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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Almighty God, our faithful Father and Friend, take and use our lawmakers for Your glory. Fill them with Your wisdom, enabling them to make the tough decisions with complete confidence in Your guidance. Keep their lives unstained by any word or action that is unworthy of their best. Lord, give them clarity and understanding so that their labor will be acceptable to You. May they maintain the fidelity of those to whom much has been given and from whom much will be required.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

VA MISSION BILL

Mr. McCONNELL. Madam President, today the Senate will begin considering the VA MISSION Act. It marks a major step forward for the VA system and the millions of heroes who rely on it for services.

The bipartisan reform legislation before us builds on the earlier progress of the Veterans Choice Act of 2014 and reaffirms a clear message: Delays at the

VA cannot stand between veterans and the medical care they need. The shortcomings of a Federal bureaucracy do not free our Nation from its promises to our All-Volunteer Armed Forces. Veterans deserve prompt, thorough care, period.

In the few short years since the creation of VA Choice, the program has seen important success. More than 2 million veterans have taken the opportunity to see private providers when the VA system couldn't meet their needs. In Kentucky, it helped more than 23,000 veterans in 2017 alone.

Thanks to the leadership of Chairman ISAKSON, this new legislation builds on this significant progress, continues it, and improves it in ways that will help veterans even more.

The VA MISSION Act will clear the path for veterans to receive greater healthcare choices. It will eliminate the wait time and distance requirements that keep veterans out of the driver's seat and empower them, in consultation with their respective physicians, to take charge of their own care. It will help prioritize and speed improvements to existing VA facilities. It will direct \$5.2 billion to fund the Veterans Choice Program, and it will establish more streamlined delivery of care through the veterans community care program.

The bill before us passed the House by an overwhelming bipartisan margin. It carries the support of the President and 38 veterans advocacy organizations. It is based on a simple idea: Promises made to those who sacrifice for our freedoms must be promises kept. Let's make good on these promises this week.

AMERICA'S WATER INFRASTRUCTURE ACT

Mr. McCONNELL. Madam President, on another matter, this morning, the Environment and Public Works Committee is concluding its work on America's Water Infrastructure Act of 2018.

Chairman BARRASSO has led an open, bipartisan process that has generated a strong proposal. It builds on President Trump's infrastructure approach, encouraging local control over local priorities and leveraging Federal resources to ensure that each dollar spent goes to major water infrastructure improvements. It cuts redtape and empowers the U.S. Army Corps of Engineers to break through bureaucratic backlogs.

Thanks to Senator BOOZMAN, it enhances the investments in our Nation's failing drinking water and waste water infrastructure.

My State of Kentucky contains more than 1,900 miles of navigable inland waterways. Our water resources support more than 13,000 jobs in the maritime industry. Paducah, KY, serves as the heart of America's inland waterways system, and Western Kentucky is also home to major water civil works projects like the Olmsted Locks and Dam and Kentucky Lock.

This bipartisan legislation is good news for communities throughout the Commonwealth. One provision, the Freedom to Fish Act, will help safeguard an important part of Kentucky's cultural heritage. Generations of Kentuckians have fished the Cumberland River and the tailwaters of the Barkley and Wolf Creek Dams.

I remember my dad and his friend taking us to fish there at a young age. They were experienced fishermen. The last thing they needed was advice from Federal bureaucrats on where to cast their lines, but, in 2012, in a typical display of Obama administration overreach, the Army Corps threatened to restrict access to these cherished waters. I didn't know anyone in Kentucky who thought it was a good idea. The farmers didn't, the anglers didn't, the area businesses relying on fishing tourism didn't. The Kentucky Department of Fish and Wildlife certainly didn't. So I worked with community leaders like my friend Lyon County

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



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judge executive Wade White and my colleagues in the Kentucky and Tennessee congressional delegations to put a stop to this government interference. We introduced legislation to prevent the Army Corps from robbing our fishers and anglers of this beloved pastime and damaging this key component of the local economy. The measure passed with overwhelming support and was signed into law. It has been successful, but its provisions are set to expire soon.

That is why I worked with Chairman BARRASSO, Ranking Member CARPER, and the committee to secure a new 5-year extension of the Freedom to Fish Act in this year's water infrastructure bill. It is just another achievement among the many victories this bill will deliver for communities across the country.

I am grateful to the supporters of this legislation, such as the National League of Cities and the National Rural Water Association, and the bipartisan coalition of Senators who worked to craft it. I look forward to the committee's vote today and to supporting this bill once it reaches the Senate floor.

JOB GROWTH

Mr. McCONNELL. Now, Madam President, one final matter. This week, survey data showed that more Americans say it is a good time to find a quality job than at any point in the last 17 years.

Let me say that again. More Americans say it is a good time to find a quality job than at any point in the last 17 years.

Under President Obama, this number got as low as 8 percent. It never broke 50 percent during his administration, but today 67 percent of Americans say it is a good time to find a quality job.

Optimism has taken off for all groups since this President was elected and the Republican Congress was sworn in, but the injection of new hope has been felt the most among working-class Americans. This is a major distinction between the economic policies Democrats spent years putting in place and the new approach this Republican government has taken.

For nearly a decade, Democrats followed the standard liberal playbook: tax more, regulate more, and pile up more money and power right here in Washington. They cracked down on American businesses, imposed one new regulation after another, and looked to the Federal Government to pick winners and losers.

It is a familiar, old set of ideas. Here is what it produces: an economy that works very well for a few but leaves many more behind.

The Obama era was just fine for our Nation's biggest coastal cities. Roughly, three-quarters of all the new jobs created between 2010 and 2016 poured into the country's largest metropolitan areas, but outside of these places, taxes

and regulations created an anti-business climate that hurt American manufacturing, American coal communities, and small- and medium-sized businesses throughout our country.

So Republicans charted a new course. We understand that middle-class families know how to spend their own money better than the government; that American workers thrive when American job creators are expanding, hiring, and raising wages. We passed once-in-a-generation tax relief for American families and small businesses and are working at every turn to roll back runaway regulations. The result is an economic comeback that is reaching all kinds of communities, not just a favored few.

A record-high percentage of American manufacturers have said they have a positive economic outlook for their enterprises. Rural communities outpaced everywhere else in relative job creation last year. The total amount spent on employee compensation grew faster in 2017 than in any calendar year under President Obama.

This is what happens when Republicans implement a pro-growth, pro-opportunity agenda that gets Washington out of the way. Everyone shares in the prosperity.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2017.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

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

SANTA FE HIGH SCHOOL SHOOTING

Mr. DURBIN. Madam President, last Friday, America watched in horror as the news story broke of yet another school shooting, this time at Santa Fe High School in Texas.

Eight students and two teachers were fatally shot. Thirteen victims were

wounded in another devastating tragedy. The alleged gunman was a student who came into the school with his parents' shotgun and handgun and used them to commit mass murder.

Of course, we grieve for the families and victims in Santa Fe, and, of course, we are grateful for first responders who ran toward the sound of gunfire. But let's be honest—the shooting in Santa Fe High was, by one count, the 22nd school shooting in America this year. We are in the 21st week of this year. We have had more than one school shooting a week in the United States of America. America's schoolchildren, sadly, now go to school expecting that there will be a shooter on the premises.

After the Santa Fe High School shooting, a reporter interviewed a student named Paige Curry at the school. The reporter asked: "Was there a part of you that was like, this isn't real, this could not happen at my school?"

Paige Curry replied: "There wasn't." When the reporter asked why so, she said: "It's been happening everywhere. I've always felt it would eventually happen here too."

Can you imagine we have reached this point in America if that is how many of our Nation's high schoolers think? Sadly, in Paige Curry's case, she was right. Her school was the target last week.

On Sunday, the New York Times posted an article titled "New Reality for High School Students: Calculating the Risk of Getting Shot."

The article discussed how students across America, from Iowa to Oklahoma, from Illinois to Mississippi, from Seattle to New York, are now forced to go through their day planning what they would do if the shooting starts in their school.

The article quotes one student, a sophomore in a New York high school, describing how vulnerable her desks were in each class where she sat.

She started making mental calculations about when the gunman came to the door whether she would be in the line of fire. She said her English class is the safest class for her each day because it is down a hallway, and it makes it hard for the shooter to find it, but her math class makes her particularly vulnerable because she said she sits in the second desk in the second row in a direct path from the door. The student, whose name is Emily Rubenstein, said:

It's like the front lines of a war. Being seated in front of the classroom could be what makes you live and what makes you die.

It is not just high schoolers who think this way; my 6-year-old granddaughter came home and told her mom recently that she had been warned that if there is a shooter in the school—she is a first-grader—if there is a shooter in the school, stay away from the windows and get down on the floor as quickly as possible.

Is there any sane person in America who thinks our kids should be going

through this? Is there any sane person in America who believes this is expected by the Second Amendment to our Bill of Rights?

Let's be clear. Addressing our Nation's epidemic of gun violence and school shootings should be a top priority. About 300 Americans are shot every day, a third of them fatally. Gun violence is a public health crisis. It is traumatizing an entire generation of America's kids.

In recent weeks, students across the country have marched in the streets, walked out of their classrooms to call on us—elected leaders—to step up and do something to reduce gun violence. The students are having an impact. At least 15 States have passed legislation to close gaps in their State gun laws since February 14, which was the date of the Parkland shooting in Florida. Four States—Maryland, Florida, Vermont, and Washington—have passed bills to ban bump stocks. Congress has not. Seven States have passed bills to make it harder for domestic violence abusers to get guns—Kansas, New York, Ohio, Oregon, Utah, Vermont, and Washington. Congress has not. Three States have passed red flag laws to temporarily remove guns from people who pose extreme risks—Florida, Maryland, and Vermont.

These State-level reforms are significant, and they are even happening in States such as Florida and Kansas, which have a reputation of being friendly to the gun lobby. I hope my State of Illinois will soon join the ranks of the States that have passed meaningful State-level gun measures this year. We came close in Illinois when the General Assembly passed a landmark, bipartisan bill to provide more accountability for gun dealers' sales. Governor Bruce Rauner unfortunately vetoed that bill, but the General Assembly is working hard to put a revised bill back on his desk.

In addition to these State law reforms, the student movement has brought major changes in corporate behavior. Major gun retailers, such as Dick's Sporting Goods and Walmart, have voluntarily changed their sales practices. Companies such as Delta, United, Hertz, and Avis ended affinity relationships with the National Rifle Association. Institutional investors and financial companies are now pressuring the gun industry to change its behavior. These businesses understand that inaction is not an option. The student movement for gun safety has helped them realize this.

Unfortunately, it is extremely unlikely that this Congress will take any meaningful action this year to reduce gun violence in America. Why? Because President Trump and the Republican majority in Congress still won't push for any gun reforms that the gun lobby opposes. They are letting the gun lobby dictate Federal policy. That is a mistake. It is disgraceful. The gun lobby cares about one thing above all else: selling guns. They are not going to sup-

port any reforms that might reduce their sales.

On Sunday, the incoming president of the National Rifle Association, Oliver North—you may remember him from the Iran-Contra controversy—blamed everything from video games to Ritalin for our epidemic of school shootings. He blamed everything except guns.

In fact, rather than support efforts to strengthen our gun laws, the gun lobby is gearing up for their last big push this year to urge Congress to weaken our gun laws even further. On April 16, the Washington Examiner reported that longtime NRA board member Grover Norquist "said he has received assurance from the Republican leadership" that Congress will put the NRA's concealed carry reciprocity bill on the agenda this year before the August recess.

Make no mistake—as appropriations bills and the Defense authorization bill move through Congress, the gun lobby and their allies are looking to weaken the gun laws on the books even more than they already have. America, keep your eye on Congress.

To all the students and young people across America who are asking for leadership when it comes to reducing gun violence, many of us hear you loud and clear, and we are not giving up. Congress may not get the job done this year when it comes to closing the enormous gaps in our gun laws, but this movement of young people is making incredible things happen in statehouses across America. They are rapidly becoming a major force for change in corporate behavior, and they are soon-to-be voters. This movement is getting results, and Congress is going to have to choose whom it will listen to—the students who are spending their class time thinking about whether their desks are in the line of fire or the gun lobbyists who want to further weaken gun laws on the books so they can make more gun sales.

I know where I stand. I am going to keep doing everything I can to put the safety of my granddaughter, my grandson, and kids in our neighborhoods across America ahead of the gun lobby's agenda of selling more guns. We may not be able to stop every shooting in our schools and in our streets, but if Congress takes meaningful action to close the gaps in our gun laws, we will save lives.

FOR-PROFIT COLLEGES

Madam President, I would like to bring the Senate's attention to an article that appeared recently in the New York Times entitled "Education Department Unwinds Unit Investigating Fraud at For-Profits." That is right. Even while tens of thousands of students are still waiting for the Federal student loan discharges to which they are entitled under law because they were defrauded by for-profit colleges, such as Corinthian and ITT Tech, the Secretary of Education, Betsy DeVos, is dismantling the enforcement unit that was set up to prevent future fraud.

Corinthian and ITT Tech have become the most infamous examples of for-profit college predatory practices, but they are hardly unique in the industry. I have often said on the floor of the Senate—and the numbers have changed slightly over the years—that you can tell the story of for-profit colleges and universities if you know two numbers. This will be on the final. The first number: 9 percent of all post-secondary students go to for-profit colleges and universities—University of Phoenix, DeVry, Kaplan, similar universities. Nine percent go to for-profit colleges and universities, and 33 percent of all the federal student loan defaults are students from for-profit colleges and universities. Nine percent. Thirty-three percent. Why? Why is there such a dramatic difference between the percentage of students going to these schools and those who default on student debt, 33 percent of whom went to the same schools? There are two reasons. For-profit colleges and universities overcharge the students and produce a diploma that is virtually worthless when it comes to finding a job and paying off their student loan debt. That is the reality.

In the last 5 years, nearly every major for-profit college has been investigated or sued by more than one State attorney general and Federal agency for unfair, deceptive, and abusive practices. Thanks to Secretary DeVos, they don't need to worry about the Department of Education anymore. The writing has been on the wall for some time.

Last summer, Secretary DeVos hired former DeVry dean Julian Schmoke to be chief enforcement officer, where he would oversee the enforcement unit. I noted at the time that this was a particularly troubling decision given the enforcement unit's reported ongoing investigation into DeVry. The Times story confirmed my fears. They note that members of the enforcement unit have been marginalized, reassigned, and instructed to focus on other matters. What had expanded under President Obama to include around a dozen lawyers and investigators has now been reduced to three employees. According to the New York Times, the downsizing effectively killed investigations into several large for-profit colleges, including—you guessed it—DeVry.

In 2016, DeVry, which is based out of Chicago, agreed to pay \$100 million to settle a lawsuit with the Federal Trade Commission related to misleading advertising when it came to college students. Around the same time, DeVry agreed to a limited settlement with the Department of Education, but an enforcement unit investigation continued. According to the Times, the investigation became a point of contention between the Department staff and the new Trump administration.

DeVry isn't the only former employer of a top DeVos adviser to escape Department scrutiny. The Times article also reports that the enforcement

unit investigations of Bridgepoint Education and Career Education Corporation have gone dark. The cops are being taken off the beat.

Bridgepoint—owner of the notorious Ashford University—has a long record of abuse. Last year, the Consumer Financial Protection Bureau ordered the company to pay \$30 million for deceptive acts and practices, including lying to students about their obligations under student loans. Bridgepoint is currently being sued by the California attorney general for defrauding and deceiving students. It is also facing investigations by State attorneys general in Iowa, Massachusetts, New York, North Carolina, and by the U.S. Securities and Exchange Commission and the U.S. Department of Justice. The U.S. Department of Veterans Affairs has also taken action to withdraw Ashford's eligibility to participate in the GI Bill because of its failure to comply with VA regulations. But, as the New York Times article points out, Bridgepoint has friends in high places when it comes to the Trump administration. A former consultant for Bridgepoint is now the Director of Strategic Communications at the White House.

Then there is Robert Eitel, who was hired by Secretary DeVos in February 2017 as a special assistant. For the first 9 weeks of his Department of Education tenure, Eitel was actually on an unpaid leave of absence from Bridgepoint. You heard that right—he was an employee of the Department of Education and continued as an employee of one of the most predatory for-profit colleges in this country at the same time. ABC News reports Eitel had a hand in dismantling the Department's borrower defense rule, which would have helped students who were defrauded by for-profit colleges like Ashford. How is that for a fox guarding the henhouse?

But we are not done yet. Don't forget about Career Education Corporation, which reports that it is currently under investigation by 23 States attorneys general, including Lisa Madigan of Illinois. In 2013, Career Education Corporation agreed to pay \$10.25 million in a settlement with the New York attorney general over job placement rate inflation, an act of fraud. The company has been investigated by the FTC and the SEC. The Department of Education even placed one of its schools, American Intercontinental University, on heightened cash monitoring for concerns related to its administrative capability. But the enforcement unit's investigation into fraud by the company has come to a screeching halt, according to the New York Times. Who at the Department of Education is connected to Career Education Corporation? Well, in addition to working for Bridgepoint, Mr. Eitel was previously a top lawyer for that company, Career Education Corporation.

Then there is Diane Auer Jones, who was previously a senior vice president for Career Education Corporation and

was hired by Secretary DeVos to be her senior adviser on postsecondary education. Also, the Department's recently confirmed general counsel, Carlos Muniz, previously provided consulting services to the same company.

The DeVos-orchestrated takeover of the Department of Education by the for-profit college industry is an embarrassment. It is an affront to students, their families, and to taxpayers. The Trump administration and Secretary DeVos are more concerned with protecting their rich buddies in the for-profit college industry than protecting America's students and their families. They don't seem to care that taxpayer dollars are being wasted as long as those dollars are going into their friends' pockets. It is shameful. It is scandalous. It has become routine in the U.S. Department of Education.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. JOHNSON). The Democratic leader is recognized.

FOR-PROFIT COLLEGES

Mr. SCHUMER. Mr. President, first let me thank my friend from Georgia for being able to go first and also thank my friend from Illinois, who has been passionate, strong, and effective when it comes to these for-profit colleges. He laid out a strong case.

Let me just make one more point which sometimes my colleagues on the other side of the aisle and the Trump administration and Ms. DeVos seem to forget. Who loses money when these for-profits take advantage of the kids? The Federal taxpayers do because the vast majority, the overwhelming percentage of funds that go to these for-profit colleges are from Federal student loans. So this is a waste of taxpayer money. Somehow our Republican colleagues—not all but some—and the Trump administration are willing to have the Treasury basically, in certain ways, be looted. They shrug their shoulders and let the for-profits keep doing it. It is an amazing contradiction. So I thank my colleague Senator DURBIN.

ZTE

Now, on the issues that I came to speak about here, Mr. President, it was reported by the Wall Street Journal that the Trump administration has agreed to relax sanctions on the Chinese telecom giant ZTE and remove the ban on ZTE from selling components and software in the United States. Instead, ZTE will be required to pay a fine and reorganize its board. It appears that, in exchange, China will lift some tariffs on U.S. agricultural products.

First, let me say this. I said this repeatedly, but I will say it again. I feel much closer in my views on China and how they treat us in terms of economic issues to President Trump and his views than I was to President Obama and President Bush and their views, who I don't think did enough. I had

public arguments with both President Obama and President Bush on this issue.

When Donald Trump started talking about going after China and making them play fair, I felt that was a good thing. When his administration fined ZTE and then put sanctions on them so they couldn't get American components, I said: Finally, we are doing something tough on China.

You can imagine my disappointment with the reports last night that President Trump, being advised so wrongly by people like Treasury Secretary Mnuchin, is backing off on this toughness and just giving them a slap on the wrist, a fine. If the reports are true, the Trump administration will have suffered a great defeat. The fines and board changes do absolutely nothing to protect American national or economic security.

It is my view that China proposed this because they know it doesn't do the real job. When President Trump shows weakness and backs off on the area where he has been toughest with China, it signals to them that they can roll over us issue after issue, where they have been rapacious in terms of how they deal with our economy, our intellectual property, and the ability of great American companies not to sell things in China.

The April 2018 commerce order penalizing ZTE says plainly that past fines have not and will not deter ZTE because they are financially backed by China's government and putting in place board changes doesn't coerce a company that takes its orders from China's Government.

The proposed solution is like a wet noodle. It is outrageous. I hope that Democrats and Republicans will join together in making sure, as House Republicans did in the Appropriations subcommittee, that the proposed sanctions against ZTE of not letting them buy American products and not letting them sell here will stick, but I don't think they will. All the handwriting is on the wall.

I will not divulge anything, but I did have a half-hour conversation with President Trump about this on Friday and with some of his advisers. So I am truly worried.

The penalties that are proposed by Secretary Mnuchin are penalties in name only. They are a diversion from the fact that it seems President Xi has outmaneuvered President Trump and Secretary Mnuchin. It should be President Xi who writes the book "The Art of the Deal" because he has taken us to the cleaners on ZTE.

Let me explain why this is such a bad deal. ZTE was sanctioned in 2016 for violating U.S. sanctions against North Korea and Iran. The company was further sanctioned when the Commerce Department discovered that ZTE had lied to the United States about its plans to rectify the violations. President Trump and Secretary Mnuchin, according to reports, have inexplicably

excused ZTE of these inexcusable violations.

What the President and Secretary Mnuchin are doing sends a dangerous signal to businesses around the world that the United States is willing to forgive sanction violations or reduce penalties. It emboldens foreign companies to play fast and loose with U.S. sanctions when we should be putting the fear of God into these companies, especially one that is as brazen as ZTE. If we don't uniformly enforce sanctions—a critical diplomatic tool used by administrations of both parties to pressure our adversaries—then, they will be far less effective. None other than Secretary of State Pompeo and Interior Secretary Zinke wrote a letter to President Obama in 2016 making this point, urging him to crack down on ZTE for this reason.

Imagine if Obama were President today and doing this? You can be sure that our Republican colleagues would be hollering. You can be sure that President Trump—he wouldn't be President then—would be hollering.

Even more important are the national security implications of removing the ban on U.S. companies selling ZTE components and software. This is the No. 1 reason that I am opposed to any change in the sanctions against ZTE. Allowing ZTE to make deals with U.S. companies to sell its products here would allow a foreign, state-backed firm access to our telecommunications network, prying open the door for ZTE to steal American data, hack our networks, and even conduct espionage, both economic and national security.

Don't take it from me. Here are what some of our leading Republicans have said in the administration.

The Republican-led FCC has said that allowing ZTE into the United States would pose a national security threat, saying it would give state-backed Chinese companies "hidden backdoors to our networks" that would allow them to "inject viruses and other malware, steal Americans' private data, spy on U.S. businesses, and more."

We all know that China is involved in stealing our intellectual property. There is no better way to do it than through ZTE, and we are going to let them be here and slap them on the wrist with a fine? That is a dereliction of our duty here in the Congress and the President's duty to protect us.

The Pentagon has banned ZTE phones, saying in a statement that "ZTE devices may pose an unacceptable risk to the Department's personnel, information, and mission." If our Defense Department is banning these phones, why are we allowing them to come into our country to do industrial espionage and steal our intellectual property from our companies?

Here is what FBI Director Chris Wray, appointed by President Trump, told the Senate Intelligence Committee in February. He was saying that we shouldn't use ZTE products or services, period. Here is what he said:

We're deeply concerned about the risks of allowing any company or entity that is beholden to foreign governments that don't share our values to gain positions of power inside our telecommunication networks. That provides the capacity to exert pressure or control over our telecommunications infrastructure. It provides the capacity to maliciously modify or steal information. And it provides the capacity to conduct undetected espionage.

The head of the FBI says letting ZTE in here will provide "the capacity to conduct undetected espionage."

After all those statements and so many more, every American should be alarmed by the reports that President Trump may allow ZTE into American markets. Putting our national security at risk for minor trade concessions is the very definition of shortsighted. Frankly, it would be a capitulation on the part of the Trump administration.

President Trump's instincts are to be tough on China. He should not let Secretary Mnuchin lead him astray, or others in the administration who may be urging it. I know that there are some—Mr. Lighthizer and Mr. Navarro—who understand the dangers here, and they are in the administration too. From press reports, they are arguing on the other side.

President Trump ought to come to his senses and stick with being tough on ZTE, stick with his instinct.

That is what I say to you, Mr. President. Please stick to your instincts and be tough on ZTE. Don't let these other members of your Cabinet lead you astray for short-term reasons that will hurt America dramatically in the long run.

The deal President Trump seems to be making is exactly the kind of deal that Donald Trump, before he was President Trump, would call weak or the worst deal ever. I hope these reports aren't true, but if they are, Democrats and Republicans must do something about it.

I know there are Members on the other side—I saw Senator RUBIO's tweets this morning—who are concerned about the national security of the United States with respect to ZTE. I will be reaching out to my Republican colleagues and to Members of my caucus and to anyone who is willing to turn this ship around to see what we can do legislatively.

The Chinese are worried about their security. It is a different type of security. They don't want their citizens to get information. So they exclude our best companies, our Googles, and our Facebooks. Now they are raising a fuss when we want to exclude ZTE, which has violated our sanctions and would allow the Chinese Government to spy on us—what hypocrisy. Are we going to go along with that? I hope not.

RUSSIA INVESTIGATION

Mr. President, over the past few days, the White House has put extraordinary, unusual, and inappropriate pressure on the Department of Justice and the investigation into Russian meddling in the 2016 election.

On Sunday the President demanded a counterinvestigation of the Russia investigation, breaking longstanding and critical norms against political interference in law enforcement matters. Then, yesterday the President summoned the leaders of the Russia probe to the White House to pressure them into releasing sensitive and classified documents pertaining to the investigation by congressional Republicans. The White House planned to arrange a meeting where "highly classified and other information" will be shared with Members of Congress. It is highly irregular, inappropriate, and unprecedented. The President and his staff should not be involved in the reviewing or the dissemination of sensitive investigatory information involving any open investigation, let alone one about the activities of his own campaign. It is amazing. It is what you hear happening in third world countries. The leader says: No, I am above the law, and interferes with the process of law.

Congress has a right to oversight and to know what is going on after an investigation is complete. While an investigation is open and active, demands for oversight are tantamount to interference, especially when the folks demanding the information are the most biased, irresponsible actors. A man like DEVIN NUNES—I hear privately from my Republican colleagues that they think he is off the deep end—is going to get hold of this? We think that is fair, unbiased oversight?

Give me a break. If such a meeting occurs—and I don't believe it should, but if it occurs—it must be bipartisan to serve as a check on the disturbing tendency of the President's allies to distort facts and undermine the investigation and people conducting them.

Democratic Members of the House and Senate, the analogs of the Republicans selected to be in the room, should be in the room as well. So if DEVIN NUNES is there, ADAM SCHIFF should be there. To me, it is just amazing that it is happening.

One further point on this, again, the contradictory statements and opinions—the virtual hypocrisy of President Trump on these issues—are just mind-boggling.

President Trump, for instance, has been peddling the myth that a deep-state bias against his Presidency has animated the Russia probe. Of course, the idea is ridiculous. If there was such a deep state aligned against President Trump, why then was the active investigation into his campaign communications with Russian intelligence kept secret during the campaign? The deep state could have killed him in the election. If there was such a conspiracy against Donald Trump, why was the FBI investigation of his campaign under wraps, while at the same time, the FBI investigation into his opponent was in full view of the public eye? Whether or not you agree, Secretary of State and Presidential nominee Clinton believes that those comments by

the FBI about that investigation hurt her chances to win the Presidency. You may agree or you may disagree, but one fact is incontrovertible: The FBI talked publicly about the Clinton investigation and was silent about the Trump investigation. Yet the President says the deep state is out to kill him. It is not fair. It is not right. It is contradictory.

The truth is that the President and his allies only concoct these conspiracies—totally contradicted by well-known facts—to kick up dust, to obscure and obfuscate, to distort and distract, and when that is not enough, the President and his team directly interfere with the Russia investigation by asking its leaders to turn over documents to the most irresponsible actors in Congress—his ardent political allies. It ought to stop. It ought to stop.

The Justice Department doesn't take demands from the President. The special counsel's investigation must continue in search of the truth, the whole truth, and nothing but the truth.

TEACHERS

Mr. President, finally, for the better part of the 20th century, being a teacher in America meant being a part of the middle class. You worked hard, and you received decent pay and benefits—enough to afford a home, a car, a vacation, and to raise a family. But for the past 20 years, teachers' pay has been falling behind.

A 2016 report from the Economic Policy Institute found that teachers take home weekly wages that are 17 percent lower than comparable workers. That is why thousands of teachers across the country have organized and staged walkouts to demand fair pay, adequate resources, and better working conditions.

I have always felt that teaching is a vital profession. I know how my teachers at P.S. 197, Cunningham Junior High School, and James Madison High School affected me in such a positive way. They are great. So I believe that in the 21st century, teaching should be an exalted profession, sort of like a doctor or lawyer was in the 20th century. It is that important to the future of America, to the future of our children, and to the future of our grandchildren. But the pay sure doesn't reflect that.

That teachers' pay has fallen so far behind matters a great deal not just to teachers but to all of us. Education is the catalyst for economic mobility. It puts rungs on the ladders of opportunity. We need great teachers in every classroom so that our children have every opportunity to succeed.

As I said, in my view, teaching should be an exalted profession in the 21st century the way medicine and law were in the 20th century, and teachers' pay should more closely reflect their value to society.

Today, Democrats in the House and Senate will come together to announce our plan to offer our Nation's teachers a better deal.

