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Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable DAVID PERDUE, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Eternal God, empower us today to trust You more fully and to accept our responsibility to bring peace to our Nation. Let that peace begin in our individual lives, creating an oasis of concord in an arid and truculent world.

May our Senators bring the music of Your unity to their work, finding creative solutions to intractable problems. Lord, whisper to them words of instruction to help them find wisdom for these challenging days. May they shoulder the responsibilities that come with the privilege of freedom.

We pray in Your great 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, March 21, 2017.

To the Senate:

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

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

REPEALING AND REPLACING OBAMACARE

Mr. MCCONNELL. Mr. President, last night in my home State of Kentucky, the President called for an end to ObamaCare as Congress continues working to repeal this disastrous law and replace it with patient-centered solutions.

In Kentucky, just like across the country, costs are spiking, choices are dwindling, and insurance markets are edging closer and closer to collapse. Listen to this wife and small business owner who lives in Shelby County. She wrote to my office about her problems with ObamaCare. Here is what she said:

I have seen little or no success where ObamaCare is concerned. [T]he current insurance available is causing working class Americans to choose between paying their bills and getting needed medical care. . . . We need help.

Kentuckians deserve better than ObamaCare. The American people deserve relief from ObamaCare. The law is failing right in front of us. It will continue to get worse unless we act. So we have to act. This week the House will continue working to advance ObamaCare repeal-and-replace legislation. The House has already done some great work on the bill, and I look forward to taking it up in the Senate soon. We will have an amendment process here in the Senate. At the end of that process, we will send a bill to the one person who can sign it into law, and that is the President of the United States.

But the legislation before the House isn't our only tool to help stabilize the healthcare marketplace. It is one prong of a three-part strategy.

The second prong is the administration continuing to use its broad authority to bring relief. Officials like the Secretary of Health and Human Services, Tom Price, and the Administrator of the Centers for Medicare and Medicaid Services, Seema Verma, are already working to bring relief to stabilize health markets that ObamaCare has rattled.

The third prong is further legislation to reform the healthcare market and make it more competitive for consumers. Taken together, these three prongs aim to restore power to the States and move more healthcare decisions out of Washington and back to the States. They also represent the best way to bring relief to Americans who continue to suffer under ObamaCare. The American people deserve better than this failing law. We promised we would repeal and replace it for four straight elections. We are working to fulfill that commitment right now.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. On another matter, Mr. President, yesterday Supreme Court nominee Neil Gorsuch came before the Judiciary Committee for the first day of his confirmation hearing. In his opening statement, Judge Gorsuch showed why so many lawyers and judges strongly support his nomination as a thoughtful and fairminded judge who understands the particular role of the Federal courts in our Republic and who has discharged his judicial office accordingly.

Last week, two of his former colleagues on the Tenth Circuit Court of Appeals added their voices to this growing chorus. The endorsement of him was published in the Washington Post. Judge Gorsuch's hearing continues today with Senators on the committee asking him questions. As they

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

do, we should keep in mind the counsel of his former Tenth Circuit colleagues—both as to their experience with Judge Gorsuch on the bench and their view of our role in questioning him now that he is before the Senate. Judges Deanell Reece Tacha and Robert Henry both served with Judge Gorsuch on the Tenth Circuit. Both were chief judges of that court, in fact, and both have gone on to careers in academia: Judge Tacha as dean of the Pepperdine University School of Law and Judge Henry as president and chief executive of Oklahoma City University. Judge Tacha was appointed to the circuit court by President Reagan while Judge Henry was appointed to the circuit court by President Clinton. They describe themselves as a lifelong Republican and Democrat, respectively.

They write that ''predictions abound as to how Judge Neil Gorsuch—if confirmed—would lean or even vote on this or that case. . . . But these essentially political discussions tend to distort the role of judges in our government.'' They remind us that the '' 'independence of the judges' is a most sacred tradition in U.S. constitutional law, requiring all judges to have no obligations to those who nominated or confirmed them.'' Let me repeat that. They note that the principle of judicial independence requires judges not to have obligations to those who nominate them or those who confirm them.

In that regard, Judges Tacha and Henry remind us that ''[d]etailed discussions during the confirmation process on issues that might come before a judge are not proper; in fact, they would in all likelihood require recusals from the cases discussed.'' They point out how the judicial process is different from the confirmation process. They observe that ''controversies that go before the court often bring unique and complicated facts that could completely change a judge's sincerely espoused view.'' Legal research is ''[a]nother critically important input into judicial decisions.'' Legal research might reveal precedent that overrides a judge's ''previously held views or even logical interpretations of legal text.'' They emphasize that the judicial process is the collection of ''[t]hese factors—tradition, independence, precedent and unique facts,'' and that these factors ''often combine to lead judicial nominees to change their views when confronted with specific cases.''

By contrast, these factors are not present in the confirmation process. So it is not realistic or fair to expect a judicial nominee to state or imply under oath how he or she might rule as a judge. That is why Justice Ginsburg could not give any hints, forecasts, or previews of her possible rulings during her Supreme Court nomination hearing.

But we don't have to guess how Judge Gorsuch would conduct himself as a Justice. We have a 10-year record of his judicial decisions, and we have the professional experience of those who practiced before him and those who have served with him. As for the latter, Judges Tacha and Henry give him the highest marks.

Judge Gorsuch was, they say, ''like most good judges, assiduously attentive to the facts and the law in each case.'' If he were confirmed to the Supreme Court, they say that ''other important traits of Gorsuch that are not likely to change'' are things like ''his fair consideration of opposing views, his remarkable intelligence, his wonderful judicial temperament expressed to litigants and his collegiality toward colleagues.''

They conclude by saying that ''[i]f we seek to confirm to the Supreme Court a noted intellect, a collegial colleague, and a gifted and eloquent writer—as well as a person of exhibited judicial temperament—Gorsuch fits that bill. He represents the best of the judicial tradition in our country.''

Their endorsement tracks with so many others we have heard, and I am confident Judge Gorsuch will show the country today and tomorrow why so many people are so proud to support him to be our next Supreme Court Justice.

NOMINATION OF DANNY REEVES

Mr. MCCONNELL. As to another well-qualified judge whose nomination is currently being considered by the Senate, today, we will consider the nomination of U.S. District Court Judge Danny Reeves to serve on the U.S. Sentencing Commission. He is a great choice to serve on the Commission, and I look forward to the Senate confirming him.

Among its responsibilities, the Commission is tasked with setting sentencing policy in our Federal judicial system. While I don't always agree with the policy outcomes, I appreciate the important role it plays in trying to ensure fairness in our Federal courts. Judge Reeves is well prepared for the task ahead. I am confident he will do great work on the Commission.

His legal career began in Northern Kentucky University's Salmon P. Chase College of Law, where he graduated with honors in 1981. After graduation, he clerked with Judge Eugene Siler, then a district court judge in the Eastern and Western Districts of Kentucky. Upon finishing his clerkship, Judge Reeves entered private practice at what was then known as Greenebaum Doll & McDonald. He became a partner there in 1988.

In 2001, I had the first of many in-depth discussions with Judge Reeves. I was so impressed by him that I recommended him to then-President George W. Bush and that he appoint Judge Reeves as a Federal district court judge in Kentucky. The Senate confirmed him without a dissenting vote, and he served with distinction on the Federal bench.

Judge Reeves has been lauded for his steady devotion to the rule of law, for his commitment to fair rulings predicated on the facts and law—rather than his own political beliefs—and for his evenhanded approach to all who enter his courtroom. Because of his demonstrated appreciation for these precepts, Judge Reeves will be a significant asset to the Commission and an advocate for sound and sober decisionmaking.

As many of you know, the Commission has been operating, to the extent it can, without a quorum. Not only does Judge Reeves' appointment stand as validation of his distinguished career as a respected jurist, but, along with the reappointment of U.S. District Court Judge Charles Breyer, it represents a return to an operational agency. Now the Commission can get back to the business for which it was designed, establishing uniform sentencing practices and policies that will be utilized in Federal courts all across the country.

So I look forward to supporting and congratulating Judge Danny Reeves, as well as his wife Cindy and their sons Adam and Joe and their families, on his confirmation to the U.S. Sentencing Commission.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. MCCONNELL. Mr. President, on one final matter, over the past several weeks, the Senate has been working to bring much needed relief from the regulatory onslaught of the last 8 years. Using the Congressional Review Act, or CRA, we have already taken action to end regulations that threaten jobs, weaken our economy, and undermine States' authority. Today we will continue to move forward with our efforts to block more unnecessary regulations that hold our country back in a number of ways. The CRA resolution that we will consider today will end regulation that undercuts Alaska's ability to manage its fish and wildlife resources. As a coalition of hunters, fishing enthusiasts, and conservationists recently wrote me, ''Congress promised that the citizens of Alaska, working through their Department of Fish and Game would be able to manage their own fish and wildlife, as do the other 49 states.''

Passing this CRA resolution will roll back the administration's overreach and restore the State-Federal balance that Congress originally intended. Our colleagues from Alaska, Senator MURKOWSKI and Senator SULLIVAN, are the sponsors of this resolution we will consider today. They know the damage this regulation would do to their home State. They have been working to do something about it.

They have also been quick to point out the concerning precedent this rule would mean for the rest of the States. I appreciate their leadership on this issue and look forward to joining them in overturning this harmful Obama administration regulation as soon as possible.

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. SCHUMER. 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.

RECOGNITION OF THE MINORITY LEADER

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

NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Mr. President, yesterday, President Trump's nominee to the Supreme Court, Judge Neil Gorsuch, was introduced in the Judiciary Committee for opening statements. We all look forward to today's round of questioning, during which I hope the nominee will be more forthcoming than he was with me. I am very sympathetic to the fact that judges should not offer opinions on cases that could come before the Court lest they bias themselves. Every Senator is aware of that. We know to ask general questions or questions about cases previously decided to get a sense of a judge's philosophy.

In our meeting, Judge Gorsuch refused to even answer those questions. For instance, I asked him a very simple question. I said forget about the case that was then pending in the Ninth Circuit on the Executive order. I said: Let's say Congress passed a law: No Muslim could enter the United States. Would that be unconstitutional?

He even refused to answer that question. So I hope he will be more willing to answer questions in the Judiciary Committee today, particularly about his views of important Supreme Court cases of the past and his own ideology. This idea that judges judge regardless of ideology is totally belied by the fact that there is a coalition right now—four judges on one side, four judges on the other. Four appointed by Democratic Presidents who generally rule one way, four appointed by Republican Presidents who generally rule the other.

If it was just interpreting the law without any input from a person's life and thoughts and ideology, we would not have that stark breakdown, but we do. In my view, the hard right, in trying to populate the bench with people way over, has adopted this philosophy, starting with Miguel Estrada: Don't answer the questions because if the American people knew how you really felt, they would not want you on the bench.

Let's take the case of President Trump. Of course President Trump considered ideology when he selected Judge Gorsuch off a list culled by the far-right Heritage Foundation and Federalist Society. He did not pick the judges himself. He went to these extreme groups and said: You make a list. I promise I will pick people from that list.

Do you think organizations—these organizations—dedicated to a certain ideological viewpoint, did not consider ideology when building their list of possible Supreme Court picks? Of course they did.

President Trump said himself, he wanted to appoint a Justice who would overturn Roe v. Wade. The idea that he selected a judicious, neutral judge is belied by the selection process, totally and amazingly. That is how the President considered these judges. So it is not unreasonable for Senators to consider and question the ideology of a nominee in committee. President Trump sure did when he came up with a list. The only way for the Judiciary Committee to do that is if the nominee is willing to answer specific questions. If he is not willing to answer specific questions, what is the purpose of even holding a 4-day hearing?

Before I move on to another topic, I would like to point out that it is the height of irony that Republicans held this Supreme Court seat open for nearly a calendar year while President Obama was in office but are now rushing to fill the seat for a President whose campaign is under investigation by the FBI.

Even Representative NUNES, the Republican chairman of the House Intelligence Committee, said the investigation, confirmed yesterday by FBI Director Comey, puts a ''big gray cloud'' over this administration. You can bet if the shoe were on the other foot and a Democratic President was under investigation by the FBI, the Republicans would be howling at the Moon about filling a Supreme Court seat in such circumstances.

After all, they stopped the President who was not under investigation from filling a seat with nearly a year left in his Presidency. It is unseemly to be moving forward so fast on confirming a Supreme Court Justice with a lifetime appointment while this ''big gray cloud'' of an FBI investigation hangs over the Presidency.

TRUMPCARE

Mr. SCHUMER. Mr. President, the Republicans plan to repeal and replace the Affordable Care Act. Their bill is such a mess and is proving so deeply unpopular that Republicans are playing a game of hot potato with it. Speaker RYAN does not want to call it RyanCare. The administration does not want to call it TrumpCare. They are pointing at each other and hoping the other one takes responsibility and blame.

President Trump, who has tried to put his name on nearly everything in his career—ties, steaks, water—does not want his name on this bill. Well, the President himself is here on the Hill today to sell the bill to House Republicans. Make no mistake, this is TrumpCare, the President's bill. Every American should know that if Republicans ultimately pass this bill, President Trump is behind it, and Republicans will have helped him every step of the way.

So voters, particularly Trump supporters, who would be hurt most by this TrumpCare should remember that when your premiums start going up, President Trump did that. When your insurance does not cover all the things it used to, President Trump did that. If you are older and insurance companies are now charging you exorbitant premiums, several times what you used to pay, President Trump did that. When 24 million fewer Americans have health insurance while the wealthiest Americans get a huge tax break, you can be sure President Trump did that too.

Even now, the changes House Republicans are making to buy off different factions of their caucus are making the bill more harsh. Some of these changes will further weaken Medicaid and result in even fewer Americans with healthcare coverage. Though Republicans claim they are fixing the bill's unfair tax on older Americans, they are not. The truth is, the Republican age tax is still in the bill. People in their fifties and sixties still stand to lose big time.

The larger truth is, Republicans are not trying to make this bill better. They are just trying to make it pass with all their various factions pulling them in different directions. There is no better evidence of that than the new ''Senate slush fund,'' a $75 billion earmark the House is giving the Senate to buy off Republican Senators who don't want to vote for this bill.

What happened to our fiscal conservative friends in the House—no unnecessary expenditures. A $75 billion slush fund. It doesn't even say what it does. Wow. Unbelievable. Many Republican Senators don't want to vote on the House bill because it is going to crush older Americans with a new age tax, but make no mistake about it, the Senate slush fund is not going to fix that problem at all.

Here is the biggest problem. The consequences of TrumpCare are so bad for working Americans and older Americans that my friend the majority leader may rush it through the Chamber after we get it from the House. He has already said TrumpCare is going to bypass committees and go right to the floor. There is even talk that Republican Senators, under his leadership, are negotiating a substitute bill behind closed doors that would take its place and also go straight to the floor.

That is not how we should do business here on something as important as healthcare. That is not just my view, that is the majority leader's view. Listen to what the distinguished majority leader—then-minority leader—said

about healthcare reform in 2009, when the Affordable Care Act was being debated. He said—these are MITCH MCCONNELL's words:

> We shouldn't try to do it in the dark. And whatever final bill is produced should be available to the American public and to Members of the Senate for enough time to come to grips with it. There should be and must be a CBO score.

Let me repeat that. ''There should be and must be a CBO score.'' I would ask our leader, are we going to have one before he rushes this bill to the floor? I hope so. ''We are going to insist,'' he said, ''that it be done in a transparent and fair and open way.''

Well, the majority leader delights in pointing out instances when Democrats seemed to go back on something they said. So I certainly hope he follows his own advice from 2009 now that he is majority leader. We hope to see a published bill, with Senators given time to review, and a CBO score before anything moves forward—a fair, open, and transparent process, as he said.

I know why he wants to move so quickly. The majority leader knows how bad the bill actually is. In fact, the consequences of TrumpCare are so bad that Republicans are talking about other phases of the plan, promising a second and third prong that will somehow make this bill better for American people down the road. They say to their colleagues: Well, this bill is bad, but we will change it in the second and third prongs.

Well, that is a diversion. If Republicans can't live with this bill, they should shelve it because those other prongs are either not going to happen or will make it worse.

I can speak with some authority on the third prong. It is going to require 60 votes. That is what will be needed for the Republican legislation to make more changes to our healthcare system—60 votes, which means at least 8 Democratic votes.

I warn my Republican colleagues: Once you repeal ACA in this fashion—just ripping it out, having nothing good to put in its place—our healthcare system is going to be too messed up to resuscitate it with piecemeal legislation down the road. Even my Republican friends, Senators on the other side of the aisle, said as much. My friend, the junior Senator from Texas, Senator CRUZ, said: ''Anything placed in so-called bucket three won't pass.'' You are right, TED. If we want to pass real reforms, we have to do it now and on budget reconciliation. Senator CRUZ is right again.

My friend, the junior Senator from Arkansas, Senator COTTON, freely admits that ''there is no three-phase process. There is no three-phase plan. That is just political talk. It's just politicians engaging in spin.'' Senator COTTON, I couldn't have said it better myself.

All Republicans in the House and Senate should hear this: Democrats will not help Republicans repeal and replace the Affordable Care Act—in one phase, two phases, or three phases. This TrumpCare bill would cause such immense damage to our country, its citizens, average working families who are going to be paying more and getting less, we are not going to be complicit. But we will work with our Republican colleagues to improve the existing law.

If the President and the majority leader say ''All right, we are not going to repeal; let's work on some changes,'' we will do it with them. Of course we will listen. But they have to drop repeal first.

Again, I urge my friends on the other side of the aisle to drop their repeal efforts, drop TrumpCare—non-negotiated, not a drop of bipartisanship in it—and come negotiate with Democrats on improvements to the Affordable Care Act. Turn back before it is too late—too late for the American people who will be hurt and too late for all of you who will also be hurt as you try to defend TrumpCare in the next few years.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, equally divided, with Senators permitted to speak therein, with the majority controlling the first half and the Democrats controlling the final half.

The Senator from Missouri.

NOMINATION OF NEIL GORSUCH

Mr. BLUNT. Mr. President, I am here today to discuss the nomination of Neil Gorsuch to serve on the U.S. Supreme Court. So far this year, we have heard that it is too early to do everything, that the process of putting the President's Cabinet in place, which took longer than any administration since George Washington and is still not completed, was somehow too early. We heard that every single nominee was being handled too quickly, even though every previous President since the first President has managed to have a Cabinet confirmed by the Senate quicker than this one.

Clearly the process going on right now—hours of questioning beginning today for Judge Gorsuch, who has a 10-year record as an appeals judge on the Tenth Circuit, where all of the other judges in the district courts under the Tenth Circuit's jurisdiction see their cases go to be appealed.

The Supreme Court is ''distinctly American in concept and function,'' according to Chief Justice Charles Evans Hughes, and there is, frankly, nothing quite like it in any other constitutional government. It is a Court that was supposed to be part of this very unique at the time idea of a government that was so finely balanced that it would run itself, a machine that was so finely balanced that it didn't take a King, it didn't take the intervention of somebody to decide who would be the one person who would run the country.

The Supreme Court—the only Court mentioned in the Constitution—is a uniquely American court. In the history of the country, only 112 people have had the honor to serve on the Supreme Court. On the last day of January, President Trump nominated Judge Neil Gorsuch of the U.S. Court of Appeals for the Tenth Circuit to be one of those unique individuals who get to serve on this Court, to be an Associate Justice on the U.S. Supreme Court.

Since his nomination, he has visited individually with a significant majority of Members of the Senate. I think he has had 70 visits with Members of the Senate in their offices. Many of my colleagues on the other side—several of whom I will mention in a minute—voted for Judge Gorsuch to have the job he currently has. Many of my colleagues on the other side of the aisle left their meetings with Judge Gorsuch impressed by his character, by his intellect. Here is what just a couple of our colleagues on the other side said:

''He did a very good job in the meeting with me. He presents himself very well.''

Another one of our colleagues said: ''He's a very caring person, and he's obviously legally very smart. . . . I think we are dealing with someone who is impressive.''

Another one of our colleagues said they ''had a thorough conversation about the importance of the rule of law and of a judiciary that is independent of the executive and legislative branches of government.''

As more Senators had a chance to meet Judge Gorsuch, they came to see him as an independent-minded judge who has a deep appreciation for the law and a real understanding of what a judge should do.

It was mentioned earlier that the judge should be required to talk about how he would rule on individual cases. Of course not. In fact, Ruth Bader Ginsburg, who is on the Court now, was very strident before the committee in pointing out that it would be wrong for a judge to explain how they would judge an individual case. She said that if a judge did that, a judge would actually have to recuse themselves, in her opinion, from the case, and others on the Court today have all said similar things when asked the kinds of questions that the minority leader just said that Judge Gorsuch would have to answer if he was going to be confirmed to the Court. If that was the test, there would be nobody on the Court today, and if that was the test, none of the 112 people who have served on the Court

would have, in all likelihood, passed that test.

When I had a chance to visit with Judge Gorsuch, it was clear that he understood the proper role of a judge. The role of a judge—the job is to adhere to the Constitution, to apply the rule of law, and not to legislate from the bench.

When he was nominated by President Trump, Judge Gorsuch said:

> It is for Congress and not the courts to write new laws. It is the role of judges to apply, not alter, the work of the people's representatives. A judge who likes every outcome he reaches is very likely a bad judge, stretching for results he prefers, rather than those the law demands.

What does that mean? How would a person reach a conclusion they didn't like and that is what makes them a good judge? Well, a good judge reads the law, reads the Constitution, and applies the law. A good judge doesn't try to determine what the Constitution and the law should say but only has the job of determining what the Constitution and the law do say.

Justice Scalia—the vacancy Judge Gorsuch will fill—according to Justice Scalia, setting aside personal views is ''one of the primary qualifications for a judge''—not determining what you would like to happen but determining what the law and the Constitution say has to happen. I think Judge Gorsuch understands that.

He comes to the Court very well prepared. He is a graduate of Columbia University, Harvard Law School, and Oxford University. His academic credentials are unrivalled in preparation for this job. He served his country admirably as a Supreme Court Justice clerk for Justice Byron White, who was appointed to the Court by President Kennedy and confirmed by the Senate, and Justice Anthony Kennedy, who was appointed to the Court by President Reagan. Judge Gorsuch served as the Principal Deputy Associate Attorney General, and then in 2006, President George W. Bush nominated him to serve on the Tenth Circuit Court of Appeals. The Senate confirmed his nomination unanimously by a voice vote. There are 12 Democrats currently serving in the Senate who were then in office and supported Judge Gorsuch's nomination 10 years ago to the job he has today.

In the decade Judge Gorsuch has served as a circuit court judge, reviewing the work of other Federal judges on appeal, he has demonstrated the integrity, professional qualifications, and judicial temperament to serve on the Nation's highest Court.

Judge Gorsuch said recently that judges are not politicians in robes. It is not the job of a judge to determine what the law is or should be; it is the job of a judge to determine what the law is. The job of a judge is to determine what the Framers intended the Constitution to say.

Judge Gorsuch received high praise from legal experts across party lines. He has gotten the highest level of recommendation from the American Bar Association, unanimously rating him as ''well qualified,'' its highest rating. He is respected by people who know him in his community. He has really dedicated himself to a lifetime of service that prepares him for this job.

The Supreme Court is one of the foundational institutions of our country. It is designed to protect our democracy and is designed to really understand and apply the Constitution and the law so that the rule of law is uniquely dependable in the United States of America.

If you are a citizen and you read the law and you understand what the law says, that should get you a long way toward success before the courts and ensures that in this country, the rule of law matters. The ultimate determiner of what the law says is the Supreme Court.

I think Judge Gorsuch will serve well and I hope long on the Court. I believe that in the next couple of weeks, he will join the Justices, one of whom he clerked for. If that happens, he will be the first person in the history of the country to be sitting as an Associate Justice with another Associate Justice who decades earlier he was the law clerk for when he and Associate Justice Kennedy had an opportunity to serve together.

With that, I notice my colleague from Iowa is here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, I rise today to praise President Trump for selecting an eminently qualified nominee in Judge Neil Gorsuch to be an Associate Justice of the U.S. Supreme Court. No one can dispute the academic credentials and intellectual rigor of Judge Gorsuch. In fact, even a former Acting Solicitor General under President Obama, Neal Katyal, called Judge Gorsuch ''one of the most thoughtful and brilliant judges to have served our Nation over the last century.'' Just yesterday, he joined the Republican and Democratic Senators from Colorado in introducing Judge Gorsuch at his confirmation hearing before the Senate Judiciary Committee.

Judge Gorsuch graduated with honors from Columbia University and then Harvard Law School. He later earned a doctorate in legal philosophy from the University of Oxford. Prior to becoming a judge, Neil Gorsuch was Principal Deputy to the Associate Attorney General and Acting Associate Attorney General at the Department of Justice, worked as a litigator in private practice, and served as a law clerk to Supreme Court Justices Byron White and Anthony Kennedy. Moreover, earlier this month, the American Bar Association's Standing Committee on the Federal Judiciary rated Judge Gorsuch ''well qualified,'' its highest rating.

One of my constituents who went to high school with Judge Gorsuch took the time to send me a note in support of his character, calling him ''the most reasonable, smart, principled, kind, and humble person I know.'' Even at a young age, he made a positive impression on his colleagues—something he has continued to do today.

During the course of Judge Gorsuch's 10-year judicial career, his opinions have reflected not only his outstanding legal acumen but also his respect for the Constitution and his Scalia-like ability to explain his decisions.

Judge Gorsuch was nominated to his current position on the U.S. Court of Appeals for the Tenth Circuit by President George W. Bush in 2006. As a testament to Judge Gorsuch's exceptional credentials, the Senate confirmed him by unanimous voice vote. Several current Members of the Senate from both parties, including Minority Leader Schumer, supported Judge Gorsuch's confirmation. The people spoke last November, and our new President has put forward a well-respected nominee whom the Senate has previously confirmed with unanimous support. It is time for Washington to work together as our constituents expect us to do, to help protect and defend our coequal branches of government and the rule of law. If confirmed, Judge Gorsuch's dedication to interpreting the text of the Constitution and statutes as they are written rather than attempting to legislate from the bench will help to do just that.

As Judge Gorsuch himself has stated in one of his opinions: ''A judge who likes every result he reaches is very likely a bad judge, reaching for results he prefers rather than those the law compels.''

I have had the great honor of meeting with Judge Gorsuch to learn more about his judicial philosophy, and over the next few days, the American people will also get to learn more about Judge Gorsuch through his confirmation hearing. I am confident they will also determine he is qualified to serve on our Nation's highest Court. I look forward to moving ahead to fill the Supreme Court vacancy with this eminently qualified nominee, and I thank him for his willingness to serve his country in this critically important role.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REPUBLICAN HEALTHCARE BILL

Mr. BARRASSO. Mr. President, it was 7 years ago that Democrats in Congress passed ObamaCare. They promised lower healthcare costs. What they delivered was a Washington mandate

for expensive insurance that many people found actually wasn't insurance they could use, even though they were forced to buy it. For 7 years, Americans have suffered under the consequences of that decision by this body and by the former President.

Less than 7 weeks into the Trump administration, Republicans introduced a plan to give Americans real healthcare reform. The American people know that ObamaCare has been a disaster, one broken promise after another. I hear about this every weekend when I am home in Wyoming. I heard about it this past weekend. There is now only one insurance company that is willing to offer ObamaCare coverage in my entire State. There are 1,000 counties all across the country in the same situation—only one option. This is not a marketplace; it is a monopoly.

As a doctor who has practiced medicine for 25 years, I can tell you that when it comes to healthcare, the last thing patients want to hear is that they don't have a choice: It is this or nothing. That is why Republicans promised we were going to repeal the restrictions in ObamaCare that limit people's choices. We promised to give people options, not mandates. The healthcare bill we are debating now is the first step to keeping that promise.

The bill starts to give people more choices so they can pick what is right for them and for their families. I want to talk about three ways that it does this.

First, the bill removes the mandates. It ends both the individual and the employer mandates. It eliminates the penalties that hard-working families have to pay if they decide that overpriced ObamaCare insurance isn't right for them. This was one of the most outrageous and unfair parts of the healthcare law. These mandates will be gone.

Second, the bill that the House is considering cuts taxes. It gets rid of the ObamaCare tax on prescription drugs. It gets rid of the ObamaCare tax on health insurance. It gets rid of the taxes on artificial appliances, such as pacemakers and artificial joints. Overall, the bill eliminates 15 different taxes. These taxes are obviously passed on to consumers; repealing them helps to bring down the cost of care.

Third, the repeal bill creates options for people and for States. It encourages people to find creative ways to help make healthcare costs more affordable for them. It expands how people can use health savings accounts, which is a great option for many people. It helps States do innovative things, such as create high risk pools to bring down costs for everybody. It gives States more flexibility when it comes to Medicaid Programs.

Let's face it: Medicaid is broken, and ObamaCare just threw more people onto this second-class health insurance. Just last week, we got evidence of how badly Medicaid is harming patients. The chief executive at the Mayo Clinic said in his speech that his hospital is going to give precedence to people with private insurance over people on Medicaid. The supporters of ObamaCare said that their biggest success is the number of people who got coverage by being put into Medicaid. Well, it is clear that many of these people are being harmed by being in Medicaid, a system that has been broken for decades. It is alarming and it is also appalling.

We have to fundamentally reform the Medicaid Program. To do that, we have to give States more options for coming up with the reforms that work for them and for the people who live in those States. Every State is different, and a one-size-fits-all mandate from Washington will never work for all of the States all across the country. Democrats tried it, and it failed dramatically.

ObamaCare is collapsing all around us. We have to do something, and we have to start now. In the next couple of months, insurance companies are going to start making decisions about what they are going to do for next year, 2018. They will be figuring out how much they want to charge and whether they want to be involved in the ObamaCare exchanges at all. People have been losing their coverage and losing choices ever since the Democrats wrote the healthcare law and the President signed it 7 years ago. I believe it is going to get worse every day that we delay.

