

Chairman Pai has actively supported efforts to allow broadband providers to use, share, and sell your sensitive information without consumer consent. In 2016, Chairman Pai voted against commonsense broadband privacy protections that gave consumers meaningful control over their sensitive information. When he assumed the FCC chairmanship, Ajit Pai stopped the implementation of data security protections, which would have ensured that broadband providers better protect the information they collect about their users. Can you imagine that? Chairman Pai stopped protections that would improve data security.

I have 143 million reasons as to why that was a bad idea. Just this month, Equifax was subjected to a cyber attack that compromised the personally identifiable information of 143 million consumers. The American public wants more protection, not less. Yet what does Chairman Pai do? He effectively eliminates the very data security protections that consumers need to protect their sensitive information. That is just plain wrong.

Just a few weeks later, Mr. Pai supported congressional Republicans' efforts to rescind the Federal Communications Commission's broadband privacy protections. Now your broadband provider can relentlessly collect and sell your sensitive web browsing history without your consent.

You may wonder why Chairman Pai would actively support efforts to undermine the privacy of American consumers. The answer is simple. He wants that slice of the pie to go to the biggest corporations. How do they use it? They take that data—your personal data, the information you put online—and just sell it without your permission in order to make money for the big corporations. Once again, rather than consumers, the big corporations get the benefit of that decision at the Federal Communications Commission.

Let's take a look at the next issue. The next issue goes to the question of mergers, the mergers of big telecommunications companies.

The Sinclair deal has led to a proposal to merge with Tribune Media, granting one company an unprecedented market power of over 200 broadcast stations around the country. In order to help Sinclair, Ajit Pai reinstated what most consider to be an antiquated rule, the UHF discount, to pave the way for the merger. The UHF discount makes the FCC count only half of the stations on certain frequencies toward companies' ownership percentages. This merger would allow Sinclair to reach into 72 percent of American households, but with the discount, the FCC counts it as only 45 percent. Putting this discount back on the books is Chairman Pai's first step to helping Sinclair stay within the national ownership cap of 39 percent.

What will be the impact of this massive telecommunications mega-merger? Less local news, sports, and weather

that millions of Americans count on today. It will lead to the continued squeezing out of independent programmers, and it will mean higher prices for consumers. What signal does approving this merger reveal? It reveals that the FCC and Ajit Pai have put out the welcome mat for the consolidation of other communications companies.

So this third slice, once again, goes to corporations and not to consumers. They are left out in the cold.

Let's look at the fourth slice and see what happens with that at the Federal Communications Commission under the approval of Ajit Pai's nomination on the floor of the Senate. The next slice is one that deals with the education rate, or the E-rate.

The E-rate has proven to be exceptional in linking up schools and libraries to the internet. We went from a country in 1996 in which only 14 percent of K-12 classrooms had internet access to a near ubiquitous deployment today. The E-rate has ensured that students from working-class neighborhoods can connect just like students from more affluent communities. The E-rate democratizes access to the opportunities and technologies that lead to bright futures. Over \$44 billion to date has been committed nationwide.

Again, Ajit Pai does not take that perspective. At his confirmation hearing in July, I explicitly asked him whether he would commit to preserving the success of this bipartisan program and protecting the funding level or whether he would make programmatic changes that could undermine or weaken the E-rate. He would not make this commitment to maintain current funding for E-rate.

Students and library users around the country will not be able to afford this slice of the pie. Once again, consumers will lose and corporations will win.

Now we go to the final slice of that communications pie at the FCC.

Telecommunication is the great equalizer, but a household with no access to basic telecommunications services could lose educational and employment opportunities as well as emergency services. That is why the FCC's Lifeline Program is truly a lifeline for millions of Americans who are able to connect to the world. In Massachusetts alone, more than 180,000 low-income Bay Staters rely on the Lifeline Program to access voice and internet service.

The value of this universal service has always been a bedrock of our telecommunications policy. Yet one of Ajit Pai's first actions as FCC Chairman was to undermine Lifeline and make it more difficult for low-income people to access affordable broadband. I was dismayed by his decision to abruptly revoke the recognition of nine additional companies as Lifeline broadband providers just weeks after they were approved. Mr. Pai's action did nothing but unfairly punish low-income consumers by limiting choice.