I yield the floor.

I again thank my dear friend from Georgia for waiting and for listening to me.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I say to the Democratic leader, it is a pleasure.

VA MISSION BILL

Mr. President, I rise today to talk about a vote we will take in the Senate sometime later today, after 12 o'clock. It will be a cloture vote on the VA MISSION Act. After we adopt cloture, later this week, hopefully, it will lead us to the final vote to adopt the VA MISSION Act, which will be the final mosaic in the picture that was put together by the Senate Veterans' Affairs Committee, the House Veterans' Affairs Committee, and the administration and both the House and the Senate to address the VA benefits program for all of our veterans. We all know we have had the challenge to do better, and I submit that this is us doing our very best for those who have given everything for us.

Next week, on Monday, we will celebrate Memorial Day, where we honor those who have sacrificed their lives so that we can all be here today—you, Mr. President, as the Presiding Officer of this body and I as a representative of the people of Georgia. If it weren't for our veterans, we might be speaking Japanese or German today. We are speaking English today because we won those wars because our best and brightest volunteered their lives and sacrificed so that Americans can survive and be here. There is nothing less that we need to ask of ourselves than to see to it that they have the healthcare benefits we have promised them for so long.

The VA MISSION Act is an act that puts together and answers all of those questions that have been long on the front page of the newspapers for the last 2 or 3 years.

I thank JOHN MCCAIN. JOHN MCCAIN was really the inspiration for the Veterans Choice bill, which we started 4 years ago when I was on the committee. We finally passed a part of that program, and it has been in operation until now, but it has had a need for reform, a need to be fixed, and a need to be funded. With the passage of this legislation, we will do all of those things and make it even better.

I thank JON TESTER, the Senator from Montana, my ranking member on the committee, who has done everything one could ask. He was a team player who saw to it that we got through all of the minefields and sticky wickets you have to go through in the legislative process to get there. Senator TESTER has been an invaluable partner in putting together the VA MISSION Act and in making the VA a better organization.

I thank my staff, his staff, and my members of the committee from the Republican Party and his members from the Democratic Party. This is as

close to a unanimous effort as any effort we have done in the committee for some time. I thank them for their hard work and their effort.

I thank in advance the Members of the House and Senate for being with us on this venture today. I ask for your vote for cloture, and later in the week, I will ask for your vote for final passage.

Briefly, let me tell you what we are doing because what we are doing is critical.

One, we are making choice better for our veterans by repealing the 40-mile rule and the 30-day rule, which we passed 4 years ago. People will remember that veterans were waiting in some cases years to get their appointments with the VA, so we passed a rule that said: You can go to the private sector if you can't get an appointment within 30 days or if you live more than 40 miles away from the VA center that provided that service. But it became cumbersome and difficult. We had a number of problems with the third-party contractors we dealt with who were making the clearances and opening the gates for the veterans to go. Although we improved service and access for our veterans, we didn't make it everything it should be.

The MISSION Act does that because it makes the choice the veteran's choice in concert with the veteran's primary care doctor at the VA. If a veteran, because of quality, timeliness, distance, urgency, or need, needs to go to the private sector or wants to exercise that choice rather than go to a VA doctor, if there is one—or if there isn't one, go to the private sector because that is the only choice they have—they will be able to do so in concert with their VA primary care doctor.

So Choice is truly the veteran's choice. The VA continues to have the responsibility of keeping up with the veteran. The veteran has the choice he or she needs to make to see to it that they get timely, professional, and quality care. That is a huge step forward for us. That is a great step forward. Although the 30-day rule and the 40-mile rule were great starts, this is a great improvement for access for our veterans.

I am a Vietnam-era veteran. Vietnam-era veterans are now mostly in their late sixties or early to midseventies. They served our country a long time ago. The signature injuries of the Vietnam war were some of the most tragic in warfare that were survived for the first time ever because of our healthcare. There are a lot of those veterans living today who can't take care of the basic functions of life. They need assistance with eating, making their bed, getting up and down stairs, getting anywhere they need to go.

We have veteran programs for caregivers for almost every veteran around but not for the Vietnam-era veterans. This bill, the MISSION Act, applies the VA caregiver benefits to all veterans. So if a veteran needs that assistance,

that same incentive to help with the stipend for that service is available to that veteran. That is a giant step forward for all of us.

It is also very important to recognize that we consolidate the VA's seven community care funding sources into one single community care source. For the first time in 3 years, the VA will no longer announce every 3 months that they are running out of money. A lot of times, they use that little trick on us because they run out of money in one department, but there are six others that are loaded. So we merged them all together to see to it that all the funds are available and accessible all of the time for the veterans who have the need for the benefit—no more crying fire in a crowded theater, no more scaring us all by saying that we are not funding our veterans, but instead seeing to it that our veterans have access when it is timely and when they need it. That is a very important change, and that is a move forward we have needed to make for a long time.

It makes sense for us to make sure that our veterans have their choice based on quality, access, and timeliness. It makes sense that we make that a key part of the veterans' benefits to all veterans. It makes sense that we see to it that caregiver benefits are available to Vietnam-era veterans, as well as many others. It makes sense that we do all of the other things we have done in all of the VA acts to come together to totally reform the Veterans' Administration for our veterans who have served us. How many people is that? There are 22½ million people in America today who have served us at one time or another. There are 6½ million people who are served by the VA health services. That is a lot of people, but it is a small handful of people compared to the 350 million people in our country. Think about this: Less than 1 percent of our population served and defended us all and risked their lives.

So when you go to vote on this bill today, think about the veteran in your State, the VA service in your State, and the people in your State. Think about what you remember about World Wars I and II, what you remember about Vietnam, and what you remember about Iraqi Freedom in Afghanistan. Think about what you think you owe to those who signed on the bottom line. They weren't constricted. They weren't mandated. They volunteered. They went, they fought, and they died.

I want to leave you with a thought on two of those veterans because they are the two faces I see every day as the chairman of this committee I am working for.

One of them is Noah Harris. Noah was a cheerleader at the University of Georgia on 9/11/2001 when he watched, as you and I did, al-Qaida and the evils of that era take down the Twin Towers, and we had the first battle of the ultimate war between good and evil.

We fought that battle. We are still winning it. We are still fighting it, and

we will fight it for a long time. We have lost over 6,000 lives, individuals who sacrificed their lives in Iraq or Afghanistan or other places in the Middle East, and there will be others to come. They sacrificed so you and I can do what we are doing here today—the First Amendment protections of speaking our minds, as I am doing; the right to assemble, as our constituents do; and the right to defend ourselves and be safe. All those God-given rights we have were written on paper, but they were given life and protection for all of us by the veterans who volunteered and fought and died.

I remember Noah Harris because he was a cheerleader one day at the University of Georgia, and on 9/12/2001—the day after 9/11—he went down to the armory, signed up for OCS, went into the Army, and became an officer. Two years later, almost to the day, he died in Baghdad, the victim of an IED. He died defending the country he loved so much. He cheered for the football team, but he fought and sacrificed his life for the country.

I want Lucy and Rick—his mom and dad, in Ellijay, GA—to know that I haven't forgotten Noah and what he did for us. I sign most of my notes the same way Noah signed his note to me: "IDWIC, Noah Harris." "IDWIC" stands for "I do what I can." I want to have a chance to do what I can today. I want to vote for this bill for all the right reasons but principally for Noah Harris.

The other one is a veteran whose name is Roy C. Irwin. Roy died in the Battle of the Bulge in the Netherlands in 1944. When I went to the cemetery in Margraten, Netherlands, to visit the grave sites there and to check on the American battle monument, I walked with my wife down the rows of crosses and Stars of David just to pause for a second and give thanks for what the over 800 soldiers there in that cemetery did in the Battle of the Bulge to make our lives possible and to make it possible for me to enjoy the benefits I have enjoyed. We got to the end of row 23. I looked down, and there was a cross. It said: "Roy C. Irwin, New Jersey, private, December 28, 1944, KIA"—killed in action. I froze at that because I was born on December 28, 1944. The day Roy C. Irwin from New Jersey died in the Battle of the Bulge, my mother delivered me in Piedmont Hospital. I am almost 74 years old. I have had 74 wonderful years, including the opportunity to serve in the U.S. Senate, because a guy I never knew, when he was 18 years old, volunteered to go fight in the Battle of the Bulge in the Army for the United States of America. He paid the ultimate sacrifice, and because he did, I got the ultimate benefit.

When you think about your vote on this bill today, you think about all of those veterans who did the same for you, who have the same birthday or the same killed-in-action date as your birthday, and recognize that every one of us stands on the shoulders of our

veterans. We live, work, and pray on the shoulders of our veterans. I, for one, am going to vote for our veterans when we pass this bill so that the VA MISSION Act becomes the final mosaic in the beautiful patchwork of benefits for those who have sacrificed the most for all of us.

I yield back.

The PRESIDING OFFICER. The Senator from Iowa.

Mrs. ERNST. Mr. President, I very much thank Chairman ISAKSON for his work on this bill. As a veteran, as the spouse of a veteran, as the mother of a young lady who will enter into the service this summer, and as the grandmother to a young man who will begin his enlistment this fall, I thank him for the work he has done. I appreciate your service as well. Thank you so much.

Mr. President, "We can and we must do better for our veterans."

I spoke those words during my first speech given here on the Senate floor just over 3 years ago. I also spoke about the need to fulfill the promises made to our veterans who have sacrificed everything for our country. At that time, the average wait for a mental health appointment at the VA was 36 days. There were, on average, 22 veteran suicides every single day in the United States. It underscored the troubles within the VA and the urgency to act immediately to help our veterans get the quality and the timely care that they have earned and that they deserve.

That is why I introduced on that very day my first bill, the Prioritizing Veterans' Access to Mental Healthcare Act. My bill would have eliminated the distance and the wait time requirements for veterans seeking mental healthcare under the current Choice Program. Every veteran should have the choice to receive care in the community, but they should not be burdened by bureaucratic redtape or strict guidelines that serve as roadblocks to receiving this type of care.

To illustrate how burdensome and sometimes ridiculous these guidelines are, I want to share a letter I received from a veteran in Ames, IA. The veteran wrote:

I am a disabled veteran who currently receives healthcare at the De Moines VA Hospital. I live 39.7 miles from the De Moines VA Hospital, which means I do not meet the 40-mile VA Choice criteria. While I have not had a bad experience at the De Moines VA, it is burdensome to travel approximately 40 miles when I have had surgeries that require a family member to transport me. I am unable to utilize a nonVA facility in my own backyard.

The frustration evident in this veteran's letter has been present in hundreds of letters and stories, and I have received many of those over the years.

I am frustrated too. Those who are willing to lay down their lives for our country shouldn't have to jump through hoops to receive the care they have earned.

I am thrilled that this week the Senate has the opportunity to do better for

our veterans. Just last week, the House passed the VA MISSION Act, which improves how veterans access community care. Under the VA MISSION Act, the VA remains the coordinator of a veteran's care. The VA would still be in charge of scheduling those appointments, ensuring that a veteran is going to followup visits, as well as ensuring that no veteran experiences a delay or a gap in their care.

The VA MISSION Act also makes significant improvements to accessing community care. A veteran will no longer be bound by strict distance and wait time requirements, just as I expressed from that veteran who lives in Ames, IA. Instead, that decision rests with the veteran and their provider. If a veteran and their provider determine that it is in the veteran's best medical interest, the VA will be required to offer access to community care. The VA MISSION Act ensures that veterans have a say and a choice in their care.

This legislation also includes my bipartisan Veterans E-Health and Telemedicine Support Act, also known as the VETS Act, which I introduced with Senator MAZIE HIRONO of Hawaii. VA providers will now be able to practice across State lines, expanding telehealth services, which can include critical mental healthcare and care desperately needed to veterans in rural and underserved areas.

The VETS act will also expand VA caregiver benefits to pre-9/11 veterans, create a commission to evaluate how to modernize VA facilities, increase resources to hire more providers, which is very important, and ensure prompt payment to community providers.

I am also pleased to report that this bill has bipartisan support and the support of over 30 veteran service organizations.

Funding for the Choice Program is expected to run out at the end of May—in a matter of weeks. The men and women who have put their lives on the line for the freedom of every American deserve better than the status quo. Again, I say that we can and we must do better for our veterans.

The VA MISSION Act is a positive step forward toward getting veterans the care they need. That is why I will be voting in support of it. I urge my colleagues to do the same and cast their vote in favor of the VA MISSION Act.

Thank you.

I yield the floor.

Mr. SHELBY. Mr. President, I ask unanimous consent to enter into a colloquy with Senator LEAHY, Senator ISAKSON, and Senator TESTER.

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

Mr. SHELBY. We rise today to speak about the VA MISSION Act, bipartisan legislation that would make much needed reforms to the VA Choice and VA Community Care programs. Among these reforms, the existing VA Choice program, funded as a mandatory program, will merge with a streamlined

Medical Community Care program, funded with discretionary dollars. I commend my colleagues for a job well done.

As chairman of the Appropriations Committee, however, I want to express my concern that this legislation authorizes significant discretionary spending for the VA without providing any way to pay for it under the spending caps imposed by the Budget Control Act, BCA. The Congressional Budget Office estimates this bill will cost \$49 billion over the next 5 years—roughly \$10 billion per year. Without relief from the caps plus an anticipated return to sequestration levels in 2020, this \$49 billion could come at the expense of existing programs, including those at the VA.

I am also concerned that the underlying bill only provides funding for the VA Choice program through May of 2019, with no funding plan for the new program which is expected to come online in fiscal year 2019. These problems are not insurmountable. They do, however, require funding above and beyond what was contemplated in both the caps deal and the BCA. Fortunately, there is existing law and ample precedent for adjusting spending caps to reflect changes resulting from a shift in mandatory spending to discretionary spending.

I want to ask Senator ISAKSON and Senator TESTER if it is also their understanding that this funding deficiency could imperil other VA funding and, if so, whether they will commit to assisting Senator LEAHY and me in enacting a solution when the Military Construction and Veterans Affairs Appropriations bill comes to the floor that will provide adequate resources for the programs authorized in this bill without doing harm to existing programs?

Mr. LEAHY. Mr. President, as vice chairman of the Appropriations Committee, I want to associate myself with Chairman SHELBY's remarks. Since the inception of the Choice Program in 2014, it has been riddled with delays, programmatic problems, and fiscal instability. In many areas of the country, the networks that were established left providers unhappy about the speed of reimbursement and veterans often trying to navigate a cumbersome system. Congress has had to provide \$4.2 billion within the last year alone, just to keep the program afloat. That is why I am pleased that Senators ISAKSON and TESTER worked in a bipartisan way to try and fix Choice by establishing a streamlined and consolidated program that will make non-VA care more efficient. However, to truly address these problems and provide the care that our veterans deserve, we need to not only fix the policy, but we must also provide the funding to enact that policy. This bill does not do that.

The MISSION Act appropriates \$5.2 billion in mandatory spending, \$1.3 billion of which will merely fill the fiscal year 18 shortfall in the current Choice

program. The remaining balance of \$3.9 billion will provide enough funding for Choice through May 2019, but leaves the program short between \$1 and \$1.5 billion for the rest of the fiscal year when the new program shifts to the discretionary side. According to CBO the cost only goes up in the out-years, with the major components of the new Community Care program costing another \$8.67 billion in fiscal year 20 and more than \$9.5 billion in fiscal year 21. This is unsustainable under the BCA non-defense discretionary caps, which are set in law and were negotiated prior to the passage of this bill and without accounting for these costs. We do our veterans no favors by promising care without backing it up with resources.

I will not stand in the way of the new policy created in this bill, as I do believe it creates a better Community Care program, but Chairman SHELBY and I have a proposal that will help us fulfill our promise to our veterans by allowing for an adjustment to the caps to help us pay for this program. We intend to address this issue when the Senate MilCon/VA appropriations bill comes to the floor by offering an amendment that keeps the promises we are making today, and I would like to ask both Senator ISAKSON and Senator TESTER for their full support with this effort.

Mr. ISAKSON. Mr. President, I want to thank Senator SHELBY and Senator LEAHY for their leadership on this issue and for their strong support of the VA MISSION Act. I understand their concerns regarding funding, and agree that the important reforms included in this bill require resources. I am committed to working with you to find an appropriate solution as the Military Construction and Veterans Affairs bill moves to the Senate floor. Our veterans deserve no less.

Mr. TESTER. Mr. President, as ranking member of the Committee on Veterans Affairs I continue to fight hard on behalf of new policies that will allow VA to better serve our Nation's veterans. As a former ranking member of the Appropriations Subcommittee on Military Construction and VA, I am also very mindful of the need to secure the resources necessary for VA to properly carry out those policies.

The Choice program has been a disaster in Montana, and I am proud that the VA MISSION Act streamlines VA community care in a manner that makes more sense for veterans and their doctors and for community providers, but as we provide the tools and authorities necessary for veterans to get the care they need, I agree that we also need to secure the resources necessary to achieve the goals of this legislation without short-changing other domestic priorities. I am therefore strongly supportive of including language in an upcoming appropriations bill that provides veterans with the certainty they deserve, and I remain committed to working with the chairman and vice chairman on this effort.

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

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

Mr. BLUMENTHAL. Mr. President, the Consumer Product Safety Commission is a small agency with a major mission. Its goal is to protect the public from the threats of injury or death associated with defective and dangerous products. That mission is more important today than ever before because consumers face dangers from fire, electrical, chemical, or mechanical hazards—not only consumers but their children and families.

The agency is already resource-starved. It is already depleted in terms of the support that it needs in Congress, and already it needs zealous and relentless advocacy.

The individuals who are members of that board should be dedicated to that mission and to the safety and well-being of consumers above all. That is their mission.

So, today, when we consider the nomination of Dana Baiocco, we should keep in mind that no matter how able and skilled and experienced a litigator she is, the question is whether she will devote those skills, ability, and experience to the mission of this agency.

Unfortunately, every sign that she has given indicates that her goal will be contrary to the agency's mission. I say that, first of all, because of her experience. She has participated in cases that are of extraordinary concern to Americans.

In 2007 she represented Mattel as a member of their litigation team when lead was discovered in the paint of 83 different Mattel toy products; I think nearly 1 million toys. In 2007, when she represented Mattel, I was the attorney general of the State of Connecticut. I remember that well because it was known as the Year of the Recall because of the frequency and the number of recalls involving unsafe products. In 2007, there were more than four recalls, on average, each week, and more than half of them were for children's products. It was a time when our Nation was facing this crisis in dangerous toys. Mattel ultimately was fined \$2.3 million for violating the Consumer Product Safety Act and knowingly selling children's toys with contaminated paint or surface coatings.

This decision was an important win for consumers and children. The Consumer Product Safety Commission did its job. Ms. Baiocco was on the wrong side of consumer safety in that case.

Similarly, in representing the Yamaha Motor Company, a manufacturer of off-road vehicles, she was on the wrong side, standing with the industry that violated basic safety stand-

ards, causing multiple injuries and lawsuits when consumers were seriously maimed, injured, and harmed in operating Yamaha Rhino off-road vehicles. Those injuries occurred while the CPSC was conducting a campaign on ATV safety. Ms. Baiocco's defense of Yamaha put her on the wrong side of that issue at a time when there were more than 330 ATV-related fatalities and 101,000 ATV-related emergency department-treated injuries in the United States.

Another area that I know well where she was clearly on the wrong side related to Big Tobacco. Ms. Baiocco represented R.J. Reynolds in the early part of this century—2007—in a class action lawsuit in Florida brought by injured smokers who were seeking to recover the damages they suffered as a consequence of Big Tobacco deliberately and purposefully addicting them, leading to lives of disease and addiction. She was on the wrong side of that issue as well—on the side of injury and industry against consumers. She was instrumental in those lawsuits, and R.J. Reynolds has been instrumental in lobbying to encourage the extensive use of flame-retardant chemicals in upholstered furniture to deflect pressure on cigarette makers to make a fire-safe cigarette. That issue is squarely within the CPSC's jurisdiction.

She lacks that dedication to this agency's mission that is critical for any Member to have. She may have skill, ability, and experience, but if it is devoted to the industry's well-being rather than consumers, she should be working for a different agency or continuing to work for a law firm that represents these industries.

In fact, she has worked for a very large law firm that represents many of those clients and industries, but she has refused to provide a full list of the clients and companies she has represented. The only way we have gained full knowledge of these clients is to go to the law firm's website—where, by the way, her profile cites as follows: "She is known for strategic business advice and high-intensity trials involving mass torts, consumer and industrial products, and medical devices in federal, state, and international courts." The clients are then listed in her profile.

Mr. President, I ask unanimous consent that this profile be printed in the RECORD.

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

[From Jones Day]

PROFILE—DANA BAIOTTO, PARTNER

Clients describe Dana Baiocco as a "very smart and tough" litigator, who is "very responsive and thorough" and "provides efficient and effective legal counsel relative to some very difficult situations." She is known for strategic business advice and high-intensity trials involving mass torts, consumer and industrial products, and medical devices in federal, state, and international courts. Dana counsels clients on

minimizing risks, regulatory and reporting obligations, warranties, and CPSC product recalls.

Dana is go-to counsel for the Boston Red Sox. She led Vibram USA's defense in *Bezdek v. Vibram, et al.*, a putative class action based on allegations of false and misleading advertising regarding Vibram's extremely popular FiveFingers minimalist shoes, and she was the first chair trial lawyer winning a victory for Honeywell Safety Products and Bacou-Dalloz in New York state respirator litigation (*Wiacek v. 3M, et al.*) and for Parker Hannifin in aviation component part litigation (*Brewer v. Dodson [aff'd, 9th Cir.]*). She defended Yamaha in its Rhino product liability litigation nationwide and in a French tribunal. Dana is on Jones Day's Product Recall & Accident Response Team, a multidisciplinary legal group prepared to respond in recall or crisis situations.

Dana is a member of Brimmer and May School's Annual Fund Committee and the Carousel Ball Committee for Children's Hospital of Philadelphia. She is a former officer of the Pennsylvania Bar Association and the MDL Steering Committee for the Boston Bar Association.

EXPERIENCE

Fenway Sports Group defends personal injury action—Jones Day is representing Fenway Sport Group, parent company of the Boston Red Sox Baseball Club, in a personal injury action.

Electrolux attempts acquisition of GE appliances business—Jones Day represented Swedish appliance maker AB Electrolux as antitrust and labor counsel in its attempted \$3.3 billion acquisition of the appliances business of General Electric.

Honeywell legacy subsidiaries obtain dismissal of lawsuit alleging defectively designed products—On January 8, Jones Day obtained a compelling victory in a New York appellate court for Jones Day clients Willson Safety Products; Bacou-Dalloz Safety, Inc.; Bacou-Dalloz USA Safety, Inc.; and Dalloz Safety, Inc. (all owned by Honeywell International).

Vibram obtains First Circuit affirmation of class action settlement agreement related to its advertising—On December 31, 2015, the United States Court of Appeals for the First Circuit affirmed a \$3.75 million class action settlement involving Jones Day clients, Vibram USA, Inc. and Vibram FiveFingers LLC, makers of the popular FiveFingers shoes.

Goodman defeats class certification in putative consumer class actions alleging sale of failure-prone air conditioner components—Jones Day represents Goodman Global, Inc. and its affiliates, the manufacturers of central air conditioning and heating systems sold under the Goodman, Amana, and Daikin brands, in a series of putative consumer class actions.

ColdCypress acquired by division of Konica Minolta Business Solutions U.S.A.—Jones Day advised ColdCypress LLC in its acquisition by All Covered, a division of Konica Minolta Business Solutions U.S.A.

Yamaha wins Frye motion rejecting computer model of accident—Jones Day represented Yamaha Motor Co., Ltd. ("Yamaha") in a high-visibility case in Philadelphia where counsel from two of the lead national plaintiff's firms were seeking significant compensatory and punitive damages against Yamaha, the manufacturer of an off-road vehicle, the "Rhino."

Yamaha successfully defends nationwide litigation of product liability cases and claims involving the Rhino side-by-side ("SxS") vehicle—Jones Day leads Yamaha's defense of Rhino cases and claims pending in the United States.

Mattel settles voluntary toy recall litigation—Jones Day represented Mattel, Inc. (“Mattel”) in connection with a number of U.S. federal and state and foreign lawsuits and regulatory actions arising out of voluntary recalls of certain Mattel and Fisher-Price toys.

GE defends against putative nationwide class action alleging discrimination against women in executive pay and promotions—Jones Day represented General Electric Company in a nationwide putative class action, alleging discrimination against women in the executive band in pay and promotions.

Parker Hannifin wins Ninth Circuit dismissal of wrongful death claims involving single-engine plane crash—Wrongful death claims were filed against Jones Day client, Parker Hannifin Corporation, and others resulting from the crash of a single-engine Beech Bonanza that claimed the lives of the pilot, his wife, and two minor children.

U.K. corporate jet owner succeeds in coverage arbitration against London Aviation Insurance Market—Jones Day represented a U.K. private property company, owners of a Raytheon Premier 1 jet aircraft, in an arbitration against the London Aviation Insurance Market challenging declinature of a claim following constructive total loss.

Parker Hannifin obtains non-suit with prejudice in wrongful death action stemming from single-engine Cessna crash—Wrongful death claims were filed, but later voluntarily dismissed, in two separate actions in Hidalgo County, Texas (near the Mexico border) against Jones Day client Parker Hannifin Corporation and others as a result of a single-engine Cessna crash in which three individuals perished.

Safelite Glass wins summary judgment in unfair competition action against call center operations—Jones Day represented Safelite Glass (now Belron US Inc.) in an unfair competition lawsuit filed in 2002 by Safelite’s competitor, Diamond Triumph Auto Glass, attacking its call center operations and seeking tens of millions of dollars.

UAG defends against Tennessee and Mississippi class action involving “dealer reserve” revenues relating to automobile financing—Jones Day represented United Auto Group, Inc. in a multijurisdictional (Tennessee and Mississippi) class action settlement involving “dealer reserve” revenues relating to dealer-assisted automobile financing.

Forgital successfully defends against age discrimination claim—Jones Day advised Forgital USA, Inc. in an action brought by a former employee who claimed that his changes in job duties were a pretext for age discrimination.

SSB Maschinenbau defends against wrongful death and product liability litigation arising out of industrial machine accident—Jones Day defended German manufacturer SSB Maschinenbau GmbH in a wrongful death and product liability case arising out of an industrial machine accident in Erie, Pennsylvania.

Temple Inland defends against six wrongful death and personal injury actions arising out of explosion at particleboard manufacturing plant—Jones Day served as defense counsel to Temple Inland, Inc. in six wrongful death, personal injury actions in state and federal court arising out of an explosion at a particleboard manufacturing plant.

Textron obtains dismissals in silica exposure cases—Jones Day represented Textron, Inc. in 88 individual personal injury claims against more than 80 different defendants.

Parker Hannifin settles during appeal claims filed in wake of SilkAir crash—Parker Hannifin Corporation retained Jones Day to handle post-trial motions, damages trials, and appeals following an adverse ver-

dict in cases arising out of the December 1997 crash of SilkAir 185.

PUBLICATIONS

November 2012

No Summer Vacation for Device Regulators: An Overview of Recent Legislation and FDA Activity, Part II

November 2012

No Summer Vacation for Device Regulators: An Overview of Recent Legislation and FDA Activity, Part I

Winter 2012

Aviation Crisis Management: Are You Really Ready?, Practice Perspectives: Product Liability & Tort Litigation

Summer 2007

The Americanization of Aviation Claims, Practice Perspectives: Product Liability & Tort Litigation

December 2006

Runway Safety and Airport Operations: Are You Responsible, The Public Record

March 2, 2006

Learning “Plane” English Can Help Lawyers in Aviation Litigation, Pittsburgh Business Times

2004

Implementing the Montreal Accord: Practical Implications of the Aviation Liability Treaty, Airline Business Report White Paper 2004: Charting a Course to Meet Today’s Market Challenges

July 2004

The Significance of Other Accidents in Aviation Trials, Aviation Litigation Quarterly

Spring 2003

Excluding NTSB Final Aircraft Accident Reports and FAA Airworthiness Directives at Trial, Air and Space Lawyer

SPEAKING ENGAGEMENTS

February 13, 2012

The Commonwealth Institute’s Strategies for Success Program, keynote speaker—Boston, Massachusetts

June 22–23, 2011

American Conference Institute’s 3rd Annual Forum on Defending and Managing Aviation Litigation—Boston, Massachusetts

May 11, 2011, May 20, 2011

Pennsylvania Bar Institute presents: The Preparation and Trial of the Products Liability Case—Pittsburgh, Philadelphia, Pennsylvania

November 11, 2010

PBI Fundamentals of Products Liability Law—Pittsburgh, Pennsylvania

June 22–23, 2010

American Conference Institute’s 2nd Annual Forum on Defending and Managing Aviation Litigation—Boston, Massachusetts

May 23–24, 2007

The Changing Legal Climate Surrounding Ownership Structuring, Use, and Operation of Corporate Jets—Cleveland and Columbus, Ohio

February 14, 2007

The Americanization of Aviation Claims, IATA Legal Symposium 2007—Istanbul, Turkey

February 13, 2007

Global Environmental Initiatives—Where We Are Today, Where We Are Going Tomorrow, IATA Legal Symposium 2007—Istanbul, Turkey

January 31, 2007

Proven Strategies for Successfully Managing the Demands of a Law Practice and

Personal Life, Pennsylvania Bar Institute CLE program—Pittsburgh, Pennsylvania

September 14, 2006

Participant on a panel which discussed litigation and insurance issues arising out of fixed base operator negligence, 26th Annual Pennsylvania Aviation Conference—Wilkes-Barre, Pennsylvania

June 6, 2006

The Changing Legal Climate Surrounding Ownership Structuring, Use And Operation Of Corporate Jets—Pittsburgh, Pennsylvania

EDUCATION

Duquesne University (J.D. 1997, cum laude; Justice Louis Mandarino Honor Society for Achievement in Trial and Appellate Advocacy; Order of Barristers); Ohio University (B.S. in Journalism 1988)

BAR ADMISSIONS

Massachusetts, Pennsylvania, U.S. District Courts for the District of Massachusetts and Eastern and Western Districts of Pennsylvania, and U.S. Courts of Appeal for the First, Third, and Ninth Circuits

CLERKSHIPS

Law Clerk to Judge Gustave Diamond, U.S. District Court, Western District of Pennsylvania (1996–1998)

EXPERIENCE HIGHLIGHTS

Fenway Sports Group defends personal injury action

Electrolux attempts acquisition of GE appliances business

Honeywell legacy subsidiaries obtain dismissal of lawsuit alleging defectively designed products

AREAS OF FOCUS

Business & Tort Litigation
Product Liability Litigation
Airlines & Aviation
Class Action & Multidistrict Litigation
Toxic Tort Litigation

HONORS & DISTINCTIONS

Legal 500—leading lawyer or recommended in litigation for product liability and mass tort defense: consumer products (including tobacco) (2013–2014), toxic tort (2014–2016), automotive/transport (2015–2016), and aerospace/aviation (2007, 2009–2011, and 2014)

Selected by American Lawyer Media as one of 35 Pennsylvania lawyers as a “2005 Lawyer on the Fast Track”

Named a “Pennsylvania Super Lawyer, Rising Star” by Philadelphia Magazine and Law & Politics (2005–2007)

Mr. BLUMENTHAL. I take this extraordinary step because she has failed to provide it in response to a specific question I asked in the written inquiries we submitted after her testimony. She said, in effect, she was “duty bound to maintain the confidential nature of legal advice sought by or provided to any client.”