There are Democrats who don't really seem to care much about any of that. They would rather set the whole healthcare system on a path to fall apart completely before they will ever admit that they were wrong. Hard-working Americans and families across the country don't have that luxury. There are still 25 million Americans without insurance even 7 years after ObamaCare has been in place. Every year, people have gotten letters in the mail telling them that their plans have been canceled. That is the reality of ObamaCare. Democrats want to pretend that everything is fine, but that is absolutely not true.

That is why it is so important that President Trump jumped in right away to take important steps to help stabilize the marketplace. He recognized what Democrats won't admit—that these ObamaCare markets are falling apart. So the President has already started doing what he can to stabilize the markets, to make sure people keep their options for health coverage. The Department of Health and Human Services has taken steps to preserve programs that ObamaCare tried to eliminate. These are plans that people already had and they liked and the law tried to say they could no longer exist. The Trump administration has said people can continue on those plans. The administration also tightened up some of the rules to make sure people actually pay the premiums for this year's insurance before they are allowed to sign up for next year. The administration is taking commonsense steps that will make it harder for people to game the system and that will lower the cost for everyone else. These are important steps. The administration is going to be doing a lot more to protect families and to create more options.

This repeal bill isn't perfect; nobody says it is. Still, it is a monumental shift away from ObamaCare. The American people will be better off with this repeal plan. They will be better off with the additional reforms that we will continue to push after this bill.

I hope that Democrats will join us and offer their own ideas about what these additional reforms will look like. I hope they realize that families are better off when they have more choices, not fewer. We are better off when people can decide what is better for them and their families, not when government tells them what to do. We are better off when healthcare decisions are left to patients and doctors, not to Washington bureaucrats and insurance companies. We are better off when people have freedom and options, not mandates and penalties.

America needs healthcare reform. What we had before ObamaCare wasn't working; I saw that as a doctor. What we have now isn't working, either. It is time for everyone to admit that and to take this opportunity to start repairing the damage, start creating real reform. As Ronald Reagan said: It is better to get 80 percent of what you want rather than go over the cliff with a flag flying. The American people are asking for our help, and we cannot turn our backs on them now.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nominations of Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2021; and Danny C. Reeves, of Kentucky, to be a

Member of the United States Sentencing Commission for a term expiring October 31, 2019.

Mr. LEAHY. Mr. President, today the Senate will vote on two nominees to the U.S. Sentencing Commission who should have been confirmed last year. Judge Danny Reeves was nominated more than 1 year ago, and he was unanimously reported by the Judiciary Committee; yet Senate Republicans refused to approve him before the end of last year. Judge Charles Breyer was nominated last September for a reappointment, and despite overwhelming support, Republicans blocked him as well. These are not controversial nominees, and there is no good reason they were blocked last year. In fact, in ordinary times, these nominees would be unanimously confirmed during wrap-up on the Senate floor.

RICHARD BOULWARE

Mr. President, one nominee we are not considering today is Judge Richard Boulware, whom President Obama nominated in 2015 to fill a seat on the Sentencing Commission previously held by Judge Ketanji Brown Jackson. Judge Boulware was confirmed to serve as a district judge in June 2014, becoming the first African-American man to serve on the U.S. District Court for the District of Nevada. His nomination to the Sentencing Commission had the strong support of the Leadership Conference on Civil and Human Rights, which said that Judge Boulware would ''bring a much needed and valuable perspective to the work of the Commission because of his experience.'' Judge Boulware clerked in the Southern District of New York, served as a Federal public defender, and represented the Las Vegas branch of the NAACP on a range of issues, including voting rights, police cameras, and solitary confinement.

Despite his clear qualifications, Senate Republicans blocked Judge Boulware, and his nomination was returned to the White House at the end of last year. President Trump renominated Judge Reeves and Judge Breyer, but I am disappointed that he failed to do the same for Judge Boulware. The Sentencing Commission does not have a single person of Color serving as a commissioner; yet its work on criminal justice issues has a significant effect on communities of color. Judge Boulware should have been confirmed last year, along with Judge Reeves and Judge Breyer. While I support the two nominees before us today, I want the RECORD to note my deep disappointment and concern that Judge Boulware is not among them.

For nearly a decade, I have worked with Senators from both parties on bipartisan legislation to reform our criminal justice system. The Sentencing Commission has also studied the issue and brought about needed change to the sentencing guidelines. The Bureau of Prisons continues to consume nearly a quarter of the Justice Department's budget, even as violent crime rates have gone down; but instead of taking meaningful steps to reduce these costs, the Trump-Sessions Justice Department has signaled it intends to more aggressively charge low-level offenders with crimes carrying mandatory minimums. The Attorney General also lifted restrictions on the use of private prisons that serve only the interest of wealthy corporations. This is deeply troubling on moral grounds. Incarceration should not be a for-profit business. It is also troubling to me in my role as vice chairman of the Appropriations Committee. Instead of wasting taxpayer dollars on private prisons, we should be directing our limited resources to train and protect officers on the streets and to reduce recidivism and crime.

The Sentencing Commission has brought much-needed fairness to the Guidelines in the past, and I hope it will continue to do so once its new members are confirmed, Although we should also be voting today on Judge Boulware's nomination to the commission—rather, we should have voted on it last year—I will support the nominations of Judge Breyer and Judge Reeves.

BREYER NOMINATION

Mrs. FEINSTEIN. Mr. President, I rise in strong support of Judge Charles Breyer's reappointment to the U.S. Sentencing Commission.

Judge Breyer earned his bachelor's degree cum laude from Harvard University in 1963 and his law degree from the University of California, Berkeley Law School in 1966.

In 1997, Judge Breyer was nominated by President Clinton to a seat on the U.S. District Court for the Northern District of California. Judge Breyer was confirmed by the U.S. Senate that same year by voice vote.

On the bench, Judge Breyer has served with distinction. He has done the hard work of sentencing individuals to prison terms. He has also focused on sentencing issues outside the courtroom, testifying before the Sentencing Commission in 2009 and serving as chair of a Ninth Circuit Committee evaluating the impact of the Supreme Court's decisions in Blakely v. Washington, 2004, and United States v. Booker, 2005, on sentencing.

In 2011, Judge Breyer took senior status, and the following year, he was nominated by President Obama to serve on the Sentencing Commission. Judge Breyer became the commission's vice chair in 2013.

The Sentencing Commission is an independent agency charged with establishing sentencing guidelines for the Federal court system. The commission's work is important. It is responsible for advising and assisting Congress and the Executive branch in the development of effective and efficient crime policy. The commission also collects, analyzes, researches, and distributes a broad array of information on Federal crime and sentencing issues and serves as a resource for Congress, the Executive branch, the Judiciary, practitioners, academics, and the public.

Since the start of the 115th Congress, the Sentencing Commission has been unable to do its work because it has been with only two commissioners. By statute, the commission requires a quorum of at least four commissioners.

For this reason, it is vitally important that Judge Breyer is confirmed once again to serve on the commission. Judge Breyer is a man of distinction and integrity. He has a long history of dedicated service to this country and an impeccable record of fairness. The commission really needs his continued leadership.

Today I urge my colleagues to support Judge Breyer's nomination.

The PRESIDING OFFICER. Under the previous order, the hour of 12 noon having arrived, the question is, Will the Senate advise and consent to the Breyer and Reeves nominations en bloc?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: The Senator from Oklahoma (Mr. INHOFE) and the Senator from Georgia (Mr. ISAKSON).

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

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 91 Ex.]

YEAS—98

Alexander	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Harris	Risch
Boozman	Hassan	Roberts
Brown	Hatch	Rounds
Burr	Heinrich	Rubio
Cantwell	Heitkamp	Sanders
Capito	Heller	Sasse
Cardin	Hirono	Schatz
Carper	Hoeven	Schumer
Casey	Johnson	Scott
Cassidy	Kaine	Shaheen
Cochran	Kennedy	Shelby
Collins	King	Stabenow
Coons	Klobuchar	Strange
Corker	Lankford	Sullivan
Cornyn	Leahy	Tester
Cortez Masto	Lee	Thune
Cotton	Manchin	Tillis
Crapo	Markey	Toomey
Cruz	McCain	Udall
Daines	McCaskill	Van Hollen
Donnelly	McConnell	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	Young
Fischer	Murray	

NOT VOTING—2

Inhofe	Isakson

The nominations were confirmed en bloc.

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

The Senator from Kansas.

ORDER OF PROCEDURE

Mr. MORAN. Mr. President, I ask unanimous consent that the Senate resume legislative session and then recess until 2:15 p.m. for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

The PRESIDING OFFICER. The majority leader.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE OF THE DEPARTMENT OF THE INTERIOR—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to H.J. Res. 69.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to H.J. Res. 69, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to ''Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska.''

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

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE OF THE DEPARTMENT OF THE INTERIOR

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

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to ''Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska.''

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I rise to encourage my colleagues to rescind a recently promulgated regulation by the Obama administration and to support the corresponding resolution of disapproval that the majority leader just brought up and that we unanimously moved forward to debate, H.J. Res. 69.

There are few, if any, people in the world who love their lands and wildlife more than Alaskans. In Alaska, our land is the lifeblood that sustains us, that feeds our bodies, our families, and our souls. It is a deep and enduring part of our culture.

Our hunting traditions are very much alive in Alaska. Alaskans hunt for food for cultural reasons and even for survival. There are people in my State whose families have called our beautiful and rugged lands home for thousands of years, living side-by-side with more recent arrivals. Alaska has also the well-earned reputation of having one of the best managed, most sustainable fish and game populations anywhere in America or anywhere in the world, for that matter. We have an abundance of wildlife that most States and most countries can only dream of. We do this year after year, generation after generation, through rigorous scientific processes that allow and encourage public participation through our Board of Game, Board of Fisheries, and our Fish and Game Department to make sure we manage our fish and game for sustainability, as required by the Alaska constitution, and that we take into account the needs of our citizens—the needs of Alaskans. It is not an easy process. It can be contentious, but all Alaskans take this very seriously.

In Alaska, we respect the land and everything in it. That special connection and our ability to manage our own lands and resources was explicitly recognized in Federal law when Alaska became a State. The Alaska Statehood Act passed in this body in 1958, specifically granting Alaska the authority to manage fish and wildlife on not only State lands but on Federal lands, unless Congress passes a law to the contrary. By the way, that is the same authority granted to all States. It is granted to Ohio, New Mexico—all States in America have this authority.

Further, in 1980, this body, the Congress of the United States, passed the Alaska National Interest Lands Conservation Act, designating 100 million acres of land, in my great State, as Federal conservation units, including over 70 million acres—I believe larger than the State of New Mexico—as wildlife refuges in one State.

Many Alaskans didn't like this bill. Several saw this as a massive Federal usurpation of our land, but our congressional delegation fought to include explicit provisions in this Federal law that made it abundantly clear that the State of Alaska still had primacy in managing fish and game throughout the entire State—State lands and Federal lands.

When that act was passed, it explicitly stated: ''Nothing in this act is intended to enlarge or diminish the responsibility and authority of the State of Alaska for the management of fish and wildlife on public lands. . . .''

That is pretty clear language, and it is very important language to Alaskans. ANILCA is the statute we are talking about, and that is what we call it in Alaska. That Federal law that passed in 1980 made numerous other commitments to Alaskans about how the Federal Government would not usurp the power of the State or our citizens to live the life we have in Alaska. How quickly the Feds forget. How quickly the Feds forget what this law requires.

On August 5, 2016, the Obama administration's Fish and Wildlife Service finalized a rule that, No. 1, restricted certain State-approved fish and game management practices; No. 2, limited public input in the wildlife management process; and, No. 3, expanded closure procedures on refuges in Alaska, making it easier to keep people shut out of these Federal lands in our State.

This rule is not based on sound science. Thousands of Alaskans and other Americans opposed it, tried to work with the Feds to get them to moderate it or rescind it, to no avail. It is not based on established wildlife management principles, and it is certainly not based on Federal law. The Fish and Wildlife Service didn't take this action because Alaska's sustainable and abundant populations of fish and game or their habitats were being threatened; it took this action because it wanted to control Alaska's fish and wildlife and because it subjectively disapproved of the way Alaska's game was being managed by our Department of Fish and Game and by the Alaska Board of Game, but the Federal Fish and Wildlife Service does not have this authority.

To make this clear, we are proceeding today with this resolution of disapproval under the Congressional Review Act, H.J. Res. 69, to rescind that August 5 Obama Fish and Wildlife Service rule.

The House has already passed this measure under Congressman DON YOUNG's leadership. So I want to encourage all of my colleagues, Democrats and Republicans, to vote in favor of this resolution. It is backed by the force of law, the principles of federalism, and respect for the Alaskan Native people who have been hunting and fishing, subsisting off the land in Alaska for generations. It is also supported by millions of Americans across the country and wildlife professionals in every State in the Union who are committed to the conservation of the abundant species of wildlife in my home State and in theirs.

Why should my colleagues support rescinding this Fish and Wildlife Service regulation? Well, first and foremost, as I have already mentioned, it clearly usurps power from the States

and it ignores Federal law. Unfortunately, faced with a Federal law it disagreed with, the Fish and Wildlife Service took the route other Federal agencies have been taking over the years by simply writing a reg to bypass the will of Congress and the American people, by simply moving forward with their preferred policy preference via regulation and ignoring the law. That is an issue every Member of this body, whether you are a Democrat or Republican, should be concerned about and vigilant to reverse.

It is not a partisan issue. It is a federalism issue. It is a States' rights issue. That is why my State of Alaska, led by a Governor who is an Independent and a Lieutenant Governor who is a Democrat, sued to overturn the Obama administration's litigation. This litigation that my State brought against the Federal Government cites Federal laws like ANILCA, which declares that the State of Alaska ''has jurisdiction over the management of fish and wildlife on public lands throughout the State.'' That is the Federal law.

The law is clear, and of course it makes sense from a management perspective. Alaska is a patch of many different ownerships of our land—State, Federal, and Native lands. The moose and bear in our great State don't know these borders. One agency needs to be in charge, and that is the State agency.

While it might be true that this Obama administration regulation, as written, only applies and impacts Alaska, it is a precedent that should trouble every Member of this body and every State in the Union because if it can be done in Alaska, it can be done anywhere. That is why the Association of Fish and Wildlife Agencies, State agencies charged with managing wildlife in all 50 States and territories from California, New Mexico, to New Jersey all support this resolution. They all support overturning the Obama administration's Fish and Wildlife reg. All 50 States, the people who know these issues, support what we are doing on the Senate floor right now.

A second and related reason for the broad bipartisan support not only in Alaska but across the country for rescinding this Fish and Wildlife regulation is because it significantly reduces the public participation in managing lands and wildlife in Alaska. Before this rule came out, the harvest of fish and wildlife on Alaska refuges was governed by Alaska's Board of Game and Board of Fish, and the process was highly sensible. I have been to Board of Game meetings. It is open to the public and responsive to the public, but this new regulation gives the Federal Government a veto over State regulations issued by the boards, with no public process and no public input.

The rule also makes closures of Federal lands subject more to the whims of Federal officials than to the input of the people they serve. It shuts down the public process, which is critical to the successful stable management of fish and game in my State.

This Federal regulation also undermines subsistence. In Alaska, ''subsistence'' isn't just a word, a catch phrase, or a slogan. It is not what people do for the benefit of tourism. It is critical. The public participation element is critical to the healthy management of fish and game, and it also enables the professionals to learn from the people—particularly the Native people in my State—what we call traditional knowledge in Alaska. As I mentioned, ''subsistence'' in my State isn't just a catch phrase or a slogan. Subsistence encompasses the customary and traditional use of fish, wildlife, plant resources, preserving cultural traditions, supplying basic necessities such as food, firewood, and clothing. It provides for barter, trade, and income for subsistence in the cash-based rural economy. It is serious business in my State. Subsistence in Alaska is life, literally, and it has been so for thousands of years. In so many of my State's villages, there is no grocery store, there is no Costco, there is no Whole Foods market. If one doesn't get a moose in the fall or have enough salmon in the summer that someone catches, they might have trouble surviving in the winter. This is serious business.

In other places in Alaska, where we do have small grocery stores, the costs are often more than twice to four times the national average for basic necessities. President Obama, when he visited Alaska in 2015, went out to the rural communities, and once he saw it, he understood this. When he came to Alaska, he said, ''You're looking at prices that are double, in some cases, or even higher for basic necessities like milk, like orange juice, like other produce. . . . That's part of the reason why the subsistence economy [in Alaska] is so important.''

This is the former President of the United States making this comment.

One wonders why this Fish and Wildlife Service then issued a reg that attacked subsistence. But to be honest, most Americans and certainly most Senators do not fully understand this. Again, due to the tenacity of Alaska's congressional delegation—former Senators, such as Ted Stevens, and current Members, such as DON YOUNG in the House—Federal law recognizes the importance of subsistence in Alaska.

The protection of subsistence rights in ANILCA and other Federal legislation is listed throughout our Federal laws. Specifically, ANILCA states:

> The opportunity for rural residents engaged in a subsistence way of life must continue to be so.

It further goes on to state that the Federal Government's actions in Alaska should have ''the least adverse impact possible on rural residents who depend on subsistence uses of the resources of such lands.''

This issue of subsistence is important to thousands of my constituents. It is not a theoretical issue, it is critical, but it is now more important to the Alaska Native populations in my State, which is close to 20 percent of my State.

In 2014, the Alaska Federation of Natives ratified a resolution that criticized a proposal from the Federal Government that was similar to the one we are debating today, and they stated the following in their resolution:

> Alaska Natives have served as the stewards of their traditional lands and resources, maintaining healthy and productive ecosystems for thousands of years, and maintain the belief that human beings are an integral part of naturally functioning ecosystems, not separate from them.

That is what all Alaskans believe. Yet, despite Federal laws that emphasize the importance of subsistence to all Alaskans and pleas and letters from hundreds of Alaska Natives who ask the Federal Government not to negatively impact their subsistence way of life and opportunities with this new Fish and Wildlife Service regulation, the Fish and Wildlife Service persisted. They promulgated this regulation in the face of opposing voices in Alaska and Federal law that says they do not have the authority to do this.

You know it is targeted for subsistence because in the Fish and Wildlife Service's initial rule, that rule stated that the law and the policy had to ''take into consideration the fact that humans are dependent on wildlife refuge subsistence resources.'' That was the original draft rule. Subsistence matters. That was in there, a nod to Federal law. Guess what happened with the final rule? That entire section on subsistence was removed by the Federal Government, which showed that this law is an anti-subsistence law, which violates Federal law. They did not want Alaskans to subsist off their lands as required by Federal law.

Alaska's attorney general, Jahna Lindemuth, who was appointed by an Independent Governor from my State, said:

> These federal regulations are not about . . . protecting the State's wildlife numbers. These regulations are about the federal government trying to control Alaskans' way of life.

Hunting is a way of life in Alaska. The Presiding Officer is a hunter and understands that it is cultural and that it provides subsistence and even protection for our citizens.

Let's be clear. The Fish and Wildlife regulation at issue today, which we are debating, is an anti-hunting rule, pure and simple. That this is the case became very clear when the former Fish and Wildlife Service Director, Dan Ashe, who promulgated this regulation, questioned the ethics of our hunters in Alaska in a Huffington Post column. He said that some of Alaska's practices are ''wholly at odds with America's long tradition of ethical, sportsmanlike, fair-chase hunting.'' That is from the former Fish and Wildlife Service Director. One knows where he is coming from on this.

Along these lines, I anticipate some of my colleagues on the other side of

the aisle—I see one of them down here already—are going to come down and start touting this parade of horribles, spurred on by anti-hunting groups to convince our colleagues to vote against this resolution of disapproval—what we want to have passed. You might hear phrases from them like Alaska's practices constitute a ''war on wolves'' or a ''black eye for ethical hunters,'' with the implication that my constituents are not ethical hunters. One might even see my colleagues repeat the false and misleading claims that have been run on TV by certain groups about alleged unethical hunting and game management practices in Alaska. I would like to make a suggestion or two to my colleagues who are coming down here to speak against this resolution of disapproval.

First, please let them try to do so with a sense of humility and a sense of history. Yes, one or two of them may have been accomplished hunters in their own right or are still accomplished hunters in their own right. I respect that. I love to hunt. But that does not mean one has as much or any knowledge or understanding of my State's long history and distinguished record of fish and game management. One might prefer his meat wrapped in cellophane at the grocery store. That is fine, but I ask that one doesn't criticize the thousands of Alaskans who have to hunt for their food and who value hunting as a deep part of their culture.

I would also caution one from making claims that Alaska's wildlife officials allow for unethical hunting and management practices that require the Federal Government to intervene in my State's long history of distinguished fish and game management. Such an argument would be at odds with the consistent and numerous awards the State of Alaska has received for its outstanding management of fish and game year after year after year—American Fishery Society awards, awards from the Department of the Interior, the Wildlife Society, and the Association of Fish and Wildlife Agencies. Those who manage wildlife in Alaska are the best in their field. It is not just Alaskans who take issue or who will take issue with such statements that I am sure we are going to hear on the floor.

Let me read a list of hunting and conservation groups that support this resolution of disapproval, groups that, in other words, support the overturning of the Fish and Wildlife rule at issue today. It is a very long list, and it is actually longer than this: Ducks Unlimited, National Wild Turkey Federation, Pheasants Forever, Quail Forever, Boone and Crockett Club, Congressional Sportsmen's Foundation, Delta Waterfowl Foundation, Alaska Outdoor Council, Alaska Professional Hunters Association, American Outfitter and Guide Association, Territorial Sportsmen, National Rifle Association, Safari Club International. The list goes on and on.

These groups represent millions of hunters, conservationists, wildlife enthusiasts, and wildlife scientists who represent millions of Americans who are focused on the model of conservation that we all are supportive of, and they are the backbone of habitat and species conservation in our country. These groups—every one of them—are supportive of what we are trying to do on the Senate floor today. These groups certainly do not consider themselves unethical hunters. To the contrary, they care deeply about conservation and abundant wildlife populations not only for themselves but for the generations of Americans to come, and they have dedicated their lives to this. They represent Americans from across the 50 States—Montana, West Virginia, New Mexico, New Jersey. Their values, like the values held by Alaskans with regard to conservation and hunting, should not be doubted and I certainly hope are not going to be attacked on the Senate floor.

In closing, I believe in respectful and informed debate. Sometimes it certainly requires reaching beyond one's own experience to listen to others with opposing views. I took the opportunity to do that just the other day. I had a conversation with the president and CEO of the Humane Society about the issue and resolutions we are discussing today. I know that he and others are leading the opposition to this, but we had a very respectful conversation. We heard each other's views, and although we likely will not agree on this issue, I hope he felt that I talked to him with respect and listened to him because that is what I did.

Perhaps my colleagues who are going to speak against this resolution today should do the same. I would hope that those who come down to the floor to oppose overturning this rule would have picked up the phone and maybe called Alaska's Department of Fish and Game, or talked to a biologist there, or maybe talked to the chairman of the Board of Game and asked if he is an ethical hunter, or maybe called a store in remote Alaska to ask about food prices, or made some inquiries about the lack of stores in dozens of villages that rely on subsistence, or called an Alaska Native leader to see how important subsistence is to his life and his culture.

Maybe my colleagues would have called one of my constituents who wrote in opposing this rule. He is an Alaska Native who lives in rural Alaska and whose grandfather taught him to hunt and fish. Here is what he wrote to us:

> Please do not pass these types of regulations that will change my future. These lands are dear to Alaska Natives, and I feel that some of the Fish and Wildlife workers are biased as well as listening to the wrong people. By the ''wrong people,'' I mean Fish and Wildlife officials who do not understand my subsistence rights, who do not work in the villages, who want to take away my right to hunt.

This is about the rule of law, primacy, federalism, and it is about much more than that; it is about real people—people like my constituents.

I urge my colleagues to support our resolution of disapproval and rescind this regulation that violates the law, undermines subsistence in Alaska, and will do harm to my State and other States.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I come to the floor to oppose this effort by my good colleague from Alaska and by congressional Republicans to, in my view, turn back the clock 100 years on the management of our native wildlife on our national wildlife refuges in Alaska.

Since 2002, the Alaska Department of Fish and Game has embraced what some have called a politically driven and even unscientific regime of intensive predator control. I think it is helpful to look at the views of a former Governor of Alaska, Tony Knowles, who recently commented in High Country News:

> The most disappointing thing is that the balance of the views on the Board of Game has disappeared. I tried to work with a balanced board that reflected subsistence hunters, sport hunters, guides and conservationists, but now the board is made up of people who want to make hunting ungulates the priority for wildlife management.
>
> There's been a focused effort to dramatically reduce populations of wolves, coyotes, and bears, and the methods and means they've used are both unscientific and unethical.

That is not my quote, but that of former Governor Tony Knowles of Alaska.

In addition, in the past decade, the Alaska Board of Game and the department have turned their back, I think, on a long history of not only working together between Federal and State agencies but embracing ethics as central to wildlife management—not just to maintain the viability of that management but to maintain the support of the public for that management.

This relatively new approach that actively seeks to eschew the long history of embracing sporting ethics can best be summed up by a quote from Doug Vincent-Land, the former director of the Alaska Department of Fish and Game Division of Wildlife Conservation. He said: ''The professionals at the Alaska Department of Fish and Game did not feel it was our role to judge the ethics of these practices.''

The result of this ethics-free approach is now glaringly obvious, when considering some of the methods of take that have been approved over time for native predators in Alaska. Shooting mother grizzlies with cubs, aerial gunning of wolves, killing wolf pups in their dens, using spotlights at bear dens, baiting of bears, and allowing the wanton waste of black bear meat are a few of the practices that Alaska's Board of Game has approved.

Aldo Leopold, the father of modern wildlife conservation, once said: ''Ethical behavior is doing the right thing

when no one else is watching—even when doing the wrong thing is legal.''

Now, I know it has become fashionable in some hunting circles recently to ignore the importance of ethics to our way of life. Yet, if our greatest leaders are any indication, that is, at best, a slippery slope to irrelevance.

This cartoon is a good reminder. It is from the early 20th century, at a time when President Teddy Roosevelt was invited down to Mississippi for a black bear hunt. When he wasn't successful, they tied a black bear to a tree. I think that cartoon from that period is a good reminder of how T.R. viewed the importance of sportsmanship and ethics in hunting as central to what maintains our credibility. Today, politicians jump at the chance to embrace his reputation, but too often they have not followed his example. So while shooting down grizzlies with cubs may be legal, I suspect the public will never view it as ethical. I have to wonder what good old T.R. would have to say about recent decisions to allow things like unlimited bag limits on black bear cubs or baiting of bears and shooting female grizzlies with cubs.

So why does all of this ethics stuff matter so much to hunters? Why does it matter to me? It matters because hunters like me are a small minority of the population in this country. We are less than 5 percent, by most counts, and we are able to carry on this great tradition because the vast majority—the nonhunting public, which is 95 percent of the population—sees us as effective and ethical stewards of our country's native wildlife. We have embraced the North American model of wildlife conservation that has literally brought elk, deer, wild turkey, and species we think of as common today—Canada geese, for example—back from the brink of extinction, and that public shares in that success when they enjoy wildlife. That is true, even if they never hunt, never pick up a fishing poll. We as hunters also have the trust and the respect of the public because we are willing to literally spend billions of dollars of our own money to protect, conserve, and manage those resources with the best available science.

The Alaska Game Board's decision to ignore the latest science on the importance of predators to healthy prey populations is indicative of a desire to effectively turn caribou and moose populations into livestock and to manage for maximum numbers and maximum tag revenue.

Now, ironically, that approach has certainly been ineffective at boosting and maintaining historically high caribou and moose numbers.

This is an example of a graph of moose population over time. We can see back in 2002, when these sorts of intensive take measures went into place: intensive predator control, preintensive management, and postintensive management. If you can discern a consistent correlation of an outcome of higher moose numbers there, you are doing better than I.

This would all be fine if this was just happening on State lands in Alaska, perchance. But, unfortunately, the Alaska Game Board now seeks to suppress healthy predator populations on our national wildlife refuges—the very places set aside to protect and preserve our native wildlife—even predators, even black bears and grizzlies and wolves. Let that sink in for a moment.

This is about embracing unscientific wildlife management on the very refuges that belong to each and every American citizen—not Alaska State land but our national wildlife refuges.

People save up for years—sometimes decades—to travel thousands of miles to go to places like the Kenai National Wildlife Refuge so they can see a grizzly bear fish for salmon. Does it make sense to allow these kinds of extreme measures of take to allow for grizzlies with cubs to be killed in those refuges? Will these policies actually benefit the hunting public? I would argue that they do not.

Not one of my colleagues can deny how much I love to hunt and fish. Many of my life's best memories have been forged around the campfire with my friends and family at elk camp. Just this past Christmas break, both of my boys joined me for what would be my son Carter's very first elk hunt. This is the picture of us in the Continental Divide Wilderness Study Area.

After days of hard hunting, hiking miles through the rough and tumble backcountry of the Continental Divide WSA, my son Carter harvested his first elk.

He soon learned that the real work starts after you pull the trigger. He labored long and hard to make sure that every scrap of meat from that animal made its way from the wilderness to our freezer. Anything less would be unethical and disrespectful to that magnificent animal. My son takes great pride in the meals that elk provides for our family and our friends. He also knows that hunting is conservation and that we have a responsibility to hand these wildlife resources off to the next generation unimpaired. I am proud that even at 13 he takes that responsibility very seriously.

Some of my son's classmates in school are vegetarians. Too many of those who do eat meat think that it is created, as my colleague from Alaska said, on a Styrofoam platter wrapped in cellophane. Carter knows better. As someone who hunts and fully embraces the ideas of sustainability and ethics, the next generation of sports men and women couldn't have a better ambassador to this new generation of millennials for why hunting is actually critical to the future of wildlife.

That, my friends, is what this CRA before us, in my view, puts at risk.

When you vote to put the Federal stamp of approval on methods of take that the public views as objectionable—even unethical—when you allow that ideologically driven style of game management to even permeate the sanctity of our national wildlife refuges, I don't think that is standing up for hunters. I fear that it is endangering the future of something that is critical to culture and way of life.

