

C. TRESCH, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN667 NAVY nominations (13) beginning PATRICK P. DAVIS, and ending SEAN C. STEVENS, which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN668 NAVY nominations (42) beginning JEFFREY A. ALSUP, and ending TERRY N. TRAWEEK, JR., which nominations were received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN711 NAVY nomination of Linda C. Seymour, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN712 NAVY nomination of Chad J. Trubilla, which was received by the Senate and appeared in the Congressional Record of June 26, 2017.

PN776 NAVY nominations (49) beginning PATRICK R. ADAMS, and ending JAMES T. WATTERS, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2017.

PN777 NAVY nomination of Randall G. Schimpf, which was received by the Senate and appeared in the Congressional Record of July 13, 2017.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

### MEASURE READ THE FIRST TIME—H.R. 3219

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

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

The legislative clerk read as follows:

A bill (H.R. 3219) making appropriations for the Department of Defense for the fiscal year ending September 30, 2018, and for other purposes.

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

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

### ORDERS FOR TUESDAY, AUGUST 1, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, August 1; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Newsom nomination, with all time during morning business, recess, adjournment, and leader remarks counting postcloture on the Newsom

nomination; finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN.

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

The Senator from Ohio.

### WELLS FARGO AND FORCED ARBITRATION

Mr. BROWN. Mr. President, a number of Wall Street banks, car title lenders, big corporations, and payday loan sharks have two things in common: They have a record of ripping off consumers, and they have armies of expensive lawyers and lobbyists in Washington, in Columbus, and in State capitals all over this country who protect them from facing the consequences.

That is why it is so important that ordinary American consumers have their own cop on the beat—the Consumer Financial Protection Bureau. The recent abuses by Wells Fargo are the latest proof of how necessary the Consumer Financial Protection Bureau's work is.

Less than a year ago, we learned that Wells Fargo secretly opened millions of phony bank and credit card accounts without customers' permission. The CEO of Wells Fargo had to resign as a result. This was an outrageous abuse of American consumers. The sheer size and scope of this scam are breathtaking. In total, Wells Fargo may have opened as many as 3.5 million unauthorized accounts—meaning, it opened these accounts without the accountholders even necessarily knowing that they did it, without permission—costing customers some \$2.5 million in fees.

The abuses are bad enough. To make matters worse, Wells Fargo tried to keep this scandal hidden from the public, and it used something called the “forced arbitration clauses,” which are buried in the fine print of customers' contracts, to deny them their day in court. There is hardly anybody in this country who has not confronted small print in a contract when signing that contract, especially with a financial institution. Customers first sued over these fake accounts back in 2013, but Wells Fargo then forced them into secret arbitration proceedings, keeping this scam under wraps and blocking consumers from obtaining any relief.

Last year, the Consumer Financial Protection Bureau and other watchdogs blew the lid off of this scandal. Customers sued once again, and, once

again, the bank tried to block them from getting relief in court. This time, because of the Consumer Financial Protection Bureau, the LA Times, and others who shone a light on the scandal and on all of the bad press that went with it, Wells Fargo relented. So, after two congressional hearings and a flood of bad headlines, Wells Fargo is cutting a deal in its phony account scandal. Yet now we have learned that this is not the only scam that one of America's largest banks has pulled.

Just last week, we learned that the bank forced unwanted insurance on 800,000 auto loan borrowers, potentially pushing tens of thousands into default and repossession, and it is still using these forced arbitration clauses in its contracts in order to cheat future consumers, including in the contracts in this auto loan scam.

The only thing more outrageous than the fact that Wells Fargo continues to cheat its customers is the fact that Members of Congress—a lot of Members of Congress in this body and down the hall—are trying to make it even harder for those customers to seek justice in their overturning the arbitration rule. They think that forced arbitration and the fine print, which most people do not read and most people do not understand if they do read it, is legitimate. No wonder so many hard-working Americans believe that the system is rigged against them in Wall Street's favor.

These scams have caused real damage for hundreds of thousands of Americans as 275,000 Wells Fargo customers have been forced into delinquency by being charged for unnecessary insurance, and 20,000 vehicles have been unfairly repossessed because of this bank's behavior.

Wells Fargo is not alone. Santander has used forced arbitration clauses against servicemembers. It is a Spanish company that does business in the United States and uses forced arbitration clauses against American servicemembers—again, for illegal car repossessions. In 2015, Santander used forced arbitration to block an Army National Guard sergeant from seeking justice after the bank illegally repossessed his car while he was serving our country overseas.