This claim of attorney-client privilege is absolutely bogus and ought to insult this body because there is no reason for the name of the client to be kept confidential or that attorney-client privilege to be sustained.

I think invocation of attorney-client privilege in this way speaks volumes to the kind of member of this Commission she would be. In fact, she has refused to reveal her full list of consumer product clients, other than the ones like Mattel and Yamaha, which are available through court filings and other public records. I have entered many of those other clients into the RECORD, but we

have no assurance that we know that full list.

She has also refused to recuse herself from matters involving her current firm, Jones Day, or its clients for more than 1 year. The Office of Government Ethics requires 1 year of recusal from the time she last represented that client, but no more than that length of time, and she has committed no more than the bare minimum requirement by law. In addition, her husband has represented IKEA in a major product liability suit involving furniture tipovers. She has refused to recuse herself from matters involving IKEA.

We are in a perilous time, when the norms concerning conflicts of interest have been reduced, almost eviscerated. We have an obligation to protect consumer interests at the Consumer Product Safety Commission. That responsibility is to make sure serious defects, dangerous products, problems, and hazards that will face consumers as a result of deadly or defective products are prevented from reaching the market. Consumers may have no knowledge of how they are deadly or dangerous. The Consumer Product Safety Commission has the mission to protect consumers.

For someone who has the ability, skills, and expertise to represent wrongdoers which threaten consumers is the responsibility of admirable and able law firms, like Jones Day, and those skills and experience enable lawyers who work there. It is not the job of a Commissioner of the Consumer Product Safety Commission.

So it is really not about her personal ability, it is about the mission of this agency and who is qualified to serve on it and whether they have told us everything we need to know to hold them accountable if they are confirmed.

On all those scores, this nominee is lacking. Therefore, I urge my colleagues to vote no today on her nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The assistant majority leader.

ACCOMPLISHMENTS OF THE REPUBLICAN-LED CONGRESS

Mr. CORNYN. Mr. President, I am sure I am not unique in the fact that when I go home, my constituents ask: What in the heck is going on up there?

The truth is, amid the polarization, the misinformation, the arguments, the disagreements we naturally will have—because we represent different parties, different regions, and different points of view—it is really important to occasionally reflect on what it is we have actually done because, as I learned a long time ago as a journalism student, good news is not news.

What makes news is when there is conflict and disagreement. That is what people pay attention to. That is what reporters write about, that is what the cable TV channels run because they know people will watch it. They can sell advertising. That is sort of the way the system works.

Good news needs to be told and needs to be spread. So what I would like to do

is just reflect for a few minutes on the last 17 months and what has been accomplished during that year and a half by a Republican-led Congress and by the Trump administration working together.

I think, perhaps, the single biggest accomplishment that has benefited the most people broadly across this great land of ours is the new energized state of our economy. During the last administration, following the great recession of 2008, we had this ahistorical idea that slow economic growth was the new norm; that sub-2 percent economic growth each year—which isn't fast enough to create enough jobs to keep people employed—was something we were just going to have to live with. The fact is, since World War II, the economy has not grown at 2 percent or less; it has grown at about 3.2 percent.

What we are beginning to see is the slumbering giant of the American economy wake up and grow. People have confidence again and optimism in the future, which is a good thing. Unemployment fell to 3.9 percent recently, which is the lowest in 17 years, and 14 States hit record-low unemployment as well.

As I said, consumer confidence is high. As a matter of fact, it is at an 18-year high, and the tax reform package we passed last December has been the biggest, single game-changer. Although, I want to talk about regulations in a minute, the tax reform package got America back in the game. It made us more competitive globally as a place where people who want to invest money and create a business or grow their business—it is attractive, finally. We aren't chasing people off, having to move offshore in order to compete globally. They now see America as a favorable place to invest, and that benefits all of us.

Nearly 800,000 jobs have been created, 164,000 in April alone. To me, one of the most encouraging statistics is, in February, we saw more than 800,000 people rejoin the workforce. Unemployment statistics, as the Presiding Officer knows, can be a little bit misleading because sometimes when people quit looking for work, they are not reflected in the unemployment statistics, even though they are obviously unemployed.

The fact that 800,000-plus Americans decided to rejoin the workforce because they thought there was a real chance they could get a good-paying job ought to be enormously encouraging to all of us. It is to me.

In addition to the new jobs, in addition to more people joining the workforce, we have seen people who are working receive pay raises, more take-home pay. The retirement contribution their employers made to their 401(k) plan went up in hundreds of different cases.

We have also seen people see a reduction in their utility rates—the amount of money they pay for electricity—because the for-profit utilities saw a cut

in their taxable revenue, and because they are utilities they had to lower the rates in order to meet the requirements of the regulators. We have seen bonuses being paid by large companies, like AT&T in Texas, and commitments made to invest in more infrastructure. We have seen benefits across the board. The National Association of Manufacturers says that 77 percent of manufacturers in America intend to increase hiring, and 93 percent of them have a positive outlook for their companies. That is the kind of optimism I feel and hear when I travel back home.

In visits to Amarillo, College Station, Austin, and elsewhere, I have had the chance and taken the opportunity to sit down and talk to my constituents in those places and ask: How is it going? How are we doing? How are you doing? What I hear from small business owners regularly is the benefits they are seeing from the Tax Cuts and Jobs Act.

I have also had constituents write to my office, explaining how the boost in their monthly paychecks is making a big difference when it comes to making ends meet, buying groceries, paying their bills, or affording health insurance.

I alluded to this a moment ago, but one recent piece of news had the Southwestern Electric Power Company announce it had requested its utility rates be lower. Actually, it probably didn't request it be lowered, but they were lowered as a result of their lower overhead as a result of their tax bill going down.

Southwestern has more than 180,000 Texas customers and attributed the rate decreases directly to the Tax Cuts and Jobs Act. I would say that is a good thing. When seniors and people on fixed incomes actually see their utility rates go down, it helps them make ends meet. Entergy Texas, another electric utility, has similar plans to return tax savings to customers and support continued investment. Those two companies are just the tip of the iceberg.

The economy is booming, so much so that employers tell me it is hard to find qualified workers. We need to double down on our commitment to make sure we provide people access to the education and training they need to qualify for the new, high-paying jobs that exist. But, simply, those jobs can't always be filled because there are not enough trained workers to perform them.

It is not just the economy that deserves our mention. One of the most significant things that the Trump administration has done is nominate and see the Senate confirm a record number of judges—judges who, by the way, are committed to faithfully interpreting the Constitution and not legislating from the bench because of their personal preferences.

If you want to pursue a personal agenda or political agenda, you ought to run for Congress, not seek the Federal bench. We expect and demand

something different out of judges, which is faithful adherence to the law, not imposing their personal policy preferences. That is what President Trump has prioritized in his nominees and the nominees we have confirmed.

Twenty-one circuit court judges have been confirmed so far. That is roughly one-eighth of the appeals court judges in the United States. These circuit courts hear appeals from Federal district courts, trial courts, and, as the Presiding Officer knows, set binding precedent on a wide range of issues. I like to say that for all practical purposes, the circuit courts are the Supreme Court because the Supreme Court of the United States hears roughly 80 cases a year. They obviously set the precedent, but there are a lot of cases that never reach the Supreme Court, and their final court of last resort is the circuit court. That means the men and women presiding over those courts—the way they approach their judicial decision making—is making a real difference.

As I said, with the help of the Senate, President Trump has secured confirmation for 21 circuit court nominees. It is worth pointing out that President Obama's 21st circuit court nominee was not confirmed until he was in office for 33 months. It is not just that we are confirming good judges; it is that we are doing so at a good clip, comparatively speaking.

These judges include people like Don Willett, former justice of the Texas Supreme Court; Jim Ho, the former Texas solicitor general; and soon, Andy Oldham, the general counsel to Governor Greg Abbott, who has been nominated to the Fifth Circuit Court of Appeals.

That is not to mention the very talented district court judges we have confirmed as well. Two of them, Karen Scholer and David Counts, are Texans, and both my State and the entire Federal judiciary are lucky to have them.

The third thing I want to mention in terms of the economy is regulations because of what we have been able to do, working with the President when it comes to the regulatory state—the bureaucracy, the nameless, faceless entities that make life either easier or more difficult for small businesses. We have had a big impact. Specifically, we have repealed burdensome Obama-era regulations through the Congressional Review Act. It has been said before—and I will say it again—that in all of Senate history, it had been used only one time before; that is, to repeal the ergonomics rule. We have used it 16 times to eliminate agency rules that had found their way into law during the waning hours of the previous administration.

This effort—the Congressional Review Act effort—has been spearheaded by people like the junior Senator from Pennsylvania, among others. It has eliminated rules like coal mining regulation that would have put more than 100,000 jobs at risk and another one en-

acted by the Department of Education that undermined local control of schools and directly violated a Federal statute at least 7 times.

Our use of the Congressional Review Act has been referred to as a “regulatory wrecking ball” and the “most ambitious regulatory rollback since [President Ronald] Reagan.”

I don't agree it has been a wrecking ball. I think it has been more of a surgical operation. It has provided a signal to businesses, as well as real regulatory relief in those 16 specific cases. I think that is another reason for optimism in the sense that the Federal Government is no longer tying one hand behind the backs of our job creators.

Another important development has been finally rolling back some of the overregulation of Dodd-Frank. You will recall this was legislation that passed following the great meltdown recession of 2008. Like most things that happen in Washington, DC, the pendulum swung way too far.

I tell my community bankers and the credit unions in Texas: You weren't the target, but you were the collateral damage. They didn't cause the great recession of 2008, the subprime mortgage lending crisis; that was the big boys on Wall Street.

Thanks to Senator CRAPO and the Banking Committee and a bipartisan effort in the Senate, we finally pulled back some of the overregulation. If small community banks were going to be able to stay in business, they were required to hire people just to fill out the paperwork—not to make more loans but to fill out the paperwork. Many of them couldn't survive at all, so they had to merge or just go away. The people who got hurt the most were the people who needed access to credit—again, our small businesses.

Thankfully, this bill is now expected to pass the House this week, and it will be a big win for smaller financial institutions and make it easier for them to serve their communities by providing mortgages, providing credit, and lending to small businesses.

That is the past. Let's take a peek forward to this next week. This week, we will keep our commitment to our veterans—people who have worn the uniform of the U.S. military and who have served us so well and to whom we have a moral obligation, I believe, to keep our commitments to them—the promises we made to them when they were on Active Duty that when they left Active Duty, we would keep our commitments. We will do that when we vote on the VA MISSION Act this week.

This is a bipartisan, bicameral bill that will make significant reforms to the Department of Veterans Affairs. It will strengthen the healthcare and community care options that are available to America's veterans. It will provide \$5.2 billion to the much needed Choice funding program to prevent interruption of access to needed care for veterans.

In other words, we have said: If you are a veteran and can't get to a designated VA healthcare facility—a hospital or clinic—you can get treated in your community by a hospital or other healthcare provider, and we will pay the fee. If you have to wait too long in line, if you have to drive too far, you will have healthcare options. That is why funding the \$5.2 billion for the Choice Program is so important.

This bill will also provide caregiver assistance and consolidates the VA's seven community care programs into one streamlined program and will allow veterans, as I said, to seek care when and where it makes the most sense for them.

On the caregiver program, I can't help but remember when I visited Walter Reed, visiting some of our warriors injured in the line of duty in places like Afghanistan and Iraq. Frequently, the spouse of a wounded warrior has to quit his or her job to care for their loved one. It is an important aspect of the continuum of care necessary for them to recover and get back on their feet. We are going to provide greater access to caregiver assistance so that spouses and family members can do exactly that. It is the right thing for us to do.

Our VA MISSION bill also authorizes access to walk-in community clinics, removes bureaucratic redtape by authorizing local provider agreements, and eliminates barriers for VA healthcare professionals to practice telemedicine. In this new technological age, it makes no sense to have restrictions on the ability of people to get access to care through telemedicine, when and where appropriate.

I want to conclude by saying that I appreciate Chairman ISAKSON, Senator MORAN, and others working with the President and Acting Director Wilkie to get this done before funding runs out. I appreciate all of our colleagues who have worked on this on a bipartisan basis.

Last week, the House passed the bill, so now it is our turn. What a great sign of appreciation to our veterans it will be to get this bill passed and to the President's desk and have it signed before Memorial Day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

HEALTHCARE

Mr. JONES. Mr. President, I come to the floor today and rise to speak on a challenge that our rural health communities face both in Alabama and across the country. People living in rural areas often face difficulty in finding healthcare providers. The challenges of consistent, quality healthcare for rural America are exponentially more difficult than in any other area in the country. These persistent gaps in healthcare inevitably lead to poor health outcomes.

As a result, life expectancy for rural Alabamians is approximately 6 months lower than for those who reside in

urban areas and 3½ years lower than for people living in the rest of the country. In some parts of my State, the outlook is even worse. In Wilcox County, for example, life expectancy is 9 years lower than the national average. That is unacceptable. The county of your birth or where you choose to live should not dictate the quality of your life, much less your life expectancy.

Despite the prosperity some pockets of the country feel today, outcomes don't seem to be improving in many areas in rural America. Alabama's rural hospitals are at risk, and many are in immediate danger of closing. Sadly, some already have. Just last week, yet another hospital—this one in Jacksonville, AL—announced that they would close; it is about the 12th, I think, since 2011. It has become an all-too-familiar pattern in Alabama and in other rural areas in America. That means the quality and number of treatment options in these rural areas and in Alabama continue to decline. Fifty-two of Alabama's rural counties are facing primary care shortages, and those numbers get worse for specialty practitioners like dentistry and obstetrics.

Having spent nearly my entire life in Alabama—the only exception being 1 year in Washington, DC, working for this body on the Senate Judiciary Committee—I am acutely aware of the unique difficulties we face in keeping folks healthy. As I have traveled across Alabama over the last year, I have heard from folks who struggle to access medical care. I have heard from expectant mothers who didn't know if they would be able to make it to a hospital in time for delivery because the closest one was more than an hour away. I have heard from people who are impacted by the growing opioid epidemic and the lack of substance abuse and mental health treatment options in their communities.

When I came to the Senate, I knew I needed and wanted to make increasing access to quality, affordable healthcare one of my first priorities. I also knew that finding the Holy Grail of true healthcare reform in today's world of partisan politics is a difficult and complex task. I am proud to say that we have made some progress since I got here in January. For instance, through bipartisan efforts, the expired Children's Health Insurance Program, CHIP, which provides coverage to 150,000 Alabama kids as well as community health centers that serve 350,000 Alabamians, was funded for an additional 10 years in the future. I am proud that we secured an additional 3 years of funding for community health centers in that bill, which provides the primary source of healthcare in many underserved communities.

I was also a cosponsor of the Training the Next Generation of Primary Care Doctors Act, which was signed into law as part of the bipartisan budget deal. That legislation is critical for

folks in my State, both in the training it provides to doctors in community health centers and in rural health clinics, but also because it ensures that talented individuals who choose to stay in the healthcare professions stay and practice in their community.

Bipartisan legislation like that bill is one of the many ways that we can improve how folks receive healthcare in the United States. There is, of course, another option, which leaders in Alabama have failed to take, and that is to expand Medicaid. By failing to expand Medicaid, many of Alabama's most vulnerable citizens have been denied access to basic care, and we turned away literally billions of our own taxpayer dollars in the process. That decision just doesn't make sense. While I remain hopeful that my State's leadership will reconsider the shortsighted decision made solely for political reasons, I am going to continue to work to find ways to help. For example, I will continue to advocate for changes in the Medicaid wage index, which has been unfairly hurting Alabama healthcare providers and has been doing so for years.

For my part, today, taking one additional step, I am proud to say that my very first piece of original legislation will focus on improving rural healthcare through making government more efficient. Today, along with my colleagues Senators MIKE ROUNDS and TINA SMITH, I am introducing the Rural Health Liaison Act. I wish to thank and acknowledge Congresswoman CHERI BUSTOS for her leadership on this issue in the House and her offer to partner in this important effort.

The bipartisan Rural Health Liaison Act will streamline Federal investment in rural healthcare and improve coordination between Federal agencies and other healthcare stakeholders by creating a Rural Health Liaison within the U.S. Department of Agriculture.

I believe the USDA is an appropriate spot for such a position because the Department plays a major role in rural development efforts. For instance, the USDA has the capability to finance the construction of hospitals, to implement telemedicine programs, and to carry out health education initiatives. We want to make sure that these efforts are fully coordinated and leveraged with the U.S. Department of Health and Human Services and other Federal agencies, as well as other important healthcare stakeholders.

Among other things, the Rural Health Liaison would consult with HHS on rural health issues and improve communication with all Federal agencies. It will provide expertise on rural healthcare issues. It will lead and coordinate strategic planning on rural health activities within the USDA, and it would advocate on behalf of the healthcare and relevant infrastructure needs in rural areas.

I thank Senators ROUNDS and SMITH for their support on this important legislation, and I look forward to working

together with them and other colleagues to move this bill forward. This is a great example of how Senators from both sides of the aisle can come together to propose commonsense legislation to make government work better and more efficiently. It is exactly the kind of work that I hoped to do when I arrived here just a few months ago.

But this is just another step in a very complicated process. In the months ahead, I hope to have the opportunity to continue to work with colleagues on both sides of the aisle in this body to lower healthcare costs, to increase access to quality healthcare, and to improve the health and well-being of people living in rural Alabama, in rural America, and, in fact, for people all across this great Nation.

Thank you, Mr. President.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. JONES. Absolutely, yes.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. This Senator from Florida wants to thank his neighbor and colleague for his comments and to say how true it is that there is an underserved part in healthcare that is not only the underserved in the inner city but, clearly, also in rural America. This Senator wants to thank the Senator from Alabama for coming forward with that piece of legislation. I look forward to discussing it with him.

I also wish to thank the Senator for his comments about how shortsighted it is that the government, as he stated, in his State of Alabama, and, certainly, the government in my State of Florida, refuses to expand Medicaid and has so for almost 7 years, when, in fact, in the State of Florida, there is almost \$5 billion a year that is sitting on the shelf that is Florida taxpayer money that is going elsewhere if not accessed, and it has not been accessed in my State of Florida. That is 800,000 people—almost 1 million people—poor people and disabled folks who would be getting healthcare, and they otherwise are not getting healthcare.

Would the Senator believe that when they don't get healthcare through Medicaid, for which they are eligible under the law, when they get sick, what do they do? They end up going to the emergency room. By not having any preventive care, it is now an emergency. Of course, when treated at the emergency room, it is the most expensive place at the worst time. Lo and behold, it is uncompensated care, and the hospital can't eat all of that uncompensated care. So what happens? All the rest of us pay through increases in our premiums.

I thank the Senator for his statement about what is happening in my neighboring State of Alabama.

Mr. JONES. I say thank you to Senator NELSON. I appreciate that. Although our numbers are not as staggering in our State of Alabama, they are still significant for the State of

Alabama with regard to Medicaid. So I will state that I appreciate the Senators comments very much, and I look forward to working with him on this bill and helping to move it forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I rise today regarding the nomination of Dana Baiocco to serve as a Commissioner on the Consumer Product Safety Commission, or, as we refer to it, the CPSC. It is a small, safety-focused agency. It has about 500 employees, but it has a critically important mission to keep Americans safe from potential defects in thousands of consumer products, many of which are imported from China.

We have seen the need to have a strong cop on the beat, and we have seen that many times over the years. For example, back in 2007, we saw what was referred to as a summer of recalls, when a number of children's toys were recalled for high levels of lead and other toxic substances.

In response to that summer of recalls in 2007, Congress almost unanimously passed a law, the Consumer Product Safety Improvement Act of 2008, to address the safety of toys and other children's products. But there is still a lot more to do.

Last summer, another tragedy played out in Florida, involving portable generators. People go and buy these portable generators in anticipation that they are going to lose electricity in their home, as is so often the case with a hurricane. In the wake of Hurricane Irma last year, 12 Floridians died and a number of others were injured by the use of portable generators because carbon monoxide poisoning is emitted from these portable generators. In many cases, the victims were just trying to clean up debris or provide power to their families after the storm, unaware that these generators give off large amounts of carbon monoxide, which is colorless, odorless, and deadly.

For years we have been calling on the CPSC to ensure that portable generators are equipped with mechanisms that limit carbon monoxide emissions and automatically shut off the generators when the carbon monoxide level reaches a high, dangerous lethal level in an enclosed area that could cause death. It is a small modification to generators that would not affect the performance but definitely would save lives.

This happens after every hurricane. People get generators because it is a number of days or weeks without electricity, and they still want to have electricity, and, of course, there are untold deaths. In the case of Florida, in the aftermath of Hurricane Irma, there were 12 deaths. If small modifications had been in place last summer, it is very likely that some of those Floridians who lost their lives would still be with us.

That brings me to Ms. Baiocco's nomination. She certainly has a distin-

guished legal career. She has been a partner of a major law firm, and I congratulate her on that.

When she was in front of our Commerce Committee, she was asked whether she would support a mandatory standard requiring that generators have mechanisms that limit carbon monoxide emissions or other devices that switch the generators off when the carbon monoxide level rises to dangerous levels. Her response was that we should defer to a voluntary industry standard.

I ask the Presiding Officer: Do you think the industry is going to voluntarily put on these shutoff mechanisms? Isn't the CPSC there for the purpose of protecting the public?

When the next hurricane hits—perhaps in the Presiding Officer's State—do we want another dozen deaths as has occurred in Florida? I don't think so. I think that is the role of the CPSC, and yet Ms. Baiocco said she wants it to be voluntary with the industry. Well, that is exactly what we have been doing for years, and we just keep seeing more deaths and more injuries because the industry doesn't change it. In some cases, whole families have been wiped out. That is not a pleasant thought.

Hurricane season starts June 1, and every day that the CPSC fails to act on portable generators, more Americans will die, especially where hurricanes hit. The place called "hurricane highway" is not only the peninsula of Florida but also the Gulf States and the Gulf coast, which includes the Presiding Officer's State. The fact that Ms. Baiocco cannot recognize the need for a mandatory standard in this area makes me wonder if she is going to do anything about other hazards that impact our families.

Mr. President, I ask for 60 more seconds.

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

Mr. NELSON. Mr. President, this is serious. There are things like potentially toxic flame-retardant chemicals in children's products. Remember all of those Chinese toys that were defective? Or what about recycled crumb rubber that is used in playgrounds that have high levels of toxic substances?

Sadly, it seems that with the administration's recent appointments to the CPSC, the Commission could soon become known as the "commission to protect shareholders and companies."

This Senator believes that the people appointed to protect us have to display a desire to protect the consumers first. The stakes are just too high. Unfortunately, this Senator, a member of the Commerce Committee, has concluded that Ms. Baiocco does not meet this standard. Therefore, I must oppose her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent to be able to conclude my remarks regarding this upcoming vote prior to the vote.

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

Mr. THUNE. Mr. President, I rise today to voice my strong support for the nomination of Dana Baiocco to be a Commissioner at the Consumer Product Safety Commission. Ms. Baiocco has dedicated her career to product safety and liability matters, and it is my firm belief that her depth of experience and familiarity with consumer product safety issues will bring an important perspective to the Commission once she is confirmed.

Born and raised in Yorkville, OH, Ms. Baiocco attended the Duquesne University School of Law, graduating cum laude in 1997. While still in law school, Ms. Baiocco served as a law clerk for the U.S. District Court for the Western District of Pennsylvania. In 1998, she joined the law firm of Jones Day and became a partner in 2007, where she has dedicated her legal career to counseling clients on product safety and liability issues. In 2011, she became one of the founding partners of Jones Day's Boston office, which opened that same year.

Currently, the CPSC retains a 3-to-1 Democratic majority. While the Commerce Committee has favorably reported Ms. Baiocco's nomination, as well as Acting Chairman Anne Marie Buerkle's nomination twice this Congress, both have been unfairly held up by some on the other side. The CPSC deserves a fully constituted Commission of Senate-confirmed leaders. Ms. Baiocco's confirmation is a crucial measure of good governance to restore balance to the Commission.

To date, I have not heard a single argument against Ms. Baiocco's abilities. Notwithstanding her extensive qualifications to be an effective Commissioner at the CPSC, however, some of our colleagues on the other side have voiced concerns about her nomination on the grounds that her career representing business clients in the consumer product and liability space may impact her impartiality when considering issues before the Commission. A few have also raised concerns about her impartiality on the basis of her spouse's career as a litigator and partner at the law firm of White and Williams.

Well, to my colleagues who harbor such concerns, I would note that the Senate routinely confirms nominees who are lawyers with private practice backgrounds, and we expect such officeholders to advocate for the public interest just as zealously as they once advocated for their clients.

I would also remind our colleagues of the role the Office of Government Ethics plays in ensuring that nominees have resolved any actual or apparent conflict of interests before they are even considered by the Senate. The Office of Government Ethics has closely scrutinized Ms. Baiocco's financial disclosures to ensure compliance with all requirements and evaluated Ms. Baiocco's finances and background for conflicts of interest.

Further, Ms. Baiocco has formerly pledged in her ethics agreement that she would recuse herself from matters involving her firm, Jones Day, or its clients unless issued a waiver. She also specifically stated in her ethics agreement that she will not “participate personally or substantially in any particular matter involving specific parties in which [she knows] a client of her spouse is a party or represents a party” unless authorized. Additionally, she has complied with all matters concerning the management of her financial assets in the future.

It is my firm belief that Ms. Baiocco’s experience will afford a unique perspective as a commissioner and serve the CPSC well. There is no legitimate reason to delay her confirmation any further. I, therefore, urge my colleagues to support her nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). All time has expired.

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

Mr. THUNE. 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 bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Colorado (Mr. GARDNER) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Colorado (Mr. GARDNER) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Maryland (Mr. CARDIN), and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The result was announced—yeas 50, nays 45, as follows:

[Rollcall Vote No. 103 Ex.]

YEAS—50

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

NAYS—45

Baldwin	Casey	Gillibrand
Blumenthal	Coons	Harris
Booker	Cortez Masto	Hassan
Brown	Donnelly	Heinrich
Cantwell	Durbin	Heitkamp
Carper	Feinstein	Hirono

Jones	Murphy	Smith
Kaine	Murray	Stabenow
King	Nelson	Tester
Klobuchar	Peters	Udall
Leahy	Reed	Van Hollen
Markey	Sanders	Warner
McCaskill	Schatz	Warren
Menendez	Schumer	Whitehouse
Merkley	Shaheen	Wyden

NOT VOTING—5

Bennet	Duckworth	McCain
Cardin	Gardner	

The nomination was confirmed.

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

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

Johnny Isakson, Roger F. Wicker, John Thune, John Cornyn, Richard Burr, Mike Crapo, Tom Cotton, John Boozman, Thom Tillis, Jerry Moran, Joni Ernst, David Perdue, Roy Blunt, John Hoeven, Bill Cassidy, Dan Sullivan.

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

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Colorado (Mr. GARDNER) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Colorado (Mr. GARDNER) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Maryland (Mr. CARDIN), and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The yeas and nays resulted—yeas 91, nays 4, as follows:

[Rollcall Vote No. 104 Leg.]

