

nonpartisan or bipartisan way to help save the people who are currently being damaged and hurt by the failures of ObamaCare but then to help us build something better, something more durable than what we have seen with ObamaCare.

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.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

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

Mr. SASSE. 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) and the Senator from Virginia (Mr. KAINE) are necessarily absent.

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

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 131 Ex.] YEAS—52

Table with 3 columns of names: Alexander, Barrasso, Blunt, Boozman, Burr, Capito, Cassidy, Cochran, Collins, Corker, Cornyn, Cotton, Crapo, Cruz, Daines, Enzi, Ernst, Fischer, Flake, Gardner, Graham, Grassley, Hatch, Heller, Hoeven, Inhofe, Isakson, Johnson, Kennedy, Lankford, Lee, McCain, McConnell, Moran, Murkowski, Paul, Portman, Risch, Roberts, Rounds, Rubio, Sasse, Scott, Shelby, Strange, Sullivan, Thune, Tillis, Toomey, Wicker, Young.

NAYS—46

Table with 3 columns of names: Baldwin, Bennet, Blumenthal, Booker, Brown, Cantwell, Cardin, Carper, Casey, Coons, Cortez Masto, Donnelly, Duckworth, Durbin, Feinstein, Franken, Gillibrand, Harris, Hassan, Heinrich, Heitkamp, King, Klobuchar, Leahy, Manchin, Markey, McCaskill, Menendez, Merkley, Murphy, Murray, Nelson, Peters, Reed, Sanders, Schatz, Schumer, Shaheen, Stabenow, Tester, Udall, Van Hollen, Warner, Warren, Whitehouse, Wyden.

NOT VOTING—2

Hirono Kaine

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 nomination of Terry Branstad, of Iowa, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of China.

Mitch McConnell, Jeff Flake, Bob Corker, Roger F. Wicker, Cory Gardner, Marco Rubio, John Boozman, Pat Roberts, Joni Ernst, Mike Rounds, Todd Young, Rob Portman, John Thune, Chuck Grassley, Richard Burr, James M. Inhofe, John Cornyn.

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

The question is, Is it the sense of the Senate that debate on the nomination of Terry Branstad, of Iowa, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of China shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) and the Senator from Virginia (Mr. KAINE) are necessarily absent.

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

The yeas and nays resulted—yeas 86, nays 12, as follows:

[Rollcall Vote No. 132 Ex.] YEAS—86

Table with 3 columns of names: Alexander, Barrasso, Bennet, Blunt, Boozman, Burr, Cantwell, Capito, Cardin, Carper, Casey, Cassidy, Cochran, Collins, Coons, Corker, Cornyn, Cortez Masto, Cotton, Crapo, Cruz, Daines, Donnelly, Durbin, Enzi, Ernst, Feinstein, Fischer, Flake, Franken, Gardner, Graham, Grassley, Hassan, Hatch, Heinrich, Heitkamp, Heller, Hoeven, Inhofe, Isakson, Johnson, Kennedy, King, Klobuchar, Lankford, Leahy, Lee, Manchin, Markey, McCain, McCaskill, McConnell, Menendez, Merkley, Moran, Murkowski, Murphy, Murray, Nelson, Portman, Risch, Roberts, Rounds, Rubio, Sasse, Schatz, Scott, Shaheen, Shelby, Strange, Sullivan, Tester, Thune, Tillis, Toomey, Udall, Van Hollen, Warner, Whitehouse, Wicker, Wyden, Young.

NAYS—12

Table with 3 columns of names: Baldwin, Blumenthal, Booker, Brown, Duckworth, Gillibrand, Harris, Peters, Sanders, Schumer, Stabenow, Warren.

NOT VOTING—2

Hirono Kaine

The PRESIDING OFFICER. On this vote, the yeas are 86, the nays are 12. The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Terry Branstad, of Iowa, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Republic of China.

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nominations of Todd Philip Haskell, of Florida, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Congo and Tulinabo Salama Mushingi, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea-Bissau.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Haskell and Mushingi nominations en bloc?

The nominations were confirmed en bloc.

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

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Maine.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 1185 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Nevada.

Mr. HELLER. Thank you, Mr. President.

YUCCA MOUNTAIN

I rise today to once again speak out against the administration's proposal

to revive Yucca Mountain. I know I have said it before, and I will say it again: Yucca Mountain is dead. Nevada will not be our Nation's nuclear waste dump.

I conveyed that message in my meeting with Secretary Perry during his confirmation and reiterated it ahead of his visit to Yucca in March. My former colleague, Senator Harry Reid, was a powerful and outspoken opponent of Yucca and worked hard to make sure the project did not see the light of day. Now I am standing between this administration and Yucca. I say to my colleagues on both sides of the aisle that I will be leading this fight.

This is a reckless proposal. Over the last 30 years, the Federal Government wasted billions of taxpayer dollars to design and permit Yucca Mountain, all without any signal that Nevada would consent to it. A State without a single nuclear power plant should not have to shoulder the entire Nation's nuclear waste burden. We will not be run over by the desires of other States that want to move the nuclear waste that they produce, that they create out of their own backyards and then put it into ours.

I will say it again: Nevada will not be our Nation's nuclear waste dump.