As I said before, the number of active hunters in the United States today sits, I think, at around 5 percent, or maybe a little lower—I hope not. By voting for this CRA, we are risking the confidence of the general public in our ability as hunters to be the best stewards of our wildlife resources. That is a risk that I am not willing to take.

So I would urge all of my colleagues to stand up for our Nation's wildlife, to stand up for our national wildlife refuges, and to vote no on this proposal.

With that, 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. MURKOWSKI. 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. MURKOWSKI. Mr. President, there have now been two speakers on the floor this afternoon speaking to H.J. Res. 69, which is the disapproval resolution on Alaska fish and wildlife refuge rule. I have come today to speak in strong support of this resolution, which will effectively overturn a rule imposed by the previous administration related to fish and wildlife management on millions of acres of refuge land in the State of Alaska.

I would like to start my comments by acknowledging Senator SULLIVAN, for his lead on this initiative, and Congressman YOUNG, as he moved this measure through the House just a couple of weeks ago. What we saw in the House measure and the final vote was a bipartisan vote that secured passage through the House, and I thank Congressman YOUNG for his able leadership there.

I also want to thank Senator SULLIVAN for his comments and for really doing an excellent job in outlining and explaining why this Fish and Wildlife Service rule is bad for Alaska, bad for hunters, bad for our Native peoples, and bad for America.

Like my friend and colleague, I am here to encourage Members of the Senate to see this rule for what it really is. It is a clear departure from Federal law. It is unwarranted regulatory overreach, and, from all accounts, it is a direct attack on States' rights.

Now, we will have discussion back and forth on the floor about various hunting practices, and we will see beautiful shots of wildlife and suggestions that, somehow or other, this is about a specific hunting practice. This is bigger than wildlife refuges in the State of Alaska. This is an issue that is not just isolated or contained in the State of Alaska. This resolution is specific to Alaska, but I would suggest to

my colleagues that for all of those of us who care about States' rights, who care about the promises made to our States about how they operate and how they manage activities in their States, this is something that we must all pay attention to because this is a direct attack on States' rights.

I look at this and suggest that this rule is a solution in search of a problem. Again, there are those who would say: Why is the Senate spending 10 hours to debate practices within a refuge in the State of Alaska? Is this not just so parochial an issue that it ought not take our time? However, I would contend that this foreshadows what is in store for the rest of the country if we are not adamant in ensuring that this rule be repealed by Congress.

Now, for those who may not be familiar with Alaska or gaming management laws within our State or within our national wildlife refuges in general, I think it is important to cover some basic facts and perhaps a little bit of history here to illustrate why this rule is so flawed. Alaska, like every other State in the Nation, holds primary legal authority to manage its fish and its wildlife, including on Federal refuge lands.

So let's not get confused here and think that because we have Federal lands, somehow or other the States do not have primacy when it comes to management of fish and wildlife. Alaska holds legal authority to manage the fish and wildlife within its borders. This is clear. This is unambiguous. Congress explicitly provided that authority specifically to our State in not one, not two, but three separate laws. The first of these is the Alaska Statehood Act; then the Alaska National Interest Lands Conservation Act—ANILCA; and the third authority was through the National Wildlife Refuge System Administration Act. In three separate authorities, Congress made it clear: Alaska, you are to manage the fish and wildlife within your borders.

Our Statehood Act gave Alaska the right to manage its fish and its wildlife as soon as the State could assemble a department of fish and game, which we actually did in our first year of Statehood. Then, in 1980, ANILCA, the Alaska National Interest Lands Conservation Act, affirmed twice that nothing within its text was ''intended to enlarge or diminish the authority of the State of Alaska for management of fish and wildlife on the public lands.''

Again, it is very clear, not only within the Statehood Act, but within ANILCA, that management would be left with the State. The authority to manage our fish and our wildlife—through decisions based on sound science and that make sense for our local communities—is something that we in Alaska take very, very seriously. For us, State management of fish and wildlife is practically sacrosanct. I cannot emphasize that enough. It is one of the key reasons the State of Alaska voted to join the Union, so we have pretty good reason for the emotion and the passion that come with this authority to manage our fish and our wildlife.

I am proud to acknowledge that not only am I the first Senator to serve in the Senate who was born in Alaska; I was actually born in the territory. My parents and my grandparents were engaged in the battle for Statehood. Some think it was about the land. For most of the discussion that I recall from my family, it was all about fish. It was all about the salmon. One of the reasons we fought for Statehood was management of our fisheries. The Federal management of Alaska salmon fisheries prior to Statehood was absolutely appalling, with salmon stocks falling from 113 million in 1934 to just 25 million in 1959. We saw the management from the Federal side, and that experience left Alaskans absolutely committed to State management and the preservation of both fish and game, so we negotiated that for ourselves. We put it into law; we enshrined it into law in several different places. And we expect our Federal agencies to abide by that.

Those were the terms of the deal when we entered the Union as a State: Alaska is to manage the fish and wildlife within our borders. It is our right and our responsibility, and we take that responsibility very seriously. We have an entire department of fish and game dedicated to it and, as Senator SULLIVAN rightly noted, a department that has been recognized for the good work they do, the strong science they utilize. We are proud of the efforts they make to ensure that this management is done for sustained yield, the principle we stand by in our State's constitution. For decades now, we have done just that, until the National Park Service in 2015 and the Fish and Wildlife Service in 2016 took it upon themselves to propose regulations to take control away from Alaska, despite what was contained in our Statehood agreement, in ANILCA, and in the National Wildlife Refuge Administration Act.

The National Park Service's rule is outside the reach of the Congressional Review Act. So while, in my view, that also deserves repeal, it is not the focus of our debate today. Instead, the resolution we are discussing focuses on the Fish and Wildlife Service rule that was finalized over the protests of Alaskans in August of last year. The rule itself was packaged perhaps innocently enough. The Fish and Wildlife Service spoke of clarifying ''existing mandates'' for conservation and biological diversity, and the agency claimed it was outlawing a few methods of predator control, couched its rule as a victory for public participation, and then promised us that it did not change Federal subsistence regulations or impose new regulations on subsistence users.

On the face of it all, it sounded as though it was going to be not so bad—if you take the agency's description at face value. Many who are outside of Alaska are looking at this and saying: Why are you making such a big deal about all of this? The Department of the Interior is just clarifying some hunting rules, so it can't be that big of a deal.

But the answer on that is: Wrong. This is a big deal.

Some of our opponents will allege the repeal of this rule will legalize brutal predator-control practices. What the Senate should know is that it is already illegal for hunters to use certain practices—gas against wolves, traps to harvest bears. You cannot do this on national wildlife refuges in Alaska. So those arguments are false and, unfortunately, serve mostly to distract from what this rule is really about. As I mentioned at the outset of my comments, what this is really about are the States' rights, States' authorities, and, effectively, States' control.

First and foremost, I am here to defend the rights of my home State and all of the States to manage fish and game within their boundaries. The game management rule severely erodes the authority of Alaska to make these decisions, and I think it sets a terrible precedent for the other 49 States. If you think, this rule is just about Alaska, that this is not something you need not worry yourself about—well you really actually ought to be worried. Especially so if you have Federal lands within your State. Your State could be the next one where Fish and Wildlife Service comes in and says: No, it's not going to be you, State, that has this management authority. We're going to come in and tell you what can and cannot be done.

The Fish and Wildlife Service freely admits its rule will impact 54 million acres of refuge land inside the State of Alaska. This is an area 10 times larger than the size of the State of Massachusetts. This is not insignificant. Really, this is truly the camel's nose under the tent.

If Congress allows this rule to stand, it will effectively override U.S. Supreme Court rulings from 1896 and 1979, which held that the States have the power to ''protect and conserve wild animal life within their borders.'' The States' power in this area is subject only to specific Federal authorities articulated by Congress, such as the Endangered Species Act and the Marine Mammal Protection Act.

The precedent being set for Alaska—and every other State—should be sufficient reason for us to oppose this rule. But I also need to speak to some of the particulars included within it, especially the Obama administration's claim that it would not change or restrict subsistence uses.

This regulation made significant and substantive changes to regulations related to the hunting of bears. While I realize that not everyone may agree with hunting, I urge you to listen to what my colleague from the State of Alaska said in his comments and what

he outlined in terms of subsistence to Alaska Natives, subsistence to those who are in areas so remote that ''rural'' is not even the right way to describe it. We call it Bush Alaska. There are no stores, there is no Safeway, there is no Whole Foods, and there is no Stop-N-Go. There is no place where you can go to get your meat, to get your fish. In many areas there just isn't even a store, much less a store where you can buy Hamburger Helper or whatever it is that you are going to provide for your family. That model just does not exist in certain parts of our State, so what the people who live there do is hunt. That is how they provide for their families. They hunt and they fish and they gather. That is subsistence. That subsistence is not only nutritional sustenance, but for many, it is also their cultural identity, whether you are the ''People of the Caribou,'' the ''People of the Whale,'' or the ''Salmon People.'' The Native people who have been part of this corner of the world for millennia relate to their food source, making sure that not only their traditional diets can continue, but how they are able to practice this subsistence lifestyle matters greatly.

The regulation we are talking about today jeopardizes the ability of many of those Alaskans to sustainably harvest wildlife, to hunt, to feed themselves and their families. So when we think about the Alaska model of management and how it works to achieve healthy populations, this rule we are dealing with right now upsets that balance. It makes significant changes to the types of activities allowed when hunting bears without the support of the State or the traditional user groups. In updating regulations governing public notice and participation, the rule eliminates tools and obligations necessary for meaningful engagement with affected Alaskans. It curtails the use of local knowledge and insights for refuge management. It relies on an arbitrary and unscientific interpretation of the agency's national biological integrity, diversity, and environmental health policy.

The sustainability of Alaska's ecosystem depends on good, sound management—expert management—of fish and game populations. But under this regulation, well-established best practices employed by wildlife management professionals are more vulnerable to what could be unscientific or certainly bureaucratic second-guessing. That has sweeping implications for wildlife populations and for those who depend on them. If left in place, this rule will be applied to the entire refuge system either unilaterally or through litigation, placing our Nation's fishing and hunting traditions at even greater risk.

Those who actively participate in the sustainable management of our Nation's fish and wildlife populations understand the dangers presented by this rule, and they are overwhelmingly opposed to it. Senator SULLIVAN mentioned a list of the organizations that have voiced their support. I will not repeat many of the names, but it includes the Association of Fish and Wildlife Agencies, which represents all 50 States. It includes subsistence users, guides, outfitters, tourists, hunters, anglers throughout the country, and dozens of conservation groups, from the Alaska Outdoor Council and the Alaska Professional Hunters Association to Ducks Unlimited, Safari Club International, the National Rifle Association, and the Boone and Crockett Club. When you have a coalition that is this strong, that is this broad and yet united against a Federal rule, you know something went terribly awry with the regulation.

I would encourage the Senate to see through some of what I consider to be misleading arguments that some of the outside groups are making against us and to really see this rule for what it is—that this Fish and Wildlife Service game management rule for Alaska refuges is the very definition of Federal overreach. It defies the will of Alaskans, while disregarding sound scientific game management principles. It will result in less stable populations of fish and wildlife within our State. It will harm our subsistence users who hunt, not for sport but for their literal cultural sustenance, their nutritional sustenance, and, again, so much of their identity.

I again want to thank those that have been leading on this issue. This is a bad rule that deserves repeal. I would encourage all of my colleagues to look carefully at this. Look carefully at this, not just as a rule that is parochial and limited to just Alaska alone, but look to it within the context of what this does and what it says when it comes to States' rights and States' ability to manage fish and wildlife within their own State borders.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

THE PRESIDENT'S BUDGET

Mr. LEAHY. Mr. President, last Thursday the Trump administration submitted its first budget blueprint to Congress. The President called it ''America First, A Budget Blueprint to Make America Great Again.'' The title would seem like a ''Saturday Night Live'' skit if the topic were not so serious. Like some of the President's tweets, his budget is a hasty list of appallingly unbalanced, shortsighted, and, I believe, politically driven priorities.

He proposes to eliminate or drastically cut programs that benefit the middle class and safeguard its most vulnerable citizens, programs that protect our environment, programs that promote our interests overseas but also security at home. Instead, he wants to spend billions upon billions of taxpayer dollars on a misguided wall along our southern border and increased spending for the Pentagon.

He says his proposal causes ''strength, security and resolve.'' He couldn't be more wrong. You don't want to make America ''great again'' at the expense of middle-class families and the most vulnerable among us. We are not a ''great'' nation if we abandon our shared desire to cure cancer, the desire to bring an end to Alzheimer's disease or diabetes. We don't do that by slashing billions for the National Institutes of Health. You can't switch complex and promising medical research off and then say: Well, maybe someday later we will just turn it back on again.

We are not a great nation if we eliminate heating assistance for the 6 million vulnerable households that receive LIHEAP. Some 21,000 of those households just had to dig themselves out from a historic snowstorm in my State of Vermont. And we are not a ''great'' nation if we don't protect the air we breathe and the water we drink.

You don't make America stronger by eliminating the very programs that strengthen our alliances around the world and make our Nation more secure. We are not a strong nation if we simply pour more money into the Pentagon but then renege on commitments to international peacekeeping and security alliances or slash funding to respond to humanitarian crises or cut our diplomatic presence around the world. Interesting enough, when the other body spent millions of tax dollars to investigate a lack of security in Benghazi and came up with nothing, this budget slashes huge amounts that could be spent on security in our embassies, just as they voted to cut out hundreds of millions of dollars from a Senate budget that would have improved our security.

The President says he prefers hard power to soft power, but it is not either/or. The notion that soft power is weak or wasteful is mindless. If you are cutting programs that feed millions or prevent AIDS or treat tuberculosis and malaria, well, that doesn't help. It makes the world less stable, less secure.

I am afraid the budget proposal is divorced from reality. It has a lot of partisan campaign promises. He promises infrastructure investment—and all of us would agree with that—but then it cuts critical Federal funds for proven successful State transportation projects. He claims it will save rural America, but he cuts those Federal programs that spur rural economic development. That is not a budget with vision.

We need a serious budget proposal—a proposal that acknowledges the devastating effects the Budget Control Act and sequestration have had in our country and a budget that charts a path forward, rather than doubling down on further cuts on programs for the middle class. We need a budget proposal investing in our citizens and in our military, not a proposal that pays for one at the expense of the other.

We have a lot of work to do. I am the vice chairman of the Senate Appropriations Committee. I would say we have

to finish the fiscal year 2017 appropriations bills and then get to work on fiscal year 2018. Anybody who has been a Governor of their State would recognize that because they know they have to do it in their State. We should do it for the United States. To accomplish that, we need a budget framework that respects the principles in the Bipartisan Budget Act of 2015, including parity between the defense and nondefense spending and that, even though they might be politically popular, doesn't have poison pill riders. We need relief from sequestration, not more misguided cuts.

This budget proposal takes us backward, not forward. But we can remind ourselves that it is Congress that holds the power of the purse, not the President. I have said that, whether we had Democratic or Republican Presidents. I take the responsibility seriously. I look forward to working across the aisle with colleagues both on and off the Appropriations Committee. I want to craft a responsible budget, a thoughtful budget, a serious budget—one that truly makes us a better and safer Nation and reflects the values we share as Americans.

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

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

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. 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. CANTWELL. Mr. President, I rise to speak in opposition to the resolution which uses the Congressional Review Act process to overturn a Fish and Wildlife Service resolution prohibiting certain inhumane methods of killing bears and wolves within the 16 national wildlife refuges in Alaska, which cover about 20 percent of the State of Alaska.

I understand the opponents of the Fish and Wildlife Service rule argue that States' rights issues are at hand, and they are responsible for the management of fish and wildlife in the State. That is certainly true within the State, but on Federal national wildlife refuge land, the U.S. Fish and Wildlife Service is in charge—just like at Mount Rainier or Olympic National Park, where the National Park Service is in charge. I am sure there are times when Pierce County or even Seattle would like to make rules related to Mount Rainier, but they are not allowed because it is part of our National Park System. Similarly, the Fish and Wildlife Service manages our national wildlife refuge system.

The rules in this proposal only apply to those national wildlife refuge lands in Alaska. They don't cover any other lands in the State. So this isn't about States' rights. It is about how we can manage these wildlife refuges to the degree that agencies believe are necessary for the preservation of the wildlife.

Managing these national wildlife refuges—the 16 Federal refuges in Alaska—is about ensuring the management policies are consistent with the purpose of the wildlife refuge. It is not about prohibiting hunting. In fact, hunting has been allowed, and will continue to be allowed within these refuges in Alaska, as is the case with most national wildlife refuges throughout the United States.

As the Senator from New Mexico pointed out earlier, this is about what people want to see when they go to a national wildlife refuge. Do they want to see the inhumane killing of bear cubs in their den or would they like to see the bears and the other fish and wildlife activity that exists in so many of these beautiful areas?

Another argument that has been raised is that this rule will stop Alaskans from hunting for subsistence purposes—Native Alaskans who depend on subsistence hunting. The rule says nothing about this. It does not affect subsistence hunting. This rule is only about prohibiting certain methods of predator control in our wildlife refuges. Some people think this is contrary to responsible wildlife management practices in other States. But this rule only applies to national wildlife refuges in the State of Alaska.

The actions that Alaska has authorized on their State lands are so aggressive, that permitting them on Federal wildlife refuge land would be counter to the purposes of these national wildlife refuges. I know one of my colleagues was here citing what they think is already prohibited under state law, but the Alaska Administrative Code does allow for carbon monoxide cartridges to be used in humane euthanizing in these wolf dens and the killing of young animals.

Mr. President, let me read from the relevant provision of the Alaska Code, which is 5 AAC 92.110, Control of Predation by wolves. Subsection (h) states that ''carbon monoxide cartridges may be used to humanely euthanize wolf young in the den in areas under a predation control implementation plan.''

The next subsection, subsection (i) states that ''the killing of wolf young in the den, commonly known as 'denning,' is prohibited unless the commission authorizes the killing of wolf young in the den in areas under a predation control implementation plan.''

That is in the Alaska Administrative Code today, and it is something that the U.S. Fish and Wildlife Service does not want to see happen in national wildlife refuges. The killing methods authorized by the State of Alaska include killing bear cubs or mothers with cubs, killing brown bears, including grizzly bears, using bait, killing brown bears using traps or snares, killing wolves or coyotes and their pups during the denning season, and shooting bears or wolves from aircraft or helicopters, using the aircraft to track down the bears or wolves, then landing and shooting them.

When you see the list of prohibited actions, you have to wonder why anybody would oppose this rule. Who is advocating for the slaughtering of wolf pups or bear cubs in their dens, shooting them from aircraft or using snares to catch them by their necks and kill them? I think my colleague from New Mexico had a picture of such an event. Who is advocating for this kind of method?

This is why the U.S. Fish and Wildlife Service policy makes sure that if predator controls used, that they are based on science and not these inhumane actions. The wildlife rule is not a case of regulating sportsmen for traditional hunting practices, but it is making sure that they are doing so in a humane way.

The law requires that the Alaska wildlife refuges be managed to conserve fish and wildlife populations in their natural diversity, but Alaska's predator control practices are not consistent with that management requirement. They are directly opposite to conserving the natural diversity and are instead promoting the wholesale killing of predator species. So that is why we oppose this override of the regulation. I hope my colleagues will turn it down.

If we want to make improvements to the U.S. Fish and Wildlife Service rule, we can do so by legislation, or by working to change the rule. But by overturning this rule, you are also prohibiting the agency from fulfilling their job of protecting the wildlife refuge.

I want to make sure that all our colleagues understand that this is about protecting wildlife refuges in a humane way, allowing hunting practices, but doing so in a way that preserves the species.

Mr. President, I yield the floor.

Mr. VAN HOLLEN. Mr. President, I oppose this outrageous resolution, which would overturn a Fish and Wildlife Service ecosystem management rule for the Alaska National Wildlife Refuge. This resolution is a cruel measure that has horrified many of my constituents, and I share their strong opposition.

The purpose of our National Wildlife Refuge System is to protect wildlife across the country. It does so by maintaining sustainable populations and balanced ecosystems. The Alaska National Wildlife Refuge is a stunning habitat that attracts hikers, fishers, hunters, and photographers to take in the beauty of the landscape and enjoy the wildlife there.

The Fish and Wildlife Service rule simply codifies scientifically based wildlife management practices. It does not affect subsistence hunting by rural and Native Alaskans.

By overturning this rule, Congress would permit extreme and cruel hunting practices that include killing wolves and pups in their dens and trapping, baiting, and using airplanes to

scout and shoot bears and cubs. This so-called predator control is unnecessary and indefensible. Most Alaskans oppose these extreme practices. The resolution of disapproval would impede the Federal Government's ability to manage 76 million acres of public lands that Congress set aside for all Americans.

The Fish and Wildlife Service is charged with balancing multiple needs in wildlife refuges and conserving natural diversity. Overturning its rules to allow a small minority of hunters to use cruel and inhumane practices in a wildlife refuge is wrong. I oppose this resolution.

Ms. CANTWELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold her suggestion regarding the absence of a quorum?

Ms. CANTWELL. Yes.

The PRESIDING OFFICER. The Senator from Colorado.

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I thank my colleague from Washington State for delaying the quorum call.

I appreciate the opportunity to visit with you today and to share some of the conversations I had yesterday before the Judiciary Committee in regard to the confirmation of a Coloradan, Judge Neil Gorsuch, who now serves on the Tenth Circuit Court, which is housed in Denver, CO.

Yesterday began his confirmation hearing before the Senate—the first step in a process which will ultimately end in his confirmation as a Justice to the U.S. Supreme Court. It was a great honor to be able to introduce Judge Gorsuch to the committee. It is a tradition that Members of the Senate from the home State of the judge nominated to serve on the High Court be allowed to introduce the nominee—in this case, a judge of the Tenth Circuit Court. I joined my Democratic colleague MICHAEL BENNET from Colorado in this tradition and am very excited to express my support for Judge Neil Gorsuch.

I thought this afternoon I would share some of the comments I gave yesterday before the committee. I will start by talking about Confluence Park in Denver, CO.

In downtown Denver, if you look at Cherry Creek and the South Platte River, they join together. That is where the Colorado Gold Rush began. When it was first discovered, it started bringing people out to the West, out to Colorado, to a place now known as Confluence Park, where the two rivers come together.

At Confluence Park in Denver, if you look, there is a plaque on one of the walls there that has a poem written on it from Colorado poet laureate Thomas Hornsby Ferril. It is a poem known as ''Two Rivers'' describing the settlement of the West. The poem ends with this:

I wasn't here, yet I remember them.
That first night long ago, those wagon people
Who pushed aside enough of the cottonwoods
To build our city where the blueness rested.

''Where the optimistic blueness of our Colorado skies rests against the mountains and the plains'' is a good description of our great State. We are reminded about how incredibly diverse our great Nation is, its people and its geography. Judge Gorsuch's nomination to the Supreme Court helps recognize the diversity in geography, the diversity of our country, and it helps to recognize that indeed there are highly qualified jurists who reside west of the Mississippi River.

Judge Gorsuch is a fourth-generation Coloradan. He is a skier. He is a fly-fisherman. He serves on a court that represents 20 percent of our Nation's landmass.

Once confirmed, Judge Gorsuch will be only the second Coloradan to have ever served on the Nation's highest Court. The first Coloradan to serve on the High Court was Justice Byron White. Justice Byron White also led the NFL in rushing, which is something Neil Gorsuch won't be able to claim when he is confirmed but is certainly something that makes his confirmation as the second Coloradan unique in our history. Should he be confirmed, Judge Gorsuch will also make history as he represents the first Generation X Justice of the U.S. Supreme Court, the emerging generation of American leadership.

Judge Gorsuch was confirmed to the Tenth Circuit Court unanimously by voice vote in this Chamber in 2006. In fact, 12 current Democratic Senators did not oppose his confirmation, including three distinguished members of the Judiciary Committee. Ranking Member FEINSTEIN, Senator LEAHY, and Senator DURBIN are all members of the Judiciary Committee who supported, through voice vote, his nomination. Eleven years ago, Senator GRAHAM presided over an empty committee dais as Neil Gorsuch faced his confirmation in 2006. No one showed up. What a difference a court can make. The level of bipartisan support for his 2006 nomination is almost unheard of in today's political climate, but when you look at his record, his writings, and his statements, it is easy to see why Judge Gorsuch has such overwhelming support.

Judge Gorsuch is not an ideologue. He is a mainstream jurist who follows the law as written and doesn't try to supplant it with his own personal policy preferences. As he said, ''Personal politics or policy preferences have no useful role in judging; regular and healthy doses of self-skepticism and humility about one's own abilities and conclusions always do.''

Judge Gorsuch is not an activist judge but, rather, a faithful adherent to and ardent defender of our Constitution. Judge Gorsuch said that judges have a ''foundational duty'' to ''do more than merely consider [the Constitution]. . . . They take an oath to uphold it.''

The judge recognizes that the judiciary is not the place for social or constitutional experimentation and that efforts to engage in such experimentation delegitimize the Court. As he said, ''This overweening addiction to the courtroom as the place to debate social policy is bad for the country and bad for the judiciary. . . . As a society, we lose the benefit of the give-and-take of the political process and the flexibility of social experimentation that only the elected branches can provide.''

Judge Gorsuch has a deep appreciation and respect for the constitutional principle of federalism and the separation of powers prescribed by our Founding Fathers. As he stated, ''A firm and independent judiciary is critical to a well-functioning democracy.''

Judge Gorsuch understands the advantage of democratic institutions and the special authority and legitimacy that come from the consent of the governed. As he said, ''Judges must allow the elected branches of government to flourish and citizens, through their elected representatives, to make laws appropriate to the facts and circumstances of the day.''

Judge Gorsuch appreciates the rule of law and respects the considered judgment of those who came before him. As he said, ''A good judge will seek to honor precedent and strive to avoid its disparagement or displacement.''

It is this appropriate temperament, this fidelity to the Constitution, this remarkable humility that has made Judge Gorsuch such a consensus pick among Colorado's diverse legal and legislative communities.

Former Colorado Senator, Democrat Ken Salazar, Secretary of the Interior under Barack Obama, in praising Judge Gorsuch's temperament, said during his circuit court confirmation:

[A] judicial nominee should have a demonstrated dedication to fairness, impartiality, precedent, and the avoidance of judicial activism—from both the left and the right. I believe that Mr. Gorsuch meets this very high test.

A very prominent Colorado lawyer and former adviser to President Bill Clinton said:

Judge Gorsuch's intellect, energy, and deep regard for the Constitution are well known to those of us who have worked with him and have seen firsthand his commitment to basic principles. Above all, this independence, fairness, and impartiality are the hallmarks of his career and his well-earned reputation.

Hundreds of prominent liberal and conservative Colorado attorneys support Judge Gorsuch, writing this bipartisan letter of support praising the judge:

We hold a diverse set of political views as Republicans, Democrats, and Independents. Many of us have been critical of actions taken by President Trump. Nonetheless, we all agree that Judge Gorsuch is exceptionally well qualified to join the Supreme Court. He deserves an up-or-down vote.

The people who know him best in Colorado—they have worked with him

in the Tenth Circuit Court, and they have worked with him in private practice—believe that he deserves an up-or-down vote, believe that he is exceptionally well qualified to join the Supreme Court.

One of the individuals, one of the lawyers, one of the Democrats who signed that very letter, who wrote this phrase, was a Democrat who was the cochairman of the host committee for the Democratic National Convention in Denver in 2008 that saw the nomination of then-Senator Barack Obama to be the Democratic candidate for the 2008 ticket.

Colorado's former Democratic Governor Bill Ritter and former Republican Attorney General John Suthers jointly said:

> It is time to use this confirmation process to examine and exalt the characteristics of a judge who demonstrates that he or she is scholarly, compassionate, committed to the law, and will function as part of a truly independent, apolitical judiciary. Judge Gorsuch fits that bill.

Judge Gorsuch has a consistent record of applying the law fairly, and his reputation among his peers and lawmakers is evidence of it.

According to the Denver Post, Marcy Glenn, a Denver attorney and Democrat, recalls two cases before Gorsuch in which she represented underdogs, and she said: ''He issued a decision that most certainly focused on the little guy.''

That same article cited another example. ''Judge Gorsuch can't be pigeonholed as either pro-prosecution or pro-defense,'' said Peter Krumholz, a Denver appellate attorney who reviewed the nominee's criminal law record. ''He is very independent and will not hesitate to rule in favor of a criminal defendant's rights when he thinks it's warranted by the Constitution.''

For all these reasons cited today and the many reasons that have been cited over the past several weeks, I am certain Judge Gorsuch will make Colorado proud and that his opinions will have a positive impact on this country for generations to come.

I look forward to Judge Gorsuch receiving a fair hearing today, tomorrow, and after that, to working with my distinguished colleagues on both sides of the aisle to expeditiously confirm his nomination.

Thomas Hornsby Ferril, a great poet laureate, wrote another poem. This one is memorialized on a mural painted in the rotunda of the Colorado capitol. It ends with these words: ''Beyond the sundown is tomorrow's wisdom. Today is going to be long, long ago.''

The wisdom of Neil Gorsuch, guardian of the Constitution, will serve our Nation well for generations to come.

The PRESIDING OFFICER. The Senator from Arkansas.

REMEMBERING WARREN D. BLAYLOCK

Mr. BOOZMAN. Mr. President, I rise today to pay tribute to Warren Blaylock, a friend and true public servant who was a lifelong resident of Crawford County, AR. Warren was a World War II veteran and someone I admired greatly for the vital role he played in his community for decades.

Born in 1921, Warren grew up near Alma, AR, and knew the harsh realities that many Americans encountered during the Great Depression. He graduated from Alma High School and went on to join the Army during World War II. During the war, he served as a combat medic with the 67th Evacuation Hospital. His unit landed at Normandy just days after the Allied forces stormed the beaches on D-day and went on to follow the Allies as they marched through Europe. Warren was promoted to first sergeant while serving in Europe, and he received several awards and commendations, including two Bronze Stars, the Superior Unit Award, and the Combat Medical Badge.