YEAS—91

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

NAYS—4

Lee	Rounds
Merkley	Sanders

NOT VOTING—5

Bennet	Duckworth	McCain
Cardin	Gardner	

The PRESIDING OFFICER. On this vote, the yeas are 91, the nays are 4.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

RECESS

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

Thereupon, the Senate, at 1:03 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

VETERANS CEMETERY BENEFIT CORRECTION ACT

The PRESIDING OFFICER. Cloture having been invoked, the clerk will report the House message to accompany S. 2372.

The senior assistant legislative clerk read as follows:

House message to accompany S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the bill.

McConnell motion to concur in the amendment of the House to the bill, with McConnell amendment No. 2246 (to the House amendment to the bill), to change the enactment date.

McConnell amendment No. 2247 (to amendment No. 2246), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Veterans Affairs, with instructions, McConnell amendment No. 2248, to change the enactment date.

McConnell amendment No. 2249 (to the instructions) amendment No. 2248), of a perfecting nature.

McConnell amendment No. 2250 (to amend-ment No. 2249), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, we have all seen the headlines across the Nation about the VA Choice Program and how it has failed our veterans. I wish to share some of those headlines from my home State of Montana.

From Montana Public Radio, the headline was: "Montana Hospitals: New VA Program Fails To Pay."

From NBC Montana, the headline was: "New problems for Veterans Choice in Montana."

From the Billings Gazette, the headline read: "Painful truth about Montana VA."

As I travel around the State, as I hear from veterans who come back to Washington, DC, I personally have heard from them, from countless healthcare professionals, from our hospitals regarding payment delays, long waiting times, and elusive runaround on the most basic services.

Under the Choice Program, our veterans did not receive the healthcare they deserved. However, the bipartisan MISSION Act will follow through on the promises that were made to our veterans. Rural veterans will get greater, easier, quicker access to the care they need. Whether a veteran lives 20, 30, or 40 miles from a VA clinic, they can go elsewhere if the VA does provide them with the services they need. It brings VA care into the 21st century by encouraging telemedicine and strengthens oversight of opioid prescriptions. Veterans will have more access to doctors because there will be measures holding companies accountable—companies like Health Net—for how they manage the new program. It provides scholarships to encourage medical and dental students to serve in the VA, and it creates a new loan repayment program for medical students who are training in specialties that are currently lacking in the VA.

This is one of the big problems we have. We can't fill the slots with medical professionals in the VA. It is about time we take meaningful steps toward fully delivering on the promises we have made to our veterans.

On this Memorial Day week, I wish to share that we have passed my bill to name VA clinics in Missoula and Billings after Montana veterans David Thatcher, Dr. Joseph Medicine Crow, and Benjamin Steele. My bill has been sent to President Trump's desk for his signature. With the passage of the MISSION Act, these three clinics will be delivering new and improved care and will also display the names of three Montana World War II heroes. I urge my colleagues in the Senate to join me in supporting the VA MISSION Act.

I yield back my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to bring attention to a particular provision of the bill now

before the Senate—a provision that would do so much to help our country fulfill its promise to our veterans—and that is to expand and strengthen the VA's caregiver program.

This program may not be well known outside of military family circles, but, make no mistake, the caregiver program could be a game changer for the estimated 5.5 million people across this country who put their lives on hold to care for a loved one who returned from service with illness or injury.

I met one of those caregivers not too long ago in my home State of Washington. Tiffany Smiley wears many hats. She is a mother, a wife, a nurse, and a veteran caregiver. She and her husband Scotty first met back in junior high, and years later they were married. He signed up to serve our country and Tiffany became a military spouse. Then, in 2005, she got the call every military family fears. Scotty had been severely injured in a suicide bombing in Iraq. He was alive, but he lost his eyesight permanently.

As Tiffany describes it, her world was shaken to its core, and their lives were never the same again. But Tiffany, like so many other military spouses, didn't think twice about whether she would care for her husband and their growing family. It was just a matter of how she could do it. To this day, Tiffany is an amazing advocate for the caregiver program and what it has meant to her and to her family.

She describes both the good days and the bad days, so those of us not in her shoes can understand some of the challenges they face. She does it because she knows she is not alone. She knows that sharing her experience is making a difference to educate the rest of the country about what it means to be a veteran's caregiver.

It is so true. I heard from countless people who, when their loved one came home from service with an injury or illness, made big life changes by quitting a job, scaling back their hours, or taking leave from college. They put big purchases, retirements, and dream vacations on hold or they took on more parenting responsibilities. You name it. They sprang into action and did what they needed to do, because that is just what you do when it is someone you love.

We know that the care military caregivers provide comes at a cost. Several years ago, the Dole Foundation commissioned the largest ever study of its kind to examine the sacrifice of military caregivers. It showed that some caregivers spend more than 40 hours a week caring for veterans. That is the equivalent of a full-time job, and that takes a toll. The study showed that caregivers have significantly worse health than noncaregivers. They run a higher risk of depression because they put their own physical and mental well-being on hold. The stress of providing care can strain relationships and increase divorce rates. So caregivers—or, as they are often called, our

hidden heroes—don't necessarily wear a uniform or go overseas, but they sacrifice a whole lot and they serve our country in ways most people find unimaginable.

That is why expanding the caregiver program to veterans of all eras is so important, because the program provides resources and support, including training and counseling, a stipend, access to healthcare, respite, and more.

This bill expands the support services for caregivers to address their still unmet needs. That includes offering financial and legal advice to deal with the many complex and difficult challenges that arise that are unique to being a caregiver.

Not only does the caregiver program recognize the sacrifice of caregivers, but it also puts decisions about care into the hands of the veterans and their loved ones. They can decide to be at home with onsite care or on their own terms and as independent as possible. That is really important. The fact that we are so close to getting this program expansion across the finish line goes to show how far we have moved this conversation. That is also why we have to keep pushing it forward—so veterans and military caregivers never feel like they have to face these problems alone, because the reality is that if a servicemember is hurt while fighting for our country, the responsibility of care should never fall to only one family. It is the responsibility and the duty of our entire Nation to have their backs and give them what they need.

We can't stop until we get this done. We can't stop until every veteran and military caregiver knows that their country is there for them on their terms, no matter what. I am so proud that the caregivers program expansion is front and center in the VA MISSION Act now before the Senate. On behalf of Tiffany and Scotty and all of the other military families out there, I urge my colleagues to express their support for this critically important program.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Cloture having been invoked, the motion to refer and the amendments pending thereto fall.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Alaska.

TRIBUTE TO RICH OWENS

Mr. SULLIVAN. Mr. President, as my colleagues know, one of the best times of the week for me is when I get to come down to the floor and talk about some of my great constituents back home in Alaska, somebody or a group of Alaskans I refer to as the "Alaskan of the Week."

We all think we come from great States, but what I really enjoy about talking about the Alaskan of the week is not just talking about Alaska and how beautiful and big and majestic it is but also about the people who make it such a great place. In this "Alaskan of the Week" presentation, I want to talk about not just Rich Owens, whom I am going to talk a lot about this afternoon, but also small businesses in Alaska—in this case, in Anchorage, my hometown. As you know, the owners of these businesses really make a positive impact on communities like Anchorage or States like Alaska or really the whole country.

When you think of Alaska, you think of food. Particularly right now, as spring is in full swing, you think of our delicious salmon. I have good news for all the salmon lovers out there: Copper River salmon season opened last week. It is some of the best wild salmon on the planet. You might also think about our halibut and black cod, king crab, shrimp, and oysters. We actually serve that to our fellow Senators here when we have lunch. I know the Presiding Officer loves Alaskan seafood.

I want people to actually realize that some of our food is ice cream. I know that sounds strange—ice cream in Alaska. In fact, it is said that Alaskans consume more ice cream per capita than any other State in the country. Go figure on that one. That doesn't surprise Rich Owens, our Alaskan of the week, who is the owner of the bustling Tastee Freez on the corner of Jewel Lake and Raspberry Road in Anchorage. That Tastee Freez, which opened in Anchorage at a slightly different location 60 years ago, is one of the oldest Tastee Freezes in the country, and it sells more ice cream than any other Tastee Freez in America. That is remarkable. Rich also claims the largest menu of any Tastee Freez in the United States.

Like so many of our great small businesses, it is much more than just an ice cream store. To those who live in Anchorage and many who live across the State, Rich's Tastee Freez is an institution. It is a bulwark for the community, thanks largely to Rich's ownership. Since he bought the business in 1994, he has made giving back to his community his top priority in so many different ways beyond running that great small business.

Rich was raised in a small town in Montana. His father was a pharmacist, and his parents owned a drugstore. Giving back to the community was something he saw his parents do every single day. "It was not the exception," Rich said, "it was the rule."

Rich came to Alaska in the 1980s to work at what is now the Millennium Hotel—another great business in Alaska. In 1994, he bought the Tastee Freez. Since that time, Rich has donated his time and energy and, importantly, his philanthropy to our great State and our community. Let me provide a few examples.

Rich is a huge champion for our schools. That can mean delivering up to 400 sundaes to elementary schools when they have a family reading or math night. He helps fund school trips for students who need help. Every year, each elementary school that he works with stages a Tastee Freez takeover. School staff members work shifts behind the counter, and Tastee Freez employees wear school T-shirts. Those takeovers are widely advertised and popular, and Tastee Freez donates a portion of that day's take to the school. He is very focused on community.

Rich has also formed a work-study partnership with high schools. He guesses that the average age of his 28 employees is 17 years old—about the age of our pages right here listening so intently. For so many Alaskans, it was their first and some say their best job ever, working in that Tastee Freez Rich owns. He has donated his time, energy, and talents to successful summer camps that teach young Alaskans about the outdoors and important values. One of his assistant managers began to work at the shop when she was 15 years old. She is 31 years old, and she met her husband at the shop. This is a great community small business.

Rich is also a huge supporter of our military, our veterans, and the National Guard. As we are approaching Memorial Day weekend and as we are literally debating a very important Veterans Affairs' bill on the Senate floor right now, it is important to remember the thousands of Alaskans and the literally millions of Americans who are veterans and those like Rich, who are supporting our veterans day in and day out.

For example, Rich has been part of the Alaska National Guard's Operation Santa Claus each Christmas holiday, which flies Santa Claus and a bag of presents, toys, school supplies, and fresh fruit to some of the most remote, far-flung Alaska villages each year during the holidays. These kids and these communities love it. Of course, Santa and his helpers also bring Rich's ice cream. Thanks to Rich, the kids get ice cream in the winter. Every year, he serves thousands of 5-ounce sundaes to these young kids in our villages—some who have never seen sprinkles or caramel toppings on their ice cream. For his efforts, Rich is known in my State as the commander of the Alaska National Guard Ice Cream Support Squadron.

Just a few weeks ago, the Tastee Freez in Anchorage—Rich's great small business—celebrated 60 years of service to the community. In case you want to know whether this is a popular small business in our community, over 1,000 people showed up at this celebration. They served 1,644 small ice cream cones, not including the dipped cones and sundaes that day—all free of charge.

I was there for that great celebration. Senator MURKOWSKI was there.

Congressman YOUNG was there. Our Governor was there. Tastee Freez corporate officers from the lower 48 flew up to Alaska for this big event. They had never seen anything like it. This is the No. 1 Tastee Freez in the country. But what most excited Rich that day was all the people there he had served throughout the years, including the hundreds of people who used to work at the shop, who met their spouses at Tastee Freez and then had children, and those children now go there, and some even work there.

That is what a small business with heart can do for a community. It can provide young people with their first real job. It can bring us together. It can provide a sense of community. It can serve the community. And, of course, it can be a delicious place of memories for families. That is what the Tastee Freez in Anchorage has done, and that is why we want to congratulate Rich on being our Alaskan of the week and thank him again for all the great things he has done for our State and community.

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

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

Mr. MORAN. Mr. President, I am pleased to be back on the Senate floor this afternoon in support of the VA MISSION Act. I was here last Thursday, and, in part, I paid tribute to Senator MCCAIN. We greatly miss him here on the Senate floor. I personally—and I know my colleagues also—wish he were here to help us determine a path forward and to find the solutions to problems. Senator MCCAIN is an expert in caring for those who have served us in the military and taking care of our military retirees and our veterans. So, again, I use this moment on the Senate floor to pay tribute to my colleague Senator MCCAIN and to thank him for his service to our Nation and his willingness to work side by side with me as we develop legislation that deals with the issue of community care for veterans across the country.

I highlighted last Thursday that challenges at the VA have caused Congress to respond, and that response involves Choice, legislation that now exists in which, under certain circumstances, veterans have the ability to find and be provided care within their communities. They can see their hometown physician and be admitted to their hometown hospital under certain circumstances.

The Choice Program has worked well for many veterans, just as the VA itself internally works well for many veterans. But I know from my own experience as a Member of the U.S. Senate

that Kansans have experienced significant challenges with VA programs, especially with the Choice Program, in which the bureaucracy seems to inhibit the ability of the VA to provide the care that veterans across Kansas are seeking.

I indicated last week that currently within our office, we have 80 cases in which we are dealing with veterans who are facing challenges from something they need from the VA and are not receiving. I looked at the numbers prior to that since I have been a Member of the U.S. Senate. There have been 2,650 occasions in which a veteran sought help from their U.S. Senator for something we would expect them to be entitled to based upon their service to our Nation. We are grateful to those veterans, and we want to make sure they are honored and esteemed. At the same time, we want to make sure the promises that were made to those who have served our Nation are kept.

The legislation before us that has been approved by the House of Representatives and is now in front of the Senate has been entitled the VA MISSION Act. We were actually successful in honoring Senator MCCAIN by including his name in the title. Again, I appreciate his willingness to help create the Choice Program and now to reform and extend it.

One of the challenges I have taken upon myself is to make certain we don't simply—nothing is simple around here—just extend the current Choice Program. We have worked to reform it and improve it and make it more likely that the challenges of those 80 veterans who are seeking help from my staff or those 2,650 who have sought help from my staff are a lot less.

So I judge the efforts in this legislation with this challenge: What are we doing to reduce the problems veterans encounter in seeking the help they are entitled to? In a conversation with my staff, I asked them to give me the top 10 reasons why this legislation is a good thing; tell me what are the top 10 reasons a Member of the U.S. Senate should vote for this legislation.

Incidentally, when we pass it, it will be forwarded to the President. President Trump has indicated his strong support for this legislation, so there is every indication the President will, of course, since he supports the legislation, sign it into law and will do so prior to Memorial Day, a time in which we again pay respect to those who have served our Nation.

My top 10 list became 12, and I would guess that if given more time and greater ability to spend time on the floor, that list of 12 could be expanded to a much longer list, but let me share with my colleagues reasons that I think it is important for this legislation to be approved and to be sent to the President.

Again, I was a skeptic early on. I wanted to make certain that we did something significant and not just extend the Choice Program into the fu-

ture but make significant changes. The challenge has been trying to make certain the VA does things we want them to do, that they follow the letter of the law of legislation we pass, and they follow the intent of Members of Congress. In regard to the Choice Act that passed now 3 years or so ago, it was hard sometimes to see that the VA was implementing that legislation the way it was written or the way it was intended.

No. 1 of the top 12 reasons this legislation should be approved is that this legislation makes certain the VA executes the law consistent with the intent of Congress. It mandates coordination with Congress as it develops rules and regulations under this new legislation.

The goal I expect to be successful in achieving is to prevent the VA's ability to narrow or limit the program's opportunity to serve veterans as was intended by this law and, more importantly, as they deserve.

No. 2, this legislation consolidates community care programs. There are seven different community care programs within the VA in which a veteran can access care away from the hospital—the big brick buildings that most of us have in our States; usually in the most populated areas of our States—and those seven community care programs are consolidated into one community care. That will reduce the bureaucracy at the VA but will also make it more understandable for our veterans and for the providers, including doctors, hospitals, and others who provide care to veterans today, in those community care programs—one program, not seven.

No. 3, we want to improve care coordination. By that we mean the quality of the relationship that a veteran has with the VA and what that relationship means in terms of them accessing care today and tomorrow and care related to their circumstances. This legislation requires the VA to provide a coordinator of care for veterans utilizing care in the community to ensure continuity of care and service in a timely manner. This will make it an easier task for a veteran to receive what they need, and it ensures it is done in a timely way. It also prevents lapses in care by increasing the communications between the veteran and the VA community provider.

No. 4, the legislation reforms eligibility. This is an important one. They are all important, but this one is especially important to me.

Under the Choice Act under which we operate today, the VA was instructed to allow a veteran who lives more than 40 miles from a VA facility or it takes more than 30 days for that veteran to receive his or her care at the VA—to provide, under Veterans Choice, that care in a community setting. Eligibility was defined by a narrow circumstance. However, having said that, it was never clear whether a veteran would qualify.

That 30-day, 40-mile criteria empowered the VA to make decisions that

often left a veteran who seemingly should be eligible, ineligible for care in the community. This legislation removes the 30-day, 40-mile requirement and replaces it with the criteria of what is in the best interest of the veteran. That is pretty important and pretty basic. One would expect that always to be the circumstance, but the criteria is changed now to what is in the best interest of the veteran, and the VA must meet clearly defined, routinely reviewed criteria as to whether that veteran is eligible to have community care if he or she desires it. So we are reducing the discretion. The decision is still made between the veteran and the VA, but we have narrowed the amount of discretion the Department of Veterans Affairs has and left the opportunity for the veteran, when it is in his or her best interest, access to care in the community.

So it is clearly defined, and the criteria is routinely reviewed to make sure access is available and that quality standards are met.

No. 5, if it turns out that the veteran disagrees with the decision made by the Department of Veterans Affairs as to whether he or she is eligible for care in the community—whether or not it is in his or her best interest—then there is an appeal to the hospital director in that person's area. In Kansas, this would be an appeal to the hospital director at the Colmery-O'Neil Hospital, at the Dwight Eisenhower Hospital in Leavenworth, or the Dole VA Hospital in Wichita.

Today, when a veteran is denied access to care in a community, their only recourse is to call their Congressman or to call their U.S. Senator to complain and have us go to bat. While we are all willing and we welcome the opportunity to serve those who have served us, the reality is, no one—and certainly no veteran—should have to call their U.S. Senator in order to get the VA to provide care that is in their best interests.

So this now gives a different route and hopefully a much more convenient route for veterans. We wouldn't have had the 2,650 cases if we had this provision. The veteran could have the opportunity to have their decision about their care—what is in their best interests—determined by the VA at home. So there is recourse for a veteran who is dissatisfied with the outcome.

No. 6, this provides full access for episodes of care. What our veterans have faced in using the Choice Act to date is, they will get a referral to a physician, but then the physician decides the veteran needs lab work or an x-ray. Unfortunately, that meant the veteran had to return to the VA to seek additional approval for the lab work and additional approval for the x-ray.

So we have redefined what it is the referral involves, which is they are referred for an episode of care. That means the lab work and the entire episode of care is treated in completion in

the community. No longer is the veteran required to re-call, re-request the VA to give them additional reauthorization.

No. 7, the legislation also mandates regular market assessments to determine what care is available in the community and where the Department of Veterans Affairs excels. We know the Department of Veterans Affairs has many medical programs, care, and treatments that veterans want and need, in which they excel. This gives us a better understanding—the veteran, the Department of Veterans Affairs, and us as Members of Congress in our oversight responsibilities—to know what is available within the VA and what is available in the community, and that lends itself to the determination of what is in the best interests of the veteran.

No. 8 of the list of 12 is something that is important to us as Members of Congress who have veterans who come from rural areas. We have 127 hospitals in Kansas; 88 of them are designed as critical access hospitals. It is a designation under Medicare, and it provides a cost-based reimbursement for that healthcare provider. It means our smallest hospitals in our smallest communities have a Medicare reimbursement rate that is designed to keep them in business, to keep their doors open.

Unfortunately, the Choice Act, in its current form, only requires the VA to reimburse at Medicare rates. That Medicare rate was never interpreted by the VA to be the rate that hospital received for Medicare patients, only a more standard Medicare rate. This legislation requires that the care be paid for at that critical access hospital designation rate. The same, I hope, is true for our rural health clinics, so physicians and hospitals receive the amount of money they would receive if they were treating a Medicare patient.

Why is this important? It is important because it encourages our hospitals to accept veterans into the community care program. The amount of reimbursement they would receive would be the same or similar to what they receive in caring for a Medicare patient, and our hospitals, in that circumstance, are hanging on financially by a thread anyway. It is a challenge to keep hospital doors open in our smallest communities. This gives them a reimbursement rate that increases the chance that the revenue is sufficient to cover the cost. It will encourage more hospitals to accept Choice community care patients, and it will increase the chance of those patients being alive and well into the future.

No. 9, this bill allows for access to walk-in care. Something that is changing in our delivery healthcare system is the ability to go to a pharmacy and have your blood pressure taken or get an inoculation, a vaccine. So access to walk-in care is becoming more common across our State and around the country. This allows our veterans to

receive, under this community care program, care from local walk-in clinics, convenient care clinics, and federally funded health centers, giving veterans the same access to nonemergent convenience care that people other than veterans now receive.

Allowing walk-in care at your local clinic is a much more convenient and a much more cost-effective way of addressing the issue of access to care across the State of Kansas and around the country.

No. 10, this legislation provides additional funds to maintain the Veterans Choice Program during its development and implementation. One of the challenges we faced is the inability of the Department of Veterans Affairs to determine actually how much money is required to keep the Choice Program going. This legislation keeps the program in place while we transition.

I serve as a member of the Appropriations Committee, and I have chaired the subcommittee that funds the Department of Veterans Affairs. We have been worried that every time there is a shortfall in the money available for Choice, we will see the VA reduce the number of veterans who qualify for care and therefore starve the program, and the networks that have been built up with healthcare providers in the community will disappear. So this is stabilizing. It is a process issue, but it is important because it allows for care to continue during the interim as we move to this new legislation.

No. 11, it increases access to telemedicine. The VA is known as a high-quality provider of telemedicine, but this is an opportunity to expand that, especially for rural veterans or specialty care, where it is expensive for that care to be provided—and we don't have providers in every VA setting—or if where a veteran lives is so remote that getting to the Department of Veterans Affairs hospital is a challenge. The State of Kansas has lots of rural communities and long distances—it can be a 4- or 5-hour drive.

I have been joined on the floor by the Senator from Montana, the ranking member on the Veterans' Affairs Committee on which I serve. The Senator from Montana understands very well the challenges rural veterans face in getting access to care when it is a distance away.

Finally, No. 12, we are going to work hard to foster innovation within the Department of Veterans Affairs. This legislation creates the VA Center for Innovation for Care and Payment, allowing the VA to more efficiently develop and carry out pilot programs to test and check out innovative solutions and approaches to improving the care for veterans, improving access to care, improving the cost associated with that care, and trying to find ways we can better assist our veterans in a more cost-effective way.

I again reiterate my support for the VA MISSION Act and honor Senator MCCAIN, for whom this legislation is

named. I look forward to its passage. I am encouraged by the vote that occurred as we moved forward with this bill. I think there were 94 Senators who voted in favor of it. It has broad support.

It was my pleasure to work with my colleagues on the Veterans' Affairs Committee.

I now yield the floor to the Senator from Montana, Mr. TESTER.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I thank Senator MORAN for his kind comments.

I want to begin my comments by acknowledging the chairman of the Senate Veterans' Affairs Committee. We would not be here today taking up the VA MISSION Act without the leadership of Senator JOHNNY ISAKSON of the majority. He is a fierce advocate for veterans, and he has been an incredible pleasure for me to work with. The bipartisanship and collaboration on our Senate Veterans' Affairs Committee happens because we leave politics at the door. That is possible because of JOHNNY's personality and leadership style, as well as his commitment to the veterans of this Nation.

I would also like to thank the many veterans service organizations that have weighed in and provided positive feedback on the VA MISSION Act. Thirty-eight veterans organizations representing millions of veterans and service men and women nationwide support the VA MISSION Act. They have been asking for Choice reform and responsible investment in the VA, and this bill gets it done.

I also thank the House Veterans' Affairs Committee for working with us in getting a bill drafted that we can all be proud of.

At the beginning of this Congress, we set out to draft a bill that reforms community care and also strengthens the VA. As Senator MORAN pointed out, coming from a State like Montana—a rural State, 147,000 square miles—I know we cannot have a VA clinic in every community, but veterans cannot always drive 2 hours to the nearest VA clinic, and they certainly can't afford to wait months for an appointment. That is why we need private healthcare to fill in the gaps when the VA cannot deliver that healthcare.

I also know how much veterans need the services they get from a VA clinic. In my dozens and dozens of face-to-face listening sessions with veterans, they have told me that the kind of care they get from the VA is important. They are surrounded by their peers, many of whom have experienced the mental and physical implications of being in combat. VA doctors and nurses know how to treat PTSD, toxic exposure, and other wounds unique to their service.

The best defense against any effort to privatize the VA or send veterans wholesale to the private sector is to make sure the VA is living up to our promise to veterans. The VA MISSION Act recognizes that there is a balance

between VA care and community care and invests in medical and clinical staff to serve veterans at the VA. It builds capacity within the VA, and it uses the private sector to fill in the gaps where the VA falls short.

It takes the bill that JOHNNY and I wrote, the Caring for Our Veterans Act, and adds a few things, but the foundation of this legislation is something Senator ISAKSON and I have written over the course of the last year with veterans groups. So I am incredibly proud to be standing here today to hopefully push this bill to the President's desk.

The Choice Program was created with an important mission: to make it easier and faster for veterans to get healthcare. It hasn't worked like that for many veterans—veterans like Tom, a retired U.S. Navy commander of the Vietnam war, a Montanan. In his 24 years as a Navy pilot, Tom spent a lot of time yelling to be heard over the roar of an engine. That took a toll on his ability to hear. Three years ago, he began the process of getting hearing aids from the VA. He got his hearing test done, but when it came time to order the hearing aids, Tom was told that he wasn't authorized.

The nearest VA facility to Tom was almost 3 hours away, so he and his wife decided to drive to the closest civilian clinic, which was about 45 miles away in Sandpoint, ID, just across the line from his home in Noxon, MT. There, he hit another snag. After weeks of back-and-forth visits, the authorization was again denied because he was not a resident of Idaho. So he returned to square one. He drove 5 hours to Fort Harrison in Helena, 250 miles away.

With assistance from my office, he got the authorization for those hearing aids. Tom had to drive two 5-hour roundtrips to a Choice provider in Kalispell, but a few months later, he finally received his hearing aids.

All in all, Tom drove nearly 20 hours to get those hearing aids, and I am here to tell you that it shouldn't be that hard for a veteran to get the healthcare they have earned from the VA. Do you know what the worst part is? There was an audiologist in Tom's hometown the entire time who could have helped him if the VA had just realized how important it was to access that audiologist instead of driving 20 hours down the road.

Unfortunately, Tom is not the only veteran with a story like this. I could tell you about a veteran in Lake County who had several appointments scheduled through the Choice Program, and then he was told he wasn't eligible for Choice at all—after his appointment. When he caught pneumonia, my office stepped in and got him the care he needed through the Choice Program. I could tell you about Bruce, a veteran in Billings who couldn't get a followup appointment through the Choice Program after his hip surgery. He was told he wouldn't wait more than 5 days, and then he couldn't get anybody on the

phone. We were able to help him get the followup care he needed. Terry, in Butte, got a procedure done through the Choice Program. It was approved, completed, and then he was told he didn't qualify for the Choice Program. Again, this U.S. Senator had to step in so Terry didn't have to foot the bill for his healthcare.

I could go on and on. Veterans across the State of Montana have called my office for help since the Choice Program was started. Their frustrations over issues like scheduling, reimbursements, or traveling long distances for care are a sorry way to say thank you to those folks who have served this country.

It shouldn't take a Senate office stepping in to make sure the government lives up to its promises to America's veterans, so Chairman ISAKSON and I wrote a bill that reforms the entire system. We negotiated with the House, the White House, veterans, and advocates to move our bill forward.

The Caring for Our Veterans Act was a giant step forward. Thanks to the leadership of the House Veterans Affairs Committee and our effort, the Caring for Our Veterans Act is included in the VA MISSION Act.

Our bill gets rid of seven different community care programs, including Choice, and replaces them with one community healthcare system with a streamlined set of rules for veterans, local providers, and VA staff. It will be much easier to understand.

Under the MISSION Act, if a veteran wants to get care in their community, they can have a discussion with their doctor and decide what is best. VA doctors and nurses won't have to spend time figuring out which program to refer a veteran to.

Local providers who see veterans won't be waiting months for payments from the VA. A new, streamlined payment system will make sure they are getting paid in a timely manner.

Our bill holds the VA accountable and requires them to create a business plan to tell us exactly how the agency will spend taxpayer dollars if and when they ask for additional funding.

Our bill brings more providers to work at the VA, especially in rural and Tribal areas and vet centers.

The bill breaks down barriers along State lines that prevent veterans from accessing mental health care closer to home.

The bill expands the VA Caregiver Support Program to veterans of all eras and their caregivers. This was a provision Senator MURRAY worked on very hard. It was the right thing to do, and Senator ISAKSON made it a priority of his.

The VA and community care are equally important parts of the VA healthcare system. It will either starve the VA to death and empower rural community hospitals or, as this bill does, strike a balance—the right balance—between investing in the VA's ability to provide care for our veterans

and cutting the bureaucracy when it makes sense for a veteran to go to a local doctor.

The VA MISSION Act is a bold, bipartisan product of working together that puts healthcare decisions in the hands of veterans and breaks down barriers to healthcare wherever it makes the most sense for a veteran to get the care they need.