I see that kind of thing happening at Wright-Patterson Air Force Base in Dayton. Air Force men and women are not always making big salaries, to put it mildly, as they are serving their country. They do not make a lot of money, and a lot of these young families struggle. Yet predators—companies like Wells Fargo and payday lenders—continue to prey on them. The Consumer Financial Protection Bureau stands with them. The CFPB is looking out for folks like the Army National Guard sergeant, like those at the Wright-Patterson Air Force Base, and like those at the Air Force bases in Springfield and Mansfield and Toledo and Youngstown.

Yet, with all of this happening, some Members of Congress, again, are doing

the bidding of Wall Street lobbyists. The Bureau just finalized a new rule that limits the arbitration clauses that allow big corporations to get away with ripping off servicemembers, students, and other hard-working Americans, but the ink is barely dry on this new consumer protection, and big banks and their allies in Congress—and God knows they have a lot of allies in Congress and allies in the administration—are already trying to overturn this rule.

Last week, Republicans in the House voted to overturn this rule that ensures that all Ohioans who have been ripped off by banks or payday lenders are able to have their day in court. Despite promising during his campaign to look out for the little guy, President Trump's Acting Comptroller of the Currency, who is also—alas—a former Wells Fargo lawyer, is trying to get the Consumer Financial Protection Bureau to back off that rule.

It is unconscionable that Washington politicians are undermining the rights of consumers to have their day in court when they are cheated by banks and payday lenders. Folks in Washington who want to dismantle the Consumer Financial Protection Bureau and gut its rules seem to have collective amnesia about the devastation that Wall Street greed has wreaked on communities across the country, but most Ohioans do not have that luxury. They are still recovering.

I and my wife, Connie, live in the city of Cleveland, with the ZIP Code 44105. At this time 10 years ago, during the first half of 2007, there were more foreclosures in that ZIP Code than in any ZIP Code in the United States of America. So I have seen the aftermath. I have seen what has happened with Wall Street greed and the kind of collective amnesia in this body whenever Wall Street wants something, whenever the payday lenders want something, whenever the big banks want something, and Congress rushes in to help them and to respond to their lobbyists and their lawyers who lobby this body.

It is pretty simple. Gutting the Consumer Financial Protection Bureau's arbitration rule means banks get away with cheating their customers.

So I ask Senators in this body to ask themselves: Whose side are you on? Are you on the side of the payday lenders and Wells Fargo when they defraud the public or are you on the side of service men and women and the side of people who have lost their cars, which were repossessed because of the unilateral actions by this bank?

Those are the same big banks that preyed on working families before the crisis wrecked the economy and handed taxpayers the bill. Is that whose side we are on or are we on the side of consumers?

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:37 p.m., adjourned until Tuesday, August 1, 2017, at 10 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate July 31, 2017:

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. STEVEN L. KWAST

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

#### To be general

GEN. PAUL J. SELVA

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. BRUCE T. CRAWFORD

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. JOHN B. COOPER

### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### To be brigadier general

COL. JOHN B. DUNLAP III  
COL. DONALD R. EMERSON  
COL. DAVID FLEMING III  
COL. RYAN T. PACE  
COL. ANDREW M. ROMAN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### To be brigadier general

COL. DEBORAH Y. HOWELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. STEPHEN R. LYONS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. CHARLES W. HOOPER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. EDWARD M. DALY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### To be brigadier general

COL. MICHELLE M. ROSE

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral (lower half)

CAPT. DANIEL W. DWYER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be rear admiral

REAR ADM. (LH) ROSS A. MYERS

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. JOHN J. BROADMEADOW

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. KENNETH F. MCKENZIE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. VINCENT R. STEWART

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. HERMAN S. CLARDY III

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. WILLIAM C. MAYVILLE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601 AND FOR APPOINTMENT AS A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

#### To be lieutenant general

MAJ. GEN. RICHARD D. CLARKE

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be vice admiral

REAR ADM. FREDERICK J. ROEGGE

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. DANIEL J. O'DONOHUE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

MAJ. GEN. MICHAEL A. ROCCO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### To be lieutenant general

LT. GEN. MARK A. BRILAKIS

### IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. JOHN D. SLOCUM

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### To be major general

BRIG. GEN. ANTHONY J. CARRELLI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### To be major general

BRIG. GEN. SAM C. BARRETT