I am so thankful for his service alongside so many others in the ''greatest generation'' as they risked their lives in the defense of freedom.

Even after he left the service, Warren spent the rest of his life giving back to his community and advocating for causes he believed in.

After returning home from the war, he attended the University of Arkansas and earned a bachelor's degree in business. In his professional life, he was vice president and general manager of the Derrel Thomas Company in Van Buren, AR. Still, Warren found time to participate in numerous civic organizations within the community. He was an active member of the Alma United Methodist Church for decades and served on the Methodist Health and Rehabilitation Board for 41 years. Additionally, Warren served on various other boards and organizations and was a pillar in the community. Perhaps most notably, he was a member of the Rotary Club—first in Van Buren and then in Fort Smith—for 54 years and maintained perfect attendance. This is just one example of Warren's dedication to serving and giving back to Arkansas.

While Warren never sought recognition for the work he did on behalf of his community, his contributions were noticed and recognized by the city of Alma, as well as on the regional and State levels. He was inducted into the Arkansas Senior Hall of Fame in 2013. In 2015, I had the honor of participating in the ceremony where Warren was inducted into the Arkansas Military Hall of Fame on the basis of his honorable military service and exceptional State and community service. This was yet another reminder of how loved and valued Warren was by so many people whose lives he touched.

As active as he was, Warren always enjoyed spending time on his ranch tending to his livestock. In fact, he was also a talented auctioneer who would lend his skills to various charitable auctions and events.

A devoted follower of Christ, a wonderful father and family man, a respected humanitarian, and a rock within his community, Warren will be greatly missed by many. We wish his family, friends, and loved ones comfort as we all mourn his loss, but we also take great joy in knowing just how profound an impact Warren had on the lives of so many others. He leaves behind an incredible legacy of love, devotion, and service that will last for many years to come.

I very much appreciate Warren's service and even more his friendship, encouragement, and the amazing example he set. I will miss him and the vital role he played in his community and in Arkansas. He leaves a huge void that will be hard to fill, but I hope all those who witnessed his committed service to his fellow man will join me in resolving to live and love more like Warren as a way to honor him and his legacy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

TRUMPCARE

Mr. NELSON. Mr. President, we have seen TV clips about various Members and Senators around the country having townhall meetings. For example, three of our colleagues this past weekend—Indiana was one of them—had tremendous townhall meetings with a good exchange of information.

With this looming House of Representatives healthcare bill, which I refer to as TrumpCare, since the President has endorsed it, I wanted to see a particular group in our society who is extremely vulnerable and those are the older Americans who are not 65—not old enough to be eligible for Medicare. Now, be careful because there are people lurking in these halls and the administration who would like to raise Medicare eligibility from age 65 to 67. But that is not what is confronting the House of Representatives; it is what is going to happen to those people below the age of 65 for their healthcare. Under current law, once they hit 65, they are eligible for Medicare.

I reached out to a particular group of Floridians. These are folks whom I did not know that our offices in Florida had become aware of because they had written about the healthcare debate that is going on and, in many cases, had described their circumstances.

Yesterday, the group of 8 or 10 whom we had in my Orlando office were all in the age range of 50 to 64. I want to tell the Senate about this group of people because, if approved in its current form, the House healthcare bill, TrumpCare, would dramatically increase healthcare costs for folks in that age group, 50 to 64. Those are folks who either get their healthcare through expanded Medicaid or they get their health insurance through healthcare.gov, which is the exchange, whether it be on the State exchange or the Federal exchange because the State does not participate. According to the Congressional Budget Office, a 64-year-old making $26,500 could see their

healthcare costs go from $1,700 a year, which they pay now under the Affordable Care Act, all the way up to $14,600 a year under the House plan, TrumpCare. That is a dramatic jump, obviously. Do we think that is really too much of an extreme example?

I want to tell you what these people said. If you look at what the House is proposing, the dramatic rise in cost is due in large part to two provisions contained in the House bill, one that would allow insurers to charge older Americans up to five times as much as younger people; the second one caps the Federal tax credits meant to help seniors pay for the rising cost of health insurance. Federal tax credits is a fancy way of saying ''subsidy.'' So if you are a senior and you are above 138 percent of poverty, which for a single individual is approximately $16,000 a year—by the way, who making $16,000 a year can afford health insurance? That is why we need the remaining 19 States, my State of Florida included, to expand Medicaid up to that 138 percent of poverty. But if someone is between that level and all the way up to 400 percent of the poverty level, which for a single individual is about $46,000, $47,000 a year—in that zone of 138 percent of poverty up to 400 percent of poverty, there are these tax credits or subsidies. The one with the lower income gets more of a subsidy in order to buy private health insurance on the private marketplace through the exchange. As they get up to 400 percent, a person making $46,000 or $47,000 a year—can they really afford health insurance? Not the real cost, unless it is some huge deductible plan that doesn't give them much. That is why these folks need some assistance. That is in place. That is the law. That is the Affordable Care Act, which has been so maligned over the last several years.

Aside from health insurance, there is the expansion of Medicaid that has helped a lot of people. There are still 4 million people in this country who would benefit if those 19 remaining States would expand Medicaid up to 138 percent. They are left in the cold. They are not getting health insurance; they are not getting healthcare. They are eligible to have it, and the Federal money is there to draw down to enable them to have that Medicaid, but 19 States, including my State of Florida, have decided not to expand it.

With all of that as background, I asked these folks to come in. According to the AARP, there are millions of Floridians in that age group of 50 to 64 who currently receive Medicaid or tax credits to help them pay for the insurance through healthcare.gov; there are millions who are eligible. So the group came in, and here's what I learned. I am going to give you some personal vignettes.

Marshall Stern is a 61-year-old heart transplant survivor who lives in Kissimmee, FL. Marshall has had a serious heart condition since he was a young man. Three years ago, his condition worsened, and it resulted in several hospitalizations, after which he was told he would need a heart transplant. Since he is on full disability, he was told that he had to enroll in Medicaid or he would not be eligible for the transplant. Just the medication for the posttransplant operation costs around $100,000 a year, which, obviously, Marshall would not be able to afford without Medicaid coverage. He also is going to have to take this medication for the rest of his life if he is going to live. He worries that the House TrumpCare bill will turn Medicaid into a block grant program, which is a fancy way of saying: We are going to cut it off, and you are not going to get any more money, and you are going to have to finance it from your own State resources. Governors and State legislatures are going to have to share more of the burden of healthcare costs. He is worried that if that House bill passes and Medicaid is threatened as we know it, he is not going to be able to have the medications he needs to stay alive. This is what Marshall told me, and it was very dramatic. He said: ''It is as good as saying that I die.''

For the rest of us who are not facing that, imagine having a fellow tell you that. This is serious business.

Let me tell you about Susanna Perkins. She is a 62-year-old living in Altamonte Springs. Susanna's husband lost his job in 2009, and she lost her employer-provided health plan during the recession. The couple blew through their IRA, and they ended up selling nearly everything they had.

They eventually moved out of the country to save money, but in 2014, they decided to move back. Why? Because the Affordable Care Act passed, and the ACA made it possible for them to afford health insurance again. This is what Susanna said:

> If they shred [the ACA] like they're [threatening] to, we're going to be hightailing it out of here, because dealing with the health care [costs] and insurance makes you sick. We're getting by, but if the ACA goes away, and if they make these changes they're talking about, we'll be uninsured again.

I was going to show you a picture. These are the folks whom I met with yesterday. I will not point out the individuals, and I am going to talk about some of the others, but you can see almost everybody. There is one person who is outside the photograph. But we sat down for an hour's conversation, and I heard their stories.

I wish every Senator and every Member of Congress would go out and talk to people who are real people with real problems and understand how petrified they are. These folks look like our neighbors and our friends. They look like the people whom we go to church with. They look like the people who have children or grandchildren whom we play with, and they are petrified. They are scared to death that they are not going to have healthcare.

So let me tell you about another one of these ladies. Terri Falbo is a 59-year-old living in the Orlando area. She moved to Florida back in 2012 to take care of her elderly mother and disabled sister. For 25 years she had good health insurance through her employer where she lived up north, and she rarely used health insurance. After losing her job in 2006, as we went into the beginnings of the recession, she purchased an individual insurance policy that cost her $500 to $650 a month. Prior to the ACA, she had to make withdrawals from her retirement account. She had to max out her credit cards to pay for the premiums. As a result, she depleted all of her reserves and all of her retirement funds. Since the Affordable Care Act was implemented, she has had an affordable policy because she qualifies for the monthly subsidy of over $600, bringing her premium payments to $70 a month with a zero deductible. She could have gotten a policy with a $5,000 deductible for $3 a month. At her age, she needed assurance that she would be able to have the healthcare she needed, so she paid $70 a month because of the subsidy. Yet that is not what is protecting her in the House TrumpCare bill.

Under that proposed healthcare plan, her maximum subsidy would be less than $300 a month, which means she would end up paying $4,000 more per year—an amount that she simply cannot afford. That is what she told me: ''I cannot afford it.'' She said she would have to go without health insurance instead. Before the ACA, she was desperately trying to have health insurance, and she depleted all of her retirement funds.

There is another lady who is sitting around that table in the picture I showed, Nancy Walker. She is a 51-year-old self-employed actor who is living in Kissimmee. She is active. She is healthy. She chose to pursue a career in the arts. The unstable nature of her profession has often left her unable to afford health insurance. So she has gone without it most of her adult life as an artist, as a performer.

Since the ACA took effect, however, she has, finally, been able to afford health insurance, thanks to the subsidies. She told me that it has been a relief for her to be able to go to the doctor not only for checkups but, actually, when she has a problem, to fix it.

If Congress passes the House TrumpCare bill, her premiums are going to go up. She has no doubt that she will, once again, be unable to afford health insurance and healthcare. She told me that she fears simple health issues will fester, becoming serious, chronic, and expensive to treat. Remember, I said they were petrified—that they were scared to death. There is an example. Finally, she has health insurance after all of these years of going without because she did not have an employer who paid for her.

Let's take another one. Marilyn Word is a 63-year-old retiree living in Orlando. Marilyn lives mainly off of Social Security payments but is not

old enough to qualify for Medicare. She is under that magic year of age 65, at which one is eligible.

After retiring, Marilyn enrolled in an insurance plan through the ACA exchange, and she is eligible for annual tax credits to help her pay for her insurance. Marilyn told me that she was extremely worried about the increased premiums that she would likely have to pay under the House TrumpCare plan.

I will give you another example of a lady who is sitting around that table. Sharon Brown is a 58-year-old widow. She lives in the Orlando area. Since her husband's death, Sharon has been dealing with several medical issues and pulling money out of her retirement account to pay for her current plan. She has a nest egg from her husband's life insurance money, but due to her health condition, she will likely need long-term medical care. This is what she told me:

My premium's pretty high because I've got multiple medical conditions that make it so I cannot work. I've done a lot of reading on this . . . and the cost of my healthcare [under the TrumpCare plan] will amount to double what I make right now in income.

She looked at me with this pained expression on her face and said: ''It's very scary, and the anxiety that goes along with this happening right now is making it worse.''

Sharon told me that she is a lifelong registered Republican—she volunteered this—and she said that the bill being considered now is forcing her to reconsider her party. She said:

I'm changing my political affiliation to independent. I want to vote my conscience.

When one puts faces to these stories—to these people about whom I have just talked and about whom we just talked yesterday—the House TrumpCare plan ends Medicaid as we know it because it cuts off the amount going to the States.

I understand that in the House, in trying to fix up some things just last night, they filed an amendment in an attempt to address some of the problems. One of the things they were trying to fix would allow States to choose between capping or block-granting the Medicaid Program. Under either proposal, the Federal Government is going to be contributing less to the States, and that means more money will have to be picked up—the tab—by the States. Just ask the Governors how much more they can pick up.

I urge our House and Senate colleagues to join all of these people whom I have talked about and vote as Sharon said—with their consciences on what they are going to do to folks like them. Gutting Medicaid and forcing struggling, older Americans to pay more for health insurance is simply not the right thing to do. For a change, we ought to be trying to do the right thing.

I yield the floor.

The PRESIDING OFFICER (Mr. STRANGE). The majority whip.

REPEALING AND REPLACING OBAMACARE

Mr. CORNYN. Mr. President, I came to speak on the nomination of Neil Gorsuch as Associate Justice for the United States Supreme Court, but in listening to my colleague from Florida, I feel like I am missing something because he has described the Affordable Care Act in a way that I do not recognize, and he has talked about a bill that has not even passed the House of Representatives as a fait accompli.

ObamaCare was sold under false pretenses. The President himself said: If you like what you have, you can keep it. If you like your doctor, you can keep your doctor. Oh, yes, by the way, a family of four will see a reduction of its premiums by $2,500. None of those have proven to be true. So we are going to repeal and replace ObamaCare.

I have to tell my friend from Florida to please join us. If he does not like the product that is working its way through Congress, please join us and help us make it better because, right now, all I see from our Democratic friends is sort of like a Pontius Pilate moment—a washing of their hands and letting the Republicans alone do the heavy lifting. We invite them to work with us in a bipartisan way, which is something that did not happen, by the way, in ObamaCare, which was passed on a purely party-line vote, and I think it has proven to be a terrible mistake.

Mr. NELSON. Mr. President, will the Senator yield since he has invoked my name?

Mr. CORNYN. Mr. President, I will yield for a question, but I will not yield the floor.

Mr. NELSON. Mr. President, I do not intend for the Senator to yield the floor, and he is my friend.

The Senator started out by saying he was missing something. Yes, he missed the first part of my speech, during which I talked about these folks in the age category of 50 to 64, who are not eligible for Medicare.

Mr. CORNYN. Mr. President, I will yield for a question but not for a speech.

Mr. NELSON. Mr. President, I am about to ask the question.

I want to introduce the Senator to these people in that age group of 50 to 64. In fact, they told me stories that had them scared to death.

Would the Senator believe that they believe that they are going to lose coverage?

Mr. CORNYN. Mr. President, I say to my friend from Florida that I think there has been a lot of false advertising and scaremongering taking place around the country in trying to convince people that, somehow, they are going to lose their coverage, which is not the case.

We believe we can do better than ObamaCare, which has created a one-size-fits-all healthcare package and has basically denied people the right to choose the kind of coverage that suits them best at a price they can afford.

In Texas alone, a person making about $25,000 a year could spend up to 30 percent of his gross income under ObamaCare. That is a young person, and it is no surprise that many of them have opted out of ObamaCare and simply decided either to pay the penalty or to just become noncompliant because it is unaffordable.

I am sympathetic, certainly, to the genuine concerns of anybody in one's getting appropriate healthcare coverage, but I sure hope people do not succumb to the scaremongering taking place in parts of the country that tells people they are going to be left high and dry.

For example, my friend and colleague said that Medicare was going to be gutted under the House bill. That is not true. Right now, Medicaid is an uncapped entitlement. It is one of the fastest growing sources of Federal Government spending. The bill in the House proposes not to cut it but to restrain its rate of growth. Right now, it is the third largest budget item in the Texas budget. My friends in the Texas Legislature tell me that it crowds out all other spending, including education, law enforcement, and other things—that it just eats up so much money because it is uncapped. What we would propose to do is to leave Medicaid at the current levels but then make sure that it grows according to the Consumer Price Index—and a rather generous one—in medical inflation.

I will say what I said earlier, which is that I do not recognize the bill that my friend from Florida has described. If the House did not pass a bill and if the Senate did not pass a bill, we would still be here, talking about the meltdown of the Affordable Care Act because many insurance companies have simply pulled out of the marketplace. Many people do not have choices. They are forced to deal with, perhaps, the one remaining health insurance company, and in some places they are going to have all insurance companies pull out of the individual market.

I yield for one more question, and then I really need to get to my speech.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I thank the distinguished Senator from Texas, and he knows my affection for him.

The Senator has stated that he would like, in a bipartisan way, to fix the current law. Would the Senator believe, if there were a genuine, bipartisan attempt to fix what needs fixing instead of repealing and replacing it with something that has people petrified, that he could find that bipartisan consensus?

Mr. CORNYN. Mr. President, I would welcome that any day and every day. The only way we get things done around here in any sort of durable fashion is on a bipartisan basis. But so far, I have seen zero indication from our friends across the aisle that they are interested in working with us. I hope that is a misunderstanding on my part, and I hope going forward we will be able to come up with some bipartisan bills.

The truth is that, given the constraints of the budget process, we are not going to be able to do everything we want to do in this bill that is going to pass the House on Thursday and which we will take up here in the Senate next week. So there is going to be a necessity to do some more, and I hope we can do that on a bipartisan basis.

We also know that the Secretary of Health and Human Services, Dr. Tom Price, is working from a regulatory standpoint to try to do everything he can to stabilize the insurance market and to make sure that people continue to have some choices.

I think this is fundamentally a test of our principles regarding whether we actually believe in more choices and competition, and my firm conviction is choices and competition improve the quality of a service and the quality of a product. That is really one of the foundational principles upon which our economy is based. I think it also works in healthcare, but we haven't had that since ObamaCare passed.

NOMINATION OF NEIL GORSUCH

Mr. President, I want to speak a little bit about the important hearing on the judicial nomination of Judge Gorsuch to the U.S. Supreme Court that is taking place in the Senate Judiciary Committee even as we speak.

We know that President Trump nominated Judge Gorsuch at the end of January to a seat left vacant by the death of Justice Antonin Scalia. Justice Scalia was a lion of American law. He was bigger than life. His intellect, his writing, and his wit inspired a lot of young lawyers and not-so-young lawyers and judges and law students over the past decades, and reminded us that judges have a distinct and special and important role in our system of government, but it is decidedly not to be a legislator or a policymaker because they are ill-suited for doing that.

First of all, Federal judges are appointed for life. Judges are not supposed to take public opinion polls to figure out how to rule in a case.

I asked Judge Gorsuch today: Is it proper for a judge to decide in a case in front of him or her who he or she thinks should win and then try to work backward to justify it in a judge's decision?

He said: Well, it is actually just the opposite. What you try to do is to take the facts and the law and you apply them and you respect the outcome, even if sometimes it is not an outcome you would prefer if it were a matter of your personal preference.

What he described, really, is called the rule of law, which has distinguished the United States of America from most of the rest of the world and which has given us our competitive advantage. When people know that we are going to have a legal system that doesn't depend on personalities, doesn't depend on politics, but rather on a written law or Constitution, then people can take confidence in their investments, in their plans, and our economy has been the winner.

There is a Peruvian economist who wrote a book called ''The Mystery of Capital.'' I will just summarize, briefly. I was intrigued by the book and by his thesis. Basically, his argument is the United States is no more entrepreneurial than other parts of the world, but what distinguishes us from much of the rest of the world is what I just said a moment ago: It is the rule of law. For example, if you buy a house and get a title to that house, then you have a legal right to it, and you can defend it against all other claimants or people who might try to say: No, that is really my house. I know that sounds so basic, and we take it for granted, but it really does distinguish our country from others, where the law is really not about law, but it is about politics. It is about who is in power. Well, our laws are designed to protect people who are not in power, including people in political minorities.

I think the greatest legacy of Justice Scalia was a strong belief that the words in the Constitution and laws passed by the Congress matter. He believed judges should apply those texts and not just pronounce their policy preferences in deciding cases. He understood, as I do, that a careful adherence to text ultimately protects our democracy, which is the intention of our Founding Fathers.

I have spent time, like many of my colleagues, talking about the type of judge we need to fill this vacancy—someone who understands the lessons that Justice Scalia taught us—and will apply them faithfully, without regard to persons or personalities or politics. I believe there is no question that Judge Gorsuch is the man for the task. I am confident that the hearings this week will make that clear to the rest of America.

It is interesting to listen to some of my colleagues on the Judiciary Committee who want to talk about everything other than Judge Gorsuch and his qualifications. They want to talk about President Trump. They want to talk about abortion. They want to talk about same-sex marriage. They want to try to get Judge Gorsuch to prejudge some future case that may come before the U.S. Supreme Court. Well, no judge worthy of that title will tell anybody: Well, if you confirm me as a judge, I promise you this outcome. That is a violation of the most fundamental ethics of a judge, because a judge is not, again, a policymaker, a judge is not a politician; judges aren't about outcomes, but rather a commitment to the rule of law and due process of law in reaching their decisions.

So far, in almost two days in the Judiciary Committee, I think Judge Gorsuch has performed admirably and demonstrated no reason why our colleagues across the aisle can't support him. As a matter of fact, my view is that if you can't vote for somebody like Judge Gorsuch, there is probably nobody that would be nominated by this President that you would vote to confirm. It is hard for me to imagine the nomination getting much better.

We have already learned a lot about the judge. We know of his intellect. We know of his sterling qualifications and his extensive experience. I particularly appreciated his testimony today about access to justice and his concern that people of modest means—low income, the so-called little guy that our friends across the aisle keep talking about. The little guy in America is essentially denied access to our courts because it costs so much and it takes too long, and there have to be mechanisms in place for us to resolve our differences that everybody has access to or else the statement carved in the marble over the U.S. Supreme Court that says ''equal justice under law'' is just a pathetic joke.

So we have a lot to do in terms of providing access to justice. I think somebody with Judge Gorsuch's background—someone who actually has practiced the law and who has represented clients in court and who has been thoughtful about this and so many other topics—is just the type of person that can help us get our legal system back on track, so that saying, that model, ''equal justice under law,'' is a reality.

We know that Judge Gorsuch has spent a decade on the bench and about 10 years in private practice, and he has also worked at the Department of Justice. Like Justice Scalia, he is a steadfast believer in the Constitution laws and that they should be interpreted based on their text; that is, what they actually say.

I asked Judge Gorsuch today: If you don't believe that you ought to interpret the law based on what the law actually says, what would you use as your guide? If you are not going to interpret the Constitution based on what the Constitution says, what are you going to use as your guide?

Well, some of our friends would talk about a living Constitution or judges knowing better than perhaps the elected representatives of the people. To me, that is just misguided. Judges are not philosopher kings or queens. Judges, as I said at the outset, hold a very important but finite role in our system of government. It is our job as the legislature to make the policy. It is the executive—the President's job—to execute the policy. And if we don't like the law, then it is our job to change it, not to look to the Court to say: I am going to let the Congress off the hook, and we are just going to write an opinion and render a judgment that changes the law under the guise of actually judging, actually engaging in more policymaking.

Well, the great thing about somebody like Judge Gorsuch is that the people who admire him also include people who differ from him politically but have seen him in action—people like the former Solicitor General under

President Obama, who said he is ''one of the most thoughtful and brilliant judges to have served our nation over the last century,'' and someone who ''has always put aside his personal views to serve the rule of law.''

In other words, Judge Gorsuch is the type of judge that we should all be able to get behind, and he is exactly the kind of nominee we would hope to see from any administration. That is why he was previously confirmed by the U.S. Senate 10 years ago when he was nominated to the Tenth Circuit Court of Appeals in Denver. He was confirmed by voice vote. For people who may not be familiar with the practices of the Senate, that essentially is by unanimous consent, by unanimous agreement, including the Democratic leader, the Senator from New York, Mr. SCHUMER. He thought Judge Gorsuch was good enough for the Tenth Circuit Court of Appeals. I would challenge him to identify a reason why he is not well suited for the United States Supreme Court, unless it is based on some political calculation.

As the Judiciary Committee this week considers his nomination, I want to make crystal clear the purpose of the hearing. It is not about pinning the nominee down or asking trick questions or asking the judge to prejudge cases that might come before the Court. We know there have been outside special interest groups who have criticized Judge Gorsuch for failing to rule in favor of one sympathetic constituency or another, but, again, that is not what judges do—or what they are supposed to do. Are they really supposed to find the most sympathetic party to a lawsuit and say: I am going to decide that case for them, and I will figure out the justification for it later. That is not what judges are supposed to do. Judges are supposed to apply the law impartially and fairly and decide the facts and apply the law and render judgments on cases or controversies that become before the court, not write policy at large.

So I think some of these attacks are pretty silly, but they also are a reminder of the importance of these hearings because I really believe this is one of those opportunities to help acquaint millions more Americans with our unique founding story and the unique nature of our Constitution and our Nation of laws.

I see my friend from Tennessee here. I remember something he told me once about telling his constituents that one of the important functions of the Senate was to remind people what it means to be an American. Well, being an American means believing in the rule of law and equal justice for all.

I will close on this because I see my friend from Tennessee here waiting to speak. This is another kind of an interesting statistic I found pretty amazing, and the Presiding Officer, a distinguished lawyer in his own right, can marvel at this as I do.

Judge Gorsuch is no radical. He follows the law wherever it leads: sometimes for the police, sometimes for a criminal defendant; sometimes for the government, sometimes against the government. That is the way the rule of law works. He noted that about 97 percent of the thousands of cases he has decided have been unanimously. As the Presiding Officer knows, the circuit court sits in three-judge panels. The idea that 97 percent of the cases he decided were decided unanimously is pretty remarkable, and he sided with the majority 99 percent of the time. This is nobody out of the mainstream. This is a mainstream judge. So let's be honest and open about it.

I hope our colleagues across the aisle, after this nominee is voted out of the Judiciary Committee, will allow us to have an up-or-down vote on this nomination. It wasn't until the Presidency of George W. Bush in 2000 that somehow the tradition of allowing an up-or-down vote for nominees went out the window and instead some people got together and decided, well, we are going to come up with a rationale to raise the threshold to 60. In other words, a President won't be able to see his nominee confirmed unless not just a majority votes for it but 60 people vote for it in the Senate because of the Senate's rules on cloture closing off debate. That period of our history during the George W. Bush administration was an aberration, and I would hope no one would want to repeat that—again, politicizing the judicial nomination process.

People can vote any way they want, but denying the opportunity for the Senate to vote up or down on a nominee, particularly to the U.S. Supreme Court, is certainly not a road I would hope our colleagues would go down. As they presumably learned this year, after Senator Harry Reid, the Democratic leader, led his conference into the nuclear option, which basically changed the Senate rules by breaking the Senate rules—that is what allowed us to confirm the President's Cabinet with 51 votes, and that is what will allow us to confirm all lower court judicial nominees with 51 votes. So we would think they might have learned the lesson that what goes around comes around and that while you are in the minority one day, you might be in the majority in the not too distant future. What you force the Senate to do in order to do its job may end up biting you in the future. So I hope they seriously consider allowing Judge Gorsuch an up-or-down vote when his nomination comes to the floor sometime around or after April 3.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, later today the Senate will vote on H.J. Res. 69, and I am here to state as strongly and emphatically as possible my opposition to this misguided and unwise measure.

As a Senator who fights to preserve and protect the vast diversity of American wildlife and honor the natural beauty of our Nation's great refuges, I urge my colleagues to reject the effort to revoke a commonsense rule of the U.S. Fish and Wildlife Service. This rule of the FWS is designed to prevent the use of cruel, unsporting, and inhumane killing methods on Federal land. It is really that simple, and repeal of it is an outrage.

Proponents of H.J. Res. 69 have attempted to frame this debate as an effort by the Federal Government to usurp State power, but that argument is simply absurd. The rule at issue is about Federal management of Federal land, Federal control over land owned by the Federal Government, pure and simple. The rule, which took effect in September, does not restrict subsistence hunting or normal hunting practices. It does not imperil public safety or impede on defense of property. It simply prevents brutal, cruel, barbaric hunting methods that target vulnerable bears, wolves, and coyote from occurring on lands that were intended to provide refuge for these animals. ''Refuge'' is the key word.

This resolution subverts the judgment of professional wildlife managers to adopt sensible wildlife management actions that are based on the best available science. If the U.S. Fish and Wildlife Service rule is undermined, any State would be permitted to allow egregious killing methods on these wildlife refuges, which is the one category of Federal lands specifically set aside to benefit wildlife. That is its singular purpose.

I will oppose this legislation because I believe in preserving our Nation's natural ecosystem and the constitutional responsibility of the Federal Government to manage Federal lands for all citizens and prevent the inhumane treatment of our Nation's most iconic wildlife.

This rule bans the killing of wolves and their pups at their den sites in springtime when they are most vulnerable. It bans the killing of sleeping black bear mothers and their cubs while they are hibernating in winter—not exactly fair sport and certainly damaging to our environment. The rule also bans the baiting of grizzly bears, which involves the use of toxic, rotting food or grease to lure and acclimate bears to a certain area so that trophy hunters can get a point-blank shot. It prohibits the use of traps such as steel-jawed traps or snares, which cause animals to suffer injury as they fight the trap or even slow and painful death from starvation or exposure. It prohibits using airplanes and helicopters to scout, land, and shoot brown or black bears. These practices are not only cruel and inhumane, they are really unsporting and have no place in a civilized society.

This resolution would foreclose our wildlife managers from making Federal wildlife management decisions. It will undoubtedly affect the future of all American wildlife, including regulating

inhumane practices on Alaska national wildlife refuges even though those practices may be recognized as cruel and unsustainable.

All in all, voiding the U.S. Fish and Wildlife rule would set a dangerous precedent for the management of public lands across the country. Time and time again, our Federal courts have held that the Federal Government has the authority to regulate wildlife on Federal lands and cannot be superseded by initiatives at the State level. This Federal rule explicitly prohibits only these particularly gruesome and egregious methods of hunting or other kinds of practices on national wildlife refuges. It does not apply to hunting in State-owned wilderness or to rural Alaskan practices for residents who hunt for subsistence.

Regardless of my colleagues' claims, there is not a Tenth Amendment issue here, and the case law clearly demonstrates it, from the Supreme Court decision in 1976 that held that ''the Property Clause also gives Congress the power to protect wildlife on public lands, state law notwithstanding''; the Ninth Circuit Court of Appeals, which followed it; and just last year, the Tenth Circuit Court of Appeals, which repeated the Supreme Court's well-established jurisprudence on the supremacy clause and the property clause.