This Nation owes our veterans much more than a thank-you. Veterans deserve a healthcare system that works for them regardless of where they live, what medical condition they are struggling with, or their means. Our bill gets rid of a one-size-fits-all system and creates a more efficient and easier to navigate system for veterans.

I urge the Senate to pass the VA MISSION Act to send the message that saying thank you isn't enough for those who put their lives on the line for our Nation. We are going to deliver them a healthcare system that is worthy of their service.

Mr. President, I turn the floor over to Senator JOHNNY ISAKSON, chairman of the Senate Veterans' Affairs Committee.

THE PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, before the Senator from Montana leaves, I wish to thank him for 3 years of dedicated service and the last 2 in particular as we put together the pieces of shrapnel—which was the original attempt to make Choice work—to be a streamlined program that is going to work for all of our veterans.

JON TESTER has been a magnificent ranking member and a magnificent leader. I appreciate very much the kind things he had to say about me, and I say ditto to you.

I also thank Chairman PHIL ROE, of Tennessee, in the House of Representatives. He has been a stalwart.

The reason we are able to act today and tomorrow—as the House did last week—and pass a bill before Memorial Day is because both bodies have worked together, and the votes have been overwhelming. Our motion to invoke cloture this morning was 91 to 4. The House passed this 3 to 1 when they passed it in final passage. So obviously there was a lot of unanimity, but that should not be a disguise for the effort it took. It took a lot of effort to get to where we are and a lot of people doing that effort—a lot of Republicans, a lot of Democrats, a lot of staff. There was a tremendous amount of staff time. We went from doing the art of the impossible to making the art of the possible, with everybody working together, leaving our political weapons at the door, and putting our good heads together to make the Veterans' Administration system better for our veterans.

My speech is not going to be long because Senator MORAN and Senator TESTER have covered the types of examples the new Choice Program brings for all our veterans—a real choice, a real opportunity to make the private

sector a force multiplier for access to healthcare for our veterans but also make our healthcare system for our veterans accountable—accountable to the most important people of all, and that is our veterans.

It does a few other things too. It creates a caregiver program for the Vietnam-era veterans. That hasn't been talked about much on the floor, but PATTY MURRAY on our committee and SUSAN COLLINS from the Republican caucus in the Senate have for years tried to get caregiver benefits for Vietnam-era veterans and veterans of other wars which were not covered previously. With the passage of this bill, they will be covered for those basic essentials of life and necessities. They will have that covered for them, and we will get it done.

Those veterans who came home from a terrible war in Vietnam with many injuries we had never seen people survive before also need care we never thought we would have to pay for before, but we are doing it now with caregivers for that generation, which is my generation. I am proud to say that we are finally looking after them and are seeing to it that they are included and are working hard on doing so.

We have also made Choice accountable to the veterans, working for our veterans and making our VA better at a lower cost to the taxpayers than it would have been otherwise, were we providing that service solely by the VA. You get choices, you get quality, you get better service, and you get a better VA for our veterans.

There have been a lot of people who have made this happen. Senator JOHN McCAIN originally introduced the idea of Choice 4 years ago. He founded it, and that is why his name is a part of the title of this bill. We could not have done this without John. He is a great American hero, a great colleague, and through our prayers and our blessings, we wish for him to recover as he is in Arizona.

I want to thank Joan Carr, my chief of staff; Trey Kilpatrick, my deputy chief; Jay Sulzman; Amanda Maddox; Ryan Evans; Sal Ortega; and Kristine Nichols. My staff has been phenomenal. They have done a great job. They put up with a lot. They have worked hard, and we got here because of them.

Also, I thank the other unsung heroes of the Committee on Veterans' Affairs who have helped JON TESTER and me and all our members to see to it that we covered every item, dotted every i, and crossed every t: Bob Henke, our staff director; Adam Reece, who deserves a special shout-out and who, the last couple of weeks, has done double duty and done a great job to get us to where we are today; Leslie Campbell; Maureen O'Neill; Jillian Workman; David Shearman; Camlin Moore; Thomas Coleman; John Ashley; Mitchell Sylvest; Heather Vachon; and Pauline Schmitt. We could not have done our job as elected officials were it not for those people who tirelessly worked

long hours to see to it that we got it done.

Here we are in the U.S. Senate. I am speaking with my First Amendment rights. You are gathered in the Gallery today and watching this at home on C-SPAN because of the First Amendment, gathering because of the amendment that allows us to freely assemble without fear of retribution by the government. Our Bill of Rights are the rights we operate under, and we wouldn't have them at all were it not for our veterans.

Next Monday we will celebrate Memorial Day. We will give thanks for every veteran who sacrificed their life and gave the ultimate sacrifice for you and for me. It is not unreasonable to think back and say: You know, had our soldiers not done what they did in World War I and World War II, we might be speaking German or Japanese today rather than English. Because they fought for us in the two great World Wars, they secured and preserved our liberty and freedom, and we speak today as free Americans, and we enjoy the freedom that only democracy could give. That is what we owe our veterans. We owe them everything. Without them, we wouldn't have the protections we have today.

As Memorial Day approaches, I love to tell my favorite story about the great reminder I have of what Memorial Day is all about. It is all about a veteran, Roy C. Irwin, from the State of New Jersey. I have never met Roy; I never knew him. When I was in Margraten in the Netherlands at the U.S. cemetery where over 8,000 Americans are buried from the Battle of the Bulge, my wife and I spent an afternoon paying tribute and respect at the graves of our veterans and our soldiers. We walked down the road to look at the Stars of David and the crosses, paused for a minute at each headstone, and gave a prayer of thanks for the veterans who had sacrificed everything so that we could be there.

Then something happened to me that I have never forgotten, and it could happen to any one of you if you ever go to one of those cemeteries and visit. I came upon a headstone, a cross, and I stopped and read it. It said: Roy C. Irwin, New Jersey, private, died, killed in action 12/28/44. I froze in place; 12/28/44 was not just the day that Roy C. Irwin died in the Battle of the Bulge fighting for us. It was the day I was given birth by my mother in Piedmont Atlanta Hospital in GA.

There I was, standing at the foot of someone who had died on the day I was born. He gave his life so that I could enjoy mine.

Since that time, I have had 73½ years in which I have been able to be a free citizen of the United States of America, all because of lots of things but nothing more important than Roy C. Irwin and thousands like him who volunteered to fight for our country, to call on the forces of evil wherever they might be. They won our freedom, main-

tained our independence, and saw to it that you and I could be here today. I have always stopped to give thanks every Memorial Day for all of those who pledged and gave the ultimate sacrifice so that I could be here to make a sacrifice for you.

I look at our pages in the room today, and I think about my children and my grandchildren. I am so happy they had the opportunity to grow up in the United States of America and so happy you have the ability to serve here today in the United States of America. Remember this: You and I are both here because of one thing. This is a country full of brave volunteers who, when the bell tolls, answer the bell and go fight for America, fight for our freedom, fight for our peace, and fight for our liberty.

So strike one for liberty when we vote on the final passage of the VA MISSION Act. Vote for better healthcare for our veterans, the choices of our veterans, caregivers for our veterans who haven't had them in the past. Give thanks. And with your vote for that bill here, we will have to continue to pay our debt to those who sacrificed or offered to sacrifice the maximum sacrifice for us.

This is a great country for lots of reasons. You will never find anyone trying to break out of the United States of America. You always find them trying to break in. There is one big difference over any other; that is, those who have fought and died so that we could be free and American citizens forever.

May God bless our soldiers, may God bless our country, and may God bless the United States of America.

I yield back my time.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Mr. President, 2 days before the tragic shooting in Santa Fe, which has rightly dominated the news for the last several days, Texas experienced another mass shooting when a man killed his three children, his ex-wife's boyfriend, and himself. Mass shootings are generally characterized as incidents where four or more people are shot at one time. It is a catastrophic event for a community to have four people shot in one instance. That shooting 2 days before the Santa Fe school shooting was the 100th mass shooting in the United States of America in 2018. We average about a mass shooting every single day in this country.

In the 3 days following the Santa Fe High School shooting, there were around 88 gun deaths and 222 gun injuries in this country. That is a big number. It is the most in any 72-hour span so far in 2018.

Rightly, our attention has been directed toward the community of Santa Fe as they try to recover from the unrecoverable—another targeting of children in a school in this country. It is important to remind ourselves that no

matter whether the shooting happens on a street corner, in a school, in a movie theater, or in one's home, the devastation for those who lose their brother or their sister or their husband or their wife is no less or no greater, whatever the circumstances may be.

In the 3 days after Santa Fe, as the country could have been deluded into thinking that was the only shooting of any consequence in the country, 88 people lost their lives from guns, and 222 others were shot and survived—part of the 33,000 a year, 2,800 a month, and 93 on average a day who are killed by guns in this country. It is a mix of suicides and accidental shootings, domestic violence incidents, mass shootings, and homicides, but there is no other country in the world in which the number is this big.

There have been 5,531 deaths from gun violence in 2018 alone. That is according to Gun Violence Archive. Twelve hundred kids have been killed or injured, and we are not even halfway through the year.

Our rate of gun violence in this country is 20 times higher than that of all our other competitor OECD nations. It is not because our schools are less safe. It is not because we have more instances of mental illness. It is not because we have more troubled young men. It is not because we spend less money on law enforcement. You control all of the other factors that people claim to be the reason for these crimes, and it cannot—it does not—explain why this epidemic is happening here and nowhere else.

What is different about the United States is that we have the loosest, laxest gun laws of the OECD nations. What is different about the United States is that in shooting after shooting, killing after killing, we do nothing. We do nothing of substance or significance to condemn or change this trajectory of violence.

I argue to you that would-be shooters who are contemplating acts of mass violence—who clearly have had something go wrong in their mind to consider such a thing—see our silence as a green light. Of course, we don't mean it that way, but when we refuse to do anything other than make minor tweaks to Federal gun laws year after year, young men who are contemplating doing something like this, seeing no substantial condemnation or change in law, pervert that silence into permission.

I think that is what is happening today. That is why I argue that we have become complicit in these murders, whether we think we are or not. We are grieving hard for Santa Fe, but we are grieving hard for all of the other victims.

I sat with the President at the White House a few months ago as he told us he was going to fix this problem. He was lying. He wasn't telling the truth. He had no intention of fixing the problem. The President had the gun lobby in the next day, and all of a sudden the

discussion evaporated. He talked a lot in that meeting about school safety and arming teachers, but it is important to note that Santa Fe High had adopted really aggressive measures to prevent a school shooting. They had resource officers who were armed, two of them. They had approved a plan to arm teachers, though they had not started to do so. They had gone through a very successful lockdown. They had won an award for that response. In this school they thought they were ready, and they weren't.

This has to be about a conversation rooted in data. The data will tell you that more guns will not solve this problem and that for every time a gun you own is used in self-defense, there are four times that a privately owned gun is used in an unintentional shooting, seven times that a privately owned gun is used in an assault or murder, and 11 times that a gun is used in a suicide. The data doesn't back up the fact that more guns are going to solve this problem.

Beyond the data, there are these faces, there are these people, there are these lives that were cut short. I want to spend the remaining few minutes telling you a few of their stories. I have tried to do that over the years—to come and put a hole in the data and let you know who these people are whom we have lost.

On average, psychiatrists and mental health professionals tell us that when one person is killed by a gun, there are 20 other people who experience trauma or some level of trauma.

In Santa Fe, we think a lot today about Cynthia Tisdale. She was 63. She was a substitute teacher for children with special needs. She got married when she was 17 years old, and she took care of her ailing husband. He was very sick for 47 years. He said:

She was a good woman. She watched out for me.

Her son said:

She loved to help children. She didn't have to do it. She did it because she loved it.

Cynthia Tisdale is gone at 63.

Sabika Sheikh was 17 years old. Unlike the others who were killed in that school, she didn't have any family in the United States. Santa Fe was her adopted community. She was staying with a family. The family she left behind, her adoptive family in Texas, said: "We loved her and she loved us," adding that the "root of our issues is love because when people love each other, these kinds of things don't happen." Sabika dreamed one day of being a diplomat and working to empower women. She died at age 17.

Christopher Jake Stone was 17 as well. He was the youngest of three siblings in Santa Fe. He and his siblings were known as the "three Stones." His sister said:

Being a brother was his best job. He was always there if someone needed someone to listen to or some cheering up. Definitely the life of the party, and one of the most understanding, open-minded kids I know.

She said in a Facebook message: "He had a lot of heart."

Two days later, to give you a sense of the scope of this, Kimberly Phillips was in a parking lot at a Shell gas station in Chattanooga, TN, when her ex-husband found her, shot her, and then killed himself afterward. It was a murder-suicide, one of the thousands partner-on-partner incidents of domestic violence that happen in this country.

One of her coworkers at the senior living community where she worked said:

Today I lost one of the most caring, loving caregivers I have ever had on my team. . . . She loved her residents and took their care very seriously.

She was 48 years old.

The day before that, Sherrell Wheatley was walking home from feeding one of her neighbor's dogs in Dayton, OH. Her neighbor said that she did this all the time. She cooked a lot, and she would cook all the scraps and take them to feed the neighbor's dog. She was walking home, and she was shot as a bystander in a driveby shooting. She was a mom, grandma, aunt, an active member of her local community, a volunteer in the local elementary school, and a pillar of kindness.

Her son, a quadriplegic who relied on her care, said:

That was my mom—

She was helping people, even at the moment she died.

I loved her. She was my angel, she was my everything, and somebody snatched that away from me.

Those are just 5 of the victims who died over a 2- or 3-day period of time—32,000 a year, 2,200 a month, 93 a day—and we are doing nothing.

I appreciate some of my colleagues working on a minor adjustment to our background check laws earlier this year. I am not saying that is totally inconsequential, but it doesn't match up to the moment.

What is wild is, we are the only ones who don't think we should do anything. Americans have woken up to what is happening, and they are desperate for us to change the laws. In fact, 97 percent of Americans think we should pass universal background checks. By a 2-to-1 margin, people think we should get these assault weapons and military-style killing machines off the streets. People support things like what we did in Connecticut, requiring people to get local police permits for carrying a handgun. These are not controversial outside of the U.S. Senate.

Increasingly, Americans have come to realize that no one is safe. In that heartbreaking video, a young woman, I think just hours after the shooting, was asked by a newscaster whether she found it hard to fathom that the school shooting had happened at her school. To paraphrase her answer, she said: No, I wasn't surprised. It happens everywhere, and I just figured it was a matter of time before it happened here.

Nicole Hockley, who lost her son at Sandy Hook, says all the time that she

never, ever expected to be one of these parents grieving the loss of a child. She reminds everyone she talks to that you don't imagine you will be in that situation either, but if you don't do something about it, if you don't stand up and speak truth to power, it might be you too.

I will continue to come to the floor and tell these stories—these voices of the victims who have been silenced through gun violence. Hopefully, at some point, we will wake up to the need for change.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

TAX REFORM

Mr. THUNE. Madam President, tax reform is working. The results of two surveys released last week show that tax reform is doing exactly what it is supposed to be doing for American workers.

Our goal with tax reform was simple: make life better for American workers. So we took action to put more money into Americans' pockets right away. We cut tax rates across the board, nearly doubled the standard deduction, and doubled the child tax credit. Americans are already seeing this relief in their paychecks.

We knew that tax cuts, as essential as they were, were not enough. In order to make life better for American workers, we also needed to make sure Americans had access to good jobs, good wages, and good opportunities, the kinds of jobs and opportunities that would set them up for security and prosperity in the long term. Since jobs and opportunities are created by businesses, that meant reforming our Tax Code to improve the playing field for businesses so that they could improve the playing field for workers, and that is what we did.

I am proud to report that it is working. Last week, the National Association of Manufacturers released the results of its recent tax reform survey, and here is what the survey showed: 77 percent of manufacturers planned increased hiring as a result of tax reform, 72 percent planned to increase wages or benefits, and 86 percent report they plan to increase investments, which means new jobs and opportunities for workers. These are tremendous results, and they are exactly what we were looking for with tax reform.

Government can make sure it isn't taking too much out of Americans' pockets, but it can't create the jobs and opportunities Americans need for long-term economic security and prosperity. Only businesses can do that. But government can make sure that

businesses are free to create jobs by making sure they are not weighed down with burdensome taxes and regulations, and that is exactly what we set out to do with tax reform.

Before the Tax Cuts and Jobs Act, the government was not helping businesses to create jobs. In fact, it was doing the opposite. That had real consequences for American workers. A small business owner struggling to afford the hefty annual tax bill for her business was highly unlikely to be able to hire a new worker or to raise wages. A larger business struggling to stay competitive in the global marketplace while paying a substantially higher tax rate than its foreign competitors too often had limited funds to expand or increase investment in the United States.

When it came time for tax reform, we set out to improve the playing field for American workers by improving the playing field for businesses as well. To accomplish that, we lowered tax rates across the board for owners of small and medium-sized businesses, farms, and ranches. We lowered our Nation's massive corporate tax rate, which up until January 1 was the highest corporate tax rate in the developed world. We expanded business owners' ability to recover investments that they make in their businesses, which frees up cash that they can reinvest in their operations and their workers. We brought the U.S. international tax system into the 21st century by replacing our outdated worldwide system with a modernized territorial tax system so that American businesses are not operating at a disadvantage next to their foreign competitors.

Now we are seeing the results. I will say it again. Seventy-seven percent of manufacturers are planning to increase hiring, 72 percent are planning to increase wages or benefits, and 86 percent are planning to increase investments, which creates new jobs and new opportunities for American workers.

I haven't even mentioned last week's other survey on small businesses. The National Federation of Independent Business released a survey last week that shows that 75 percent of small business owners think that the Tax Cuts and Jobs Act will have a positive effect on their business. The survey also showed that among small business owners who expect to pay less in taxes next year, 44 percent plan to increase employee compensation, and more than a quarter plan to hire new employees.

Those numbers may get even better. As the survey shows, small businesses are just starting to explore all the benefits of the new tax law since small businesses, unlike large businesses, don't have full-time tax departments to plan for and take into account the new tax changes. Most small businesses spend the first part of each year focused on preparing and filing their taxes from the prior year, not to mention running their businesses, which means, with tax day now behind them,

they are just now having the chance to explore the benefits of the Tax Cuts and Jobs Act. In addition, their tax advisers—many of whom are often small businesses themselves—have also wrapped up most of their filing season responsibilities, so now they can help their small business clients with factoring the new tax changes into their business plans.

American workers had a tough time during the last administration. Wages stagnated, and jobs and opportunities were often few and far between. But thanks to the Tax Cuts and Jobs Act and other Republican initiatives, our economy is turning around. Unemployment is at its lowest level in more than 17 years. Economists have upped their projections for economic growth. And the good news for American workers just keeps piling up—more jobs, more opportunities, higher wages, and better benefits. The American dream is roaring back, and the future is looking bright.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—S. 2906

Mr. MANCHIN. Madam President, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to the immediate consideration of S. 2906, which is at the desk; that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. TILLIS. Madam President, reserving the right to object, I want to thank my friend Senator MANCHIN. He and I serve on the VA Committee. I know he is absolutely committed to trying to do the best we possibly can for our veterans. We may have a disagreement on what he has in mind for this particular unanimous consent request, but I don't think there is any daylight between us in terms of what we are trying to do for veterans.

I look forward to working with the chair to get to a good place and to address in the Senate committee some of the concerns he has. For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MANCHIN. Madam President, I would like the right to proceed.

I thank my good friend from North Carolina, Senator TILLIS. He is always willing to work in a bipartisan way. I thank him very much.

We have concerns about the VA and all of our veterans. He is in a State that has a tremendous population, and

I am in a State with a tremendous population of veterans. I am disappointed there is an objection to my bill.

I rise to speak to my frustration that the Asset and Infrastructure Review, or the so-called AIR Act, provision is being included in what is otherwise a very good package. I thank Chairman ISAKSON, Ranking Member TESTER, and Senator TILLIS for all their hard work on the overall MISSION Act.

The MISSION Act is going to do so many good things. It is going to streamline how we provide non-VA care. It is finally expanding caregivers for veterans of all eras, and it will make it easier for the VA to hire high-quality providers.

I am against adding the AIR, which is the Asset and Infrastructure Review Act, or I like to call it the VA BRAC. This bill could be detrimental to rural veterans.

The AIR Act provision was supposedly added by House Republicans to the MISSION Act because the Senate insisted the caregivers bill be included. I am a proud cosponsor of the caregivers bill because it does not make sense to give a benefit to one era of veterans and not give it to them all.

I thank my colleague Senator MURRAY for the year she has dedicated to the caregivers issue. The AIR Act was never voted on or discussed in the Senate Veterans' Affairs Committee. The House Caregivers companion bill is bipartisan and has 90 cosponsors. We could pass this bill without the AIR Act in a heartbeat.

While I am generally supportive of efforts to cut waste, the AIR Act will not come close to paying for this bill. Instead, it puts rural hospitals and facilities like those in West Virginia in the crosshairs of the VA bureaucrats and technocrats who do not know my veterans and what they need.

The last time there was an asset review—the CARES Commission—was in the early 2000s. It recommended closing the acute inpatient hospital beds and contracting for acute care in the community for the Beckley VA Medical Center. Only after stakeholders yelled and screamed did the Secretary not follow their recommendations.

Today, those 25 acute care beds and 5 ICU beds are vitally important, not just to our Southern West Virginia veteran community but the entire community. Administrators at the surrounding hospitals have told me they could not absorb the Beckley VA patient load. We were lucky then to have vocal stakeholders holler and scream and a Secretary who listened, but will we be so lucky in the future? Furthermore, should veterans have to endure the uncertainty their VA hospital or CBOC may not always be there for them?

My veteran population is nearly 40 percent Vietnam veterans. In the last 10 years, there was a nearly 20-percent decrease in my veteran population because our World War II and Korean veterans are dying, and our Vietnam veterans are not getting any younger.

If we send this Commission in and they do the analysis, my fear is, resources and funding will be realigned away from our patriotic West Virginia veterans—Phoenix gets picked over Clarksburg; Los Angeles over Beckley; Washington, DC, over Martinsburg; and Orlando over Huntington.

I feel sure the VA will follow the law, hold their public hearings, and read statements put in the Federal Register, but they will still have the power to close or downsize West Virginia facilities. Just because you are a veteran living in a rural area does not mean you don't deserve the same quality and access of care that you would receive in an urban area.

Is this truly about taking evaluation of waste or is this the slow filing away of the VA infrastructure as we know it?

I am aware the MISSION Act just passed out of the House 347 to 70. I have a lot of good friends on both sides of the aisle who want the overall bill. It has the support of the national veterans service organizations, and the effects of this bill will not likely come into being until 2025. I will not be serving in the Senate then. Yet, for the sake of the veteran population in West Virginia, I have to say something publicly.

The AIR Act could have detrimental second and third order effects in our communities. If this bill passes with the AIR Act in it, the powers that wish to downsize the level of care we give to veterans will see it as a victory, but they should be prepared for robust and exhaustive oversight by me and my colleagues on the committee. If we don't have the market assessments, access to other population data, and if the central office doesn't start filling some of the healthcare provider vacancies in West Virginia VA medical centers, I will reluctantly put a hold on some nominees for this Commission. I am going to encourage my colleagues from rural States who represent rural areas to do the same.

Thank you.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Madam President, there are a million reasons why I love North Carolina, but one of them is, it is a State of 10 million people. Half those people live in urban areas. The other half live in rural areas. One in ten people in the State are veterans—a State that proudly claims having one of the fastest growing veteran populations in the country.

When I go into the VA Committee and I look at what we have to do, I don't look at it as coming from an urban State. I don't look at it as coming from a rural State. In many respects, I think North Carolina is a microcosm of the Nation as a whole.

When we look at some of the changes we want to make, what I hope we get out of this review is what to do with the 430 empty buildings that are as much as 90 years old that are owned by the VA. We may have to do basic main-

tenance on them, but they are properties that may have a historic value. Maybe we can convey them to the States and sell them and use the resources to plow back into quality care for the veterans.

I can tell my friend from West Virginia that we share a mountain range together. We share a lot of cultures out in the western part of our State with West Virginia. There is no way on Earth that I would allow the VA to move forward on something I felt was going further away from providing quality care to any veterans anywhere in West Virginia, North Carolina, or any other rural area.

On the one hand, we continue to say we don't have enough money for veterans. On the other hand, we say we have to find some of those additional resources by taking steps to make the VA more efficient and shed the assets that are no longer providing value to the veterans. I, for one, believe we can do it on a balanced basis.

As this process goes through, it is actually an authority the VA has today. They haven't acted on it. We are trying to put more pressure on them to make some concise decisions. The Senator from West Virginia has my commitment that any instance where we see a decision being made by the VA that is something that is going to take veterans further away from care, I will be the first one to join him in making sure we don't allow that to happen.

Thank you.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. I agree with my colleague from North Carolina.

We don't want to continue if there are areas and assets that can be done away with for efficiencies. I understand that can be done without this.

I don't know the underlying reasons for it. The AIR Act was never even discussed in our committee. We never had the bill in front of us at all. That is all I was saying. How did this all of a sudden get thrown in?

I understand—because of what we put in, the expansion of how we were going to take care of caregivers to all populations of veterans—they were upset on the House side. This was put in retribution to that. I objected to how it was put in being what the intent was.

I believe the VA can dispose of excess properties that have been closed, vacant, and not in utilization. I am concerned they are going to come back and say: In the rural areas, we are going to close this CBOC and consolidate. We have more need right now and a greater need with some of our population base, especially with the conflicts we have around the world now.

I never talked to a veteran who did not want veterans care if there was any way they could get to a veterans hospital or clinic. They were the people who knew them best and knew how to take care of their concerns. That is all I am trying to preserve.

I don't know what the intentions are of this. That is why I wanted to have

that removed, and maybe we can discuss it in our Senate VA Committee and have a better way of reviewing the excess properties and properties not being utilized.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Madam President, I rise today to discuss the legislation before us, known as the VA MISSION Act of 2018—a significant change for the healthcare delivery system at the Department of Veterans Affairs.

The VA MISSION Act passed the House of Representatives last week and is scheduled to be voted on in the Senate in the coming days. The bill is a result of months of negotiations and discussions between stakeholders, the administration, and the House and Senate Veterans' Affairs Committees, of which I am a member.

While I appreciate the hard work of those involved, unfortunately, the final legislation is not something that I am able to support. Before I get into my concerns about the bill and what I believe to be its fatal flaws, I want to acknowledge that there is a host of good provisions in here that I do support.

The one on the forefront of many minds is the caregivers program expansion. The caregivers program, a program that gives support and assistance to certain veterans so they can receive home healthcare by a family member, has always been limited to post-9/11 veterans. However, there are many pre-9/11 veterans' family members who do the same work as a caregiver recipient but are not compensated for that work. This program is more cost effective over the long term than an alternative long-term care accommodation. It is due time for this expansion to occur for all families.

I also support section 101, paragraph (a), which expands extended care services, such as nursing home care, through the community care program. It is similar to a bill I introduced with the senior Senator from North Dakota, the Veterans Access to Long Term Care and Health Services Act. This provision will allow long-term care services to more easily work with the VA in serving veterans.

Further, section 101, paragraph (k) of the VA MISSION Act establishes in law that a veteran shall not pay a greater amount for receiving care or services outside of the VA, compared to receiving care at a VA facility. It is similar to the Veterans Equal Cost for Care Act, which I introduced in Congress last year. This section makes certain that veterans will know that VA policy will not change in this regard and that the VA will not place additional financial barriers for veterans to access care outside of the VA at a private provider in an effort to incentivize in-house VA care.

Last, section 101, paragraph (d)(1)(D) of this bill, along with section 104, requires the VA to develop appropriate

access standards when seeking healthcare. However, I remain concerned that the VA will not implement it properly.

If the VA implements access standards similar to TRICARE, which is the health program at the Department of Defense, then, these sections could be good for veterans.

Let me get into my concerns with the bill. This bill makes significant changes to the 40-mile rule under the Choice Program, and I am concerned that it puts our rural veterans in jeopardy.

The Choice Act, which Congress passed in 2014, before I took office, allowed all veterans who live 40 or more miles from a VA facility to receive care at a local, private hospital or clinic. Under the VA MISSION Act, this provision will end for all veterans except those in the top five rural States after 2 years.

When the Choice Act was first enacted, giving rural veterans the option to receive care in their communities, rather than at a VA facility, they overwhelmingly chose to stay close to home and receive private care. They voted with their feet.

Because of the law, many are getting better local, private care. I believe veterans who use this type of eligibility successfully today ought to be able to use this program in the future, no matter which State he or she is from.

In fact, these concerns were addressed when the original legislation was crafted in the Senate Veterans' Affairs Committee, and all veterans who use the Choice Program today were grandfathered into being able to use the 40-mile rule in perpetuity. Unfortunately, the proposal agreed to in committee is not the one in front of us today.

I understand that the number crunchers did the math and concluded that the bill discussed in committee was too expensive and they didn't want to pay this much for the care of our veterans. So the provision I offered was cut down significantly to be limited to the top five rural States, including my own State of South Dakota.

While South Dakota was fortunate to be a part of the top five States, this country has many rural States and many rural veterans who rely on the Choice Program's 40-mile eligibility to get their healthcare.

There are roughly 750,000 eligible 40-mile veterans across the United States. Of this portion, a little less than half, or 330,000 veterans, have used this eligibility to receive healthcare.

In just 2 years, many of these veterans will no longer be eligible to receive care outside the VA system based on the 40-mile rule alone, as they do today. Instead, more veterans will have to work through more gatekeepers and review processes to get their community care request granted, if it is granted at all.