So the final slice, again, goes to the Federal Communications Commission's supporting corporations and not supporting consumers.

That is the pie—the FCC pie—as it is put together on net neutrality, on privacy, on mergers, on E-rate, and on Lifeline. It is all the same. The FCC winds up standing for forgetting consumers and competition. That is the era that we are now in, and it will only intensify as each day, week, and month goes by. That is why I am recommending a "no" vote on Ajit Pai as the Chairman of the Federal Communications Commission.

Which side are we going to be on—that of the consumers or corporations? Are we going to side with innovators? Are we going to side with those who are trying to continue to take these platforms of dynamic change in our society for consumers, for entrepreneurs or are we going to allow for a closing of this revolution?

This is the era in which we live in the 21st century. This is the choice that people must make. In which direction are we going?

I urge a "no" vote by my colleagues on Ajit Pai's nomination. Of all of the things that we are going to do this year, this is very near the top of the list. In many ways, this telecommunications revolution is the organizing principle of our lives here in the United States and around the planet, and we have to make sure that we are heading in the right direction—more openness, more competition, more consumer protection, more privacy protection, and more access in libraries and schools to these technologies, not fewer and fewer and fewer and fewer. It is just the wrong direction to head in. I urge a "no" vote.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Madam 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

PUERTO RICO AND U.S. VIRGIN ISLANDS RECOVERY EFFORT AND FAA REAUTHORIZATION

Mr. McCONNELL. Madam President, the people of Puerto Rico and the Virgin Islands have been hit especially hard by powerful hurricanes. As I said earlier this week, the Senate will continue to work with FEMA, the Department of Defense, and the rest of the administration to help in the recovery, just as we have in Texas, Florida, and across the Southeast. We are eager to hear more soon about what additional resources will be necessary.

The American people are stepping up, too, just as they always do, and so are the brave men and women of our military.

This week, 70 soldiers and 8 aircraft from Kentucky's own 101st Airborne Combat Aviation Brigade deployed from Fort Campbell to Puerto Rico to support hurricane relief operations. These soldiers will join the larger joint force effort, which includes elements of the 26th Marine Expeditionary Unit, medical support teams, medevac aircraft, and elements from the Army Corps of Engineers.

Kentucky is similarly proud of the men and women of its Air and Army National Guard who have worked to provide relief in the Virgin Islands, Puerto Rico, as well as in Texas where, according to recent reports, their efforts helped save more than 300 lives in the wake of Hurricane Harvey.

We are all proud of their efforts, but we should not forget that disasters of these proportions typically require a response from nearly every arm of the Federal Government. The FAA plays a critical role as well.

As we all know, the FAA's authority to collect and spend money from the aviation trust fund is set to expire on September 30, this week. These are the resources that fund repairs and replacement parts for our air traffic control system. Even absent a crisis, it would be irresponsible to let this lapse.

We have read in recent days that air traffic in and out of Puerto Rico has already been limited because of damage done to radar, navigational aids, and other equipment. The Governor of Puerto Rico reports that air traffic control capacity is only at about 20 percent of normal.

This critical air safety equipment needs repair. The FAA reports that failure to act on the reauthorization would leave them without sufficient funding in the accounts necessary for replacement parts, equipment, and supplies. They would have only enough funding to cover salary costs for these workers for about 1 week.

These American territories are suffering. What they need right now is aid and assistance from the air, not a manufactured crisis from Washington on top of everything else. The House of Representatives will soon pass legislation that reauthorizes the FAA. It will help open up the air space to that aid so that it can get to where it is needed most.

The House bill goes further by authorizing tax relief for individuals and businesses affected by the recent hurricanes in Puerto Rico and the Virgin Islands, and Texas and Florida, as well, because these disaster victims should not suffer a tax bill on top of their losses. We need to pass that legislation here in the Senate without further delay.

#### NOMINATION OF AJIT PAI

Madam President, on another matter, the Senate is considering two qualified nominees today. One is the sitting Chairman of the FCC, Ajit Pai.

Chairman Pai has led a fascinating life, one punctuated by hard work and success. It had its beginnings in Buf-

falo. It traced a line through Canada. It unfolded in the small town of Parsons, KS, where Chairman Pai grew up with his parents, first-generation immigrants from Southern India. It was on to Harvard after that and then the University of Chicago for his law degree.