Neither the Alaska National Interest Lands Conservation Act nor the Alaska Statehood Act grants any State official the power to overrule these Federal land managers' decisions.

Putting aside the legal issues—and there are none that really argue in favor of sabotaging this Fish and Wildlife Service rule—it is the right thing to do for us and for our future. This legislation would essentially reject our authority and our responsibility and our obligation to future generations to promote humane wildlife management practices. It is not only a matter of our law but who we are and what kind of society we believe we should have.

I hope my colleagues will join me in opposing this abhorrent and appalling legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

NOMINATION OF NEIL GORSUCH

Mr. ALEXANDER. Mr. President, President Trump's nomination of Judge Neil Gorsuch to be a member of the U.S. Supreme Court is being considered this week in the Senate Judiciary Committee. Soon, the nomination is likely to move to the floor for debate.

Some have suggested that instead of allowing a majority of Senators to decide whether to approve the nomination of Judge Gorsuch, there should be first a cloture vote to determine whether to cut off debate. Cutting off debate requires the approval of 60 Senators, so if 41 of the 46 Democratic Senators vote not to cut off debate, there would never be an up-or-down majority vote to approve Judge Gorsuch. In other words, the 41 Democratic Senators would have filibustered to death the Gorsuch nomination.

Filibustering to death the Gorsuch nomination—or any Presidential nomination, for that matter—flies in the face of 230 years of Senate tradition. Throughout the Senate's history, approval of even the most controversial Presidential nominations has required only a majority vote. For example, in 1991 President George H.W. Bush nominated Clarence Thomas to be an Associate Justice of the Supreme Court. The debate was bitter. The Senate confirmed Judge Thomas narrowly, 52 to 48. Although the Senate rules allowed any Senator to try to filibuster the nomination to death, none did. In fact, Senate rules have always allowed Senators the option to filibuster to death a Presidential nomination; yet it has almost never happened. According to the former Senate Historian, with one possible exception, which I will mention in a minute, the number of Supreme Court Justices in our country's history who have been denied their seat by filibuster is zero. The number of Cabinet members in our country's history who have been denied their seats by filibuster is zero. The number of Federal district judges in our country's history who have been denied their seats by filibuster is zero. And until 2003, the number of Federal circuit judges in our country's history who have been denied their seats by filibuster was zero.

Senator Everett Dirksen did not filibuster President Lyndon Johnson's Presidential nominations. Senator Robert Byrd did not filibuster President Reagan's nominees. Senator Howard Baker did not filibuster President Carter's nominees. Senator Bob Dole did not filibuster President Clinton's nominees. During most of the 20th century, when one party controlled the White House and the Senate 70 percent of the time, the minority never filibustered to death a single Presidential nominee.

On the other hand, there have been plenty of filibusters on legislation—so many that in 1917, the Senate adopted a cloture rule as a way to end filibusters. The rule was amended in 1949, 1959, 1975, 1979, and 1986—always in response to filibusters on legislation, never on nominations. It was the 1975 change that established the current cloture standard of 60 votes to end debate except on amendments to the standing rules of the Senate.

Filibustering a Presidential nomination has always been treated differently than filibustering a legislative matter. The filibuster of legislation is perhaps the Senate's most famous characteristic. It has been called ''democracy's finest show, the right to talk your head off.'' As the actor Jimmy Stewart said in the movie ''Mr. Smith Goes to Washington,'' ''Wild horses aren't going to drag me off this floor until those people have heard everything I've got to say, even if it takes all winter.'' That was Jimmy Stewart in ''Mr. Smith Goes to Washington.''

The late Senator Robert C. Byrd of West Virginia described the importance of the legislative filibuster in a different way. He said in his last speech:

> Our Founding Fathers intended the Senate to be a continuing body that allows for open and unlimited debate and the protection of minority rights. Senators have understood this since the Senate first convened.

In fact, the whole idea of the Senate is not to have majority rule on legislation. Throughout Senate history, the purpose of the legislative filibuster has been to force consensus on issues, to force there to be a group of Senators on either side who have to respect one another's views so they work together and produce 60 votes on important matters, as we did on the 21st Century Cures bill and as we did on the bill fixing No Child Left Behind.

Nominations have always been treated differently from legislation. For example, under rule XIV, any Senator could bring legislation directly to the calendar bypassing committees. There is no such power for nominations. Senate rules allow debate and therefore the possibility of filibuster on a motion to proceed to legislation. Debate is not allowed on a motion to proceed to nominations.

In summary, while Senate rules have always allowed extended debate or filibusters, the filibuster was never used to block a nomination until recently. As I mentioned earlier, it was never used to block a Cabinet nomination, never used to block a Federal district judge, and until 2003, never used to block a circuit judge, and never used to block a Supreme Court Justice in the country's history, with one possible exception. That was in 1968, when President Johnson sought to elevate Associate Justice Abe Fortas to be Chief Justice. When it became clear the Senate majority wouldn't agree, Johnson engineered a 45-to-43 cloture vote so forces could save face and appear to have won something. Fortas then asked the President to withdraw the nomination.

Other than the Fortas nomination, the filibuster was never used to block any judicial nomination until 2003 and 2004, when Democrats decided to use the 60-vote cloture requirement to block 10 of President George W. Bush's nominations. This unprecedented action produced a threat by Republicans to change the Senate rules, to make it clear that only a majority vote is required to approve a Presidential nomination. There was a negotiation and eventually five of Bush's nominations were approved, five were blocked and the rules were not changed. Then, in 2011 and 2013, Republicans returned the favor—as often happens around here—by seeking to block 5 of President Obama's nominees for the circuit court by insisting on a 60-vote cloture for

each. Republicans alleged that President Obama was trying to pack the circuit court in the District of Columbia with three liberal judges.

To overcome Republican objections, Democrats invoked the so-called nuclear option. They broke the Senate rules to change the Senate rules. The new rule eliminated the possibility of 60-vote cloture motions for all Presidential nominees except for the Supreme Court.

That is where we stand today. There have been other examples of minority Senators filibustering nominations to death, all of them during the last three administrations and all involving sub-Cabinet nominations. Of course, there have been delays in considering nominations. My own nomination in 1991 as U.S. Education Secretary was delayed 51 days by Democratic Senators. Of course, I thought unnecessarily.

President Reagan's nomination of Ed Meese as Attorney General of the United States was delayed a year by a Democratic Senate. No one has ever disputed our right in the Senate, regardless of who is in charge, to use our constitutional duty of advice and consent to delay and examine and sometimes cause nominations to be withdrawn or even to defeat nominees by a majority vote.

As we approach a vote on Judge Gorsuch on the floor of the Senate, it is useful to remember that the tradition of the United States Senate, for 230 years, has been to treat legislative matters and nominations differently. Filibuster to death legislation, yes. Filibuster to death Presidential nominations? No. Should the Gorsuch nomination come to the floor soon, as I believe it will, overwhelming Senate tradition requires that whether to approve it should be decided by a majority vote of Senators, and there should be no attempt by the minority to filibuster the nomination to death.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise to join my voice with a growing chorus of citizens, as well as members of the scientific community and colleagues, who are deeply disturbed by this CRA to repeal vital wildlife protections from Federal land in Alaska.

Before I speak on this CRA, I would like to be clear that I am not someone who believes all regulations are good. In fact, I don't believe we should be trying to regulate our way out of all of our problems. I am proud of the work I have done, with people on both sides of the aisle, in an effort to make our government work smarter and more efficiently for the benefit of my constituents in New Jersey, as well as all Americans, but today I am profoundly disappointed.

Instead of working to create bipartisan policies that will serve all Americans, we are now considering a CRA resolution—unfortunately, one of many ones of this type—that prioritizes special interests above the good of the public, and it is deeply unpopular, in fact, with the public at large.

I oppose this CRA that would repeal the U.S. Fish and Wildlife's rule called the non-subsistence take of wildlife on national wildlife refuges in Alaska rule. The rule was finalized by the Fish and Wildlife Service in August of 2016, with the clear goal to forever ban unnecessary and extremely cruel methods of killing bears and wolves and other animals on more than 70 million acres of public land managed under our Federal National Wildlife Refuge System in Alaska.

Let's be clear. When it says the word ''take''—that it prevents the ''take'' of wildlife—that means the killing of wildlife. Specifically, the rule prevents inhumane killing of animals on our wildlife refuges.

Examples of the rule are: prohibits the killing of mother bears and their cubs. It prevents the killing of wolves and pups in their dens. It prohibits using planes to track and kill bears. It prohibits using snares to strangle and kill bears, steel traps to kill bears, and it prohibits baiting and killing of grizzly bears.

Why was this rule issued by the Fish and Wildlife Service in the first place? Our national wildlife refuges are public lands that exist for the benefit of all Americans. Refuge lands are managed by the Fish and Wildlife Service for the express purpose of conserving natural diversity in wildlife populations. This means that any management activity that favors certain species over others is inconsistent with the goals of the National Wildlife Refuge.

It doesn't mean that hunting is not allowed on Federal land. Hunting is one of many permitted practices on wildlife refuges, and this rule does not prevent hunting on any wildlife refuge. What is permitted on refuges under this law is the indiscriminate killing of bears and wolves in an attempt to boost populations of moose and caribou.

Unfortunately, this is exactly how Alaska has been managing its wildlife since 1994 on State and private lands, when it adopted an intensive management strategy for its wildlife that is specifically designed to artificially reduce populations of predators so hunters might have more prey, more animals to kill.

In Alaska, the Fish and Wildlife Service and the State work together to manage wildlife within the National Wildlife Refuge System. However, when any State's wildlife management approach is in direct conflict with the goals of the refuge system, the Federal Government has the authority—indeed the obligation—to step in and ban certain practices. This is exactly what the Fish and Wildlife did last year when they issued their rule prohibiting this inhumane killing method on 16 Federal national wildlife refuges in Alaska.

It is important to note that the predator control practices I have described, some of which are currently allowed on certain State and private lands in Alaska, have never been allowed on national wildlife refuges in Alaska. This rule simply clarifies that these practices—even those explicitly authorized under State regulations in Alaska—are never to be used on Federal wildlife lands in Alaska, regardless of what is decided to be allowed under this State law.

I have heard concerns from my colleagues in Alaska that they believe the Fish and Wildlife Service rule triggers a State sovereignty issue by dictating which practices can and cannot be used on Federal refuge lands in Alaska. However, I don't believe this rule conflicts with any of Alaska's State sovereignty. The Fish and Wildlife Service has clear statutory and constitutional authority to prohibit wildlife management practices that are incompatible with the objectives of national wildlife refuges in Alaska, as well as other States, including New Jersey.

I have also heard the concerns of my Alaska colleagues that this rule threatens the many Alaskans who rely on subsistence, hunting of deer, moose, and caribou, to feed themselves and their families. I have sympathy for that concern and believe again that this subsistence hunting is not affected.

We know these predator control practices have never been done on Alaskan refuges before. This argument makes no sense. It is not affecting the subsistence hunting of deer and moose and caribou for them to feed their families. It has never been allowed to go on in the first place. How can these practices be necessary to preserve subsistence hunting when they have never been done before on Federal wildlife refuges? I want to be clear about something. Alaska is free to manage its wildlife on State lands and private lands however Alaska chooses. This point is not up for debate, not up for discussion. It is not the subject of the Fish and Wildlife Services rule in question. The rule only applies to federally owned and federally managed wildlife refuge land, which must be managed for the benefit of the American public, including the requirement to manage for national diversity of wildlife.

As former Fish and Wildlife Director Dan Ashe announced in a press release in August, ''Whenever possible, we prefer to defer to the State of Alaska on regulation of general hunting and trapping of wildlife on national wildlife refuges unless by doing so we are out of compliance with Federal law and policy. This regulation ensures that we comply with our mandates and obligations.''

Let's move beyond talk of mandates and obligations. The hunting practices banned by this rule are flatout inhumane. They are an anathema to the type of thoughtful, humane wildlife management that should be taking place on national wildlife refuges.

In a committee hearing, I asked management experts about this rule last

week, and they agree that these practices were not necessary on wildlife refuges. In fact, the U.S. Fish and Wildlife Service Acting Director Jim Kurth—who was the former manager for many years of the Arctic Wildlife Refuge in Northern Alaska—testified that the service did not find that the practice prohibited by this rule was in any way necessary.

Another witness, Brian Nesvik, Chief Game Warden with the Wyoming Game and Fish Department—again, a Republican-invited witness—testified that Wyoming has a different perspective on utilizing national wildlife refuges in their State. The practices discussed in this rule, he said, are not used in Wyoming's wildlife refuges, nor did he make an appeal to use these inhumane practices because they are not necessary. Killing a mother bear or mother wolf when she has young cubs virtually guarantees that those cubs will not survive, creating the potential for much broader negative impacts on the overall population.

The baiting of grizzly bears, which involves putting piles of food out to attract bears in unusually high numbers at the start of hunting season, is literally akin to shooting fish in a barrel. Bear baiting often occurs when bears are desperately searching for those extra calories to store energy for hibernation. It is an inhumane practice and is recognized so by many experts.

The use of aircraft hunting—using a plane to track wild animals and then landing to kill them—violates the principle of fair chase in every sense of the word. In fact, killing wolves from aircraft or on the same day that air travel occurred was already prohibited on refuge lands prior to this new rule being issued. The new rule merely extends that same protection to bears.

Finally, the use of snares—these are these choking traps—and steel traps to kill the bear is a practice that is particularly troubling, and I am not alone. A statewide poll of Alaskans themselves shows that nearly 60 percent of Alaskans oppose trapping and snaring bears in their State.

Charles Darwin called the leghold trap one of the cruelest devices ever invented by man, stating:

> Few men could endure to watch for five minutes an animal struggling in a trap with a torn limb.
>
> Some who reflect upon this subject for the first time will wonder how such cruelty can have been permitted to continue in these days of civilisation.

That was Charles Darwin decades and decades ago in 1863. I echo that again today, more than 150 years later. Such cruelty should not be permitted on Federal wildlife refuges of all places, and the Fish and Wildlife Service was absolutely right to permanently protect bears from such cruelty on Alaska's wildlife refuges.

I would like to take a few more moments to talk about the animals that are subject to this rule. Grizzly bears and wolves are the top predators in North America. Predators in any ecosystem play a critical role in maintaining populations and in preventing problems like we have actually seen in New Jersey by the overgrazing and disease that can occur when deer, moose, and caribou grow in high numbers.

These charismatic animals also attract huge numbers of tourists to national parks, refuges, and other wild lands in the United States. All across the country, nearly 72 million Americans spend over $50 billion on wildlife watching.

In Alaska, wildlife watchers outnumber hunters by nearly five to one, and they also contribute more than four times as much money to the State's economy as hunting does. Put another way, even considering the issue from an economic perspective, these animals are worth far more alive than they are dead, killed by these savage inhumane practices.

There are few values as deeply entrenched in the American culture as conservation. This legacy is our American heritage, and the coexistence of people, wildlife, and wild lands remains a key objective for our public lands today.

Americans interact with nature in many different ways on public lands, some through consumption uses, like hunting and fishing, and others through more hands-off activities, like camping and wildlife watching. No single use is more important and more valuable than another. So public lands should be managed in a way that minimizes conflict across those different uses while allowing for natural diversity.

The Fish and Wildlife Service rule does just that. Our wildlife refuges are not game parks, and they should not be managed as though they are.

The cruel practices this rule prohibits—killing mother animals and their babies and the trapping, snaring, baiting, and aerial hunting of bears—are practices that I believe do not align with who we are as a country. They are practices that have no place on our national wildlife refuges in Alaska or any other State.

I want to close with something that my friend Senator HEINRICH already mentioned. Many people know that Teddy Roosevelt was an avid hunter, a naturalist, a wildlife enthusiast. When he was President, Roosevelt went on a bear hunting trip in Mississippi. Roosevelt's hunting party cornered a Louisiana black bear. They tied it to a willow tree and suggested the President shoot it.

Viewing this as an extremely unsportsmanlike way to kill a bear, Roosevelt refused to do it. A political cartoonist heard the story and drew a cartoon that celebrated President Roosevelt's decision. A Brooklyn candy shop owner saw the cartoon and decided to create a stuffed toy bear and dedicated it to the President, who refused to engage in this kind of inhumane hunting of a bear. He called it a ''Teddy bear'' or ''Teddy's bear,'' and little children for generations have been loving them ever since.

Teddy Roosevelt knew that using certain methods to kill animals was immoral and wrong. We know this too.

With all of the issues going on right now—from healthcare to tax and all of the issues and urgencies, such as infrastructure—why are we about to consider a CRA that would literally, on our Federal lands, allow the cruelest types of killing to go on of bears and wolves and their pups in dens.

Why, with all that is going on, would we, as Americans, violate our culture and history by allowing the most inhumane, cruel killing practices to go on? Why, with all that we have to do, are we going to allow this to happen?

Well, I will not support it, and I stand against it. Our national wildlife refuges—our refuges for wildlife—have never allowed these cruel practices, and we should not start now.

We should not CRA this rule. I stand strong and firm in honor of our traditions and stand against this CRA.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

NOMINATION OF NEIL GORSUCH

Mr. ROBERTS. Mr. President, today I rise to speak in support of the President's Supreme Court nominee, Judge Neil Gorsuch, who, right now, is about two-thirds through his second day of hearings—better described perhaps as a grilling.

Simply put, I think the President made an extraordinary selection. Currently, Judge Gorsuch serves on the Court of Appeals for the Tenth Circuit, which includes my home State of Kansas.

Our State has seen firsthand how Judge Gorsuch interprets the law. He has had an outstanding judicial record while serving on the court. What is more, he is highly respected and supported by individuals in the judicial community who align on all sides of the political spectrum—except, inexplicably, the U.S. Senate.

Judge Gorsuch's qualifications are not only noteworthy but extremely impressive. He graduated from Columbia University and Harvard Law School. He received a doctorate in legal philosophy from Oxford, as a recipient of the Marshall Scholarship, one of the most prestigious scholars programs in the country. He has litigation experience from his time as a law partner, and he has clerked for not one but two Supreme Court Justices.

Examining his record during his time on the Tenth Circuit gives us some insight into the judge's approach to interpreting the law. When we read his opinions, we know he is a judge who follows the law, applying the text of the Constitution and statutes impartially. Of primordial importance to this body is his critique of the executive branch's tendency to assume the roles of the judicial and legislative branches.

No matter which political party controls the executive branch, this body—the Senate of the United States—must protect its ability to legislate and create laws. The Founding Fathers intended for the separation of powers to remain inviolate.

Judge Gorsuch understands the role of the judicial branch and the significance of maintaining that balance of power. He has made it absolutely clear that he will not legislate from the bench. I repeat. He has made it clear that he will not legislate from the bench. That might just be the problem for those who would like to vote for a judge who would legislate from the bench.

I, along with many of my colleagues here in the Senate today, confirmed Judge Gorsuch over 10 years ago. Judge Gorsuch's record was so noncontroversial, the Senate unanimously supported his nomination. That includes the minority leader, Senator SCHUMER, and then-Senators Obama, Clinton, and Biden.

I repeat. Judge Gorsuch has received support from across the entire political spectrum. His judicial record over the past 10 years has made him even more deserving of the Senate's full support.

The American people went to the polls in November, knowing the next President would have the distinct honor of nominating the next Supreme Court Justice. The American people have spoken. As the Senate, it is now our responsibility to see through this nomination and appoint the judge to the High Court.

The Wall Street Journal summed up what is happening within its editorial page today in pointing out that Senators want Judge Gorsuch to declare how he would vote in specific areas of the law—questions that every Supreme Court nominee declines to answer. Quoting from the editorial: ''At the 1967 hearings for Thurgood Marshall, then-Senator Edward Kennedy called it a sound legal precedent that any nominee for the Supreme Court would have to defer any comments on any matters which are either before the court or very likely to appear before the court.'' The Journal's editorial went on to say that in the 1993 confirmation hearings, Judge Ruth Bader Ginsburg emphasized: ''A judge sworn to decide impartially can offer no forecast, no hints; for that would show not only disregard for the specifics of the particular case, it would also display disdain for the entire judicial process.''

I regret to say that profound advice apparently does not apply today.

One of my colleagues serving on the Judiciary Committee pretty well summed up the dilemma we have in the Senate when he said to the judge: ''If you fail to be explicit and forthcoming, the committee would have to assume his views were in line with Mr. Trump's.''

And there is the rub. Judge Gorsuch has written 789 opinions, with only 15 dissents from other judges. The apparent burr in the minority's saddle—the Democrats' saddle—has nothing to do with Judge Gorsuch or his qualifications. The problem is that Mr. Trump is now President Trump.

My question is this. All right, we know you feel that way. In every committee hearing that we have, we know you feel that way. When will this end? When will we get back to what is referred to as regular order? That question lies squarely with my colleagues in the minority.

I am really disheartened to hear the rhetoric coming from across the aisle in the days since the new President took office. The minority has taken extraordinary lengths to extend the confirmation process of the President's nominees—from shying away from our constitutional responsibilities and not voting on nominees in committee hearings to using unprecedented amounts of time to speak on this floor, disapproving of the President and his nominees, or anything else. These stall tactics are unbefitting of the world's greatest deliberative body. We have fallen from bipartisan deliberation, worthy of public opinion and support, to engaging with poisonous arrows of political procrastination.

With the nomination of Judge Gorsuch, we now have an opportunity to fix this sorry state of affairs. This is the opportunity we should seize to restore comity to the Senate. The people of this great Nation deserve nothing else.

I am hopeful that the minority will recognize the superlative qualities Judge Neil Gorsuch possesses and provide him with a fair and swift confirmation process.

That is not happening as of today. But hope springs eternal, even within the Senate as it now exists.

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. UDALL. 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. UDALL. Mr. President, we are here to consider another joint resolution of disapproval under the Congressional Review Act. This one, H.J. Res. 69, repeals the U.S. Fish and Wildlife Service's regulation and would allow extreme and inhumane hunting practices on National Wildlife Refuges in Alaska.

My first concern about this measure is that it is a distraction. It benefits special interests to the detriment of the American people at a time when Congress should be focused on much more pressing issues.

Mr. President, 24 million Americans are at risk of losing their healthcare. Clean air and clean water protections are threatened. The President is proposing to cut Meals on Wheels, Head Start, the arts and humanities, and the National Institutes of Health. Each day we learn more details about the President and his team's connections to Russia and about Russia's involvement in our elections.

The American people want Congress to work together to rebuild our Nation's infrastructure and boost our economy. Instead, Congress is wasting time and energy using the Congressional Review Act to repeal commonsense rules that protect people, places, and iconic species. These rules have been vetted over months and years through a thorough public process, but if we repeal them using the CRA, these measures will be permanently blocked unless Congress passes a new law directing the government to act.

My second concern is just as serious. I support responsible hunting practices. Many New Mexicans hunt for sport and for food, but the vast majority of hunters also recognize that some practices are counterproductive, unsportsmanlike, cruel, and they can even wipe out species and the diversity of wildlife in certain regions. The Fish and Wildlife's rule deals with that issue, and it carries Congress's express direction that the Service protect natural diversity at national wildlife refuges in Alaska.

We are talking about national wildlife refuges. These are the country's refuges. The Service bars a few extreme practices for hunting bears, wolves, and coyotes that are totally inappropriate on national wildlife refuge land. These extreme practices include targeting and killing black bears and brown bears and their cubs, and wolves and coyotes and their pups during denning season; baiting Grizzly bears with food so they are easier to kill at point-blank range; trapping brown and black bears with steel-jawed traps that shut on the animal's leg, leaving them to suffer indefinitely; and shooting bears from aircraft or killing them same-day from spotting them with aircraft. Many of these practices violate ''fair chase'' ethical standards established and used by sportsmen across the country. Alaska voters actually oppose these practices.

We are not talking about private hunting land. This is Federal refuge land. Fish and Wildlife's rule is based on sound science and appropriate wildlife management standards. The rule doesn't change or restrict the taking of fish or wildlife for subsistence purposes, which some Alaskans count on to feed their families, and it doesn't restrict sport hunting. Fish and Wildlife's rule is not an anti-hunting rule. It is a commonsense guideline that ensures bear and wolf populations, as well as caribou, elk, and moose, are sustained for generations to come.

Let me reiterate that. Like the vast majority of New Mexicans, I support hunting and sportsmen's access to public lands consistent with State and Federal law and sound wildlife management practices. Fish and Wildlife's rule

doesn't affect these uses at all in any way. Fish and Wildlife's rule carries out Congress's intent in three longstanding pieces of legislation that are now law: the 1980 Alaska National Interest Lands Conservation Act, or ANILCA; the 1966 National Wildlife Administration Act; and the 1964 Wilderness Act. Importantly, none of these laws prevents reasonable hunting. Together, those acts establish national wildlife refuges and provide for their management, and they establish the 76 million acres of national refuges in Alaska. Alaska accounts for over 85 percent of our National Wildlife Refuge System, so this is not a State or parochial issue. The rule governs the vast majority of refuge lands designated for protection by Congress.

Again, none of these laws prevents reasonable hunting on national refuges. National wildlife refuges are established for the benefit of ''present and future generations of Americans'' and for the whole nation. Every American has an ownership stake in and a right to enjoy public lands and the astounding scenic, cultural, and natural qualities that make these places so special.

The first listed purpose of ANILCA is to ''conserve fish and wildlife populations and habitats in their natural diversity.'' The words ''natural diversity'' are important to this discussion. My uncle, Congressman Mo Udall, was the floor manager for the House when ANILCA passed in 1980. On the House floor, he said the term natural diversity meant ''protecting and managing all fish and wildlife populations within a particular wildlife refuge system unit in the natural 'mix,' not to emphasize management activities favoring one species to the detriment of another.''

He also said that in managing for natural diversity, Congress's intent was to ''direct the U.S. Fish and Wildlife Service to the best of its ability . . . to manage wildlife refuges to assure that habitat diversity is maintained through natural means, avoiding artificial developments and habitat manipulation programs; to assure that wildlife refuge management fully considers the fact that humans reside permanently within the boundaries of some areas and are dependent . . . on wildlife refuge subsistence resources; and to allow management flexibility in developing new and innovative management programs different from the lower 48 standards, but in the context of maintaining natural diversity of fish and wildlife populations and their dependent habitats for the long-term benefit of all citizens.''

Fish and Wildlife's rule carries out congressional intent by managing the national refuges in Alaska for natural diversity through natural, not artificial means, by continuing to allow for subsistence hunting, and by managing the law for the benefit of all—exactly what Representative Mo Udall said the act was intended to accomplish.

Maintaining natural diversity means promoting the health of all fish, wildlife, and plants in the ecosystem, not favoring certain species and harming others, and not interfering with natural ecosystems. Protecting bears and wolves and other apex predators is essential. It helps maintain predator-prey relationships and the health of Alaska's Arctic and sub-Arctic ecosystems.

Federal and State laws overlay management of public lands, including national wildlife refuges. State law on fish and wildlife management applies on national refuge land as long as it is consistent with Federal law. The Fish and Wildlife Service in the State of Alaska worked together for years to manage fish and wildlife on Alaskan refuges, and Federal requirements ensured that hunting was balanced with conservation of wildlife and their habitat.

Alaska law did not conflict with Federal law until an Alaskan administrative agency, the Alaska Board of Game, adopted rules allowing for extreme hunting practices on national wildlife refuges within Alaska's borders. The Board of Game said it targeted reduction of wolf, black bear, and brown bear to increase the moose, caribou, and deer populations for harvesting. But the indiscriminate killing of bears and wolves to provide more game hunting is contrary to ANILCA. That law directs the preservation of the ''natural diversity'' or ''natural mix'' of wildlife. The Board of Game regulation allowing extreme hunting practices is not consistent with the law.

As I said earlier, while the Fish and Wildlife's rule does not allow extreme hunting practices, it does not change the rules for subsistence hunting or sports hunting. It even authorizes a process for predator control to benefit prey species and to meet refuge purposes. The process is based on sound science, an evaluation of alternatives, and an assessment of impacts to subsistence uses and needs. Again, Alaskans don't support overturning the Service's rule to allow indiscriminate killing of apex predators. A February 2016 Remington poll found that Alaska voters oppose the extreme hunting practices banned under the Fish and Wildlife's rule by wide margins. Alaska voters don't want to see unsporting and cruel practices used to kill bears, wolves, and coyotes on National Wildlife Refuges in their State.

Wildlife watching is an important part of Alaska's economy. Each year, thousands of tourists visit Alaska's national wildlife refuges to see iconic wildlife. According to a Fish and Wildlife report, wildlife watching on the National Wildlife Refuge System contributed over $2 billion to Alaska's economy in 2011. That same year, hunting contributed approximately $425 million.

Congress's repeated use of the Congressional Review Act with no public hearing, no record or evidence, no use of science, and no stakeholder involvement is a bad way to legislate. It makes government opaque and inaccessible, and what people want to see is transparency and openness, which we didn't have here. It caters to special interests behind the scenes and outside of public view. It makes the swamp murkier than ever.

Fish and Wildlife's rule carries out what Congress wanted when it established the wildlife refuges—to conserve our wild American land and wildlife for generations to come. The rule prohibits the most extreme of hunting practices—against grizzlies and black bears and their cubs and against wolves and coyotes and their pups—and protects the natural diversity. We should not rush to undermine this important, national, long-term goal for short-term political gain—to benefit select special interests.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

HONORING DEPUTY SHAWN ANDERSON

Mr. CASSIDY. Mr. President, this weekend, the city of Baton Rouge was reminded of how precious life is and of the harsh reality of law enforcement officers putting their lives on the line to protect us.

On Saturday, March 18, 2017, this past Saturday, East Baton Rouge Parish Sheriff's Deputy Shawn Anderson made the ultimate sacrifice while he and a fellow officer were conducting a rape investigation in Baton Rouge.

We honor Deputy Anderson's life and recognize him for his 18 years of faithful service to East Baton Rouge Parish, the State of Louisiana, and our Nation for his service and his having been enlisted in the U.S. Army.