Just as important is the way in which 40-mile-eligible veterans receive

community care. Currently, when a rural, 40-mile veteran wants community care, they get community care. There are little, if any, barriers to access community care today. The VA can't decide for the veteran where he or she should get the care. The veteran is in total control of their care. There are no reviews, gatekeepers, or consultations. The veteran just goes.

Under the VA MISSION Act, as it stands today, a VA clinician acts as a gatekeeper for the veteran. Section 101, paragraph (d)(2) states that a VA employee must consider certain criteria, some of which are peculiar to a rural veteran, when consulting with a veteran on where the veteran should go for healthcare. "Consider" is not a very tough or obligatory word, and it leaves a lot of leeway for our Washington bureaucrats to write rules in a way that may not put the care of our veterans above all else.

My concern here is that when this bill is signed into law, rules are going to start to be written, and the number crunchers are going to influence every rule to meet the bare minimum of the required language.

Just in case anyone is interested in an example, let me briefly remind the Chamber that the original Choice Act intended to provide community care to veterans who live 40 miles or more from a VA facility. How was that rule initially written? Community care was based on 40 miles as the crow flies. That is right—as the crow flies. It took intense pressure from the veterans organizations and Congress to amend that rule to be based on driving distance, or better known as the way almost every veteran travels to a VA facility.

Why was that rule written to determine community care as the crow flies? Cost. Cost and nothing more. The VA wrote the rule in a manner that complied with the bare minimum requirements of the law but not with the spirit of the law. The VA did not write the rule in a way that was in line with the way a normal veteran would access community care. By writing the rule this way, the VA was able to restrict community care access to veterans to control cost.

With so much ambiguity in the language as it is currently written, my fear is that the same cost-first mentality will be used once this bill is signed into law. We believe veterans should be in full control of their healthcare, not a bureaucrat.

Additionally, under the Choice Act, the access standards have been clear when it comes to the 30-day rule. It states that if you wait longer than 30 days, you can use a private provider, period. Under the VA MISSION Act, the standards are fluid, and the cut-and-dry 30-day standard goes away. We know that this has been a widely used metric for veterans' eligibility to receive care outside the VA. In fact, since the Choice Act began in November of 2014, there has been roughly 1.4

million instances in which a veteran has been authorized for care outside of the VA based on the 30-day rule.

Under the VA MISSION Act, there will be a new review process for veterans who request to receive care outside the VA system, based on meeting an access standard which has yet to be written. Again, if the VA implements these access standards like TRICARE, this could be good for veterans. But whether that happens is subject to rulemaking and cost constraints.

Finally, I am concerned about title II of this bill, which is the asset and infrastructure review provision that paves the way for what is essentially a VA BRAC that could close out some of our most vulnerable VA facilities, particularly in rural areas. I know that my friend and colleague from West Virginia was just expressing some of the same concerns. Of particular concern is a provision that would seek to neutralize appropriations language that prohibits the VA from reducing services in the Veterans Integrated Services Network 23 unless a series of important criteria are made.

For years, the VA has incrementally sought to close the Hot Springs campus in my home State of South Dakota. The VA has not conducted its due diligence in deliberating over the future of the Hot Springs campus, which provides veterans from three States and Indian Country healthcare. This is a pocket of rural America where few healthcare options exist.

This VA BRAC provision puts VA facilities like the one we have in Hot Springs in jeopardy. The Hot Springs VA facility has consistently been named one of the top VA facilities in the entire United States. If we are truly putting the care of our veterans before all else, we should be propping up facilities that have a track record of delivering timely, high-quality care to our veterans.

With the asset and infrastructure review provision in this bill, I worry about the future of rural VA facilities such as Hot Springs. More importantly, I am concerned about our rural veterans' access to adequate care, including mental health services, should these vital facilities be closed in the future.

Some have been saying that even though the provision is in there, the VA has provided assurances that places like Hot Springs are not in jeopardy, despite the law allowing the agency to review and eventually close facilities across the Nation if it determines it is necessary.

While the VA has some great employees, including its leadership, I am reluctant to consent to the BRAC process because the appropriations language requirements are what I view as due diligence by the VA before any decision is made on the closing of campuses like those in Hot Springs. In this particular case, the asset and infrastructure review language intends to neutralize that appropriations language, and I will not support that path forward.

At the end of the day, all we can count on is what we have enacted through legislation, and this bill clearly allows for the VA BRAC to occur.

My decision to oppose the VA MISSION Act is not one that I have made lightly. I recognize the many good provisions in this bill that would go a long way toward improving care for our Nation's veterans. I also want to recognize the hard work that went into the final package. I particularly want to thank Chairman ISAKSON, our Senate Veterans' Affairs chairman, for making a truly honest effort to address the ideas and concerns of all the committee members, including my concerns, which were reflected when we passed our bill out of committee earlier this year. Unfortunately, those concerns were not included in the final package. That said, the fight is not over.

Even though we expect the VA MISSION Act to pass the Senate and be signed into law before Memorial Day, there will be plenty of work to do as the law is being implemented. I will continue working with my colleagues, the administration, veterans groups across the State, and other stakeholders to keep a close watch on the VA's implementation of the VA MISSION Act to make certain the agency is putting the proper care of our veterans above all else.

Now, this is something that you never hear in this body, but this is an instance in which I would be happy to be wrong in my assessment. In fact, I challenge the VA to prove me wrong. We were close to having a really good bill with the VA MISSION Act by expanding the caregivers program to pre-9/11 veterans, by expanding community care to include community services, and in providing payment protections to rural vets so they will not pay a greater amount for using community care than they would for care at a VA facility, just to name a few.

I would have happily voted for any of these provisions as separate measures, and I am grateful that our veterans will greatly benefit from them.

I had hoped to get a place in the final bill where my concerns would be able to be fixed, but at the end of the day, my concerns outweigh the good, and I have to vote no.

I have the privilege of serving on both the Senate Veterans' Affairs Committee and the Senate Armed Services Committee, and I cannot tell my colleagues what an honor it is to fight every day to make sure that our servicemembers and veterans receive the tools and the care they so clearly deserve. They make incredible sacrifices so that we can be free. We have a responsibility to take care of them when their service is complete. I look forward to continuing to work to fulfill that responsibility.

Thank you, Madam President.

I yield the floor.

Mr. WYDEN. Madam President, with Memorial Day coming up this weekend,

I want to offer a few thoughts on this package of legislative reforms for the Department of Veterans Affairs, known as the VA MISSION Act of 2018, being considered by the U.S. Senate.

I want to start by commending Senator JON TESTER of Montana, the senior Democrat on the Senate Veterans' Affairs Committee, for negotiating based on what I call principled bipartisanship: taking ideas from both parties without sacrificing core values.

Montanans have every reason to be proud of Senator TESTER for spending months at the negotiating table with Chairman ISAKSON, the House of Representatives, and the White House.

Make no mistake, the bill before the Senate will make some important reforms to the way the VA does business.

It will consolidate the VA's multiple community care programs, including the Veterans Choice program, into one permanent framework to allow veterans to seek care in their communities. Streamlining these programs was something sought by the Obama administration as well and will help make it easier for veterans to understand their options and access the care they need.

It will also expand a VA program that provides benefits to in-home caregivers, an effort I have supported for years. The program is currently open to veterans wounded after the terrorist attacks of September 11, 2001. The VA MISSION Act will open the program to veterans from all eras.

It will provide more incentives and inducements to help attract medical providers to the VA and keep them there. In particular, the bill will provide more recruitment, retention, and relocation bonuses, it will raise the cap on student loan reimbursement, and it will establish a new loan repayment program for specialties where the VA is experiencing a shortage.

As important as these provisions are, I want to express my reservations about the VA MISSION Act as well.

I voted for the Choice Act in 2014 because I said it was unacceptable for veterans in Oregon and across the country to be waiting months or driving long hours for a VA appointment. I will be the first to say the same thing today, but I fear this bill will give broad authority to VA leadership to send more veterans out of the VA system.

Given the relentless push by special interest groups to send an ever greater number of veterans into the private sector, I am concerned about the Trump administration giving into those folks and turning the VA over to ideologues or privatization partisans.

I am also disappointed to see the asset review provisions included in this bill. If the VA has unnecessary infrastructure, it should be able to make the case to Congress to close or consolidate those facilities just like any other agency without being required to set up a whole new bureaucracy.

Taken together, these provisions strike me as essentially asking Senators to put more trust in VA leadership and Donald J. Trump, the same Donald Trump who publicly attacked the parents of a Muslim soldier killed in action and the same Donald Trump who nominated his wholly unqualified personal physician to run the VA. Unfortunately, this administration has already proven it can't be trusted to take care of our veterans.

I had hoped Senators would be given an opportunity to debate this bill and offer amendments that might have addressed the bill's shortcomings. The Senate majority has prevented that from happening.

So the choice before me and every other Senator this week is to oppose this bill and the good it will do or to support it with significant reservations.

After hearing from many Oregonians and from the 38 veterans and military service organizations and seven former VA Secretaries who support this bill, I have chosen the second option and will support the bill despite my concerns.

Mark my words: The ultimate success or failure of this bill will depend on whether Donald Trump and his team at the VA choose to work with Congress and put our veterans first or whether they sell out to the privatization partisans.

I hope my fears about this bill prove to be unwarranted, but as the saying goes, hope is not a strategy. After Donald Trump signs this bill into law, I will redouble my efforts to work with Senator TESTER and others to support and sustain a robust VA worthy of the millions of veterans it serves.

If the Trump administration implements any of these provisions in a way that threatens to privatize or undermine the VA as a healthcare system, I will pull out all the stops and fight it like hell.

Mr. SANDERS. Madam President, there are parts of the VA MISSION Act that I strongly support. The expansion of the Caregivers program to veterans of all generations will help support family members who have made enormous sacrifices for their loved ones wounded in war. Raising the limits on the Education Debt Reduction Program, an effort that I helped lead, will make it easier for the VA to attract the doctors and other medical personnel they need.

I am concerned, however, that despite some very good provisions in this bill, it continues a trend toward the slow, steady privatization of the VA. No one disagrees that veterans should be able to seek private care in cases where the VA cannot provide the specialized care they require or when wait times for appointments are too long or when veterans might have to travel long distances for that care.

The way to reduce wait times is not to direct resources outside the VA, as this bill does, but to strengthen the VA by recruiting and retaining the best

healthcare professionals to care for the brave women and men who rely on VA healthcare. The way to reduce wait times is to make sure that the VA is able to fill the more than 30,000 vacancies it currently has. This bill provides \$5 billion for the Choice program. It provides nothing to fill the vacancies at the VA. That is wrong. My fear is that this bill will open the door to the draining, year after year, of much needed resources from the VA.

Further, I am disappointed that the legislative process did not allow for votes on amendments that could have made this a stronger bill. The amendments I filed, but was prevented from offering, would have provided equal funding for the Veterans Health Administration and the Choice program, provided real money and a meaningful expansion of the Caregivers program, and established a pilot program for VA dental care in rural areas. In addition, I authored an amendment that would have struck the AIR Act provisions that could result in the closure of VA facilities and language clarifying that veterans may not be held financially liable for errors made by the VA.

It is my sincere belief that these amendments would have gone a long way to addressing the deficiencies in the bill and providing the care and benefits our veterans have earned and deserved. I hope that my colleagues on the Senate Veterans Affairs Committee will work with me to make these necessary improvements in future legislation. We must do a better job in standing together against the effort to privatize the VA.

I acknowledge the work done by some of my colleagues to improve this bill, but I believe it moves us too far in the direction of privatization. That is why I will vote against it.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 840, 841, 842, and 843.

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

The clerk will report the nominations en bloc.

The assistant bill clerk read the nominations of Cheryl A. Lydon, of South Carolina, to be United States Attorney for the District of South

Carolina for the term of four years; Sonya K. Chavez, of New Mexico, to be United States Marshal for the District of New Mexico for the term of four years; Scott E. Kracl, of Nebraska, to be United States Marshal for the District of Nebraska for the term of four years; and J. C. Raffety, of West Virginia, to be United States Marshal for the Northern District of West Virginia for the term of four years.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Lydon, Chavez, Kracl, and Raffety nominations en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO JOHN H. KLETTE, JR.

Mr. McCONNELL. Madam President, as our Nation pauses on Memorial Day to remember those who made the ultimate sacrifice to keep our Nation safe and to protect the liberties we hold dear, I would like to join the residents of Park Hills in recognizing one distinguished Kentuckian. John H. Klette, Jr., a centenarian veteran of the Second World War, will be honored as the grand marshal in the community's Memorial Day parade.

Soon after the United States entered World War II, Klette enlisted at the age of 24 to help defeat Nazi Germany. A practicing attorney and a licensed pilot, he chose to join the Army Air Corps—the precursor of the Air Force—and passed the necessary exams that same day. After months of training, he was assigned as a pilot in the 32nd Bombardment Squadron of the 301st Bombardment Group and was sent to southern Italy. Klette's first mission to Bucharest, Romania, saw significant enemy resistance, and his aircraft suffered serious damage. That fight would

not be the last time Klette saw danger in the line of duty.

To this day, he remembers what he calls the worst mission of his career. Overcome by dozens of persistent enemy craft, Klette's plane was in a dire state. With low oxygen and fires onboard, the crew resisted wave after wave of enemy fighters destroying or damaging several of the enemy craft. Showing tremendous courage in the face of incredible danger, Klette and his team completed their mission and returned to their base.

In recognition of their intrepid actions, the entire crew was awarded the Silver Star, the third highest combat decoration awarded by the Armed Forces. Klette was only 25 at the time. Throughout World War II, Klette flew 51 missions, finishing his last on Thanksgiving Day in 1944.

As a member of the Greatest Generation determined to serve his Nation, Klette entered the Reserves after World War II. He was called back to Active Duty and served for nearly 2 years in Korea. Flying 50 combat missions in that conflict, Klette totaled more than 100 missions during his military career.

After officially leaving military service in 1952, Klette returned to northern Kentucky to practice law with his father in Covington. Still practicing law to this day—now with his daughter as a partner—Klette has been an active member of his community, serving on the board of multiple civic organizations.

As the grand marshal of the Park Hills Memorial day parade, Klette will receive the recognition and gratitude that he deserves. Because of his years of dedication to our Nation in uniform, I am proud to join with the Park Hills community to honor his gallant service and sacrifice. I urge all of my colleagues in the Senate to help me thank John Klette.

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

VOTE EXPLANATION

• Ms. DUCKWORTH. Madam President, I was necessarily absent for vote No. 103 on the confirmation of Executive Calendar No. 608, the nomination of Dana Baiocco to be a Commissioner of the Consumer Product Safety Commission for a term of 7 years from October 27, 2017. On vote No. 103, had I been present, I would have voted nay on the confirmation of Executive Calendar No. 608.

I was also necessarily absent for vote No. 104 on the motion to invoke cloture on the motion to concur in the House amendment to S. 2372, the VA MIS-SION Act of 2018. On vote No. 104, had I been present, I would have voted yea on the motion to invoke cloture on the motion to concur in the House amendment to S. 2372.●

75TH ANNIVERSARY OF THE BATTLE OF ATTU

Mr. SULLIVAN. Madam President, as we approach Memorial Day to remember the men and women who sacrificed their lives in devotion to the causes of liberty, freedom, and democracy, I would like to take the opportunity to speak about one event in our Nation's history that had a profound impact on my great State. The Battle of Attu was the only land battle fought in North America during the Second World War.

Commonly referred to as the Forgotten Battle or Forgotten War, the campaign began in 1942 with the bombing of Dutch Harbor and subsequent invasions of Adak, Kiska, and Attu by the navy of Imperial Japan. On June 7, 1942, close to 3,000 Japanese soldiers invaded Attu, exactly 6 months to the day after the bombing of Pearl Harbor. As the only land battle during World War II, it was costly. In May of 1943, over 15,000 American soldiers stormed this small island in the Aleutians, and over the course of the engagement, the United States suffered 549 casualties and sustained more than 1,200 injuries. Many more were taken out of action due to disease and nonbattle injuries. Of the over 2,400 Japanese soldiers present at the battle, only 28 survived the battle by capture.

In addition to these often forgotten sacrifices is the impact on those residents who lived on Attu. During the Japanese invasion, all 47 residents of the island were detained, captured, and taken to Japan as prisoners, where 22 would later perish. Those who did survive were not able to return home; there were too few people to rebuild the community after being destroyed by war.

Today, before the Senate, I would like to take a moment to honor the brave servicemembers and the Alaska Territorial Guard members who fought and, in many cases, gave the ultimate sacrifice to defend the territories of the United States and the memory and lives of those Aleut evacuees and Attuan prisoners of war whose communities, culture, and languages were forever effected.

From May 17 to May 19, a memorial ceremony took place in Alaska to honor and acknowledge those who were affected by the Battle of Attu—the Aleut evacuees, their descendants and veterans of this Forgotten War, both living and deceased.

ADDITIONAL STATEMENTS

REMEMBERING JEFFREY HOLT

• Mr. DONNELLY. Madam President, today I wish to recognize and honor the extraordinary service and sacrifice of Jeffrey Holt, a firefighter from Brownsburg who served in the Lawrence Fire Department. Selflessness, caring for others, and service to his community were defining traits of Jeff's life.

On the morning of April 30, 2018, Jeff was participating in an annual physical assessment training when he collapsed and suffered an apparent heart attack. He passed away at Indiana Heart Hospital. Jeff's death left his fellow firefighters without one of their leaders, and he will be sorely missed by his fellow firefighters and loved ones.

Jeff was a graduate of Indiana's Benton Central High School. After finishing high school, he worked at the Otterbein Fire Department in Otterbein, IN, as a firefighter and then as an EMT and subsequently joined the Purdue Fire Department in 1985. In 1994, Jeff began training to be a paramedic and, while training, met his future wife, Lindi. In 1996, he began his service in the Lawrence Fire Department as a firefighter and paramedic. Over the course of his career with the Lawrence Fire Department, Jeff served as an engineer, lieutenant, division chief of training, and deputy chief of operations.

Outside of work, Jeff pursued his passion for music and was the lead singer in several bands. He shared this love of music and rescuing special needs animals with Lindi, his wife of nearly 20 years.

He is survived and deeply missed by his wife, Dr. Lindi Holt, stepdaughters Jennifer and Rachael Kempfer, parents Dr. Donald and Marilyn Holt, brothers Dr. Steve Holt and Bill Holt, sister Kathy Stichnoth, as well as nieces, nephews, and a great-nephew.

Jeff represented the best of Hoosier values. He put his life on the line day-in, day-out, serving his community and working to keep his fellow citizens safe. Those who knew Jeff described him as well-liked and respected, compassionate, dedicated, and loyal. Jeff set a strong example for others, and let us remember and emulate the example this selfless man set for us and honor his commitment to serving his community.

On behalf of Hoosiers, we mourn with Jeff's family, the men and women he served with, and the Lawrence community. His legacy will live on and his memory will not be soon forgotten.●

TRIBUTE TO MAKENZIE SHEEHAN

• Ms. HASSAN. Madam President, I am proud to recognize second grader MaKenzie Sheehan of Monroe, NH, as the May Granite Stater of the Month for her bravery and quick thinking that helped save her family when their house caught on fire recently.

On the night of the fire, MaKenzie woke to a crash in her bedroom, and when she saw a wall of fire, she quickly acted to wake her sister. Remembering from her fire education at school that the door would be hot, she knew not to touch it and began screaming for help. Her cries alerted the rest of the family, and they were able to make it out just in time.

Her family is very proud and grateful for MaKenzie's grace under pressure and considers her their hero.

I am honored to recognize MaKenzie as the May Granite Stater of the Month. MaKenzie represents the strength of character that defines the Granite State, and her actions are an excellent reminder that, no matter our age, it is critical that we are equipped with the knowledge of what to do in case of an emergency.●

TRIBUTE TO GEORGE KING

● Mrs. HYDE-SMITH. Madam President, I am pleased to commend George King of Washington County, MS, for his service and contributions to the State of Mississippi while serving as the 82nd president of the Delta Council.

Founded in 1935, Delta Council is a widely-respected economic development organization representing business, professional, and agricultural leaders in the Delta region of Mississippi. I commend Delta Council for its continuous role in improving the quality of life in this unique part of our country.

George King's tenure as council president began in May 2017. The Delta Council under Mr. King's leadership has benefited from this extensive experience as a strong voice for the region on farm policy. He is an important private-sector leader in water resource developments, which are vitally important to this highly productive agricultural region of Mississippi.

Mr. King graduated from Leland High School and earned an agronomy degree from Mississippi State University. He is a partner in Nelson-King Farms, a diversified row-crop farming operation. In addition to his leadership in Delta Council and farm production activities, Mr. King has served as Director of the National Cotton Council, and Cotton, Incorporated. He is also past president of the Southern Cotton Ginners Association, and a former Chairman of the USDA-Farm Service Agency County Committee.

I am pleased to offer congratulations to George King and to share this appreciation with his wife, Lisa, and their four children, Walt, Caroline, Caitlin, and Nelson, as the 83rd annual meeting of the membership of Delta Council convenes on June 1 at Delta State University.●

TRIBUTE TO UTAH'S SERVICE ACADEMY NOMINEES

● Mr. LEE. Madam President, I come before you today to recognize seven exemplary young men and women from the great State of Utah who have answered the call of service to our country. It is a great privilege to represent these exceptional Utahns in the U.S. Senate, who will attend the U.S. Air Force Academy, the U.S. Military Academy, and the U.S. Naval Academy.

Each year Members of Congress, under title 10 of the U.S. Code, are authorized to nominate a number of young men and women from their district or State to attend the country's

service academies. I am proud to honor these Utahns as they undertake this calling.

Each of these students is of sound mind and body, which will serve them well in Colorado Springs, West Point, and Annapolis, but to succeed, they will need more than this.

In addition to mental and physical aptitude, the journey upon which these young men and women will soon embark demands strong moral character: leadership, courage, honesty, prudence, and self-discipline. It calls for a commitment to service and love of country.

These students have already displayed these qualities of character and standards of excellence upon which America's service academies are built. Today, I would like to recognize and congratulate these dedicated and generous young men and women.

Delia Margene Cheney will be attending the Air Force Academy after graduating from the Utah Military Academy, where she served as commander of the largest Air Force JROTC program in the western United States. She was captain of both her school's academic team and volleyball team and served as a member of their State champion drill team. Delia was also a delegate to Girls State and served as an intern for two sessions of the Utah State Senate. She stayed active in her community through service with the National Honor Society, as well as her choir and church youth group.

Daniel Scott Dwyer, from Bingham High School, accepted an appointment to the U.S. Naval Academy. Daniel serves in the Boy Scouts as a senior patrol leader and earned the rank of Eagle Scout with a project that entailed sending care packages to marines serving in the Middle East. He ran with both the Bingham Miners' track and cross-country teams and was a member of the JROTC. He also served his peers as a volunteer with special needs youth, all while taking rigorous classes and maintaining a high GPA.

Talmage Cragun Gaisford will be attending the U.S. Military Academy. As a graduate of Orem High School, Talmage was a member of the National Honor Society and received high honor roll awards. He earned the rank of Eagle Scout in the Boy Scouts and served as a volunteer in Accra, Ghana, where he worked to build an orphanage. In addition to serving as a leader in his church's youth organization, he served on the Orem City Youth Council and is an avid mountain biker and hiker.

Gage Geoffrey Maki attended the New Mexico Military Institute after graduating from Park City High School. He worked hard and earned an appointment to the U.S. Air Force Academy. Gage, whose parents are both graduates of the U.S. Air Force Academy, was a leader in both the Air Force JROTC and the Civil Air Patrol. He attended Boys State and earned the rank of Eagle Scout, where his ambi-

tious project led to the replanting of hundreds of trees in an area devastated by a forest fire. Gage has trained as a skeleton athlete with the Junior Development USA Bobsled/Skeleton Team.

Malachi Kay Ruf will be joining his brother at the Air Force Academy. Malachi graduated from North Summit High School and has been attending Utah Valley University. He served as drumline bass captain and the congress debate captain, as well as vice president of the debate team and the Leos. He was honored to attend Boys State and was a member of his school's State champion swim team. Malachi sought opportunities to serve others as a volunteer for Primary Children's Festival of Trees, collecting prescription glasses with the Lions Club, volunteering for local triathlons and races, and playing cello at church and community events.

Tasia Stevens accepted an appointment to the U.S. Military Academy at West Point. She graduated from Murray High School where she was captain of both the soccer team and basketball team, where she was named MVP. A model student-athlete, Tasia maintained a 4.0 GPA while excelling in sports and volunteering hundreds of hours at the Loveland Living Planet Aquarium. She provided additional community service with the National Honor Society and was a member of high school German club.

Sariah Kim Watchalotone will be attending the Air Force Academy. A graduate of West High School, Sariah was president of both the DECA and horticultural clubs and vice president of Panther Pals. She captained both her high school volleyball team and the High Country Volleyball National Team. Sariah volunteered with the Rescue Mission of Salt Lake City, Community Animal Welfare Society, and with University of Utah Health Care. Her grandfather, who served in the South Korean Army, has instilled in her a love of country, and inspired her to enter the military and live a life of service.

It has been my distinct honor to speak to and nominate each of these admirable young men and women. These Utahns give me great hope for the future of our great Nation and the future of our Armed Services.

To these seven students and to all their future classmates from around the country, I commend your achievements. I urge you to remember the foundation of your success thus far: hard work and sacrifice.

Strive to continue on the path of strong moral character and to keep love of country as a guiding principle. If you stay this course, your future will hold great things in store. I wish you all the best as you embark on this journey.

Thank you.●

RECOGNIZING THE ALWAYS FREE
HONOR FLIGHT NETWORK

• Mr. MANCHIN. Mr. President, today I am incredibly honored to rise and recognize a group of 23 heroic military veterans who will travel from West Virginia this week to visit our Nation's Capital as part of the ninth Always Free Honor Flight. On the occasion of their visit, in which they will see for the first time the monuments built in their honor, I want to express my utmost gratitude to these special men and women for their extraordinary bravery and patriotism and for their noble sacrifice to help keep our country free.

I have said this time and time again: West Virginia is one of the most patriotic States in this great Nation. With one of our country's highest per capita rates of military servicemembers and veterans, West Virginia is undoubtedly one of our Nation's most patriotic States. According to the Department of Defense, West Virginia had the highest casualty rate in the nation during the Vietnam war, and I am so proud that the Honor Flight will allow these West Virginia veterans to pay homage to their brethren at the Vietnam Wall. The 23 veterans participating in this week's Always Free Honor Flight truly embody the Mountain State's history and contributions to the safeguard of our American freedoms.

Our special West Virginians visiting this week represent warriors from 50 to 94 years old and have traveled from all parts of our great State, from Buckhannon to Bluefield, Princeton to Beckley, and many places in between. In addition to our Mountain State veterans, one veteran from North Carolina and two veterans from Virginia will be accompanying their West Virginia neighbors on the daylong adventure. Of the patriots attending, four served in World War II, two served in both the Korean war and the Vietnam war, 17 served in the Vietnam war, two served in the Cold War, one served in the Gulf War, and two served stateside.

I would especially like to recognize our World War II Veterans who will be on this Honor Flight. Ninety-four-year-old Sergeant Wetzell Ray Sanders from Midkiff joined the Army in Princeton in 1941. He was a gunner and rifleman stationed in Hawaii and is a Pearl Harbor survivor. Former Seaman Samuel Helmandollar will also be coming to Washington, DC. The Princeton native and 91-year-old joined the Navy in 1944 in Huntington and was a gunner. We will also be joined by 93-year-old Sergeant Rudolph Dillon Jennings from Bluefield. He joined the Army Air Corps in 1943 in Princeton and was stationed in England and served in the European Theater. John Howard Winfrey, a 93-year-old from Lindsie joined the Navy and Air Force in 1942. He served aboard ships in the Atlantic and Pacific as a torpedoman 2nd class during World War II.

These men represent our Nation's Greatest Generation, and their sac-

rifices and valor embody American patriotism. They fought in such a pivotal war, in an era that threatened our existence as a nation. Unfortunately, as the years go by, we are losing so many of our World War II veterans, and we must show them our utmost gratitude each and every day.

As I mentioned, we will also be joined by veterans of the Korean, Vietnam, Cold, and Gulf wars. They engaged in combat all over the world. They were pilots, helicopter gunners, and radio operators.

One of these veterans, Curtis Ray Vest of Bluefield, joined the Marine Corps in 1952 in Freeman and served in both Korea and Vietnam. In Korea, he served as a Field Observer for Field Artillery and was stationed in Incheon and Pusan. In Vietnam, he was part of the American rescue mission of the French from Vietnam to safety in Japan.

Another of these Veterans is Sergeant Marshall Glenn Mann who joined Air Force in 1968 in Falls Church. On March 4, 1971 during combat at Khe Sanh, the Republic of Vietnam air lift urgently needed to get ammunition to Khe Sanh in to support operation Lam Son 719. The objective of this mission was to destroy supply dumps and sever the Ho Chi Minh Trail, which was the corridor running through eastern Laos from North Vietnam to Cambodia and into South Vietnam. Because of the Cooper-Church Amendment passed by Congress in late 1970s, US ground troops and advisers were prohibited from entering Laos. However, U.S. helicopters supported the operation and U.S. fighter bombers, and B-52 bombers provided air cover. Sergeant Mann received the Distinguished Flying Cross for extraordinary achievement while participating in aerial flight for this operation.