Pai's résumé prior to his appointment as a member of the FCC is as varied as it is impressive. He clerked for a Federal judge. He worked in the Justice Department's Antitrust and Legal Policy Divisions. He gained practical experience in the private sector. He served here in the Senate as committee staff. He even won a Marshall fellowship. He also worked in several positions within the FCC itself.

When President Obama nominated Pai to serve as an FCC Commissioner back in 2011, the Senate confirmed him by a voice vote.

When the Senate considers his nomination again today, I hope Senators will come together to give him strong support one more time. After all, it is no wonder why President Trump chose to elevate him to FCC Chairman earlier this year. He understands the communications industry from nearly every angle, considering his impressive resume. He understands the needs of rural communities in States like Kentucky, thanks to his own rural background. His dedication to bringing more openness and accountability to an agency that is too often known for secrecy is commendable. The same can be said of his advocacy for Americans' First Amendment rights.

I look forward to advancing and then confirming his nomination to a new term.

Madam President, one other nominee we are considering today is district judge Ralph Erickson of North Dakota, who is the nominee before us to fill a vacant seat on the Eighth Circuit. He is clearly qualified. He deeply respects the rule of law. He was confirmed by the Senate to his district judgeship by a voice vote. He enjoys the support of both of his home State Senators, Republican Senator HOEVEN and Democratic Senator HEITKAMP.

When his nomination came before the Judiciary Committee recently, every single member of the committee voted to approve him—every single Republican, every single Democrat. This includes the top Democrat, Senator FEINSTEIN, and the Democratic leadership's second-ranking officer, Senator DURBIN. So you would think his nomination would be as noncontroversial as it gets. You would be right.

Yet Democrats still chose to erect another pointless procedural hurdle before we can actually confirm him. We will probably do so overwhelmingly, given that the Senate just voted 95 to 1 on this pointless cloture motion—a pointless cloture motion on a nominee who nobody opposes.

Until now, our friends across the aisle have thrown up one unnecessary procedural hurdle after the next on even the most uncontroversial of nomi-

nees. As I have noted before, the opposition they have shown to these nominees most of the time seems to have little to do with the nominees themselves nor whether Democrats even support them. Our Democratic colleagues actually do support the nominees, just as they do now.

This really has to stop. It is time to end these silly games. It is time to confirm Judge Erickson, a dedicated jurist who is going to make a great addition to the Eighth Circuit.

The PRESIDING OFFICER. The Senator from West Virginia.

#### TRIBUTE TO MARY JO BROWN

Mr. MANCHIN. Madam President, I rise today to honor a proud educator, a dedicated public servant, a beloved native of my home State of West Virginia, and my very dear friend, Mary Jo Brown. Words cannot express my gratitude for Mary Jo's service and friendship.

Since my days as Governor, Mary Jo has gone above and beyond to uphold the standards not only of professionalism, loyalty, and dedication but also of what it means to be born in the Eastern Panhandle of West Virginia.

Mary Jo has always had a noble passion for education. She worked for Berkeley County Schools as a teacher, a library media specialist, director of public affairs, and finally as principal of Burke Street Elementary School, where we first became acquainted.

Upon her retirement from Berkeley County Schools, I invited Mary Jo to work with me as a regional coordinator, a role she kept through my entire time as Governor and now as U.S. Senator. Her warm personality and sense of humor truly have a way of making you feel at ease—laughing quite frequently at not only her but yourself.

I have heard many times from members of the Eastern Panhandle community that when she is out meeting with elected officials, business owners, and fellow West Virginians, she provides every confidence that their voices are being heard, and I can assure you, they are. She gets in contact with me immediately.

When Mary Jo is given a task, she doesn't take no for an answer. She is the most tenacious person I have ever met. She gives each project or challenge her all because it is for the good of her community, our State, and her hometown.

It would be difficult to find anyone as knowledgeable and dedicated to our home State as Mary Jo. Among her many contributions to the Eastern Panhandle, together with her loving husband Walter, was founding the Walter and Mary Jo Ziler Brown Fund in 2006 to help Eastern Panhandle students study animal husbandry, agriculture, and veterinary medicine.

We bonded over our passion for public service, inspiring the next generation of leaders, and we share the common goal of helping the rest of the country discover all that our great State of West Virginia has to offer.