Last week's accident at the Hanford Nuclear Reservation in Washington State serves as a chilling reminder of what Nevada could have to deal with at Yucca Mountain. I was relieved that no one was harmed after the tunnel collapsed but believe it serves as a wake-up call to my colleagues.

We need to find a viable solution to our Nation's nuclear waste problem. In addition to the potential tragic loss of life, radiation exposure resulting from a similar event at Yucca Mountain could shatter Nevada's economy. This is not to mention the threat of transportation accidents along the proposed waste transportation routes.

What this means is that under the Nuclear Waste Policy Act, we are looking at shipping 9,495 rail casks in 2,800 trains, and 2,650 trucks hauling one case each to Yucca Mountain over the next 50 years. If the capacity limit at Yucca is more than doubled as has been discussed with the Department of Energy, we would shift 21,909 rail casks in about 6,700 trains and 5,025 truck casks to Yucca Mountain.

So I ask my colleagues: Do you really believe that over the span of the next 50 years there will not be a single transportation accident with an ensuing radiological release?

Under the DOE's proposal, these shipments would use 22,000 miles of railroads, 7,000 miles of highways crossing over 44 States and the Tribal lands of at least 30 Native American Tribes, the District of Columbia, and 960 counties with a population of about 175 million people.

Between 10 and 12 million people live within the radiological region of influence for route shipments; that is, within one-half mile of these rail and high-

way routes. In effect, these rail and highway routes would impact most of the Nation's congressional districts, estimated at 330 districts.

For those who are not familiar with the West or Nevada, access to rail corridors or highways is often difficult because they are in such remote locations. If there were a spill or an accident, questions remain within the Department of Energy regarding their response time for emergency radiological exposure. This is not to mention the issue of private ownership of rail rights-of-way, making it uncertain who would even control accident sites.

What we do know is that the local communities would be the ones forced to suffer any type of long-term effects of radiation exposure. This is in a State that was home to our Nation's nuclear test site and the surrounding communities, which have suffered for years from resulting exposure.

I ask my colleagues: Should Nevada be forced to once more to shoulder this burden?

Secretary Perry, in response to last week's accident, acknowledged our Nation's problem with nuclear waste, saying that the nation could no longer kick the can down the road.

I do not believe that our Nation should continue to kick the can—or in this case the cask—down the road. We must find a long-term viable solution to our Nation's nuclear waste problem, one that is rooted in a consent-based siting.

I stand ready to work with my colleagues to make sure States have a voice in this process. Failure to do so will serve only to make this problem worse, risking future accidents similar to what we saw last week.

We can no longer afford to look backward at the failed proposals of the past and waste even more taxpayer dollars. Instead, we need to move forward on a real solution to a very real problem.

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

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

RUSSIA INVESTIGATION

Mr. MERKLEY. Mr. President, the most important words in our Constitution are the first three words "We the People," written in beautiful script and written many times larger than the rest of the document so that even if you are across the room, you know what this Constitution stands for—not a government by and for the powerful, not a government by and for the privileged, but as President Lincoln so eloquently said in his Gettysburg Address, a "government of the people, by the people, and for the people."

As a "we the people" nation, we adhere to a core set of principles that

have guided us through good times as well as in dark moments. One of those key principles is the rule of law, that we are a nation in which not only is there the rule of law but in which no one is above the law.

If we walked out of this Chamber right now, proceeded through the double doorways, and down the steps of the Capitol, we would be staring at the beautiful building of the Supreme Court. The entire building symbolizes the role of justice in our society. As you look at that magnificent Supreme Court—the broad, marble steps leading up to the door—you see these simple words inscribed above: "Equal justice under the law." It is right there. You can almost see it from where I am standing now: "Equal justice under the law." That is the principle that is part of the ethic of every courthouse in America—from the smallest, most rural courthouse to the big city courthouse square. We see those same principles personified as Lady Justice. There she is, holding the scales, blindfolded so as to make sure everyone is treated equally.

Yet, over the past few months, we have been in a period in which we have been staring into the abyss of a constitutional crisis because this very core principle of "no one is above the law" and "equal justice under the law" has been under assault.

We have a President whose campaign team is under investigation because of substantial information that suggests the possibility of coordination and collaboration with Russia to change the outcome of the Presidential election—an assault on one of the most fundamental premises of a free society; that of free and equal elections.

We have a President who gave code-word classified information to an adversary—Russia—just a few days ago. We have confidential information, we have secret information, we have top secret information, and we have code-word information at the very top. These are the most sensitive secrets of the American Government, and our President gave that information to Russia. If anyone else did that, he would be facing criminal charges.

We have a President who sought to shut down an investigation into one of his former team members—retired LTG Michael Flynn. We know Lieutenant General Flynn was in contact with Russian officials, and he was fired for lying about it. President Trump fired the head of the FBI because he would not drop the investigation into General Flynn's Russian connections and conduct.

We have a President, President Trump, who asked his Attorney General and Deputy Attorney General to develop a cover story to tell the American people the reason he fired the Director of the FBI, which is that he was upset about the Director of the FBI's treatment of his former Presidential opponent, Hillary Clinton.

If anyone believes the President woke up in the middle of the night and