Another Vietnam Veteran joining us is Staff Sergeant Danny Lewis Meadows, who joined the Air Force in 1966 in Beckley. Staff Sergeant Meadows was a mechanic on KC-135 Air Refueling Tanker for two years and refueled B-52 bombers and F-4 fighters in Southeast Asia. During his last two years of service, Staff Sergeant Meadows was a crew chief on a C-130 cargo aircraft in the Philippines and Vietnam. He flew to Saigon and Cam Ranh Bay Vietnam for fifteen to twenty-one days each month. He flew from several bases in Vietnam into the jungle to perform assault landings. He was working on his aircraft and was attacked with rockets and fell off the wing, broke his hip and wrist and with four months remaining on his enlistment and was shipped back to the U.S. to recover.

We will also have two Veterans that served in the Cold War One of them, Jackson P. Thompson served as a Recon Specialist from 1971-76. He was stationed at Fulda Gap in Germany, which was near the area between the Inner German Border of East and West Germany that contained two corridors of lowlands subjected to a potential invasion by Warsaw Pact forces.

Showing our appreciation to those who have served is something that we should do each and every day, but today is a special day to pay tribute and thank those who have volunteered to put their lives on the line for our freedoms. The memorials our Honor Flight participants will visit today serve as an important reminder to us all that our freedoms and liberties come at a steep cost. However, I know our veterans will find special meaning and potentially long-lost emotions when they tour such touching sites.

The brave West Virginia heroes today have all served this country in a variety of ways, working both at home and abroad. They have engaged in combat on U.S. soil in Pearl Harbor and all over the world, at the Panama Canal, working on the docks of Saigon, protecting the border of West Germany and serving in Desert Shield and Desert Storm. One of our visiting Vietnam veterans, Sergeant Dean Fluharty, who joined the Marine Corps in Parkersburg, earned a Purple Heart, Silver Star, Vietnamese Cross of Gallantry and a Good Conduct Medal. But regardless of their rank or duty, each and every one of these veterans answered our nation's call and has served with incredible pride and valor.

This week's 'Honor Flight' and the continued support of our Veterans would not be possible without the dedication of so many volunteers and caregivers. I would like to thank the four JROTC Cadets from Montcalm, Bluefield and Princeton High Schools as well as the military spouses serving as the guardians on this year's 'Honor Flight.' These guardians have selflessly given their time to travel alongside our veterans all the way from Princeton, West Virginia to Washington, D.C. to share this very special journey with them.

I also commend those in the 'Always Free Honor Flight' Network for their dedication to providing our Veterans with such a unique and meaningful experience. Without the diligence and passion of Dreama Denver, President of 'Always Free Honor Flight' Network and owner of Princeton, West Virginia's Little Buddy Radio, as well as Pam Coulbourne, the coordinator of these flights, many of our Veterans would never have the opportunity to travel to Washington and pay homage to the men and women they fought beside. Dreama and Pam launched the 'Always Free Honor Flight' in 2012 and every year, they continue to make this dream a reality for many of our West Virginia Veterans.

I'd also like to recognize Sergeant First Class Paul Dorsey, Vice President of Always Free Honor Flight and Official Photographer Steve Coleman, who have done a tremendous job of ensuring that our Veterans receive the recognition they deserve. Dreama, Pam, and Steve have also dedicated themselves to the Denver Foundation, serving as incredible examples of how individuals can give back to their communities.

I am filled with pride every time I meet the patriots who have served our country, and I am so pleased to welcome West Virginia's most courageous veterans, who are all heroes, to Washington, D.C. I encourage all of my colleagues to join me in saluting them. They truly inspire us all as we are reminded of their selfless service. It is because of their bravery that all Americans enjoy the greatest liberties and freedoms in the world.

God bless all our servicemembers and veterans, God bless the great State of West Virginia, and God bless the United States of America.●

RECOGNIZING SUNDANCE CONSULTING, INC.

● Mr. RISC. Madam President, Idaho is known for its rolling foothills, crystal clear rivers and streams, and of course some exquisite mountains. Idahoans embrace these treasures across our State and are committed to keeping these natural resources pristine for the next generation. This commitment to maintaining our public lands contributes to an abundance of innovation and creativity in the natural resources space in my home State. As chairman of the Senate Committee on Small Business and Entrepreneurship, it is my distinct pleasure to recognize Sundance Consulting, Inc., as the Small Business of the Month for May 2018. Sundance Consulting, Inc.'s work on important environmental and natural resource-related issues exemplifies Idaho's entrepreneurial spirit and stewardship of our environment.

After 19 years of working for the Native American Lands Environmental Mitigation Program as a consultant focused on addressing environmental problems related to previous Department of Defense activities, September Myres founded Sundance Consulting, Inc., in 2005. She founded Sundance with a vision to provide solutions to the environmental challenges faced by Native Americans and Native Alaskans alike. Raised on the Fort Hall Indian Reservation in Idaho, Ms. Myres has a keen understanding of the unique environmental issues that tribes face. With her background and experience in Tribal lands, Ms. Myres is uniquely positioned to implement innovative solutions to ongoing environmental problems in these communities. Among the solutions that September provides are general consulting services, environmental site assessments, site investigations, radioactive waste retrieval, process optimization, and soil and water sampling, all of which help clients understand the environment they are working in and ways to mitigate any potentially harmful activities.

Under Ms. Myres' exceptional leadership, Sundance Consulting has grown from a sole proprietorship to a firm of more than 50 employees. The company is headquartered in Pocatello, ID, with eight satellite offices across the Nation. From 2011 to 2016, Sundance in-

creased their revenue by \$10 million and hired an additional 50 employees. The firm's continued growth has been a product of its growing client base. From its original focus on tribal clients to today's diverse portfolio of Federal, State, and commercial clients, Sundance prides itself on delivering quality advice and planning services on-time and under budget, while protecting the environment. Over time, the company has expanded its offerings to include public outreach and liaison services that help to build consensus and increase public participation in the planning of client projects. Over its 13 years in business Sundance has earned a reputation of excellence in their field by bringing diverse organizations together to create environmental solutions.

In 2008, Sundance began utilizing the SBA 8(a) Business Development Program, a 9-year certification program that helps small, disadvantaged businesses compete for government contracts. The program provided Ms. Myres with the tools and knowledge required to grow her business. Sundance's success has allowed the company to give back to their local community in Idaho. Every year, the company provides school supplies and backpacks to children in need, through a charity drive in Chubbuck, ID. Additionally, Sundance provides scholarships to Native American students going in to the science, technology, engineering, or mathematics fields.

The company's high standards and good reputation have led to recognition from the environmental and small business communities. The Environmental Business Journal noted Sundance's incredible growth and economic success in environmental consulting. In 2016, the Journal awarded Sundance the 19th Annual Small Firms Award for Achievement. Due to her success as an entrepreneur and her commitment to environmental preservation, the Small Business Administration honored Ms. Myres as the 2018 Idaho Small Business Person of the Year during National Small Business Week for demonstrating growth, innovation, and perseverance in the face of adversity.

Innovation, growth, and commitment to quality are the hallmarks of Sundance Consulting's success. The company's continual commitment to helping communities exemplifies how small businesses are in a unique position to make a profit and make a difference. Sundance is a true inspiration to innovators and small businesses across the Nation for their incredible success. I would like to extend my sincerest congratulations to September Myres and all of the employees at Sundance Consulting, Inc., for being selected as the May 2018 Small Business of the Month. You make our great State of Idaho proud, and I look forward to watching your continued growth and success.●

TRIBUTE TO HEATHER ANDERSON

● Mr. RUBIO. Madam President, today I honor Heather Anderson, the Manatee County Teacher of the Year from Martha B. King Middle School in Bradenton, FL.

Heather credits her students as the reason why she was named Teacher of the Year. During the award ceremony, she noted that they keep her going every day and thanked them for giving her purpose and meaning. Everything she does is for her students, and she cannot wait to see what the future holds for them.

Heather wanted to be a teacher since she was a child and said this award is one of the most rewarding parts of her career. For students who enter her classroom, she has committed herself to positively contributing to their lives, promises to value and treat them with respect, hold the highest standard for herself and students, and monitor and adjust her work to ensure they are prepared for their educational future.

In her classroom, students are able to use tablets to learn and conduct research for their assignments. These tablets were not provided by the school, but through a fundraiser she put together. She is dedicated to seeing each and every one of her students succeed in school and in life.

Heather is an English I honors and language arts teacher at King Middle School. She serves as chair of the language arts department and has been a teacher for 18 years.

I extend my appreciation to Heather for her hard work and dedication to her students and wish her continued success in the years to come.●

TRIBUTE TO CATELYN BOZE

● Mr. RUBIO. Madam President, today I honor Catelyn Boze, the Putnam County Teacher of the Year from Q.I. Roberts Junior-Senior High School in Florahome, FL.

Catelyn received this important recognition because of her ability to encourage students from all ranges. She challenges the gifted students and helps motivate those who struggle. This dedication to her students resulted in many striving to produce work that will make her proud.

Catelyn's success is built on three components. According to her, a large portion of teaching is relational. When students know their teacher cares about them, they are more open to learning. She demonstrates this to her students by setting high expectations and not allowing them to become unengaged. The second component is Catelyn's creativity and deep content knowledge. This allows her to create questions that challenge her students to think critically. The third component of her success are two initiatives she designed in the past 2 years: student choice and nonzero grading. Catelyn believes that a student who receives a zero for an assignment does

not give her the necessary feedback to determine what a student has learned and damages their motivation to school. Instead, her grading practices allow for end-point mastery, which she believes to help her students learn.

Catelyn has taught at Q.I. Roberts Junior-Senior High School for 3 years and is involved with several extracurricular activities. As yearbook sponsor, she doubled the size of the yearbook and increased sales to where more copies were needed to be ordered. She also sponsors the Hi-Q team and attends school sporting events and performances of her students.

I express my best wishes to Catelyn for her commitment to her students and wish her continued success in the years to come.●

TRIBUTE TO HELENE HOTALING

● Mr. RUBIO. Madam President, today I honor Helene Hotaling, the Marion County Teacher of the Year from Madison Street Academy in Ocala, FL.

Helene believes what best describes her life as a child, parent, and as an educator can be attributed to a quote from Dr. Seuss: "To the world you may be one person, but to one person you may be the world."

Helene's parents were poor, had little education, and spoke broken English. As a result, her initial introduction to school in first grade was difficult. It was not until a retired teacher in her neighborhood guided her to where she is today. That retired teacher, Ms. Nuesell, saw she could make a difference in her life and taught her the joy of learning. This inspired Helene to become a teacher at a young age.

Ms. Nuesell took Helene to the library and sat with her as she struggled to read. This kindness and persistence paid off, and by the time Helene entered second grade, she could read and keep up with her classmates academically. Helene knows Ms. Nuesell did not have to do this; she did so because she enjoyed teaching. Ms. Nuesell has been her role model in life.

Helene is a graduate of the University of Georgia with bachelor of arts degree in elementary education and a master's degree in teaching reading from Barry University. She has been a teacher for 29 years, with all but 2 years in Marion County. Helene has taught fourth grade, third grade, second grade, and kindergarten. She is currently a third grade teacher at Madison Street Academy.

I thank Helene for her dedication to teaching countless students throughout her nearly three decades long career. I express my best wishes for her continued success in the years to come.●

TRIBUTE TO JASON LANCY

● Mr. RUBIO. Madam President, today I am honored to recognize Jason Lancy, the Lake County Teacher of the Year from Windy Hill Middle School in Clermont, FL.

Jason was not a math wizard when he was in school, originally struggling with the subject. It is fitting that he has been given this prestigious award while serving as the chair of the math department. Jason said it was hard to explain how it felt to receive this honor, though he felt it was definitely one of the greatest nights of his life.

Jason's students tell him how he explains math is different and easier for them to understand. He relates this trait to the fact that he can empathize when they feel lost and confused with math. He seeks to deepen his student's understanding and increase engagement by teaching passionately and with a sense of humor.

By all accounts, he has a close relationship with his students. Jason shared his feelings towards the night he received this honor by putting the trophy in his classroom and showed his students pictures from the event. They were ecstatic for him, noting it was a class atmosphere unlike any other he had experienced before.

Jason has been an eighth-grade Algebra 1 and Algebra 1 honors teacher at Windy Hill Middle School since 2007. He earned his bachelor of science degree from Indiana University of Pennsylvania in mathematics education and earned his master of education degree from the University of Central Florida in mathematics education.

I express my sincere thanks and appreciation to Jason for his hard work and look forward to hearing of his and his students' continued success.●

TRIBUTE TO ANGELA PERRY

● Mr. RUBIO. Madam President, today I recognize Angela Perry, the Lafayette County Teacher of the Year from Lafayette Elementary School in Mayo, FL.

The compassion Angela displays to her students and her demonstration of being a model teacher to her peers led to her being named Teacher of the Year. Angela credited her school's administration, colleagues, and friends who share her love of teaching for her receiving this honor by the district.

Angela's teaching philosophy is guided by a quote from Mother Teresa: "Not all of us can do great things, but we can do small things with great love." She abides by this quote when it comes to teaching her fifth grade students as they begin to transition from elementary to middle school.

Outside of the classroom, Angela is involved throughout her community by volunteering with her church youth's ministry. She has coached soccer, basketball, and softball for local youth programs. Angela has also been a board member for the Lafayette Babe Ruth Program for 14 years.

Angela graduated from Lafayette High School in 1992 and continued her educational career by earning an elementary education degree at Valdosta State University in 1997. She has taught at Lafayette Elementary

School since 2011, teaching fourth grade for 6 years and is currently teaching fifth grade math.

I express my sincere thanks and appreciation to Angela for the dedication she has provided to her students and community throughout the years.●

TRIBUTE TO AMY ROBERTS

● Mr. RUBIO. Madam President, today I recognize Amy Roberts, the Columbia County Teacher of the Year from Summers Elementary School in Lake City, FL.

Amy's colleagues describe her as an organized, structured professional with proven teaching, motivating, and leadership skills. These abilities undoubtedly contributed to Amy becoming her school district's Teacher of the Year.

Her administrator noted that Amy works to ensure all students are able to experience success during their academic career. One of her former students remembers that Amy always did whatever she could to help them succeed in school.

Amy is a firm believer in fostering a growth mindset and developing lasting relationships with her students and their families. She views these relationships as paramount to students achieving success in her classroom, college, and in working environments.

Amy has been a teacher for more than 7 years, with most of those years at Summers Elementary School. She is currently a first grade teacher.

I am honored to express my sincere gratitude to Amy for her hard work and look forward to hearing of her continued success throughout her teaching career.●

TRIBUTE TO BETH ROSENOW

● Mr. RUBIO. Madam President, today I honor Beth Rosenow, the Monroe County Teacher of the Year from Coral Shores High School in Tavernier, FL.

Beth received this important recognition because of her exemplary marine science and leadership programs. Her colleagues note her outstanding work in and out of the classroom because she connects her class material to the outside world and keeps her students engaged.

Beth is known by her coworkers for her unique teaching style. She uses hands-on techniques to give her students a firsthand experience to the material they are learning. Her expertise and participation within the local marine science community provides her with material for her students. Beth's commitment to this field allows her students learn how to assess the health of coral reefs and to report data to the National Oceanographic and Atmospheric Administration.

Beth has certifications in fish identification, rescue diving, and uses her expertise to challenge her students and herself. She began her teaching career 18 years ago in Fenton, MI, and is coming up on her seventh year of teaching

in Monroe County. She previously taught at Key Largo School before coming to Coral Shores High School.

I am pleased to learn of all the hard work Beth has done for her students and extend my best wishes on her continued success in the years to come.●

TRIBUTE TO DANIELLE SUMMERS

● Mr. RUBIO. Madam President, today I recognize Danielle Summers, the Liberty County Teacher of the Year from W. R. Tolar K-8 School in Bristol, FL, where she teaches elementary school.

Danielle received this important award because of her strong classroom management skills and hands-on, experiential approach to teaching foundational education standards. Besides teaching, she has served on the leadership team as the kindergarten grade level chair for 3 years and served as the grade level chair for first grade for the past 2 school years. Danielle has also been a cooperating teacher for both Flagler College and Chipola College, supervising and training three student-teacher interns in 3 of the past 4 school years.

Danielle has been teaching for 10 years. She has taught second grade for 1 year, kindergarten for 6 years, and is currently teaching first grade for the third year. Danielle has also served on the K-3 District evaluation subcommittee and the K-2 district writing committee for Liberty County.

I express my deep gratitude to Danielle for her desire to help her students learn in any way she can. I wish Danielle the best and look forward to hearing of her continued success in the years ahead.●

TRIBUTE TO KEITH NOLAN

● Mr. VAN HOLLEN. Madam President, today I would like to recognize a selfless young man of great character and tremendous determination, Keith Nolan of Frederick, MD.

Keith's passion for service and for this country has driven him to doggedly seek an opportunity to join the less than 1 percent of Americans with a disability who have served in our military. In his commitment to defend our Nation, as well as our values, he has pursued this issue with many levels of the Defense Department. Moreover, he has reached out to the Armed Services Committees in both Chambers of Congress and even approached the White House to seek opportunities for disabled Americans to serve in the ranks of the military. Keith is deaf and recognizes that he is quickly reaching the age limit to enlist. However, he is still committed to seeking change that could enable others, with similar disabilities, to contribute to the defense of our nation.

Keith Nolan is an inspiration to me and to those he has touched. I thank him for the example he sets and am hopeful that someday emerging military occupations might present oppor-

tunities for disabled Americans to serve their country proudly and with honor.●

MESSAGES FROM THE HOUSE

At 2:25 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1282. An act to redesignate certain clinics of the Department of Veterans Affairs located in Montana.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1972. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to waive the requirement of certain veterans to make copayments for hospital care and medical services in the case of an error by the Department of Veterans Affairs, and for other purposes.

H.R. 3642. An act to direct the Secretary of Veterans Affairs to carry out a pilot program to improve the access to private health care for veterans who are survivors of military sexual trauma.

H.R. 3663. An act to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel "Woody" Williams VA Medical Center.

H.R. 3832. An act to amend title 38, United States Code, to provide for access by Department of Veterans Affairs health care providers to State prescription drug monitoring programs.

H.R. 3946. An act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the "Ray Hendrix Veterans Clinic".

H.R. 4245. An act to direct the Secretary of Veterans Affairs to submit to Congress certain documents relating to the Electronic Health Record Modernization Program of the Department of Veterans Affairs.

H.R. 4334. An act to provide for certain reporting requirements relating to medical care for women veterans provided by the Department of Veterans Affairs and through contracts entered into by the Secretary of Veterans Affairs with non-Department medical providers, and for other purposes.

H.R. 4451. An act to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs.

H.R. 4830. An act to amend title 38, United States Code, to provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, and for other purposes.

H.R. 4958. An act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

H.R. 5044. An act to amend title 38, United States Code, to clarify the treatment of certain surviving spouses under the contracting goals and preferences of the Department of Veterans Affairs.

H.R. 5215. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to prohibit employees found to

have knowingly misused Department of Veterans Affairs purchase cards from serving as purchase card holders or approving officials.

H.R. 5418. An act to direct the Secretary of Veterans Affairs to carry out the Medical Surgical Prime Vendor program using multiple prime vendors.

The message also announced that pursuant to 2 U.S.C. 2081, and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the United States Capitol Preservation Commission: Mr. HOLDING of North Carolina.

The message further announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on International Religious Freedom for a term ending on May 14, 2020: Ms. Kristina Arriaga of Alexandria, Virginia.

The message also announced that pursuant to section 3 of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act (Public Law 114-244), and the order of the House of January 3, 2017, the Speaker appoints the following individuals on the part of the House of Representatives to the Alyce Spotted Bear and Walter Soboleff Commission on Native Children: Ms. Gloria O'Neill of Anchorage, Alaska, Ms. Lisa Johnson Billy of Lindsay, Oklahoma, and Ms. Elizabeth Morris of Hillsboro, North Dakota.

The message further announced that pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Public Law 114-196), and the order of the House of January 3, 2017, the Speaker appoints the following Member on the part of the House of Representatives to the United States Semiquincentennial Commission to fill the existing vacancy thereon: Mr. HOLDING of North Carolina.

At 6:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2155. An act to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes.

MEASURES REFERRED

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

H.R. 1972. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to waive the requirement of certain veterans to make copayments for hospital care and medical services in the case of an error by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3642. An act to direct the Secretary of Veterans Affairs to carry out a pilot program to improve the access to private health care for veterans who are survivors of military sexual trauma; to the Committee on Veterans' Affairs.

H.R. 3663. An act to designate the medical center of the Department of Veterans Affairs in Huntington, West Virginia, as the Hershel "Woody" Williams VA Medical Center; to the Committee on Veterans' Affairs.

H.R. 3832. An act to amend title 38, United States Code, to provide for access by Department of Veterans Affairs health care providers to State prescription drug monitoring programs; to the Committee on Veterans' Affairs.

H.R. 3946. An act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the "Ray Hendrix Veterans Clinic"; to the Committee on Veterans' Affairs.

H.R. 4245. An act to direct the Secretary of Veterans Affairs to submit to Congress certain documents relating to the Electronic Health Record Modernization Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 4334. An act to provide for certain reporting requirements relating to medical care for women veterans provided by the Department of Veterans Affairs and through contracts entered into by the Secretary of Veterans Affairs with non-Department medical providers, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4451. An act to amend title 38, United States Code, to provide for a five-year extension to the homeless veterans reintegration programs and to provide clarification regarding eligibility for services under such programs; to the Committee on Veterans' Affairs.

H.R. 4830. An act to amend title 38, United States Code, to provide for the disapproval of any course of education for purposes of the educational assistance programs of the Department of Veterans Affairs unless the educational institution providing the course permits individuals to attend or participate in courses pending payment by Department, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4958. An act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5044. An act to amend title 38, United States Code, to clarify the treatment of certain surviving spouses under the contracting goals and preferences of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 5215. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to prohibit employees found to have knowingly misused Department of Veterans Affairs purchase cards from serving as purchase card holders or approving officials; to the Committee on Veterans' Affairs.

H.R. 5418. An act to direct the Secretary of Veterans Affairs to carry out the Medical Surgical Prime Vendor program using multiple prime vendors; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment:

S. 1337. A bill to amend the Energy Policy Act of 2005 to make certain strategic energy infrastructure projects eligible for certain loan guarantees, and for other purposes (Rept. No. 115-254).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1563. A bill to authorize the Office of Fossil Energy to develop advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts, and for other purposes (Rept. No. 115-255).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2200. A bill to reauthorize the National Integrated Drought Information System, and for other purposes (Rept. No. 115-256).

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S.J. Res. 58. A joint resolution to require certifications regarding actions by Saudi Arabia in Yemen, and for other purposes.

By Mr. CRAPO, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2098. A bill to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, and for other purposes.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

S. 2269. A bill to reauthorize the Global Food Security Act of 2016 for 5 additional years.

By Mr. BARRASSO, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 2800. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Joseph E. Macmanus, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Colombia.

Nominee: Macmanus, Joseph Estey.
Post: Colombia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Joseph Estey Macmanus: None.
2. Carol Krumbach Macmanus: None.
3. Christopher Joseph Macmanus, son: None; Megan Walston, daughter-in-law: None.
4. Deceased Parents: Joseph Edward Macmanus, Miriam Butterbaugh Macmanus.
5. Deceased Grandparents: Estey Butterbaugh, Minnie Rupert Butterbaugh, Jose Macmanus, Elsa Sibel Macmanus.
6. Thomas H. Macmanus and Mary C. Macmanus: none to my knowledge; Stephen P. Macmanus: none to my knowledge; Christopher J. Macmanus and Nancy Macmanus: none to my knowledge.
7. Patricia M. Grose: none to my knowledge; Mary K. Ramsbottom and John Ramsbottom: none to my knowledge.

By Mr. THUNE for the Committee on Commerce, Science, and Transportation.

*Joseph Ryan Gruters, of Florida, to be a Director of the Amtrak Board of Directors for a term of five years.

*Jennifer L. Homendy, of Virginia, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2019.

*Coast Guard nomination of Rear Adm. Michael F. McAllister, to be Vice Admiral.

*Coast Guard nomination of Rear Adm. Daniel B. Abel, to be Vice Admiral.

*Coast Guard nomination of Rear Adm. Scott A. Buschman, to be Vice Admiral.

*Coast Guard nomination of Rear Adm. Linda L. Fagan, to be Vice Admiral.

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

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

*Coast Guard nominations beginning with Augustino Albanese II and ending with Nicholas P. Zieser, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2018.

*Coast Guard nomination of Kyle S. Young, to be Lieutenant Commander.

*Coast Guard nomination of Michael S. Daeffler, to be Lieutenant.

*Coast Guard nominations beginning with Rebecca A. Drew and ending with Sarah J. Reed, which nominations were received by the Senate and appeared in the Congressional Record on April 24, 2018.

By Mr. BARRASSO for the Committee on Environment and Public Works.

*John L. Ryder, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2021.

By Mr. BURR for the Select Committee on Intelligence.

William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center.

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. GRASSLEY (for himself, Mr. BROWN, and Mr. BLUMENTHAL):

S. 2891. A bill to amend title XI of the Social Security Act to require applicable manufacturers to include information regarding payments made to physician assistants, nurse practitioners, and other advance practice nurses in transparency reports submitted under section 1128G of such Act; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. ISAKSON):

S. 2892. A bill to require the Comptroller General of the United States to submit a report to Congress on the provision of peer

support services under the Medicaid program; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. ENZI):

S. 2893. A bill to provide for prompt payments to small business contractors, and for other purposes; to the Committee on Armed Services.

By Mr. JONES (for himself, Mr. ROUNDS, and Ms. SMITH):

S. 2894. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish in the Department of Agriculture the position of Rural Health Liaison; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBERTS:

S. 2895. A bill to designate the Quindaro Townsite National Historic Landmark, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself and Mr. MANCHIN):

S. 2896. A bill to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI (for herself, Mr. BROWN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. SULLIVAN, Ms. KLOBUCHAR, Ms. SMITH, and Mr. PORTMAN):

S. 2897. A bill to amend title XIX of the Social Security Act to delay the reduction in Federal medical assistance percentage for Medicaid personal care services furnished without an electronic visit verification system; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. HELLER, and Mr. BLUMENTHAL):

S. 2898. A bill to amend title XIX of the Social Security Act to remove lifetime limits under State Medicaid programs on medication-assisted treatment for substance use disorders; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. PORTMAN, Mrs. CAPITO, Mr. KING, Mr. MANCHIN, Mr. HELLER, Mr. CASEY, and Mr. WHITEHOUSE):

S. 2899. A bill to amend title XIX of the Social Security Act to provide States with the option of providing medical assistance at a residential pediatric recovery center to infants with neonatal abstinence syndrome; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. ISAKSON, Mr. NELSON, Mr. THUNE, Mr. CASSIDY, and Mr. BLUMENTHAL):

S. 2900. A bill to amend title XVIII of the Social Security Act to include screening for potential substance use disorders and a review of any current opioid prescriptions as part of the initial preventive physical examination and the annual wellness visit under the Medicare program; to the Committee on Finance.

By Mr. THUNE (for himself, Mr. WARNER, Mr. CARDIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. GRASSLEY, Mr. SCHATZ, Mr. WICKER, and Mrs. HYDE-SMITH):

S. 2901. A bill to amend title XVIII of the Social Security Act to expand the use of telehealth services for the treatment of opioid use disorder and other substance use disorders; to the Committee on Finance.

By Mr. CASSIDY (for himself and Mr. WHITEHOUSE):

S. 2902. A bill to amend title XIX of the Social Security Act to facilitate Medicaid access to State prescription drug monitoring programs, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 2903. A bill to address foreign threats to higher education in the United States; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. THUNE, Mr. NELSON, Mr. ROBERTS, Mr. WARNER, Mr. CORNYN, and Ms. STABENOW):

S. 2904. A bill to require the Secretary of Health and Human Services to provide guidance to States regarding Federal reimbursement for furnishing services and treatment for substance use disorders under Medicaid using telehealth services; to the Committee on Finance.

By Mr. TOOMEY (for himself and Mrs. MCCASKILL):

S. 2905. A bill to amend title XVIII of the Social Security Act to provide for certain integrity transparency measures under Medicare parts C and D; to the Committee on Finance.

By Mr. MANCHIN (for himself, Mrs. MCCASKILL, Ms. STABENOW, Mr. KAINE, Mr. WARNER, Mr. MENENDEZ, Mr. DONNELLY, Ms. HARRIS, Ms. KLOBUCHAR, Mr. NELSON, Mr. VAN HOLLEN, Mrs. MURRAY, Mr. KING, Mr. JONES, Mr. SCHUMER, Mr. BROWN, Ms. BALDWIN, Mr. DURBIN, Ms. WARREN, Ms. SMITH, and Mr. MARKEY):

S. 2906. A bill to establish a permanent community care program for veterans, to improve the recruitment of health care providers of the Department of Veterans Affairs, to improve construction by the Department, and for other purposes; to the Committee on Veterans' Affairs.

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

S. 2907. A bill to provide for the withdrawal and protection of certain Federal land in the State of New Mexico; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS (for himself, Mr. CARPER, and Mr. GRASSLEY):

S. 2908. A bill to amend title XVIII of the Social Security Act to provide for electronic prior authorization under Medicare part D for covered part D drugs, and for other purposes; to the Committee on Finance.