Deputy Anderson embodied public service—taking action to help those in need. Deputy Anderson repeatedly put his life on the line to protect the lives of others. He spent 12 years as a member of the SWAT team and was recognized in 2014 for serving more than 60 high-risk warrants in the previous year with there having been no injuries or shots fired.

Last year, Deputy Anderson added midwifery to his job description after having delivered a child. With baby on the way and the hospital out of reach, a Prairieville, LA, couple turned to Deputy Anderson for help. In stopping before the hospital, with baby emerging, Anderson successfully delivered a healthy child before turning over the situation to arriving EMTs. A Louisiana family asked for his help, and Deputy Anderson answered the call.

This is the latest in a string of law enforcement tragedies to inflict our State. Since January 2016, Louisiana has lost 11 officers and one K–9 in the line of duty. I will read their names:

Here you see Deputy Anderson. Here we have Police Officer Michael Louviere, of the Westwego Police Department, aged 26; Police Officer Jude Williams Lewis, of the New Orleans Police Department, aged 46; Police Officer Shannon Matthew Brown, of the Fenton Police Department, aged 40; Deputy Sheriff Bradford Allen Garafola,

Sr., of the East Baton Rouge Parish Sheriff's Office, aged 45; Police Officer Matthew Lane Gerald, of the Baton Rouge Police Department, aged 41; Corporal Montrell Lyle Jackson, of the Baton Rouge Police Department, aged 32; Sergeant David Kyle Elahi, of the Sterlington Police Department, aged 28; Deputy Sheriff David Francis Michel, Jr., of the Jefferson Parish Sheriff's Office, aged 50; Police Officer Natasha Maria Hunter, of the New Orleans Police Department, aged 32; Sergeant Derrick Morial Mingo, of the Winnsboro Police Department, aged 35; and K–9 Duke, of the Winnsboro Police Department.

Mr. President, thousands of men and women in law enforcement put on the uniform, step into the community, and risk their lives daily to keep us safe. Far too often, the price of this safety falls on these officers and their families. Deputy Anderson represents the best of law enforcement. He and his family deserve our admiration and support. His sacrifice will be remembered. The prayers of a grateful State and Nation are with his wife Rebecca, his daughter Delaney, and his son Breland.

I yield to my colleague, Senator KENNEDY.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, if I make it to Heaven—and I hope I do—the first question I am going to ask God is why bad things happen to good people. We have had some bad things happen in Louisiana to some really good people, as my colleague from Louisiana just referred to.

This past weekend, while most of us slept, Louisiana lost yet another officer in the line of duty. East Baton Rouge Parish Sheriff's Office Sergeant Shawn Anderson—as shown in this photograph here—was a law enforcement veteran. He was a military veteran, and he was a father. He served high-risk warrants. He had been recognized for doing his job without having resorted to firing his weapon. In short, he was an American hero, and he was a Louisiana hero.

On Saturday night, Sergeant Anderson was just doing his job. He went into a barbershop in search of a suspected rapist. Sergeant Anderson lost his life. A line of law enforcement vehicles escorted his body from the scene, and their flashing blue lights lit up the dark night.

It has been a tough few months for our law enforcement families in Louisiana. We have buried six officers who were shot and killed simply because they were wearing a badge.

In January, Westwego Police Officer Michael Louviere stopped to help at a traffic accident, and he was shot in the back of the head. Michael was not even on duty. He was driving home and saw an accident and immediately stopped his car to help. That is the kind of person he was.

The Presiding Officer and all of those listening to me today, no doubt, saw the news footage as to what unfolded along a busy Baton Rouge highway last summer. July will no longer be just about hot dogs and fireworks for us in Louisiana. The shootings that took the lives of three law enforcement officers shattered our summer and broke our hearts.

Just a month earlier, Jefferson Parish Sheriff's Deputy David Michel was shot three times in the back—not once, not twice, but three times—and he died in Harvey. His killer, apparently, shot him because the killer did not want to return to jail.

I would ask all of those who wish to, to join me in saying a prayer for these law enforcement officers and their families. They were sons and they were fathers and they are going to miss out on holidays and birthdays and graduations. They were men who sacrificed their lives so we could sleep a little bit better at night.

Let us also, while we are praying for these brave men—and, yes, women too—pray for an end to the violence. We have had enough flashing blue lights light up the dark nights in Louisiana.

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

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

Mr. CORNYN. Mr. President, I ask unanimous consent that at 6 p.m. today, there be 10 minutes of debate, equally divided in the usual form, remaining on H.J. Res. 69; further, that following the use or yielding back of that time, the resolution be read a third time and the Senate vote on the resolution with no intervening action or debate.

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

Mr. CORNYN. 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. BROWN. 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. BROWN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

GREAT LAKES RESTORATION INITIATIVE

Mr. BROWN. Mr. President, the five Great Lakes are as vital to our industrial heartlands as the Rockies are to the West or the Atlantic coastline is to New England. Eighty-four percent of America's freshwater is in the Great Lakes—84 percent. Around the globe, only polar ice caps contain more freshwater than do these five Great Lakes.

Lake Erie is one of the biggest lakes in the world. From the boats and barges that moved goods along the Ohio River and the Erie Canal to the ships that leave Lake Erie and export grain and steel to the world, my State of Ohio has a rich history of cultivating this vital natural resource. In Ohio, families and businesses rely on Lake Erie. Its waters are critical to farming and to clean energy development and industry and regional economic competitiveness, to fishing and recreation and so much that people do every day in my State.

From tourism in Catawba and Put-in-Bay, to fishing at Marblehead, to vacations and family reunions at Maumee Bay State Park, Lake Erie benefits our communities and creates jobs in our State, but for more than a half century, keeping our lake healthy has been a constant struggle. Lake Erie is the shallowest of the Great Lakes. In the Western Basin off the shore of Toledo, it is only 30 feet deep—much shallower in contrast with Lake Superior, which is 600 feet deep on average.

I remember how polluted Lake Erie was when I was growing up. As a child, it was obvious the water shouldn't look quite the way it looked. While improvements have been made, today's problems are different and in many ways more urgent.

Harmful algal blooms are a constant threat. Because the Western Lake Erie Basin near Toledo is the shallowest part of the lake, it is uniquely vulnerable to these blooms, the same way that much of Lake Erie, 60 or 70 or 80 feet deep, is more vulnerable to pollution.

In August 2014, a bloom left 500,000 Ohioans in Lucas County in Northwest Ohio, in the Toledo area, without safe drinking water for nearly 3 days. We know these blooms are caused by excess nutrients in our water. This comes from untreated sewage, it comes from urban runoff, and it comes from farm field runoff. Heavy rains lead to more combined sewage overflows, more nutrient runoff from our fields, and to larger and more harmful algal blooms.

Algal blooms leave our lake looking like this. This may be a beautiful painting in your living room or a striking photograph of something, but this color here is more the regular, natural color of Lake Erie, the dark here in the wake of this boat. This green is the algal blooms, and you can see what this has done to pollute one of the greatest bodies of freshwater in the world. Would you want to fish there? Likely not. Would you take your children out on water that looks like this? Of course not. Does this water look like what you want coming out of your faucet when you turn on the faucet in Toledo or in Lorain, where I lived for 10 years, or in Sandusky or Cleveland or Ashtabula or any city along the Great Lakes?

According to the National Oceanic and Atmospheric Administration, we

know that one effect of climate change in the Great Lakes region has been a 37-percent increase in gully washers, or heavy rain events that contribute to blooms. Hotter summers will only make these blooms worse. The effects of algal blooms like that have profound effects on the entire ecosystem.

Protecting our lake is one of the biggest environmental challenges our country faces. We have made progress over the last 8 years, thanks in large part to the Great Lakes Restoration Initiative. We have continued to clean up Lake Erie and its tributaries, we have increased access to the lake, and we have improved habitats for fish and wildlife in the region.

Because it is shallow, this Great Lake, Lake Erie, only one of five Great Lakes and the Great Lake with actually the least water—almost 50 percent of all the fish in the Great Lakes live in this Great Lake. So you can see what these algal blooms do to aquatic life, to our way of life when you have these kinds of algal blooms.

We know that the bipartisan Great Lakes Restoration Initiative is working. As we celebrate Water Week this week, we should recommit ourselves to strengthening this program and building on our success. But in President Trump's budget proposal this week, the administration proposed entirely eliminating this important program that has been so successful—entirely eliminating this program that has been so successful. It is basically a surrender to the algal blooms. It is the administration—our country, if he speaks for our country—surrendering and just saying: Give up; we are not going to make the fight.

We have cleaned up Lake Erie because of the Federal EPA, because of the State EPA, because of the cities and the counties along the lake, places like Toledo, Lorain, Sandusky, Cleveland, and my wife's hometown of Ashtabula. We have cleaned it up, but it is a constant struggle because so many people live along this very shallow, very vulnerable to pollution Great Lake. That is why we don't give up.

We are not just talking about cutting funding for a program; the administration budget completely cuts this program, completely ends it. Taking an axe to the Great Lakes Restoration Initiative will cost Ohio jobs, jeopardize public health, and will put our drinking water at risk and reverse the progress we have made. It is simply something you don't do in a country like ours. It is unacceptable. I will fight like hell to protect the Great Lakes, I will fight like hell to protect Lake Erie, and I will fight like hell to protect the entire lake ecosystem.

The fact is, these five Great Lakes are a natural resource like none other in the world. Here is what is at risk if the administration's budget plan becomes a reality: Forty percent of the funds used to protect the lake from Asian carp would just disappear like that; 1.8 million more pounds of phosphorus would enter the Lake, making algal blooms like this more likely, just like that; and the cleanup of toxic sediment in habitat restorations in some of our most polluted rivers would grind to a halt. Why would they do this? Why would they eliminate this program? Neither party here wants them to do this. Senator PORTMAN stands with me on this. Most of the Republican House Members stand with Democrats like Congresswoman FUDGE and Congresswoman KAPTUR, who represent much of the area along the Great Lakes.

There are projects across Ohio that simply couldn't take place without this program. In Ashtabula, a cleanup project has removed sediment containing 25,000 pounds of toxic material, transforming the lower two-thirds of the Ashtabula River. A $61 million project never would have gotten off the ground without the Great Lakes Restoration Initiative. Look at the new Lake Erie Bluffs Park in Perry Township—they used $1.6 million from the initiative to leverage other sources of funding to restore and protect this shoreline.

My Ohio colleagues of both parties have made it clear that zeroing out the Great Lakes Restoration Initiative is not an option and that they will not stand for it.

It isn't just this initiative on the chopping block; the budget makes deep cuts in the National Oceanic and Atmospheric Administration, which monitors these algal blooms. Scientists at Ohio State's Stone Lab play a key role in protecting our lake, and the reported NOAA cuts would nearly eliminate the grant funding that supports Stone Lab's mission. I have been at Stone Lab. I see the work they do. I see the dedicated dozen or so naturalists, not well-paid—Federal employees or State employees not particularly well paid. They love nature, they love Lake Erie, they love our State, they love its natural beauty, and they love all that it does for us.

When I was young, people wrote off Lake Erie as a dying lake. It was polluted, it smelled bad, and it looked bad. It was a dying lake. Over the past century, people have had a habit of trying to write off my State. We have proved them wrong time and again. The lake is improving. It is supporting entire industries. It supports jobs. It provides drinking water. It provides recreation. It is beautiful to look at from my home in Lorain when I lived there. It is beautiful to look at anywhere along the coastline of Lake Erie. We cannot allow this President and we cannot allow Washington, DC, to write off Lake Erie and the millions of Americans who rely on it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided in the usual form.

If no one yields time, time will be charged equally to both sides.

The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I will close on the issue of the CRA before us today.

This CRA will turn back the clock on the management of native wildlife on our Nation's wildlife refuges. Methods of take, like shooting mother grizzlies with cubs, aerial gunning of wolves, killing wolf pups in their dens—these are not 21st-century tools for wildlife management. They are relics of the 19th century, before we truly understood the importance of predators to healthy ecosystems and populations. These practices have no place on our Nation's Federal wildlife refuges.

This rule, frankly, doesn't stand up for subsistence hunters or hunters at all; it simply reinforces the politically driven and unscientific turn that the Alaska Board of Game has taken under Governors like Sarah Palin. This isn't about hunting; it is about dogma and dogma driving policy.

I urge all of my colleagues tonight to vote for fair chase hunting, to vote for native wildlife, and to vote for our national wildlife refuges. To do that, I ask you to vote against this measure.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, in spite of what my good friend from New Mexico has been saying about this resolution, I encourage my colleagues to vote in favor of the resolution.

I came down here predicting that he was going to come down with a parade of horribles, none of which have happened in Alaska—that is a fact—none of which happened in Alaska.

The resolution we have before us is backed by the force of law. The Fish and Wildlife Service did not have the authority to do what they did by passing this regulation, and not one of my colleagues tried to defend this on the basis of legal authority by the Feds because it doesn't exist. So I think that is the starting point.

The principle of federalism. We have had a lot of discussion here by colleagues from New Jersey and New Mexico telling Alaskans, who have a tremendous record on the management of fish and game—they are going to tell Alaskans how to do that, Senators from States that don't know anything about my State. That is the whole principle of federalism, and that is another reason we need to support this resolution.

This rule is about subsistence. Thousands of Alaskans, particularly Alaskan Natives, rely on subsistence. Again, my colleagues on the other side come down here and say that it is not about subsistence. Come up to Alaska. Ask the people who have to live off the land, who need the food to survive in the winter. Tell them it is not about subsistence.

Finally, it is important to recognize just how many other Americans care about what we are doing right now. As I mentioned, literally millions of Americans from every State of the country, represented by groups as diverse as Ducks Unlimited, Boone and

Crockett, and the National Rifle Association, are all supportive of this resolution, as are every Fish and Wildlife Service State agency, including from New Mexico, including from New Jersey. They are all supportive of our resolution.

To have our colleagues come down here and say ''Those Alaskans don't know what they are doing'' when we have the record of well-managed fish and game, awards every year from the Department of the Interior and others—to have them come down here with very little knowledge of my State is not the humility that I think is needed in this body.

So I ask all my colleagues to vote in favor of this resolution. It is backed by law. It is backed by millions of Americans in every State. It is very important to the people of Alaska, particularly those who live a subsistence lifestyle.

Mr. President, I yield the floor.

Mr. President, I yield back the time.

The PRESIDING OFFICER. The majority time is yielded back.

All time is yielded back.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

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

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

[Rollcall Vote No. 92 Leg.]

YEAS—52

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

NAYS—47

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

NOT VOTING—1

Isakson

The joint resolution (H.J. Res. 69) was agreed to.

The PRESIDING OFFICER. The Senator from Alaska.

MORNING BUSINESS

Mr. SULLIVAN. 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.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. SULLIVAN. Mr. President, I want to mention that I am very gratified by my colleagues—by the way, on both sides of the aisle. It was a bipartisan vote. H.J. Res. 69, as the Presiding Officer just mentioned, has passed the Senate and will soon be going to the White House for a signature by President Trump. That is a resolution—now a law—that will be heading to the White House. It is not just important for Alaska, but, as the Presiding Officer and I were talking about, for any American who believes in federalism, State control over our land, and the Tenth Amendment. That is what was at stake.

For my State a lot more was at stake—subsistence rights, the ability to continue to hunt in the ways that we have been doing for generations in Alaska. So I just want to thank all the Alaskans—hundreds—including the State of Alaska Board of Game, the Alaska Department of Fish and Game, our Governor and his attorney general, who filed suit against the Federal Government over this issue. Obviously, it is all going to be resolved right now, right here, because of this vote.

I want to thank all the Alaskans who played such an important role, the groups that I talked about in my remarks outside of Alaska that represent millions of Americans—the conservationists, the people who love the outdoors, and hunters who also weighed in and in a very powerful way to make sure that this resolution passed. So I want to thank them all.

ELECTION IN ECUADOR

Mr. LEAHY. Mr. President, article 2 of chapter I of the Charter of the Organization of American States, of which Ecuador is a party, states that one of the OAS's purposes is ''to promote and consolidate representative democracy, with due respect for the principle of nonintervention.''

I mention this because the second round of Ecuador's Presidential election is scheduled for April 2, less than 2 weeks away. In the first round, Lenin Moreno, who is supported by outgoing President Correa, received 39 percent and his opponent, Guillermo Lasso, received 28 percent, so it is a hotly contested election.

But democracy is about more than elections. There is no institution more fundamental to democracy than a free and independent press. A free press helps protect the rule of law, to ensure that no person or group is above the rules and procedures that govern a democratic society. A free press helps ensure transparency to prod governments to be honest and accountable to their citizens.

Although wavering at times, Ecuador has a history of democratic government of which its citizens can be proud. It has a long tradition of recognizing the importance of freedom of the press. Ecuador's first constitution, written in 1830, stipulated that ''every citizen can express their thoughts and publish them freely through the press.'' Ecuador's 1998 constitution guaranteed the right of journalists and social communicators to ''seek, receive, learn, and disseminate'' events of general interest, with the goal of ''preserving the values of the community.'' Even Ecuador's current constitution protects the right ''to voice one's opinion and express one's thinking freely and in all of its forms and manifestations,'' and the right to ''associate, assemble and express oneself freely and voluntarily.''

Yet, since President Correa was first elected, freedom of the press has been under assault. He has called the independent press his ''greatest enemy.'' He sought to intimidate and silence his critics in the media and civil society, like Janet Hinostroza, El Universo, Vanguardia, El Comercio, Xavier Bonilla, and Fundamedios. He publicly vilified Dr. Catalina Botero, a respected Colombian lawyer and former OAS Special Rapporteur for Freedom of Expression. He pursued criminal charges against columnists and newspaper owners who had criticized his policies. During this period, the number of state-owned media organizations exploded, growing from just one government-run news outlet to a media conglomerate that today is made up of more than a dozen outlets echoing the government's self-serving declarations. These actions are a threat to democracy, and they damaged relations with the United States.

On April 2, when the people of Ecuador elect their next President, they alone will decide Ecuador's future. What is important at this stage is to ensure that the electoral process is free and fair, that the press can participate freely, and that the election is open to international observers, including the OAS.

Whoever wins on April 2, I hope Ecuador's next President is someone who genuinely believes in the freedoms of

expression and association that are enshrined in Ecuador's Constitution. I hope he defends the right of a free press, an independent judiciary, and the right of civil society organizations to function without government interference. These rights are part of the foundation of the representative democracy referenced in the OAS Charter. The alternative is unaccountable government. That is, in fact, where Ecuador was heading, after President Correa orchestrated the adoption of a new constitution in order to run for reelection in 2009 and again in 2013.

I hope the result on April 2 will signify a commitment to uphold Ecuador's Constitution and the beginning of a new relationship with the United States, based on a common devotion to the fundamental rights of citizens.

THE RULE OF LAW IN GUATEMALA

Mr. LEAHY. Mr. President, I want to call the Senate's attention to the current situation in Guatemala, where upholding the rule of law has too often been the exception rather than the rule.

For centuries, most Guatemalans had no access to justice. This was exacerbated during—and in the years since—the civil war, when an estimated 200,000 people were killed or disappeared. Most of them were innocent victims of the armed forces, and only a small number of the military officers and their accomplices who were responsible have been punished. In fact, the armed forces and their benefactors have for the most part successfully avoided justice, by threatening prosecutors and witnesses and paying off judges.

At the same time, Guatemala is experiencing the corrosive effects of drug gangs, smugglers, and organized crime. Former President Perez Molina is under arrest, and other high-ranking officials have been implicated in corruption. Rampant gang violence and a lack of job opportunities have caused tens of thousands of Guatemalans, including unaccompanied minors, to seek safety and employment in the United States.

Two individuals, Thelma Aldana, Guatemala's Attorney General, and Ivan Velasquez, the head of CICIG, the International Commission Against Impunity in Guatemala, have been courageously investigating these high-profile cases and working diligently to bring those responsible to justice. Both are respected former judges, Aldana a Guatemalan and Velasquez a Colombian.

The United States, with the support of Democrats and Republicans in Congress, has provided funding to both of their offices.

It is difficult, dangerous work. They have received anonymous threats in an attempt to intimidate them, and there is a concern that President Morales may oppose the renewal of Mr. Velasquez's term of duty, which ends in September, or request the U.N. Secretary General to remove or replace Mr. Velasquez.

This would be of great concern because no democracy can survive without the rule of law, and there can be no rule of law without independent investigators, prosecutors, and judges.

In Guatemala, with its history of impunity, Thelma Aldana and Ivan Velasquez are making history by showing the Guatemalan people that justice is possible. It is possible even in cases in which the perpetrators are high-ranking government officials, members of their families, or others with wealth and power who have long evaded justice.

Guatemala needs our support to reduce poverty and malnutrition, improve education, combat crime, reform the police, and strengthen its economy and public institutions, but none of that can be achieved or sustained without political will and a transparent, accountable justice system. I know this from my own experience, first as a prosecutor, and more recently as the senior member of the Senate Judiciary Committee.

I have been here a long time, in fact longer than any other Senator. I know Guatemala's history and the daunting challenges it faces. Its people deserve better, and they need leaders who respect the rule of law.

If Guatemala's leaders support Thelma Aldana and Ivan Velasquez for as long they are willing to make the personal sacrifice and continue their important work, we will do our part by supporting the Alliance for Prosperity, but if there are attempts to undermine or curtail the work of these two outstanding prosecutors, then Guatemala's leaders should look elsewhere for support.

TRIBUTE TO DR. HARRY CHEN

Mr. LEAHY. Mr. President, for over a decade, Vermont has been named one of the healthiest States in the Nation. For those who know the tireless dedication of Vermont's Commissioner of Health, Dr. Harry Chen, this fact is not surprising. Dr. Chen recently made the difficult decision to not seek reappointment. He leaves behind a legacy which future leaders will undoubtedly follow.

Dr. Chen has long graced Vermont as a top leader in healthcare. Before his appointment as health commissioner in 2011, Dr. Chen served in the Vermont House of Representatives from 2004 to 2008 and in his last term was the vice chair of the Health Care Committee. In 2008, he was honored with the Physician Award for Community Service by the Vermont State Medical Society.

Prior to his election to the State legislature, Dr. Chen worked for more than 20 years as an emergency room physician and medical director at the Rutland Regional Medical Center. Dr. Chen also served on the clinical faculty at the University of Vermont's College of Medicine and as vice chair of the University of Vermont's board of trustees. He obtained his medical degree and completed his residency at the University of Oregon's school of medicine as chief resident.

Dr. Chen's work to improve public health awareness and education has long made Vermont a nationwide leader in healthcare. As Vermont's Commissioner of Health since 2011 and briefly as the interim Secretary of Health and Human Services from 2014 to 2015, Dr. Chen led the charge to expand public health education and resources across the State. Dr. Chen was especially instrumental in the fight against opioid and substance abuse. I was proud when he testified at the field hearing I held on the issue while ranking member of the Senate Judiciary Committee in 2014. In the years after, he worked to strengthen State resources for treatment and education programs. He has worked to improve the State's prescription drug monitoring system in order to curb harmful opioid prescribing and misuse.

Dr. Chen also led efforts to reduce tobacco, marijuana, and alcohol use among youth. In 2013, he and I worked to secure a $10 million grant from the Substance Abuse and Mental Health Services Administration, SAMHSA, to expand substance abuse efforts in Vermont among young adults at risk of developing habits in alcohol, tobacco, marijuana, and illicit drug use. Since his efforts, the conversation regarding youth substance abuse, especially on marijuana, has become a major public health discussion in the Vermont Statehouse and beyond. He also worked to expand nutrition education in schools and to increase awareness surrounding the importance of vaccines. For instance, 2 years ago, after the outbreak of Ebola, Dr. Chen worked with Vermont's top health facilities to strengthen defenses against the disease, while educating patients on the importance of disease prevention. He also led efforts to increase vaccinations for children in efforts to prevent the spread of disease at school.

Dr. Chen's dedication to public health promotion did not stop at the State level. In 2009, Dr. Chen testified before the Senate Health, Education, Labor, and Pensions Committee on Vermont's experience with healthcare reform and the creation of Vermont Health Connect. In 2014, he became chair of the Centers for Disease Control and Prevention's Food Safety and Modernization Act Surveillance Working Group where he continues to strengthen foodborne illness surveillance systems across the country. He has also long served on the board of the CDC's Office of Infectious Disease, and he currently chairs the Prevention Committee of the Association of State and Territorial Health Officials.

Vermont's national role in promoting the health and well-being of patients has made strides under the leadership of Dr. Chen. Vermonters are sorry to

see him go, but I know we can expect many more years of outstanding leadership from him. In fact, he and his wife have just been accepted to the Peace Corps, where they look forward to training physicians in Africa. I wish them both the very best in this exciting work, and I once again thank Dr. Chen for his incredible contributions to our State and beyond.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 17–02, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of the United Kingdom for defense articles and services estimated to cost $150 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 17–02

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

(i) Prospective Purchaser: United Kingdom.

(ii) Total Estimated Value:

Major Defense Equipment* $135.0 million.

Other $ 15.0 million.

Total $150.0 million.

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

Major Defense Equipment (MDE):

One thousand (1,000) AGM–114–R1/R2 Hellfire II Semi-Active Laser (SAL) Missiles.

Non-MDE:

Logistics support services and other related program support.

(iv) Military Department: Air Force (YAI).

(v) Prior Related Cases, if any: UK–D–YAC—$22M—May 2008; UK–D–YAF—$21M—Mar 2011; UK–D–YAY—$134M—Aug 2013.

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

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

(viii) Date Report Delivered to Congress: March 16, 2017.

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

POLICY JUSTIFICATION

United Kingdom—Hellfire Missiles

The Government of the United Kingdom (UK) requested a possible sale of 1,000 AGM–114–RI/R2 Hellfire II Semi-Active Laser (SAL) Missiles with logistics support services and other related program support. The estimated cost is $150 million.

This proposed sale directly contributes to the foreign policy and national security policies of the United States by enhancing the close air support capability of the UK in support of NATO and other coalition operations. Commonality between close air support capabilities greatly increases interoperability between our two countries' military and peacekeeping forces and allows for greater burden sharing.

The proposed sale improves the UK's capability to meet current and future threats by providing close air support to counter enemy attacks on coalition ground forces in the U.S. Central Command area of responsibility (AOR) and other areas, as needed. The UK already has Hellfire missiles in its inventory and will have no difficulty absorbing these additional missiles.

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

There is no principal contractor for this sale as the missiles are coming from U.S. stock.

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

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

2017 FOOD AND DRUG ADMINISTRATION USER FEE REAUTHORIZATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks at the Senate Committee on Health, Education, Labor, and Pensions earlier today.

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

2017 FOOD AND DRUG ADMINISTRATION USER FEE REAUTHORIZATION

The Senate Committee on Health, Education, Labor and Pensions will please come to order. We're holding a hearing today on ''FDA User Fee Agreements: Improving Medical Product Regulation and Innovation for Patients Part 1.''

Now, Senator Murray and I will each have an opening statement, then we will introduce our panel of witnesses. After our witness testimony, senators will have 5 minutes of questions. The subject of today is the Food and Drug Administration's medical device and drug user fees. It seems like a long time ago, but it really wasn't that long ago, that Congress passed the 21st Century Cures Act. 94 Senators voted for it, President Obama and Vice President Biden were strongly in support of it. So were Speaker Ryan and Mitch McConnell, who called it ''the most important piece of legislation in the last Congress.

It came through this committee and I thank the members of the committee, especially for resolving our differences of opinions and making it possible to reach a consensus. That bill was about the moving medical products, drugs and devices more rapidly, in a safe way, through the investment and the regulatory process into the hands of patients and doctors offices.

Today, we are talking about really implementing that great goal, one that shows so much promise for virtually every American. We're here to talk about how we continue the fund the Food and Drug Administration, the agency responsible for making sure the promising research supported by 21st Century Cures actually reaches patients.

We will hear from witnesses from the agency itself to tell us how the user fee agreements will improve the agency's abilities to regulate medical products and promote innovation. We will hear from patients, device manufacturers, and brand and generic drug manufacturers in a second hearing, which is tentatively scheduled for April 4.

I want to thank the witnesses for taking the time to testify today. We respect the great amount of expertise and service that you've given for our country. I want to thank you also for moving so quickly to implement the 21st Century Cures Act. I noticed specifically that the provision involving regenerative medicine was published with about a month after President Obama signed the law.

The first medical product user fee agreement was enacted in 1992. FDA worked with the drug manufacturers to hammer out an agreement that the agency would collect user fees from drug manufacturers in exchange for more timely, predictable reviews. The agreement was a success—it decreased review times and increased patient access to medicines.

Before September 30 of this year, 4 different user fee agreements need to be reauthorized: The Prescription drug user fee is the first one. Now it's common around here to call it PDUFA, I'm not going to do it. I just can't stand PDUFA, and MDUFA and GDUFA and the other UFA. So I'm going to call them if you don't mind, the prescription drug user fee, which accounted for over 70 percent of the brand drug review budget in FY2015.

The second one is the Medical device user fee, which accounted for 35 percent of the medical device review budget in 2015.

The Generic drug user fee accounted for 70 percent of the generic drug review budget. Biosimilar user fee accounted for 7 percent of the biosimilar review budget.

CONSEQUENCES OF FAILING TO REAUTHORIZE

So a lot of the money for the FDA comes from these agreements with manufacturers of prescription drugs and devices.

The authority for FDA to collect user fees for medical product review will expire on September 30 of this year—six months from now.

Now this is probably the most important part of what I have to say this morning. If we do not move quickly to reauthorize these agreements, the FDA will be forced to begin sending layoff notices to more than 5,000 employees to notify them that they may lose their jobs in 60 days—that's what they have to do by law.

A delay in reauthorizing these agreements would delay the reviews of drugs and devices submitted after April 1, only a few days away.

For example, if we do not pass these reauthorizations into law before the current agreements expire, an FDA reviewer who

gets started reviewing a cancer drug submitted to the agency in April would be laid off on October 1, before the reviewer is able to finish his or her work. The sooner we reauthorize the agreements, the better—to give patients, reviewers, and companies certainty.

