN D. FISHER
PAUL B. GREER
JEFFERY B. JENKINS
TAVIS J. LONG
HARVEY C. MACKLIN
MARC H. MASSIE
JOHN M. MIYAHARA
MICHAEL Q. OBANNON
RONALD S. ODELL, JR.
CHARLES A. OWENS
RAY F. RIVERS
DONALD W. ROGERS, JR.
MARGARET E. SIEMER
LEROY C. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

THOMAS E. ARNOLD
RASAQ A. BALOGUN
KRISTINA J. BICKING
MICHAEL C. BISHOP
JOSEPH R. BOSSI
TIMOTHY J. CALVO
DAVID M. CARROLL
ABDUL R. CEVILLE
TANYA K. CORMIER
ANTHONY R. DICOLA
JOHN C. DONNELLY
ANDRE L. FIELDS
DAVID S. FUCHS, JR.
BRIAN L. GARBERT
TERRY C. GRIGSBY
JOHN P. HAGAN
JACKIE B. HURSE
WILLIAM M. JAKUBOWICZ
MARCUS L. JONES
RICHARD D. JONES
CHRISTOPHER R. KADING
MORDOCAI KIFLU
CHRISTOPHER M. LOUNSBERRY
TAQUINA T. LUSTER
BRIAN P. MADDEN
MICHAEL H. MALONE
DANIEL W. METZ
JASON A. MORGAN
OWEN B. MORRISSEY
SEAN A. NEER
QUY P. NGUYEN
SEAN J. NUILA
LEOPOLDO OCHOA, JR.
DAVID J. OZECK
ANDREW M. PHILLIPS
NICOLE C. PONDER
JAMES A. PROSSER
JECISKEN RAMSEY
MATTHEW B. REED
KEVIN C. RICHARDSON
DENA B. RISLEY
BRANDOLYN N. ROBERTS
CHRISTOPHER F. ROESNER
FRANKLIN B. SEMILLA
BRAN M. SHERMAN
MATTHEW J. SHIELS
JAIME J. SIQUEIROS
TAMARA T. SONON
JOSEPH K. SPEDE
SHANE D. STATEN
JESSE K. TAIJERON
DOUGLAS H. THOMPSON
MICHAEL L. TUCKER
NICHOLAS A. ULMER
JOSE L. VARGAS
ANGELA C. WATSON
CHRISTOPHER T. WILSON
MICHAEL P. YUNKER

CONFIRMATION

Executive nomination confirmed by the Senate July 20, 2017:

THE JUDICIARY

JOHN KENNETH BUSH, OF KENTUCKY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT.