

agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolution (S. Res. 199) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 22, 2017, under "Submitted Resolutions.")

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 20, 2017, under "Submitted Resolutions.")

The resolution (S. Res. 227) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 20, 2017, under "Submitted Resolutions.")

The resolution (S. Res. 238) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 1, 2017, under "Submitted Resolutions.")

#### HARRY W. COLMERY VETERANS EDUCATIONAL ASSISTANCE ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3218, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3218) to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. Mr. President, I am pleased that today the Senate is unanimously passing the Harry W. Colmery Veterans Educational Assistance Act of 2017, known as the Forever GI Bill, which would make important improvements to the GI bill.

The bill removes time restrictions on using the GI bill, enabling future recipients to use benefits their entire lives as opposed to within the current 15-year timeline. It provides 100 percent GI bill eligibility to Purple Heart recipients. It also increases GI bill funding for Reservists, Guardsmen, dependents, surviving spouses, and surviving dependents.

While the bill includes many provisions I support, I also have ongoing concerns about institutions of higher education, especially for-profit colleges, which prey on veterans using GI bill benefits. I do not believe this bill goes far enough to provide the type of protections we owe to our servicemembers and the kind of insti-

tutional accountability that taxpayers deserve.

I am particularly concerned that the Forever GI Bill does not address the 90/10 loophole which incentivizes for-profit colleges to aggressively recruit and prey on veterans. Under current law, for-profit colleges are prohibited from receiving more than 90 percent of their revenue from Federal taxpayers, but due to a loophole in the law, such revenue does not count Department of Veterans Affairs GI bill or Department of Defense Tuition Assistance funding. This means that, by targeting veterans and servicemembers, for-profit colleges can actually receive 100 percent of their revenue directly from Federal taxpayers.

And many do. According to data released by the Department of Education in 2016, 193 institutions received more than 90 percent of their revenue from Federal taxpayers when Department of Education, Department of Veterans Affairs, and Department of Defense funds were counted together.

I have long called for this loophole to be corrected and for the percentage of Federal revenue to be returned to the original 85 percent. I will soon reintroduce legislation, the Protecting Students and Taxpayers, POST, Act, to address this issue.

While not addressed in the Forever GI Bill we are passing today, I look forward to working with my colleagues—including Senator CARPER who has authored another bill on this topic which I support—veterans service organizations, and others to consider this and other important accountability concerns.

Mr. McCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 3218) was ordered to a third reading, was read the third time, and passed.

#### REDESIGNATING CERTAIN CLINICS OF THE DEPARTMENT OF VETERANS AFFAIRS LOCATED IN MONTANA

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 1282 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1282) to redesignate certain clinics of the Department of Veterans Affairs located in Montana.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the Daines-Tester substitute amendment at the desk be considered and agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 749) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. REDESIGNATION OF CERTAIN DEPARTMENT OF VETERANS AFFAIRS CLINICS IN MONTANA.

(a) DAVID J. THATCHER VA CLINIC.—

(1) DESIGNATION.—The clinic of the Department of Veterans Affairs located at 2687 Palmer Street in Missoula, Montana, shall after the date of the enactment of this Act be known and designated as the "David J. Thatcher VA Clinic".

(2) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the David J. Thatcher VA Clinic.

(b) DR. JOSEPH MEDICINE CROW VA CLINIC.—

(1) DESIGNATION.—The clinic of the Department of Veterans Affairs located at 1775 Spring Creek Lane in Billings, Montana, shall after the date of the enactment of this Act be known and designated as the "Dr. Joseph Medicine Crow VA Clinic".

(2) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the Dr. Joseph Medicine Crow VA Clinic.

(3) PUBLIC DISPLAY OF NAME.—

(A) IN GENERAL.—Any local public display of the name of the clinic referred to in paragraph (1) carried out by the United States or through the use of Federal funds shall include the English name, Dr. Joseph Medicine Crow, and the Crow name, Dakaak Baako, of Dr. Joseph Medicine Crow.

(B) LOCAL DISPLAY.—For purposes of subparagraph (A), a local public display of the name of the clinic referred to in paragraph (1) includes a display inside the clinic, on the campus of the clinic, and in the community surrounding the clinic, such as signs directing individuals to the clinic.

(c) BENJAMIN CHARLES STEELE VA CLINIC.—

(1) DESIGNATION.—The clinic of the Department of Veterans Affairs located at 1766 Majestic Lane in Billings, Montana, shall after the date of the enactment of this Act be known and designated as the "Benjamin Charles Steele VA Clinic".

(2) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the clinic referred to in paragraph (1) shall be considered to be a reference to the Benjamin Charles Steele VA Clinic.

The bill (S. 1282), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR—Continued

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

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, for months the American people have been gripped by the sideshow surrounding President Trump. It seems like every day another shoe drops on the Russia investigation, another White House staffer is fired, and President Trump tweets something that upends the government and causes our allies to move even further away from us.

Despite all of this commotion, all of the drama, and all of the disorganization, there is one thing that Trump and the Republicans in Congress have carried out since day one with complete precision. They have carried out a comprehensive all-out assault on American workers. Day by day, week by week, month by month, President Trump and congressional Republicans have acted to undermine the safety and economic security of hardworking Americans.

Just observe what they have done. On December 8, President Trump nominated Andrew Puzder, who was then CEO of fast food giants Hardee's and Carl's Jr., to lead the Department of Labor. That is right. His first major announcement affecting workers was to nominate a man who made his fortune on the backs of hard-working Americans to the top position in government charged with protecting American workers.

On February 1, just days after he was inaugurated, President Trump delayed a rule protecting workers from workplace exposure to a lethal cancer-causing substance called beryllium. On February 3, President Trump stood with big bank CEOs to announce an Executive order to make it easier for investment advisers to cheat hard-working Americans out of \$17 billion a year in retirement savings. On March 1, the Trump administration delayed the rule protecting workers from lethal cancer-causing beryllium a second time. On March 6, congressional Republicans followed the directive of big business lobbyists and voted to make it easier for government contractors to steal wages from their employees. On March 16, President Trump released his budget blueprint, proposing to slash funding for the Labor Department, whose job is to stand for American workers, by 21 percent. On March 22, congressional Republicans voted to make it easier for employers to hide injuries and deaths that their workers suffer on the job. On March 24, the Trump administration delayed a rule that required mine operators to conduct safety inspections and tell miners about any hazardous conditions they discovered before the workers go into the mines. On March 30, congressional Republicans voted to block cities from offering retirement

accounts to more than 2 million employees who don't have access to a retirement account at work. On April 4, President Trump delayed the rule preventing investment advisers from cheating hard-working Americans out of their retirement savings. This 60-day delay alone cost Americans an estimated \$3.7 billion. On April 6, the Trump administration delayed a rule protecting construction workers from deadly silica poisonings. On May 3, Republicans in Congress voted to keep State governments from offering retirement accounts to employees who don't have access to accounts at work, yanking access away from 15 million Americans. On May 23, President Trump called for massive budget cuts to the Department of Labor, including the complete elimination of workers' safety training programs, programs for older workers, and funding for workers with disabilities. And on June 23, President Trump proposed exempting the construction and shipbuilding industries from the rule to protect workers from lethal cancer-causing beryllium, a move that could prove fatal to workers in these industries.

That is a pretty despicable record—despicable but consistent. Workers get slammed over and over. Today, Senator McConnell has brought us down to the floor to sock it to American workers one more time before he sends us home for summer recess. Today, we are voting on the nomination of Marvin Kaplan to serve on the National Labor Relations Board.

Pause here for just a second. The NLRB is probably the most important independent Federal agency that you have never heard of. They are responsible for protecting the legal rights of workers to come together and bargain with their bosses for higher wages and better working conditions.

Starting a union is not easy. Large employers fight union organizing campaigns tooth and nail. They hire armies of union-busting lawyers to run smear campaigns against the unions or to delay or kill organizing efforts.

That is why the NLRB is so very important—to serve as a referee that ensures employers play by the rules and workers get a chance to exercise their legal rights. It is the NLRB's job to stand up for workers—workers like the nearly 4,000 workers at the Nissan plant in Canton, MS, who, beginning tomorrow, will vote on whether to elect a union to represent them. That is what the NLRB has traditionally done—stood up for workers. Just last week, they filed a complaint against Nissan, alleging that the corporation has violated the law by running a union-busting drive, warning workers that they would lose wages and benefits if they took the step of joining a union.

It is also the NLRB's job to do the routine but important work of overseeing the elections. Just last month, the NLRB conducted a secret ballot election at Cooley Dickinson Hospital

in Northampton, MA, where nearly 300 service workers elected to be represented by SEIU 1199.

With a Republican Congress and President determined to deliver the knockout blow to the middle class, hard-working Americans need an NLRB that is on their side. President Trump's nominee to the NLRB, Marvin Kaplan, has no experience practicing labor law, but we actually know where he stands on protecting workers.

As a Republican House staffer, here is what he has done. He spent years actively working to strip workers of their right to organize under the law. He spent years working to overturn rulings by the NLRB that would protect workers' rights. He worked on the legislation to delay union elections by at least 35 days, giving employers and their armies of lawyers and lobbyists more time to fight off organizing efforts. He worked on legislation to make some workers ineligible to join unions at their workplaces. He even fought efforts to ensure that Americans get paid the overtime they deserve.

So after 8 months, the Republicans are about to go on vacation, but not before they jam the NLRB with a new anti-worker nominee. The biggest problem in Washington is that this place works great for giant employers and for giant corporations with armies of lawyers and lobbyists. But workers and their families just get ignored. President Trump doesn't seem to have any problem turning his back on millions of hard-working people, but that is not what we are here for.

I will be voting against Marvin Kaplan, and I urge my colleagues to do the same.

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

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

Under the previous order, all postcloture time is expired.

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

Mr. TILLIS. 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. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. MCCAIN).

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