In addition to harming patients and families that rely on medical innovation, a delay in reauthorizing the user fees would threaten biomedical industry jobs and America's global leadership in biomedical innovation.

PROCESS FOR REAUTHORIZATION

I am hopeful that this committee, and this Congress, can work in a bipartisan manner to reauthorize the user fees before the August recess.

Congress must pass legislation reauthorizing and updating the fees to support the recommendations contained in what are called ''commitment letters'' sent to Congress in January.

Now these commitment letters are part of the agreements between FDA and industry—they establish the agency's commitments, such as timelines for application review or to put out guidances in exchange for the fees Congress authorizes. The letters were transmitted to Congress in January of this year.

So today's hearing is not the first time members of Congress or the public is hearing about the recommendations for reauthorization.

In Congress, while we were working on the 21st Century Cures and after it was signed into law, the HELP Committee had 15 bipartisan briefings, some of which were in conjunction with the Energy and Commerce Committee in the House of Representatives as well, so we could hear from FDA and industry about the reauthorization. The first of those briefings was back in late 2015.

Outside of Congress, the FDA posted meeting minutes after every negotiation, and held public meetings to hear feedback.

So the content of the commitment letters, and the changes to the fee authorizations, should not be new, or a surprise, for any member of this committee.

After the April 4th hearing, I hope to move to mark-up the legislation in committee as soon as possible.

This is the first time that the user fees have sunset in the first year of a new administration, so we are starting hearings a little later this year than we did in 2012.

In order to get this done on time, any additional policies that Senators may want to attach need to be broadly bipartisan, related to human medical products, and non-controversial in order to avoid slowing the package down.

HOW REAUTHORIZATION BUILDS ON 21ST CENTURY CURES

There are many improvements in the commitment letters and fee structure in these reauthorizations to be excited about.

The prescription drug and medical device reauthorizations include many provisions that build on the work of 21st Century Cures, such as: involving patients in drug and medical device development, dedicated staff to assist in the development and review of rare disease drugs, improved timelines, increased guidance for drug and device combination products, and modernizing the clinical trial process.

There are important structural reforms. Each agreement contains reporting measures built both by FDA and by independent third parties, so we can see how the changes are working. FDA is going to work to implement full time reporting by 2022, so Congress, patients, and medical product manufacturers will have a better picture about how resources are being used at FDA and understand what is needed to do what we ask.

The biosimilar and generic drug user fee agreement includes additional staff and resources to approve more biosimilars and more generic drugs, which provide more competition and lower drug costs.

These are just a few of the highlights of the reauthorization and commitment letters. It is a good agreement for patients, and I look forward to working with Senator Murray and all the members of the Committee to get it done expeditiously.

TRIBUTE TO NINA M. SERAFINO

Mr. CARDIN. Mr. President, I would like to take this opportunity to extend my appreciation to a dedicated public servant at the Congressional Research Service, CRS, of the Library of Congress, Ms. Nina M. Serafino. Ms. Serafino recently retired after more than 35 years of service to Congress. This length of public service is not only a credit to Ms. Serafino, but also a demonstration of the dedication that she and many other CRS employees bring to support our work here in Congress.

During Ms. Serafino's 35 years with CRS, she provided Congress with many types of assistance to help inform national policymaking on a variety of war and peace issues. From 1981, when she joined CRS, through the 1980s, she was deeply involved in bipartisan efforts to evaluate U.S. policy in Central America. Her work focused on providing a common understanding of the problems and possibilities in the region in order to shape U.S. options and alternatives. Particularly noteworthy was her original research on aspects of the Central American conflicts where there was a little or no information available from other sources. Responding to a congressional request, she conducted field research and delved into the Library of Congress's historical materials to provide a unique report on the many parties of the civic opposition to the Sandinista government in Nicaragua. Similarly, her field research on the Latin American ''Contadora'' effort significantly informed congressional deliberations regarding the peace process to end the conflicts in Nicaragua and El Salvador.

With the advent of U.S. military involvement in peacekeeping operations in the Balkans and elsewhere beginning in the 1990s, Ms. Serafino contributed to congressional efforts to comprehend the plethora of institutional and budgetary considerations relevant to our government's ability to bring its full toolbox to bear in those operations. Providing information and analysis through reports, briefings, and several comprehensive conferences and workshops for Members and staff, Ms. Serafino assisted Congress in understanding the possibilities, constraints, and options for legislating and overseeing military and civilian tools and the development of interagency resources and mechanisms.

As Congress sought to comprehend and deal with the post-9/11 world, Ms. Serafino supplemented targeted CRS work on Afghanistan and Iraq with conferences and reports that brought an historical perspective to congressional deliberations. The conferences and reports provided insights on a wide variety of international experiences in dealing with terrorism and contained historical information and pertinent analysis on previous U.S. interventions and occupations.

Over the past decade, Ms. Serafino also developed a number of products on security assistance and cooperation. Most recently, as the U.S. Government has expanded U.S. military efforts to build partner capacity among foreign security forces worldwide, Ms. Serafino contributed an historical perspective on U.S. security assistance and cooperation development in the post-World War II period to inform our deliberations on an evolving legislative framework for such assistance. Her written work on post-9/11 topics has enlightened both Congress and the broader foreign policy and defense communities.

Throughout Ms. Serafino's career, she won the respect and admiration of her colleagues for her geniality and expertise on Latin America and international security affairs. She won a Distinguished Service Award and several Merit Service and Special Achievement awards. Her steadfast dedication to serve Congress and her commitment to the highest standards of research made a lasting contribution to congressional policy discourse. I have said many times that the Federal workforce is a critical national asset. Ms. Serafino and the other talented and dedicated public servants at CRS are yet another example. While we will miss her contributions, I know my colleagues will want to join me in sending our best wishes to Ms. Serafino for a happy retirement.

ADDITIONAL STATEMENTS

TRIBUTE TO STEVE HAMMOND

● Mr. CARDIN. Mr. President, today I wish to recognize the three decades of distinguished service journalist Steve Hammond has provided to the citizens of Maryland's Eastern Shore and the viewers of WBOC-TV 16 in Salisbury, MD, ''Delmarva's News Leader.''

Steve Hammond is a Maryland native, raised in Towson's Rodgers Forge neighborhood. He learned many of life's lessons on the football and lacrosse fields before graduating from the University of Delaware with a degree in mass communications. Since his mother, sister, and brother have all been involved in television production, it is no surprise, perhaps, that Steve gravitated toward the business of broadcasting and interned for several stations. He discovered he felt most at home in the newsroom and was drawn particularly to the variety of daily reporting. In 1985, after working without pay for 2 weeks to illustrate his potential value, Steve was hired by WHYY, a

PBS affiliate in Philadelphia, PA. Two years later, on March 23, 1987, he joined WBOC–TV to serve as the first bureau chief for Dover, DE. It was there that he first began to anchor news broadcasts. It was a role, it turned out, which suited him perfectly.

Today Steve Hammond is WBOC–TV's main anchor and managing editor. He has become a household name in the region, having covered countless elections, major crisis, and natural disasters. Steve has flown with the Blue Angels and interviewed U.S. Presidents. He also has filed reports from several foreign countries to tell the stories of local troops in harm's way in Iraq and Somalia. Steve is highly respected in his field and has been widely recognized, winning innumerable awards, including a prestigious national Edward R. Murrow Award and distinctions from the Associated Press and Radio Television News Directors Association; yet Steve is characteristically modest about his accomplishments. If he were inclined to brag about anything, it probably would be about his beloved family—his sons Graham and Hunter, and his wife, Heather, who are his favorite companions for a day at the beach.

Steve Hammond is deeply invested in his community and has volunteered for many years for numerous charitable organizations, including Junior Achievement, March of Dimes, Easter Seals, Big Brothers/Big Sisters and The Salvation Army. He has helped spearhead The Salvation Army's Red Kettle Holiday Campaign on the Eastern Shore of Maryland. He also serves as a member of the board of trustees for Worcester Preparatory School in Berlin, MD, and is a member of Trinity United Methodist Church in Salisbury. Steve's coworkers, friends, and audience appreciate the dedication, service, and leadership he shown professionally and privately throughout his career. As he enters his fourth decade at WBOC–TV 16, I ask my colleagues to join me in congratulating Steve Hammond on 30 years of exemplary work and community service and wishing him all the best in the years ahead.●

REMEMBERING JOHN BRUCE FERY

● Mr. CRAPO. Mr. President, today I wish to honor the life of John Bruce Fery, a friend and mentor.

John's obituary beautifully conveyed a sense of who he was: ''John's journey took him from challenging early years as a latchkey kid with a working mom to remarkable lifetime accomplishments. He loved God, his family, his community, and his country. He loved the outdoors, sunshine, and John Wayne. He had a zest for life and a work ethic that was incomparable, while his commanding presence, charming smile, and quick-witted humor made him adored by family and friends. He was captivated by the joys of family life, the challenges of business, the warmth of friendships, the satisfaction of philanthropic work, and the stories each brought to his life.''

On February 16, 1930, John was born in Bellingham, WA, to Margaret and Carl Fery. John lost his father at a young age, and he and his mother moved to Seattle, where he graduated from Roosevelt High School and attended the University of Washington before serving in the U.S. Navy during the Korean war. He married his wife, Dee, in 1953, and obtained his masters of business administration from Stanford University before his extensive, much respected career in the pulp and paper industry. He led the Boise Cascade Company for more than two decades, taking on the position of president and chief executive officer in 1972 and chairman of the board in 1978. Throughout his 37-year career with the company, he built a legacy of sound judgement and expertise that led to his many honors, awards, and service on multiple boards.

In addition to his esteemed business career, John and Dee have given generously to many philanthropic efforts. His obituary aptly highlights some of their significant contributions to the community: ''Whether attending the new Horsethief Reservoir Y Camp in Cascade, Idaho, learning about Birds of Prey at the World Center, enjoying the Idaho Shakespeare Festival and the park that he and Dee donated, attending Medical School through the WWAMI program which John helped found as a means of training physicians for Idaho, staying at St. Alphonsus Regional Medical Center where John chaired the board and established its Foundation, receiving a grant from the Idaho Community Foundation, which exists today due to John's leadership in its formation and growth, or receiving a scholarship to Boise's Bishop Kelly High School, the University of Idaho, or Stanford, people will have experiences made possible by John and Dee's vison and generosity.''

John was also a dear friend to me. He encouraged me and was instrumental in inspiring my public service. His guidance, advice, and insight are forever etched in my life's path, and I am deeply grateful for the time he took to help shape my service. I extend my deepest sympathies to Dee; their sons, Brent, Bruce, and Michael and their families; and their many other family members, loved ones, and friends. We are bettered for having had John in our lives. He leaves behind an enduring, loving, and joyful legacy.●

RECOGNIZING THE JEWISH COMMUNITY ALLIANCE OF SOUTHERN MAINE

● Mr. KING. Mr. President, today I wish to recognize the Jewish Community Alliance in Portland, Maine, for their longstanding service and commitment to Maine's Jewish community across southern Maine.

In 1999, the Jewish Community Alliance of Southern Maine, JCA, was founded following a merger of the Jewish Community Center and the Jewish Federation. With a strong commitment to upholding Jewish values and culture, the JCA provides diverse programs for the entire community, educating children, teens, and adults to better connect with their community and learn from one another. The organization welcomes citizens of all backgrounds, encouraging a deeper understanding of Jewish history, practice, and culture.

The JCA understands the importance of supporting and educating future generations through high-quality programming for children offered throughout the year. The JCA administers a nationally accredited preschool program, now in its 24th year, which provides children with the opportunity to grow and learn in a safe and positive environment driven by Jewish values. Additionally, each summer, the JCA welcomes children of all faiths to the Center Day Camp, along the shores of Sebago Lake in Cumberland County, ME. Heading into its 68th summer, the Center Day Camp encourages Maine's youth to explore new interests, build confidence and friendships, and develop new skills.

The JCA also offers adult education classes to engage both Jewish and non-Jewish individuals, and to provide opportunities to learn about a wide range of topics relating to Judaism and Jewish life. One such program, NextDor, offers peer-led social, cultural, and educational engagement guided by Jewish values to adults in their twenties, thirties, and early forties. The program is dedicated to engaging members in a variety of settings that are accessible, inclusive, and uniting to help encourage Jewish and non-Jewish participation.

I would like to recognize the positive impact that the JCA has had in the lives of Maine's citizens and its positive impact in strengthening the Jewish community. Their ongoing commitment to a better and more prosperous tomorrow is to be commended, and their message of inclusiveness and engagement is a model for the entire State. I look forward to the continued success of the Jewish Community Alliance of Southern Maine, and to watching their community grow and thrive.●

25TH ANNIVERSARY OF THE NATIONAL HISTORIC OREGON TRAIL INTERPRETIVE CENTER

● Mr. WYDEN. Mr. President, today I wish to congratulate the National Historic Oregon Trail Interpretive Center in Baker, OR, on its 25th anniversary and to recognize the cultural and historical importance of this special place. Twenty-five years ago, volunteers, philanthropists, and community leaders came together with the Bureau of Land Management to make this dream a reality, and today I want to honor them for their dedication to their community and the State of Oregon.

Since 1992, the Interpretive Center has brought to life the story of the Oregon Trail. Through life-size displays, historical artifacts, and live performances by historical interpreters, visitors to the center are transported back in time to the first days of Baker City. What started as a small goldmining town grew through the years as more emigrants arrived. These pioneers had fought through challenging conditions and traveled thousands of miles to reach Oregon, but had they not persevered, the growth of this State could never have taken place. We owe it to those who blazed the trail before us to listen to their story, and we owe it to ourselves to take their lessons of perseverance, innovation, and community spirit to heart.

It is no coincidence that the community that came together to make the Interpretive Center possible, shares the characteristics of their ancestors. In the 1970s, Baker City was struggling to keep up with a changing economy. It took the innovative vision of modern-day pioneers, who recognized the cultural importance of this place, to bring its rich history back to life. Joining forces with the Bureau of Land Management, community leaders worked together to create the Interpretive Center and jumpstarted Baker City's growing tourism industry.

Over 25 years, this community has continued to contribute to the sustained success of the Interpretive Center. From the hard-working caretakers of the center's 4 miles of interpretive trails, to the philanthropy of individuals like the late Leo Adler who help sustain the center financially, the people of Baker City demonstrate every day the same spirit as the pioneers they honor. In this way, the story of the Interpretive Center mirrors the very story it tells.

It stands today as a living testament to the value of learning from our past. Therefore, I wish today to not only celebrate this milestone, but to encourage us all to reflect on the example set by both the pioneers of the Oregon Trail and those who continue to blaze new trails for their communities every day.●

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

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

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

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on March 16, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following joint resolution, without amendment:

S.J. Res. 1. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on March 16, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 1362. An act to name the Department of Veterans Affairs community-based outpatient clinic in Pago Pago, American Samoa, the Faleomavaega Eni Fa'aua'a Hunkin VA Clinic.

Under the authority of the order of the Senate of January 3, 2017, the enrolled bill was signed on March 20, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

ENROLLED JOINT RESOLUTIONS SIGNED

Under the authority of the order of the Senate of January 3, 2017, the Secretary of the Senate, on March 17, 2017, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled joint resolutions:

S.J. Res. 1. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

H.J. Res. 42. Joint resolution disapproving the rule submitted by the Department of Labor relating to drug testing of unemployment compensation applicants.

Under the authority of the order of the Senate of January 3, 2017, the enrolled joint resolutions were signed on March 20, 2017, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGE FROM THE HOUSE

At 10:32 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. 132. An act to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes.

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

H.R. 382. An act to amend the Department of Agriculture program for research and extension grants to increase participation by women and underrepresented minorities in the fields of science, technology, engineering, and mathematics to redesignate the program as the ''Jeannette Rankin Women and Minorities in STEM Fields Program''.

H.R. 648. An act to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir.

H.R. 1029. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes.

H.R. 1181. An act to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

H.R. 1228. An act to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes.

H.R. 1249. An act to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy of the Department of Homeland Security, and for other purposes.

H.R. 1252. An act to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes.

H.R. 1259. An act to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

H.R. 1294. An act to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes.

H.R. 1309. An act to streamline the office and term of the Administrator of the Transportation Security Administration, and for other purposes.

H.R. 1367. An act to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes.

The message also announced that pursuant to section 161(a) of the Trade Act of 1974 (19 U.S.C. 2211), and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives as Congressional Advisors on Trade Policy and Negotiations: Mr. NEAL of Massachusetts and Mr. PASCRELL of New Jersey.

MEASURES REFERRED

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

H.R. 132. An act to authorize the Secretary of the Interior to convey certain land and appurtenances of the Arbuckle Project, Oklahoma, to the Arbuckle Master Conservancy District, and for other purposes; to the Committee on Energy and Natural Resources.

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

H.R. 382. An act to amend the Department of Agriculture program for research and extension grants to increase participation by women and underrepresented minorities in

the fields of science, technology, engineering, and mathematics to redesignate the program as the ''Jeannette Rankin Women and Minorities in STEM Fields Program''; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 648. An act to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir; to the Committee on Energy and Natural Resources.

H.R. 1029. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 1249. An act to amend the Homeland Security Act of 2002 to require a multiyear acquisition strategy of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1252. An act to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1259. An act to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1294. An act to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1309. An act to streamline the office and term of the Administrator of the Transportation Security Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1367. An act to improve the authority of the Secretary of Veterans Affairs to hire and retain physicians and other employees of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1181. An act to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on March 20, 2017, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 1. Joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

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. MERKLEY (for himself, Mr. WYDEN, Mrs. MURRAY, and Ms. CANTWELL):

S. 669. A bill to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes; to the Committee on Indian Affairs.

By Ms. WARREN (for herself, Mr. GRASSLEY, Ms. HASSAN, and Mr. ISAKSON):

S. 670. A bill to provide for the regulation of over-the-counter hearing aids; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mrs. ERNST):

S. 671. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts realized on the disposition of property raised or produced by a student farmer, and for other purposes; to the Committee on Finance.

By Mr. CRUZ (for himself, Mr. TILLIS, Mr. HELLER, Ms. MURKOWSKI, Mr. RUBIO, Mr. SULLIVAN, Mr. GARDNER, and Mr. INHOFE):

S. 672. A bill to require a report on designation of North Korea as a state sponsor of terrorism, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Mr. TILLIS, Mr. VAN HOLLEN, Mr. MARKEY, Mr. KAINE, Mrs. GILLIBRAND, and Ms. WARREN):

S. 673. A bill to amend the Internal Revenue Code of 1986 to decrease the distance away from home required for a member of a reserve component of the Armed Forces to be eligible for the above-the-line deduction for travel expenses; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. CRAPO, and Mr. ROBERTS):

S. 674. A bill to amend the Internal Revenue Code of 1986 to clarify the retirement income account rules relating to church controlled organizations; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, and Mr. MURPHY):

S. 675. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Environment and Public Works.

By Mr. ROUNDS:

S. 676. A bill to amend title 44, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to review regulations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BARRASSO (for himself, Mr. FLAKE, Mr. MCCAIN, Mr. HELLER, Mr. ENZI, and Mr. RISCH):

S. 677. A bill to authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. INHOFE (for himself, Mr. BOOZMAN, Mr. COTTON, and Mr. ISAKSON):

S. 678. A bill to delcare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 679. A bill to require the disclosure of information relating to cyberattacks on aircraft systems and maintenance and ground support systems for aircraft, to identify and address cybersecurity vulnerabilities to the United States commercial aviation system, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 680. A bill to protect consumers from security and privacy threats to their motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER (for himself, Mr. BOOZMAN, Mr. KAINE, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mrs. MURRAY, Ms. BALDWIN, Mr. NELSON, Ms. HASSAN, and Mr. SCHATZ):

S. 681. A bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself, Ms. COLLINS, Mr. KING, and Ms. KLOBUCHAR):

S. 682. A bill to amend title 31, United States Code, to require the Secretary of the Treasury to provide for the purchase of paper United States savings bonds with tax refunds; to the Committee on Finance.

By Ms. HIRONO (for herself, Ms. COLLINS, and Mr. KING):

S. 683. A bill to amend title 38, United States Code, to extend the requirement to provide nursing home care to certain veterans with service-connected disabilities; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself and Mr. LANKFORD):

S. 684. A bill to establish a national, research-based, and comprehensive home study assessment process for the evaluation of prospective foster parents and adoptive parents and provide funding to States and Indian tribes to adopt such process; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself and Mr. TESTER):

S. 685. A bill to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 686. A bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules and consideration of the least burdensome regulatory alternative, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. FRANKEN, and Mr. CASEY):

S. 687. A bill to amend the Trade Act of 1974 to authorize a State to reimburse certain costs incurred by the State in providing training to workers after a petition for certification of eligibility for trade adjustment assistance has been filed, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 688. A bill to suspend the importation of beef and poultry from Brazil; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mrs. GILLIBRAND, and Ms. BALDWIN):

S. 689. A bill to provide women with increased access to preventive and life-saving cancer screening; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Mr. RISCH, Mrs. SHAHEEN, Ms. HIRONO, and Mr. VAN HOLLEN):

S. 690. A bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years; to the Committee on Small Business and Entrepreneurship.

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

S. 691. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Indian Affairs.

By Mrs. FISCHER (for herself, Mr. BROWN, Mr. CARDIN, Mr. BOOZMAN, Mr. PORTMAN, Mr. BLUNT, and Mr. BOOKER):

S. 692. A bill to provide for integrated plan permits, to establish an Office of the Municipal Ombudsman, to promote green infrastructure, and to require the revision of financial capability guidance; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. PERDUE (for himself, Mr. GARDNER, Mr. RUBIO, Ms. COLLINS, Mr. ISAKSON, Mr. CRUZ, Mr. COONS, Mr. KAINE, Mr. PETERS, and Mr. TESTER):

S. Res. 90. A resolution recognizing the importance of the United States-Israel economic relationship and encouraging new areas of cooperation; to the Committee on Foreign Relations.

By Ms. STABENOW:

S. Res. 91. A resolution supporting the goals and ideals of National Professional Social Work Month in March 2017 and World Social Work Day on March 21, 2017; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself and Mr. UDALL):

S. Con. Res. 10. A concurrent resolution expressing the sense of Congress that the Secretary of the Navy should name the next nuclear powered submarine of the United States Navy the ''USS Los Alamos''; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 65

At the request of Ms. WARREN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 65, a bill to address financial conflicts of interest of the President and Vice President.

S. 130

At the request of Ms. BALDWIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 130, a bill to require enforcement against misbranded milk alternatives.

S. 188

At the request of Mr. CASSIDY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 188, a bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government.

S. 223

At the request of Ms. COLLINS, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 236

At the request of Mr. WYDEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 236, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 260

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 260, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 292

At the request of Mrs. CAPITO, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 292, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 324

At the request of Mr. HATCH, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 372

At the request of Mr. PORTMAN, the name of the Senator from Georgia (Mr. ISAKSON) 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. 378

At the request of Mr. BARRASSO, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 378, a bill to amend titles 5 and 28, United States Code, to require the maintenance of databases on awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Delaware (Mr. COONS), the Senator from Indiana (Mr. DONNELLY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 384

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 384, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 407

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 422

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Hawaii (Ms. HIRONO) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 422, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 438

At the request of Mr. BLUNT, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 438, a bill to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

S. 445

At the request of Ms. COLLINS, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 445, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 445, supra.

S. 461

At the request of Mr. HEINRICH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 461, a bill to allow Homeland Security Grant Program funds to be used to safeguard faith-based community centers across the United States, and for other purposes.

S. 464

At the request of Mr. MARKEY, the names of the Senator from Maine (Mr. KING) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 464, a bill to amend title XVIII of the Social Security Act to provide for a permanent Independence at Home medical practice program under the Medicare program.

S. 479

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 480

At the request of Mr. PORTMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 480, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

S. 493

At the request of Mr. RUBIO, the names of the Senator from Arizona (Mr. FLAKE), the Senator from Oklahoma (Mr. INHOFE), the Senator from North Carolina (Mr. TILLIS) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 512

At the request of Mr. BARRASSO, the names of the Senator from Delaware (Mr. CARPER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 512, a bill to modernize the regulation of nuclear energy.

S. 537

At the request of Mr. FRANKEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 537, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 540

At the request of Mr. THUNE, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 544

At the request of Mr. TESTER, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 544, a bill to amend Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S. 546

At the request of Mr. BARRASSO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 546, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 567

At the request of Ms. HEITKAMP, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 567, a bill to amend the Home Owners' Loan Act to allow Federal savings associations to elect to operate as national banks, and for other purposes.

S. 573

At the request of Mr. PETERS, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 573, a bill to establish the National Criminal Justice Commission.

S. 576

At the request of Mr. JOHNSON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 576, a bill to amend title 5, United States Code, to extend certain protections against prohibited personnel practices, and for other purposes.

S. 582

At the request of Mr. JOHNSON, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 582, a bill to reauthorize the Office of Special Counsel, and for other purposes.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 618

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 618, a bill to amend chapter 44 of title 18, United States Code, to more comprehensively address the interstate transportation of firearms or ammunition.

S. 625

At the request of Mrs. SHAHEEN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 625, a bill to preserve the integrity of American elections by providing the Attorney General with the investigative tools to identify and prosecute foreign agents who seek to circumvent Federal registration requirements and unlawfully influence the political process.

S. 630

At the request of Mrs. SHAHEEN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 630, a bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes.

S. 635

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 635, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 636

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 636, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 657

At the request of Mr. WICKER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 657, a bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

S. 659

At the request of Mr. RUBIO, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 659, a bill to impose sanctions with respect to the People's Republic of China in relation to activities in the South China Sea and the East China Sea, and for other purposes.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to ''Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness''.

S.J. RES. 34

At the request of Mr. FLAKE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S.J. Res. 34, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services''.

S. RES. 83

At the request of Mr. MARKEY, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from

Florida (Mr. NELSON) were added as cosponsors of S. Res. 83, a resolution expressing the sense of the Senate regarding the trafficking of illicit fentanyl into the United States from Mexico and China.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 691. A bill to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; to the Committee on Indian Affairs.

Mr. KAINE. Mr. President. I am pleased to reintroduce the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017. Indian Affairs previously voted our bill out of committee in the 113th Congress and by voice vote in the 114th Congress, and we remain hopeful that the full Senate will finally vote to recognize our Tribes in the 115th Congress.

This month marks the 400th anniversary of the death of Pocahontas, the famous daughter of Chief Powhatan, whose tribes were among the first to make contact with English settlers in the 17th century. Today, as we introduce this bill, a delegation from the Commonwealth, including Chief Stephen Adkins of the Chickahominy, Chief Anne Richardson of the Rappahannock, and Chief Emeritus Ken Adams of the Upper Mattaponi, is in England to commemorate the anniversary, including a presentation and ceremony at St. George's Church, Gravesend to honor Pocahontas.

The ceremony reflects the sovereign recognition that the British Government grants to our Virginia tribes, which the United States has yet to acknowledge. This legislation is critically important because it strives toward reconciling an historic wrong for Virginia and the Nation. While the Virginia Tribes have received official recognition from the Commonwealth of Virginia, acknowledgement and officially-recognized status from the Federal Government has been considerably more difficult due to their systematic mistreatment over the past century.

More specifically, Virginia's Racial Integrity Act, a State law in effect from 1924 to 1967, stripped the identities of the Tribal members of Virginia's Indian Tribes. The act changed the racial identifications of those who lacked White ancestry to ''colored'' on birth certificates during that period. In addition, five of the six courthouses that held the vast majority of the Virginia Indian Tribal records were destroyed in the Civil War. Those records were crucial for documenting the history of the Tribes for recognition by the Bureau of Indian Affairs Office of Federal Acknowledgement.

Furthermore, Virginia Indians made peace too soon when they signed the Treaty of Middle Plantation with England in 1677. This predated the creation of the United States of America by just short of 100 years, and the Founding Fathers of the United States never recognized the treaty. Therefore, unlike tribes that received Federal recognition upon the signing of a treaty with the United States, the Virginia Tribes did not receive Federal recognition because they made peace with England prior to the founding of our Nation.

I am proud of Virginia's recognized Indian Tribes and their contributions to our Commonwealth. The Virginia Tribes are not only part of our history, but they remain ever present today. We go to school together, work together, and serve our Commonwealth and Nation together every day. These contributions should be acknowledged, and this Federal recognition for Virginia's Native peoples is long overdue.

Virginia's Indian Tribes contributed to the successful founding of our country and continue to help define our national identity. Their members have attended our schools, worked next to us, and served in every American war since the Revolution, all while maintaining a unique identity and culture. I am hopeful the Senate will act upon my legislation this year, to give these six Virginia Native American Tribes the Federal recognition that is long overdue.

By Mr. DAINES (for himself and Mr. TESTER):

S. 685. A bill to authorize the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in the States of Montana and North Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DAINES. Mr. President, water is a basic foundation of life. In Montana, we depend on a steady supply of water to drink, irrigate our crops, water our livestock, and provide energy through hydropower. Water is a precious resource, and there are still rural communities that face barriers to access and are in dire need of clean drinking water. The struggle for water continues to create health challenges for Indian Country and nearby communities, in addition to making economic development more difficult.

There are approximately 35,000 Americans across 12 counties in both Montana and North Dakota whose existing public water supply systems are unable to provide them with water that meets the requirements of the Safe Drinking Water Act.

The Bureau of Reclamation plays a critical role in managing the storage and delivery of water in the Western United States. Some of the earliest water projects built by the Bureau were built in Montana. These projects provided critical infrastructure for Montana homesteaders and were of critical importance to the long-term growth of our State. They are still vital today.

That is why I am introducing the Clean Water for Rural Communities Act. This legislation would authorize the Bureau of Reclamation to provide Federal assistance for the planning, design, and construction of the Dry-Redwater Regional Water Authority System and the Musselshell-Judith Rural Water System in Montana and North Dakota. The Dry-Redwater and Musselshell-Judith rural water projects have spent 7 and 11 years, respectively, in deliberation with the Bureau, as well as $4 million and $3 million in State, local, and Federal funding. It is critical we provide the Bureau of Reclamation the necessary authorization to complete these projects and provide clean and reliable water to 35,000 Montanans and North Dakotans.

I thank Senator TESTER for being an original cosponsor of this bill. I ask my Senate colleagues to join us in support of this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 685

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Water for Rural Communities Act''.

SEC. 2. PURPOSE.

The purpose of this Act is to ensure a safe and adequate municipal, rural, and industrial water supply for the citizens of—

(1) Dawson, Garfield, McCone, Prairie, Richland, Judith Basin, Wheatland, Golden Valley, Fergus, Yellowstone, and Musselshell Counties in the State of Montana; and

(2) McKenzie County, North Dakota.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Western Area Power Administration.

(2) AUTHORITY.—The term ''Authority'' means—

(A) in the case of the Dry-Redwater Regional Water Authority System—

(i) the Dry-Redwater Regional Water Authority, which is a publicly owned nonprofit water authority formed in accordance with Mont. Code Ann. § 75–6–302 (2007); and

(ii) any nonprofit successor entity to the Authority described in clause (i); and

(B) in the case of the Musselshell-Judith Rural Water System—

(i) the Central Montana Regional Water Authority, which is a publicly owned nonprofit water authority formed in accordance with Mont. Code Ann. § 75–6–302 (2007); and

(ii) any nonprofit successor entity to the Authority described in clause (i).

(3) DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM.—The term ''Dry-Redwater Regional Water Authority System'' means the Dry-Redwater Regional Water Authority System authorized under section 4(a)(1) with a project service area that includes—

(A) Garfield and McCone Counties in the State;

(B) the area west of the Yellowstone River in Dawson and Richland Counties in the State;

(C) T. 15 N. (including the area north of the Township) in Prairie County in the State; and

(D) the portion of McKenzie County, North Dakota, that includes all land that is located west of the Yellowstone River in the State of North Dakota.

(4) INTEGRATED SYSTEM.—The term ''integrated system'' means the transmission system owned by the Western Area Power Administration Basin Electric Power District and the Heartland Consumers Power District.

(5) MUSSELSHELL-JUDITH RURAL WATER SYSTEM.—The term ''Musselshell-Judith Rural Water System'' means the Musselshell-Judith Rural Water System authorized under section 4(a)(2) with a project service area that includes—

(A) Judith Basin, Wheatland, Golden Valley, and Musselshell Counties in the State;

(B) the portion of Yellowstone County in the State within 2 miles of State Highway 3 and within 4 miles of the county line between Golden Valley and Yellowstone Counties in the State, inclusive of the Town of Broadview, Montana; and

(C) the portion of Fergus County in the State within 2 miles of US Highway 87 and within 4 miles of the county line between Fergus and Judith Basin Counties in the State, inclusive of the Town of Moore, Montana.

(6) NON-FEDERAL DISTRIBUTION SYSTEM.—The term ''non-Federal distribution system'' means a non-Federal utility that provides electricity to the counties covered by the Dry-Redwater Regional Water Authority System.

(7) PICK-SLOAN PROGRAM.—The term ''Pick-Sloan program'' means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665)).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) STATE.—The term ''State'' means the State of Montana.

(10) WATER SYSTEM.—The term ''Water System'' means—

(A) the Dry-Redwater Regional Water Authority System; and

(B) the Musselshell-Judith Rural Water System.

SEC. 4. DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM AND MUSSELSHELL-JUDITH RURAL WATER SYSTEM.

(a) AUTHORIZATION.—The Secretary may carry out—

(1) the project entitled the ''Dry-Redwater Regional Water Authority System'' in a manner that is substantially in accordance with the feasibility study entitled ''Dry-Redwater Regional Water System Feasibility Study'' (including revisions of the study), which received funding from the Bureau of Reclamation on September 1, 2010; and

(2) the project entitled the ''Musselshell-Judith Rural Water System'' in a manner that is substantially in accordance with the feasibility report entitled ''Musselshell-Judith Rural Water System Feasibility Report'' (including any and all revisions of the report).

(b) COOPERATIVE AGREEMENT.—The Secretary shall enter into a cooperative agreement with the Authority to provide Federal assistance for the planning, design, and construction of the Water Systems.

(c) COST-SHARING REQUIREMENT.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of the costs relating to the planning, design, and construction of the Water Systems shall not exceed—

(i) in the case of the Dry-Redwater Regional Water Authority System—

(I) 75 percent of the total cost of the Dry-Redwater Regional Water Authority System; or

(II) such other lesser amount as may be determined by the Secretary, acting through the Commissioner of Reclamation, in a feasibility report; or

(ii) in the case of the Musselshell-Judith Rural Water System, 75 percent of the total cost of the Musselshell-Judith Rural Water System.

(B) LIMITATION.—Amounts made available under subparagraph (A) shall not be returnable or reimbursable under the reclamation laws.

(2) USE OF FEDERAL FUNDS.—

(A) GENERAL USES.—Subject to subparagraphs (B) and (C), the Water Systems may use Federal funds made available to carry out this section for—

(i) facilities relating to—

(I) water pumping;

(II) water treatment; and

(III) water storage;

(ii) transmission pipelines;

(iii) pumping stations;

(iv) appurtenant buildings, maintenance equipment, and access roads;

(v) any interconnection facility that connects a pipeline of the Water System to a pipeline of a public water system;

(vi) electrical power transmission and distribution facilities required for the operation and maintenance of the Water System;

(vii) any other facility or service required for the development of a rural water distribution system, as determined by the Secretary; and

(viii) any property or property right required for the construction or operation of a facility described in this subsection.

(B) ADDITIONAL USES.—In addition to the uses described in subparagraph (A)—

(i) the Dry-Redwater Regional Water Authority System may use Federal funds made available to carry out this section for—

(I) facilities relating to water intake; and

(II) distribution, pumping, and storage facilities that—

(aa) serve the needs of citizens who use public water systems;

(bb) are in existence on the date of enactment of this Act; and

(cc) may be purchased, improved, and repaired in accordance with a cooperative agreement entered into by the Secretary under subsection (b); and

(ii) the Musselshell-Judith Rural Water System may use Federal funds made available to carry out this section for—

(I) facilities relating to—

(aa) water supply wells; and

(bb) distribution pipelines; and

(II) control systems.

(C) LIMITATION.—Federal funds made available to carry out this section shall not be used for the operation, maintenance, or replacement of the Water Systems.

(D) TITLE.—Title to the Water Systems shall be held by the Authority.

SEC. 5. USE OF POWER FROM PICK-SLOAN PROGRAM BY THE DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM.

(a) FINDING.—Congress finds that—

(1) McCone and Garfield Counties in the State were designated as impact counties during the period in which the Fort Peck Dam was constructed; and

(2) as a result of the designation, the Counties referred to in paragraph (1) were to receive impact mitigation benefits in accordance with the Pick-Sloan program.

(b) AVAILABILITY OF POWER.—

(1) IN GENERAL.—Subject to paragraph (2), the Administrator shall make available to the Dry-Redwater Regional Water Authority System a quantity of power required, of up to 1½ megawatt capacity, to meet the pumping and incidental operation requirements of the Dry-Redwater Regional Water Authority System during the period beginning on May 1 and ending on October 31 of each year—

(A) from the water intake facilities; and

(B) through all pumping stations, water treatment facilities, reservoirs, storage tanks, and pipelines up to the point of delivery of water by the water supply system to all storage reservoirs and tanks and each entity that distributes water at retail to individual users.

(2) ELIGIBILITY.—The Dry-Redwater Regional Water Authority System shall be eligible to receive power under paragraph (1) if the Dry-Redwater Regional Water Authority System—

(A) operates on a not-for-profit basis; and

(B) is constructed pursuant to a cooperative agreement entered into by the Secretary under section 4(b).

(3) RATE.—The Administrator shall establish the cost of the power described in paragraph (1) at the firm power rate.

(4) ADDITIONAL POWER.—

(A) IN GENERAL.—If power, in addition to that made available to the Dry-Redwater Regional Water Authority System under paragraph (1), is necessary to meet the pumping requirements of the Dry-Redwater Regional Water Authority, the Administrator may purchase the necessary additional power at the best available rate.

(B) REIMBURSEMENT.—The cost of purchasing additional power shall be reimbursed to the Administrator by the Dry-Redwater Regional Water Authority.

(5) RESPONSIBILITY FOR POWER CHARGES.—The Dry-Redwater Regional Water Authority shall be responsible for the payment of the power charge described in paragraph (4) and non-Federal delivery costs described in paragraph (6).

(6) TRANSMISSION ARRANGEMENTS.—

(A) IN GENERAL.—The Dry-Redwater Regional Water Authority System shall be responsible for all non-Federal transmission and distribution system delivery and service arrangements.

(B) UPGRADES.—The Dry-Redwater Regional Water Authority System shall be responsible for funding any transmission upgrades, if required, to the integrated system necessary to deliver power to the Dry-Redwater Regional Water Authority System.

SEC. 6. WATER RIGHTS.

Nothing in this Act—

(1) preempts or affects any State water law; or

(2) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There are authorized to be appropriated such sums as are necessary to carry out the planning, design, and construction of the Water Systems, substantially in accordance with the cost estimate set forth in the applicable feasibility study or feasibility report described in section 4(a).

(b) COST INDEXING.—

(1) IN GENERAL.—The amount authorized to be appropriated under subsection (a) may be increased or decreased in accordance with ordinary fluctuations in development costs incurred after the applicable date specified in paragraph (2), as indicated by any available engineering cost indices applicable to construction activities that are similar to the construction of the Water Systems.

(2) APPLICABLE DATES.—The date referred to in paragraph (1) is—

(A) in the case of the Dry-Redwater Regional Water Authority System, January 1, 2008; and

(B) in the case of the Musselshell-Judith Rural Water Authority System, November 1, 2014.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 90—RECOGNIZING THE IMPORTANCE OF THE UNITED STATES-ISRAEL ECONOMIC RELATIONSHIP AND ENCOURAGING NEW AREAS OF COOPERATION

Mr. PERDUE (for himself, Mr. GARDNER, Mr. RUBIO, Ms. COLLINS, Mr. ISAKSON, Mr. CRUZ, Mr. COONS, Mr. KAINE, Mr. PETERS, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 90

Whereas the deep bond between the United States and Israel is exemplified by its many facets, including the robust economic and commercial relationship;

Whereas, on April 22, 2015, the United States celebrated the 32nd anniversary of its free trade agreement with Israel, which was the first free trade agreement entered into by the United States;

Whereas the United States-Israel Free Trade Agreement established the United States-Israel Joint Committee to facilitate the agreement and collaborate on efforts to increase bilateral cooperation and investment;

Whereas, since the signing of this agreement, two-way trade has multiplied tenfold to over $40,000,000,000 annually;

Whereas Israel is the third largest importer of United States goods in the Middle East and North Africa (MENA) region after Saudi Arabia and the United Arab Emirates, despite representing only 2 percent of the region's population;

Whereas nearly 40 percent (37 percent) of all investment in the United States from the MENA region comes from Israel;

Whereas Israel has more companies listed on the NASDAQ Stock Exchange than any other country except for the United States and China;

Whereas, in 1956, the United States-Israel Education Foundation was established to administer the Fulbright Program in Israel, and has facilitated the exchange of nearly 3,300 students between the United States and Israel since its inception;

Whereas, in 1972, the United States-Israel Binational Science Foundation (BSF) was established to promote scientific relations between the United States and Israel by supporting collaborative research projects in basic and applied scientific fields, and has generated investments of over $480,000,000 to over 4,000 projects since its inception;

Whereas Binational Science Foundation grant recipients have included 45 Nobel Laureates, 19 winners of the Albert Lasker Medical Research Award, and 38 recipients of the Wolf Prize;

Whereas, in 1977, the United States-Israel Binational Industrial Research and Development Foundation (BIRD) was established to stimulate, promote, and support non-defense industrial research and development of mutual benefit to both countries in agriculture, communications, life sciences, electronics, electro-optics, energy, healthcare information technology, homeland security, software, water, and other technologies, and has provided over $300,000,000 to over 700 joint projects since its inception;

Whereas recent successful BIRD projects include the ReWalk system that helps paraplegics walk, a medical teaching simulator for Laparoscopic Hysterectomies, and a new drug to treat chronic gout;

Whereas, in 1978, the United States-Israel Binational Agricultural Research and Development Fund was established as a competitive funding program for mutually beneficial, mission-oriented, strategic and applied research of agricultural problems conducted jointly by United States and Israeli scientists, and has provided over $250,000,000 to over 1,000 projects since its inception;

Whereas an independent review of the United States-Israel Binational Agricultural Research and Development Fund (BARD) estimated that the dollar benefits of just 10 of its projects through 2010 came to $440,000,000 in the United States and $300,000,000 in Israel, far exceeding total investment in the program;

Whereas, in 1984, the United States and Israel began convening the Joint Economic Development Group (JEDG) to regularly discuss economic conditions and identify new opportunities for collaboration;

Whereas, in 1994, the United States-Israel Science and Technology Foundation (USISTF) was established to promote the advancement of science and technology for mutual economic benefit and has developed joint research and development programs that reach 12 States;

Whereas the United States-Israel Innovation Index (USI3), which was developed by USISTF to track and benchmark innovation relationships, ranks the United States-Israel innovation relationship as top-tier;

Whereas, in 2007, the United States-Israel Binational Industrial Research and Development Foundation (BIRD) Energy program was established to provide support for joint United States-Israel research and development of renewable energy and energy efficiency, and has provided $18,000,000 to 20 joint projects since its founding;

Whereas, since 2011, the United States Department of Energy and the Israeli Ministry of National Infrastructures, Energy and Water Resources have led an annual United States-Israel Energy Meeting with participants across government agencies to facilitate bilateral cooperation in that sector;

Whereas, in 2012, Congress passed and President Barack Obama signed into law the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150), which set United States policy to expand bilateral cooperation across the spectrum of civilian sectors, including high technology, agriculture, medicine, health, pharmaceuticals, and energy;

Whereas, in 2013, President Obama said in reference to Israel's contribution to the global economy, ''That innovation is just as important to the relationship between the United States and Israel as our security cooperation.'';

Whereas, in 2014, Secretary of the Treasury Jacob Lew said, ''As one of the most technologically-advanced and innovative economies in the world, Israel is an important economic partner to the United States.'';

Whereas, in 2014, Congress passed and President Obama signed into law the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296), which deepened cooperation on energy, water, agriculture, trade, and defense, and expressed the sense of Congress that Israel is a major strategic partner of the United States;

Whereas the 2015 Global Venture Capital Confidence Survey ranked the United States and Israel as the two countries with the highest levels of investor confidence in the world; and

Whereas economic cooperation between the United States and Israel has also thrived at the State and local levels through both formal agreements and bilateral organizations in over 30 States that have encouraged new forms of cooperation in fields such as water conservation, cybersecurity, and alternative energy and farming technologies: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that the United States-Israel economic partnership has achieved great tangible and intangible benefits to both countries and is a foundational component of the strong alliance;

(2) recognizes that science and technology innovation present promising new frontiers for United States-Israel economic cooperation, particularly in light of widespread drought, cybersecurity attacks, and other major challenges impacting the United States;

(3) encourages the President to regularize and expand existing forums of economic dialogue with Israel and foster both public and private sector participation; and

(4) expresses support for the President to explore new agreements with Israel, including in the fields of energy, water, agriculture, medicine, neurotechnology, and cybersecurity.

SENATE RESOLUTION 91—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PROFESSIONAL SOCIAL WORK MONTH IN MARCH 2017 AND WORLD SOCIAL WORK DAY ON MARCH 21, 2017

Ms. STABENOW submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 91

Whereas the primary mission of the social work profession is to enhance the well-being and help meet the basic needs of all individuals, especially the most vulnerable individuals in society;

Whereas social work pioneers have helped—

(1) lead the struggle for social justice in the United States; and

(2) pave the way for positive social change for millions of people of the United States each day;

Whereas social workers work in all areas of United States society to improve happiness, health, and prosperity, including in government, schools, institutions of higher education, social service agencies, communities, the military, and mental health and health care facilities;

Whereas social workers—

(1) are key employees at the Federal, State, and local levels of government; and

(2) work to expand policies and practices that promote equity and social justice for all individuals;

Whereas, as of March 2017, there are almost 650,000 social workers in the United States, and social work is 1 of the fastest-growing careers in the United States;

Whereas social workers help individuals, organizations, communities, and the larger society tackle and solve the issues that confront the individuals, communities, and larger society;

Whereas each day social workers embody the themes of—

(A) National Professional Social Work Month in March 2017, which is ''Social Workers Stand Up!''; and

(B) World Social Work Day on March 21, 2017, which is ''Promoting Community and Environmental Stability'';

Whereas social workers have pushed for decades to ensure equal rights for all individuals, including women, African Americans,

Latinos, individuals who are disabled, individuals who are LGBTQ, and individuals of various ethnic, cultural, and religious groups;

Whereas social workers have worked to reduce racial discord by advocating for—

(1) legislation, including—

(A) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

(B) each reauthorization of the Voting Rights Act of 1965 (42 U.S.C. 1971 note; Public Law 89–110);

(C) the Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.);

(D) the Violence Against Women Act of 1994 (42 U.S.C. 13925 et seq.); and

(E) the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 119); and

(2) policies relating to—

(A) benefits under the Social Security Act (42 U.S.C. 301 et seq.);

(B) unemployment insurance; and

(C) workplace safety;

Whereas social workers are the largest group of mental health care providers in the United States, and social workers work each day to help individuals overcome substance use disorders and mental illnesses, such as depression and anxiety;

Whereas the Department of Veterans Affairs employs more than 12,000 professional social workers, and social workers help to bolster the security of the United States by providing support to active duty military personnel, veterans, and the families of active duty military personnel and veterans;

Whereas thousands of child, family, and school social workers across the United States provide assistance to protect children and improve the social and psychological functioning of children and their families;

Whereas social workers help children find loving homes and create new families through adoption;

Whereas social workers in schools work with families and schools to foster future generations by ensuring that each student reaches the full academic and personal potential of the student;

Whereas social workers work with older adults and the families of older adults—

(1) to improve quality of life and the ability to live independently as long as possible; and

(2) to have access to quality health care and mental health care; and

Whereas social workers help the United States and other nations overcome earthquakes, floods, wars, and other disasters by helping survivors receive services, including food, shelter, health care, and mental health care to address stress and anxiety: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of —

(A) National Professional Social Work Month in March 2017; and

(B) World Social Work Day on March 21, 2017;

(2) acknowledges the diligent efforts of each individual and group that promotes the importance of social work and observes National Professional Social Work Month and World Social Work Day;

(3) encourages the people of the United States to engage in appropriate ceremonies and activities to promote further awareness of the life-changing role that social workers play; and

(4) recognizes with gratitude the contributions of the millions of caring individuals that have chosen to serve the community through social work.

SENATE CONCURRENT RESOLUTION 10—EXPRESSING THE SENSE OF CONGRESS THAT THE SECRETARY OF THE NAVY SHOULD NAME THE NEXT NUCLEAR POWERED SUBMARINE OF THE UNITED STATES NAVY THE ''USS LOS ALAMOS''

Mr. HEINRICH (for himself and Mr. UDALL) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 10

Whereas the people of Los Alamos and the Navy have a 74-year relationship that continues from the Manhattan Project through the creation of a nuclear Navy and into the current ocean-borne leg of the strategic nuclear triad of the United States;

Whereas the contributions of the people of Los Alamos and surrounding communities allowed the Navy to keep its offensive edge from World War II, through the Cold War, continuing to the emerging conflicts as of the date of adoption of this resolution;

Whereas Captain ''Deke'' Parsons was one of the first residents of Los Alamos and, along with Laureate Ramsey, oversaw the safe delivery, assembly and loading of the nuclear bomb that led to the surrender of Japan in World War II;

Whereas the people of Los Alamos and surrounding communities played a critical role in designing the nuclear portion of the first nuclear weapon to enter the arsenal of the Navy, known as the Regulus, along with atomic depth bombs, torpedoes, rockets, and even next generation weapon systems like the B61-12 precision-guided nuclear bomb;

Whereas the people of Los Alamos designed the warheads that armed the first generation Trident submarine-launched ballistic missiles of the Navy and the follow-on Trident II missile warheads used by the Navy;

Whereas the research into nuclear energy conducted by Los Alamos during World War II advanced the technical basis for the development of the nuclear propulsion systems of the Navy used aboard Los Angeles, Seawolf, Ohio, and Virginia Class submarines along with multiple naval aircraft carriers today;

Whereas the people of Los Alamos and Los Alamos National Laboratory host United States Naval Academy midshipmen every year to provide hands-on scientific and engineering experience working to solve real world challenges in national security, thereby directly contributing to the development of future Navy leadership;

Whereas the people of Los Alamos carry the solemn responsibility to assess the sea-based nuclear deterrent carried aboard Navy fleet ballistic missile submarines;

Whereas naming a submarine Los Alamos will recognize and continue to forge the longstanding relationship between the Navy and Los Alamos;

Whereas the year 2018 will mark the 75th anniversary of Los Alamos National Laboratory; and

Whereas the distinctive service and contributions from the people of Los Alamos to the Navy merits naming a vessel that embodies the heritage, service, fidelity, and achievements of the residents of Los Alamos and surrounding communities in partnership with the United States Navy; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Secretary of the Navy should name the next nuclear powered submarine of the United States Navy as the ''USS Los Alamos''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 192. Mr. BLUNT proposed an amendment to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

TEXT OF AMENDMENTS

SA 192. Mr. BLUNT proposed an amendment to the bill H.R. 244, to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes; as follows:

On page 9, strike lines 11 through 18.

On page 9, line 19, strike ''(b) UNLAWFUL DISPLAY PROHIBITED.—''.

On page 12, lines 18 through 19, strike '', as defined in such section''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MORAN. Mr. President, I have 7 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:

ARMED SERVICES COMMITTEE

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 21, 2017, at 9:30 a.m., to receive testimony on U.S. Policy and Strategy in Europe.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on March 21, 2017, at 9:30 a.m., to continue a hearing entitled ''The Nomination of the Honorable Neil M. Gorsuch''.

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 hearing on Tuesday, March 21, 2017, beginning at 10 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, March 21, 2017, at 10 a.m.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Tuesday, March 21, 2017.

SELECT 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 Tuesday, March 21, 2017 from 2:30 p.m.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, INSURANCE, AND DATA SECURITY

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Tuesday, March 21, 2017, at 2:30 p.m.

The Committee will hold Subcommittee Hearing on ''Staying a Step Ahead: Fighting Back Against scams Used to Defraud Americans.''

PRIVILEGES

Mr. BOOKER. Mr. President, I ask unanimous consent that floor privileges be granted to the following member of my staff, Ariana Spawn.

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

SUPPORTING THE DESIGNATION OF MARCH 2017 AS ''NATIONAL COLORECTAL CANCER AWARENESS MONTH''

On Wednesday, March 15, 2017, the Senate adopted S. Res. 89, with its preamble, as follows:

S. RES. 89

Whereas colorectal cancer is the second leading cause of cancer death among men and women combined in the United States;

Whereas, in 2017, more than 135,430 individuals in the United States will be diagnosed with colorectal cancer and approximately 50,260 more will die from it;

Whereas colorectal cancer is one of the most preventable forms of cancer because screening tests can find polyps that can be removed before becoming cancerous;

Whereas screening tests can detect colorectal cancer early, which is when treatment works best;

Whereas the Centers for Disease Control and Prevention estimates that if every individual who is 50 years of age or older had regular screening tests, as many as 60 percent of deaths from colorectal cancer could be prevented;

Whereas the 5-year survival rate for patients with localized colorectal cancer is 90 percent, but only 39 percent of all diagnoses occur at that stage;

Whereas colorectal cancer screenings can effectively reduce the incidence of colorectal cancer and mortality, but 1 in 3 adults between 50 and 75 years of age are not up to date with recommended colorectal cancer screening;

Whereas public awareness and education campaigns on colorectal cancer prevention, screening, and symptoms are held during the month of March each year; and

Whereas educational efforts can help provide to the public information on methods of prevention and screening, as well as symptoms for early detection: Now, therefore, be it

Resolved, That the Senate—

(1) supports—

(A) the designation of March 2017 as ''National Colorectal Cancer Awareness Month''; and

(B) the goals and ideals of National Colorectal Cancer Awareness Month; and

(2) encourages the people of the United States to observe National Colorectal Cancer Awareness Month with appropriate awareness and educational activities.

PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE BOARD OF DIRECTORS OF THE OFFICE OF COMPLIANCE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1228, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 1228) to provide for the appointment of members of the Board of Directors of the Office of Compliance to replace members whose terms expire during 2017, and for other purposes.

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

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1228) was ordered to a third reading, was read the third time, and passed.

HIRE VETS ACT

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of H.R. 244 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 244) to encourage effective, voluntary investments to recruit, employ, and retain men and women who have served in the United States military with annual Federal awards to employers recognizing such efforts, and for other purposes.

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

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Blunt amendment at the desk be agreed to; the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 192) was agreed to, as follows:

On page 9, strike lines 11 through 18.

On page 9, line 19, strike ''(b) UNLAWFUL DISPLAY PROHIBITED.—''.

On page 12, lines 18 through 19, strike '', as defined in such section''.

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

The bill was read the third time.

The bill (H.R. 244), as amended, was passed.

RECOGNIZING THE 196TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 81 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 81) recognizing the 196th anniversary of the independence of Greece and celebrating democracy in Greece and the United States.

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

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 81) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 6, 2017, under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—H.R. 1181

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

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 1181) to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

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

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

ORDERS FOR WEDNESDAY, MARCH 22, 2017

Mr. SULLIVAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Wednesday, March 22; 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.

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

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. SULLIVAN. 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 7:05 p.m., adjourned until Wednesday, March 22, 2017, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

HEATHER WILSON, OF SOUTH DAKOTA, TO BE SECRETARY OF THE AIR FORCE, VICE DEBORAH LEE JAMES.

DEPARTMENT OF TRANSPORTATION

JEFFREY A. ROSEN, OF VIRGINIA, TO BE DEPUTY SECRETARY OF TRANSPORTATION, VICE VICTOR M. MENDEZ.

DEPARTMENT OF THE TREASURY

DAVID MALPASS, OF NEW YORK, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE D. NATHAN SHEETS.

CENTRAL INTELLIGENCE AGENCY

COURTNEY ELWOOD, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE CENTRAL INTELLIGENCE AGENCY, VICE CAROLINE DIANE KRASS, RESIGNED.

THE JUDICIARY

AMUL R. THAPAR, OF KENTUCKY, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT, VICE BOYCE F. MARTIN JR., RETIRED.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RICHARD A. BROWN
REAR ADM. (LH) JAMES S. BYNUM
REAR ADM. (LH) DARYL L. CAUDLE
REAR ADM. (LH) RICHARD A. CORRELL
REAR ADM. (LH) RANDY B. CRITES
REAR ADM. (LH) DANIEL H. FILLION
REAR ADM. (LH) COLLIN P. GREEN
REAR ADM. (LH) MARY M. JACKSON
REAR ADM. (LH) JAMES W. KILBY
REAR ADM. (LH) JAMES J. MALLOY
REAR ADM. (LH) JOHN W. TAMMEN, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. WILLIAM C. GREENE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. WILLIAM S. DILLON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JOHN A. OKON
CAPT. MICHAEL W. STUDEMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. KEVIN M. JONES
CAPT. THOMAS J. MOREAU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. EDWARD L. ANDERSON
CAPT. STUART P. BAKER
CAPT. MICHAEL D. BERNACCHI, JR.
CAPT. FRANK M. BRADLEY
CAPT. DANIEL L. CHEEVER
CAPT. YVETTE M. DAVIDS
CAPT. BRIAN P. FORT
CAPT. PETER A. GARVIN
CAPT. WILLIAM J. HOUSTON
CAPT. SARA A. JOYNER
CAPT. FREDERICK W. KACHER
CAPT. TIMOTHY C. KUEHHAS
CAPT. CARL A. LAHTI
CAPT. ANDREW J. LOISELLE
CAPT. DOUGLAS G. PERRY
CAPT. FRED I. PYLE
CAPT. ERIK M. ROSS
CAPT. PAUL J. SCHLISE
CAPT. PETER G. VASELY
CAPT. JAMES P. WATERS III

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. DAVID G. BELLON
BRIG. GEN. PATRICK J. HERMESMANN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. EDWARD D. BANTA
BRIG. GEN. ROBERT F. CASTELLVI
BRIG. GEN. MATTHEW G. GLAVY
BRIG. GEN. MICHAEL S. GROEN
BRIG. GEN. KEVIN M. IIAMS
BRIG. GEN. WILLIAM F. MULLEN III
BRIG. GEN. GREGG P. OLSON
BRIG. GEN. ERIC M. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MICHAEL S. MARTIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES H. ADAMS III
COL. ERIC E. AUSTIN
COL. JAY M. BARGERON
COL. MICHAEL J. BORGSCHULTE
COL. WILLIAM J. BOWERS
COL. DIMITRI HENRY
COL. KEITH D. REVENTLOW
COL. ROBERTA L. SHEA
COL. BENJAMIN T. WATSON
COL. CHRISTIAN F. WORTMAN

FOREIGN SERVICE

THE FOLLOWING–NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

ALEXANDER DICKIE IV, OF TEXAS

CONFIRMATIONS

Executive nominations confirmed by the Senate March 21, 2017:

UNITED STATES SENTENCING COMMISSION

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2021.

DANNY C. REEVES, OF KENTUCKY, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2019.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 21, 2017 withdrawing from further Senate consideration the following nomination:

VINCENT VIOLA, OF NEW YORK, TO BE SECRETARY OF THE ARMY, VICE ERIC KENNETH FANNING, WHICH WAS SENT TO THE SENATE ON JANUARY 20, 2017.