By Mr. HELLER (for himself and Mr. BENNET):

S. 2909. A bill to require the Comptroller General of the United States to study and report on State Medicaid agencies' options related to the distribution of substance use disorder treatment medications under the Medicaid program; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. NELSON, Mr. CORNYN, Mr. WARNER, Mr. THUNE, Mr. CARPER, and Ms. STABENOW):

S. 2910. A bill to evaluate access to services and treatment for substance use disorders and to telehealth services and remote patient monitoring for pediatric populations under Medicaid; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. CASEY, Mr. THUNE, Ms. STABENOW, Mr. CORNYN, and Mr. NELSON):

S. 2911. A bill to require the Secretary of Health and Human Services to provide guidance to States regarding Medicaid items and services for non-opioid pain treatment and management; to the Committee on Finance.

By Mr. CASSIDY (for himself, Mr. MENENDEZ, Mr. GRASSLEY, and Mr. WARNER):

S. 2912. A bill to require the Secretary of Health and Human Services to publish data related to the prevalence of substance use disorders in the Medicaid beneficiary population and the treatment of substance use disorders under Medicaid, and for other purposes; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself and Mr. CORNYN):

S. 2913. A bill to require the Secretary of Defense to improve the monitoring and over-

sight of and reporting regarding projects carried out under the Military Housing Privatization Initiative under subchapter IV of chapter 169 of title 10, United States Code; to the Committee on Armed Services.

By Ms. CORTEZ MASTO:

S. 2914. A bill to require a Comptroller General of the United States report on certain personnel matters in connection with Air Force remotely piloted aircraft; to the Committee on Armed Services.

By Mr. MENENDEZ (for himself, Mr. BLUMENTHAL, Mr. SANDERS, Ms. CORTEZ MASTO, and Mr. BOOKER):

S. 2915. A bill to protect alien victims of crime or serious labor or employment violations from removal from the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. WICKER:

S. 2916. A bill to require a certain percentage of liquefied natural gas and crude oil exports to be transported on United States-built and United States-flag vessels, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 2917. A bill to require sponsoring Senators to pay the printing costs of ceremonial and commemorative Senate resolutions; to the Committee on Rules and Administration.

By Ms. HARRIS (for herself, Mr. LEAHY, Ms. HIRONO, Mrs. FEINSTEIN, Mr. DURBIN, Mr. MARKEY, Mr. WHITEHOUSE, Mr. SANDERS, Mr. MERKLEY, Mrs. GILLIBRAND, Ms. SMITH, Mr. WYDEN, and Ms. WARREN):

S. 2918. A bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Ms. HASSAN, Mr. WHITEHOUSE, Mr. UDALL, Ms. DUCKWORTH, Ms. KLOBUCHAR, Ms. CORTEZ MASTO, and Ms. HIRONO):

S. 2919. A bill to amend the Ethics in Government Act of 1978 to provide for reform in the operations of the Office of Government Ethics, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MCCASKILL (for herself and Mr. TOOMEY):

S. 2920. A bill to amend title XVIII of the Social Security Act to impose certain requirements under the Medicare program with respect to outlier prescribers of opioids; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. MENENDEZ, Mr. GRASSLEY, Mrs. MCCASKILL, Mr. CORNYN, and Mr. CARPER):

S. 2921. A bill to amend title XIX of the Social Security Act to help ensure coverage of inpatient treatment services furnished in institutions for mental disease; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. HELLER, Mr. BROWN, Mr. CARPER, and Mr. WHITEHOUSE):

S. 2922. A bill to amend title XIX of the Social Security Act to help improve access to care for pregnant and postpartum women receiving substance use disorder treatment, including for opioid use disorders, in an institution for mental diseases; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. MENENDEZ):

S. 2923. A bill to support the development of evidence-based family-focused residential treatment programs; to the Committee on Finance.

By Mr. SCOTT (for himself and Mr. MENENDEZ):

S. 2924. A bill to encourage the use of family-focused residential treatment programs for substance use disorder treatment; to the Committee on Finance.

By Mr. TILLIS (for himself and Mrs. SHAHEEN):

S. 2925. A bill to limit the transfer of F-35 aircraft to foreign countries; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself and Mr. SCOTT):

S. 2926. A bill to amend part B of title IV of the Social Security Act to require the Secretary of Health and Human Services to conduct a family recovery and reunification program replication project to help reunify families and protect children with parents or guardians with a substance use disorder who have temporarily lost custody of their children; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. McCONNELL (for himself and Mr. SCHUMER):

S. Res. 519. A resolution to authorize testimony and representation in Colorado v. Willenberg; considered and agreed to.

ADDITIONAL COSPONSORS

S. 184

At the request of Mr. WICKER, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 184, a bill to prohibit taxpayer funded abortions.

S. 266

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 751

At the request of Mr. WARNER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 751, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 760

At the request of Mr. SCHATZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 760, a bill to expand the Government's use and administration of data to facilitate transparency, effective governance, and innovation, and for other purposes.

S. 783

At the request of Ms. BALDWIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 783, a bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

S. 974

At the request of Mr. LEAHY, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 974, a bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

S. 1022

At the request of Mr. ISAKSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1022, a bill to amend the Public Health Service Act to facilitate assignment of military trauma care providers to civilian trauma centers in order to maintain military trauma readiness and to support such centers, and for other purposes.

S. 1050

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1112

At the request of Ms. HEITKAMP, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1112, a bill to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1328

At the request of Mr. KAINE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1328, a bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity, and for other purposes.

S. 1358

At the request of Mr. CASSIDY, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 1358, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain direct primary care service arrangements and periodic provider fees.

S. 1589

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 2105

At the request of Mr. BOOZMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor

of S. 2105, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 2269

At the request of Mr. ISAKSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2269, a bill to reauthorize the Global Food Security Act of 2016 for 5 additional years.

At the request of Mr. CASEY, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2269, supra.

S. 2372

At the request of Mrs. FISCHER, her name was added as a cosponsor of S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

S. 2379

At the request of Mr. KAINE, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2379, a bill to improve and expand authorities, programs, services, and benefits for military spouses and military families, and for other purposes.

S. 2404

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 2404, a bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to reauthorize the organic agriculture research and extension initiative.

S. 2418

At the request of Ms. HASSAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2418, a bill to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas.

S. 2543

At the request of Ms. HEITKAMP, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2543, a bill to amend part B of title IV of the Social Security Act to provide grants to develop and enhance, or to evaluate, kinship navigator programs, and for other purposes.

S. 2584

At the request of Ms. BALDWIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2584, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 2597

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S.

2597, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

S. 2667

At the request of Mr. MCCONNELL, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2667, a bill to amend the Agricultural Marketing Act of 1946 to provide for State and Tribal regulation of hemp production, and for other purposes.

S. 2679

At the request of Mr. TESTER, his name was added as a cosponsor of S. 2679, a bill to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

S. 2723

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2723, a bill to amend the Food and Nutrition Act of 2008 to require that supplemental nutrition assistance program benefits for children be calculated with reference to the cost of the low-cost food plan, as determined by the Secretary of Agriculture, and for other purposes.

S. 2778

At the request of Mr. CRUZ, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2778, a bill to amend the Endangered Species Act of 1973 to include a prohibition on the listing of a living nonnative species as a threatened species or an endangered species, and for other purposes.

S. 2789

At the request of Mr. CORNYN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 2789, a bill to prevent substance abuse and reduce demand for illicit narcotics.

S. 2810

At the request of Mr. SANDERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2810, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes.

S. RES. 386

At the request of Mr. FLAKE, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 386, a resolution urging the Government of the Democratic Republic of the Congo to fulfill its agreement to hold credible elections, comply with constitutional limits on presidential terms, and fulfill its constitutional mandate for a democratic transition of power by taking concrete and measurable steps towards holding elections not later than De-

cember 2018 as outlined in the existing election calendar, and allowing for freedom of expression and association.

S. RES. 502

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 502, a resolution supporting robust relations with the State of Israel bilaterally and in multilateral fora upon seventy years of statehood, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 519—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN COLORADO V. WILLENBERG

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 519

Whereas, in the case of *Colorado v. Willenberg*, Case No. 17M1242, pending in Municipal Court in Colorado Springs, Colorado, the defendant has requested the production of testimony from Andrew Merritt, an employee in the office of Senator Cory Gardner;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current or former Members, officers, and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Andrew Merritt, an employee in the Office of Senator Cory Gardner, is authorized to testify in the case of *Colorado v. Willenberg*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former Members, officers, and employees of the Senate in connection with the production of evidence authorized in section one of this resolution.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution authorizing the production of testimony and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. MCCONNELL. Mr. President, this resolution concerns a request for testimony in a criminal action pending in Colorado State court. In this action, the defendant is charged with trespass for refusing to leave Senator GARDNER's Colorado Springs office. A forthcoming evidentiary hearing and trial is expected to be scheduled shortly in the

Municipal Court of Colorado Springs, Colorado.

The defendant in this case is seeking testimony from Andrew Merritt, Senator GARDNER's State Director, who was present during some of the events at issue. Senator GARDNER would like to cooperate with this request.

The enclosed resolution would authorize the production of testimony from Mr. Merritt and representation by the Senate Legal Counsel of current and former Members, officers, and employees of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2264. Mr. SHELBY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table.

SA 2265. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

SA 2266. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2372, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2264. Mr. SHELBY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ CONCEPTS AND DEFINITIONS.

The authorizations of appropriations added to 38 U.S.C. Chapter 17 by this Act ["VA MISSION Act of 2018"] shall be considered changes in concepts and definitions pursuant to section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 ("BBEDCA"; 2 U.S.C. 901(b)(1)). These changes shall be reflected only in the budget year in each Sequestration Preview Report required by section 254(c) of BBEDCA. For each budget year, the baseline level of new budget authority using up-to-date concepts and definitions shall be equal to the discretionary appropriations that are specified for those authorizations of appropriations in the Budget that the President submits under section 1105 of title 31, United States Code, including those already provided for that fiscal year as advance discretionary new budget authority. Within 15 days of the publication of a final rule in the Federal Register promulgating the regulations pursuant to section 101(c) of this Act ["VA MISSION Act of 2018"], the Office of Management and Budget shall further adjust the fiscal year 2019 discretionary spending limits to reflect the impact of those regulations, as estimated by the Department of Veterans Affairs, on the discretionary appropriations that are specified for those authorizations of appropriations in the Budget that the President submitted for that fiscal year under section 1105 of title 31 United States Code, and shall provide written notification to the Congress of such further adjustments. Not later than 10

days after the date each year on which the President submits the budget request under section 1105 of title 31 United States Code, and also 10 days after the publication of the final rule previously referenced in this section, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report detailing the estimates of the resources required by the Department for those authorizations of appropriations, as forecast using the Enrollee Health Care Projections Model, or other methodologies used by the Department. For each fiscal year, the Office of Management and Budget shall further adjust the discretionary spending limits in section 251(c) of BBEDCA to reflect the transmittal of any formal and informal supplementals and amendments, as those terms are defined in section 110 of OMB Circular No. A-11, for those authorizations of appropriations and shall provide written notification to the Congress of such further adjustments within 15 days of such transmittal. For each fiscal year, the Final Sequestration Report required by section 254(f) of BBDECA shall include a further adjustment to reflect the difference between all of the previous adjustments made for that fiscal year pursuant to this section and the new budget authority for those authorizations of appropriations enacted as discretionary appropriations.

SA 2265. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

On page 11, beginning on line 16, strike "CONDITIONS UNDER WHICH CARE IS AUTHORIZED" and insert "ADDITIONAL CONDITIONS UNDER WHICH CARE IS REQUIRED".

On page 11, line 18, strike "may" and insert "shall".

On page 13, line 3, strike "authorized" and insert "required".

On page 13, beginning on line 21, strike "When the Secretary exercises the authority under paragraph (1), the decision to receive care or services under such paragraph" and insert "The decision to receive care or services under paragraph (1)".

SA 2266. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 2372, to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, after line 25, insert the following:

SEC. 115. DEPARTMENT OF VETERANS AFFAIRS AS SECONDARY PAYER FOR HEALTH CARE IN CERTAIN CIRCUMSTANCES.

(a) IN GENERAL.—Subchapter I of chapter 17 is amended by inserting after section 1703D, as added by section 111 of this Act, the following new section:

“§ 1703F. Department as secondary payer for certain non-Department care

“If a veteran is covered under a health-plan contract (as defined in section 1729(i) of this title) and receives hospital care or medical services for a non-service-connected disability at a non-Department facility or from a non-Department provider, such health-plan contract shall be primarily responsible for paying for such care or services, to the extent such care or services are covered by such health-plan contract, and the Secretary

shall be secondarily responsible for paying for such care or services.”.

(b) CLERICAL AMENDMENT.—The table of section for such chapter is amended by inserting after the item relating to section 1703D the following new item:

“1703F. Department as secondary payer for certain non-Department care.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. Mr. President, I have 12 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 10 a.m. to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 10 a.m. to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 10 a.m. to conduct a hearing on pending legislation and the following nominations: Joseph Ryan Gruters, of Florida, to be a Director of the Amtrak Board of Directors, Jennifer L. Homendy, of Virginia, to be a Member of the National Transportation Safety Board, and routine lists in the Coast Guard.

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, May 22, 2018, at 10 a.m. to conduct a hearing entitled “The Healthcare Workforce: Addressing Shortages and Improving Care.”

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 2:15 p.m. to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 2:30 p.m. to conduct a closed hearing.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 2:30 p.m. to conduct a hearing.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Com-

mittee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 4:30 p.m. to conduct a hearing.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 2:30 p.m. to conduct a hearing.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management Support of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 11 a.m. to conduct a hearing.

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 9:30 a.m. to conduct a hearing.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, May 22, 2018, at 5:15 p.m. to conduct a hearing.

ORDER OF PROCEDURE

Mr. RUBIO. Madam President, I ask unanimous consent that notwithstanding rule XXII, following leader remarks on Wednesday, May 23, the Senate proceed to executive session to consider the Montgomery nomination, as under the previous order, and the Senate vote on the nomination at 3:15 p.m.; further, that following disposition of the nomination, the Senate resume legislative session and all postcloture time on the motion to concur in the House amendment to S. 2372 be considered expired; finally, that following disposition of the motion to concur, the Senate vote on the cloture motions in relation to the McWilliams nominations in the order filed and that if cloture is invoked, the postcloture time run concurrently.

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

ACTION VITIATED AND RETURN OF PAPERS—H.R. 4743

Mr. RUBIO. Madam President, I ask unanimous consent that action with respect to Calendar No. 403, H.R. 4743, be vitiated and the Senate agree to the House request to return the papers on H.R. 4743, and authorize the Secretary of the Senate to return the papers on H.R. 4743 to the House of Representatives.

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

RECOGNIZING THE IMPORTANCE AND EFFECTIVENESS OF TRAUMA-INFORMED CARE

Mr. RUBIO. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor,

and Pensions be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 346.

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

The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 346) recognizing the importance and effectiveness of trauma-informed care.

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

Mr. RUBIO. Madam 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.

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

The resolution (S. Res. 346) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of December 1, 2017, under "Submitted Resolutions.")

AUTHORIZING TESTIMONY AND REPRESENTATION

Mr. RUBIO. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 519, submitted earlier today.

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

The assistant bill clerk read as follows:

A resolution (S. Res. 519) to authorize testimony and representation in Colorado v. Willenberg.

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

Mr. RUBIO. Madam 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. 519) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, MAY 23, 2018

Mr. RUBIO. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Wednesday, May 23; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. Finally, I ask that following

leader remarks, the Senate proceed to executive session and proceed to the consideration of the Montgomery nomination under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. RUBIO. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. 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.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, in this, my 20th speech about the climate changes and ocean changes being driven by fossil fuels, I would like to discuss America's largest oil company, ExxonMobil.

For decades, ExxonMobil did everything in its power to deceive the American public about the existence and causes of climate change. I believe that full transparency would show ExxonMobil and its agents still obstructing efforts here in Washington to resolve the climate crisis, but I want to focus on one particular audience I believe Exxon has long misled—its shareholders. An Exxon CEO once went so far as to cite a bogus scientists petition to his shareholders—yes, that infamous "petition" cooked up by climate deniers that included cartoon characters and Spice Girls among the scientists.

For decades, Exxon investors have filed resolutions at shareholder meetings starting back as far as 1990 urging ExxonMobil to address climate and sustainability issues. Exxon succeeded in quashing every single one of them—quashing more than 40 shareholder resolutions in total, year after year—until last year.

At last year's meeting, big institutional investors like BlackRock threw their weight behind a resolution requiring Exxon to produce an annual report explaining how it will be affected by climate change and global efforts to protect us against climate change. Again, Exxon fiercely opposed this resolution, but this time Exxon lost. The resolution passed with 62 percent of the vote.

That gave Exxon some serious questions to answer: As the world transitions to a low-carbon economy, how

much oil and gas does Exxon think we will need? How might declining demand for oil and gas affect Exxon's operations and bottom line? Will it be economical to produce all of the reserves currently listed on Exxon's books? Most significantly, can we burn all Exxon's reserves and not damage the planet?

Well, Exxon's inaugural climate risk report is out—I have been through it—and it looks to me like they are still playing hide the ball. It looks to me like a report that started with the conclusion that Exxon can develop all its reserves and then back-calculated the assumptions necessary to get to that conclusion. Let's have a look.

Scientists tell us that we must limit global warming to no more than 2 degrees Celsius if we are to avoid catastrophic changes to the planet we inhabit. Many believe that to keep a margin of safety, we actually need to target 1.5 degrees.

There is an article that just came out today headlined "Limiting warming to 1.5 degree C would save majority of global species from climate change." To quote the article, it would "avoid half the risks associated with warming of 2 degrees C." So there is a big difference of outcomes between 2 degrees Centigrade and 1.5 degrees Centigrade, and it will affect innumerable species on our planet.

Well, in its report, Exxon doesn't address the 1.5 degrees scenario; it goes with 2 degrees.

Exxon's report goes on to say that its roughly 20 billion oil-equivalent barrels of reserves "face little risk" from efforts to meet the 2 degrees scenario. Exxon also says it is "confident" about roughly 71 billion not-yet-proven oil-equivalent barrels that it reports to its shareholders as assets. It claims that no more than 5 percent of these unproven resources will be rendered uneconomical by measures to protect us against climate change.

Exxon's report obviously gets to the result management wants: to tell shareholders that basically all its listed assets are recoverable. But look at the assumptions required to arrive at that conclusion beyond the 2-degree assumption.

One assumption is huge amounts of carbon capture and sequestration, what is called CCS. CCS is technology where carbon emissions are contained at the site where the fossil fuel is burned and then captured and buried far underground. This prospect exists but barely exists now. Its future development is something that is projected by the International Energy Agency.

This graphic shows the projection by the International Energy Agency of the various elements that will reduce carbon pollution in the future.

The top one is efficiency gains, burning less because of better insulation and so forth, because motors become more efficient.

This green one is all the contribution to carbon reduction of renewable energy.

This bottom, dark-blue segment is what the International Energy Agency attributes to CCS, carbon capture and sequestration.

For its report, ExxonMobil assumed deployment of CCS technology as much as five times greater by 2040—this year depicted right here—five times greater than the IEA’s projection. If you take IEA’s CCS projection and you quintuple it, you get carbon savings that exceed everything IEA projects from efficiency and renewables combined. That is quite an assumption. CCS is actually very expensive, and all it produces is carbon reduction. You still have to run the fossil fuel-burning powerplant to make the power, and then, on top of that, you add the carbon capture and sequestration technology that can add \$1 billion to the price of the equipment.

So here is Lazard’s comparison of various kinds of energy costs. This bottom one is solar. Per megawatt hour, it runs \$46 to \$61—pretty efficient. This is onshore wind—\$32 to \$62 per megawatt hour produced. This is natural gas; it runs from \$48 to \$78. Then you add on \$25, more or less, per megawatt hour for carbon capture and sequestration, and now you have a very expensive product—about \$100 per megawatt hour compared to \$46 to \$61, for instance, for solar.

If that is the case, it is a little surprising because you would think that renewables would do better than CCS because they come out far more cheaply. So how do you get to an assumption of a world in which CCS outcompetes renewables? It seems improbable, given the pricing, that CCS will roar ahead of renewables, let alone ahead of renewables and efficiency combined. If that were true, what a booming market CCS would be to invest in.

So let’s test Exxon’s CCS assumption against Exxon’s own investment behavior. If Exxon truly saw carbon capture and sequestration as the magic bullet to allow it to produce all its oil and gas reserves, you would expect that it would put its money where its mouth is, but Exxon barely even mentions CCS in its 2017 10-K filing for investors. There is one tiny mention right here under its “Risk Factors” section. Risk factors.

If you look at Exxon’s announced investments in the United States this year—\$50 billion worth—it makes no mention of any new investments in carbon capture and sequestration. If Exxon really believed that CCS was going to boom like that, bigger than renewables, why not invest more? My hypothesis is that they don’t believe that, that this was just an assumption backed into this report to make it look as if Exxon was going to be able to protect and use all of its reserves to get to the foreordained conclusion.

Exxon’s report omits another fact about CCS: that this developing technology will likely see most use with gas-fired powerplants, as my previous graphic showed. It likely cannot be

used to capture Exxon’s products’ emissions in the transportation and chemical sectors. Power generation accounts for only about one-seventh of total demand for oil and gas, and that share is predicted to fall. Even if it doesn’t fall, that still leaves six-sevenths where it is hard to see a carbon capture and sequestration offset. Exxon’s report does not describe where exactly this massive deployment of carbon capture and sequestration will take place, but I can assure you it will not be on auto tailpipes.

Let’s move on from CCS.

A second odd assumption in Exxon’s report is the growth rate Exxon predicts for renewable energy. Exxon claims that renewables will grow only by 4.5 percent annually through 2040. Well, the IEA, the International Energy Agency, reports that in 2017—the year we just went through—renewable energy actually grew by 6.3 percent. Well, 6.3 percent is the actual, and they assume it will grow only at 4.5 percent. And that 6.3 percent occurred with massive global subsidies still giving huge advantages to fossil fuel. If you go down the street to Exxon’s rival BP, BP predicts that renewables growth will average 6.5 percent annually through 2040.

Exxon claims—although we who live here know it is not true—to support a price on carbon that would obviously lower fossil fuel’s huge subsidy advantage, that would give renewables a fairer shot, and that would presumably accelerate renewables growth above the 2017 rate of 6.3 percent.

Is Exxon’s low-growth assumption realistic for renewable energy? Well, new solar and wind energy products are already becoming more economical than existing coal plants, as we just saw in Colorado. New solar and wind projects now compete on price with new natural gas plants, as a recent auction in Arizona showed. The cost trajectory for renewables continues steeply downward.

This downward curve is the cost of centralized solar power, like those big arrays of mirrors that focus solar on a generator. This steeply downward curve is the downward curve of photovoltaic, the types of arrays that go out on their own in fields or on rooftops. This is the downward curve of offshore wind energy, and this is the downward curve of onshore wind energy. All of these renewable sources are on a steep downward trajectory. So why would growth slow?

Here, again, Exxon made an assumption that does not seem plausible, but the assumption does help it arrive at its desired conclusion that it can develop essentially all its assets.

Here is a third questionable Exxon assumption. Exxon predicts that the market for electric cars and trucks will grow slowly, if at all. Exxon assumes that by 2040 only 160 million out of roughly 2 billion cars—just 8 percent of the automobile fleet—will be electric vehicles. By contrast, the IEA predicts

that roughly twice that many cars will be electric by 2040. Most other projections I have seen are even more bullish for electric vehicles, like this one from Bloomberg, which predicts well over 400 million electric vehicles by 2040. Indeed, just the new sales in these 4 years exceed the entire market prediction of electric vehicles for ExxonMobil.

Stanford economist Tony Seba studies economic disruptions. He is fond of showing two photos of Fifth Avenue in New York City. In this photo, taken in 1900, you see the parade of traffic on Fifth Avenue. If you look, you will see that every single one of those vehicles is pulled by a horse, except one. There is one vehicle right here with an engine in it. It is 1900, and the entire street is filled with horse-drawn carriages, with just one vehicle in that street scene.

Cut forward to 1913, and Fifth Avenue is again filled with vehicles, only this time it is hard to find a horse. There is a vehicle right here that looks as though it is a carriage, and there may be a horse behind this vehicle. But other than that, all of the vehicles that you see are gasoline powered.

In just 13 years, the automotive world, the travel world changed, illustrating Dr. Seba’s point that major economic disruptions can take place in remarkably little time. Think cell phone and landline, if you want a modern example.

There is a lot of evidence that electric vehicles present just this sort of economic and technological disruption. Governments in major auto markets like France and the United Kingdom have announced the end of internal combustion vehicle sales by 2040. China, the world’s largest car market, recently announced that by 2025, 20 percent of new cars sold there must run on alternative fuels, and it is on its way to an eventual total ban of the sale of gasoline- and diesel-powered cars. Japan, the world’s fourth largest car market, now has more electric charging stations than gas stations. India, the fifth largest car market, has announced that by 2030, all new cars sold there must be electric or hybrid. Electric cars are cheaper to build, to operate, and to repair, and they can provide supercar performance in everyday vehicles.

Moving on from regular automobiles and into the commercial fleet, Exxon makes the further assumption that no commercial transportation—no buses, no trucks—will be electrified by 2040. Never mind that electric buses are already in use in China, Germany, France, the United States, and many other countries. Rhode Island’s public transit agency is going out to bid for electric buses right now. An American manufacturer asserts that once electric buses get 10 percent market share, complete transition to electric becomes inevitable. Just last year, the city of Shenzhen in China replaced its entire fleet of more than 16,000 buses with electric ones. Almost 20 percent of buses across China are already electric.

There are now almost 400,000 electric buses on the road worldwide. Tesla recently announced plans to produce 100,000 electric trucks per year by 2023.

Well, maybe everyone else is wrong and Exxon is right, but it sure looks as though Exxon investors aren't getting the complete story from this report. It looks as though they are getting the assumptions that produce the answer that Exxon wants. Cars and commercial transportation account for more than 50 percent of the demand for oil and gas, so if Exxon fudged this assumption, that has big consequences for the conclusion Exxon reaches that all will be well with its reserves.

Stack up all those assumptions—that 2 degrees is the right climate threshold, that CCS will boom and even impact gasoline markets, that renewable energy growth will slow rather than accelerate, and that electric vehicles will be a bust. It takes all of those assumptions piled together to get to Exxon's desired result. It looks and smells bogus. If you don't believe me, let me leave you with one last chart.

Rystad Energy is an international energy consulting firm widely used and respected in the energy industry. 2C Energy is an American firm looking at how oil companies' resources and reserves fare as we face climate risks. Rystad and 2C worked together to develop this carbon consumption budget for various oil and gas and energy companies using, by the way, the more generous 2-degrees scenario for global warming. So we will spot them the 2 degrees, but it would obviously be different if it were only 1.5.

This is ExxonMobil right here. The study shows that ExxonMobil, in their best case scenario—this upper sce-

nario—is able to extract and burn only 82 percent of its oil and gas assets. The other 18 percent would be left unused or stranded—stranded assets.

But wait. If you look at this scenario where methane leakage is allowed to continue from oil and gas drilling, which, by the way, is exactly what Exxon and others are encouraging Scott Pruitt to allow and where CCS technology is not significantly deployed, then this scenario here leaves 39 percent of Exxon's assets stranded. That is 39 percent of all assets stranded versus what Exxon claims, which is that 5 percent of unproven resources might be. By the way, again, that 39 percent stranding is based on 2 degrees of warming, not the more prudent 1.5 degrees, which would require less development of those resources.

Well, Exxon's 2018 shareholder meeting comes up next week, and the investors who did such a great job with last year's climate resolution should take a look at this report and not be satisfied. There are some questions that need to be answered. Even a former senior Exxon executive has criticized Exxon's climate risk report as flawed and insufficiently detailed. In an op-ed for CNBC, the former executive, Bill Hafker, writes that "oil and gas companies must take Paris climate targets seriously" and says that investors should be dissatisfied with Exxon's climate risk report because it doesn't do this.

If Exxon, in fact, started with the answer it wanted and worked backward to plug in whatever array of unlikely assumptions would get them that fore-ordained answer, well, then BlackRock and other institutional investors who forced this report should demand that Exxon do better.

Earlier this year, BlackRock's CEO Larry Fink wrote to the CEOs of the companies in which BlackRock invests. He urged them to "serve a social purpose." He urged them to "make a positive contribution to society." Well, where the underlying issue is as vital as the stability of our climate and oceans and where the company involved is as immense as ExxonMobil, cooking the numbers not only harms investors, it is a full-on hazard to human society.

I yield the floor.

ADJOURNMENT UNTIL 11 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11 a.m., Wednesday, May 23, 2018.

Thereupon, the Senate, at 6:29 p.m., adjourned until Wednesday, May 23, 2018, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 22, 2018:

CONSUMER PRODUCT SAFETY COMMISSION

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

DEPARTMENT OF JUSTICE

CHERYL A. LYDON, OF SOUTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS.

SONYA K. CHAVEZ, OF NEW MEXICO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW MEXICO FOR THE TERM OF FOUR YEARS.

SCOTT E. KRACL, OF NEBRASKA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEBRASKA FOR THE TERM OF FOUR YEARS.

J. C. RAFFETY, OF WEST VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS.