

that he or she should value public input, and that he or she should not simply go along with what the party is asking and implement it no matter how it stacks up against the statute.

Here is another example. Earlier this year, Chairman Pai rolled back a rule in order to allow local TV stations to be bought up without any limits by one single company. This decision seemed to be for the benefit of one company, the Sinclair Broadcast Group, which just happens to be a company with strong conservative leanings. Sinclair is already the largest owner of local broadcasting stations in the United States, but now it is trying to buy another company, Tribune Media, which would expand Sinclair's reach into 72 percent of the households.

For decades, both Congress and the FCC have taken steps to protect local broadcasting because it has benefited the public interest. So, under normal circumstances, Sinclair would not be able to buy up these other stations, but Chairman Pai has changed the rules so that this company will have even more power and reach. The secondary beneficiary of this change will be the Republican Party, because Sinclair has a decades-long history of pressuring its local stations to broadcast certain news that helps the Republican cause.

We need an independent Chairman at the helm of the FCC. We need someone who will make decisions based on statute, not based on political affiliation. That is why I will vote no on Mr. Pai's nomination, but I hope that I will be proven wrong.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THANKING THE SENATOR FROM HAWAII

Mr. SCHUMER. Mr. President, first, let me thank my friend from Hawaii for his words.

I will make a statement for the record with regard to Mr. Pai, as I agree with Senator SCHATZ' vote and will be voting no, but I want to first speak about the horrible situation in Las Vegas.

LAS VEGAS MASS SHOOTING

Mr. President, there are precious few words for days like this. Last night, as everyone now knows, at a concert in Las Vegas, NV, a gunman opened fire on a crowd of 22,000, killing at least 58 and sending hundreds more to the hospital. It was the deadliest mass shooting in the history of our country.

Our collective hearts, so hardened now by the absurd frequency of these mass shootings, are broken once again. We mourn for the families of the fallen, and we pray with the families of the wounded. We have the deepest gratitude for every first responder, cop, and firefighter who rushed to the scene, as their heroism in the moment of this national tragedy has been an inspiration. Yet today we are filled with shock and horror, with sadness and rage.

The horrific massacre was perpetrated by an American on his fellow Americans and the visitors from every corner of the world, who are the very lifeblood of Las Vegas. We are left with many questions, the answers to which we will seek in the coming days and weeks.

How did this monster acquire the arsenal that he used to rain down death on a crowd of innocents? Were these guns purchased and compiled legally? What was this person's perverted motive? Was there any history of mental health issues?

What circumstances could lead a man to commit such violence upon his fellow human beings—complete strangers—what twisted reasoning, what demented logic?

There is much more that we do not know than what we do know. Some of the questions that we have today will not have clear answers. Others are, perhaps, beyond our fathoming. Yet some will have answers, and we will have to reckon with the fact that this man was able to assemble an arsenal of military-grade weapons.

As much as we might hope to, we cannot banish evil from the Earth. Congress cannot do that, and the President cannot do that. What Congress can do and what Congress must do is to pass laws that keep our citizens safe, and that starts with laws that help prevent guns, especially the most dangerous guns, from falling into the wrong hands.

We will take care of the injured—their bodies and their hearts—and nurse them back to health. We will mourn those lost with all of our collective love and support. We will bind up this new national wound. Then, we will aggressively ferret out the facts, and based on that reality, we will confront—we must confront—the deeply troubling issues that have been raised by this atrocity.

PUERTO RICO AND U.S. VIRGIN ISLANDS RECOVERY EFFORT

Mr. President, our friends and relatives and fellow Americans in Puerto Rico and the U.S. Virgin Islands should know that, even while we mourn and process the incomprehensible events in Las Vegas, we remain laser-focused on the needs of Puerto Rico and the U.S. Virgin Islands, and we will continue our advocacy for a more comprehensive, more sure-footed, and better coordinated response to their crisis.

Mr. President, shortly the Senate will vote on the nominee to be Chairman of the FCC, Mr. Ajit Pai.

I cannot support this nominee for the office of Chairman. The FCC is tasked with the critical role of protecting consumers and promoting innovation in the telecommunications and technological fields that are becoming more and more integral to our day-to-day lives. However, over his time at the FCC and particularly in his tenure as Chairman so far, Mr. Pai has established a clear record of favoring big corporations at the expense of con-

sumers, innovators, and small businesses.

He supported congressional attempts to reverse the FCC's 2016 broadband privacy rule, which would have prevented big cable and internet companies from profiting off of personal internet data. Now, internet service providers no longer have to obtain consumer consent before they sell or share sensitive personal data.

Most disturbingly, Chairman Pai is currently attempting to dismantle the open internet order, the net neutrality rules under which millions of consumers currently have access to a free and open internet. Net neutrality has had a huge impact on everyone who uses the internet—on communities of color, on small businesses, on schools, on civic engagement, and on our economy.

Net neutrality is not the only issue where I disagree with Chairman Pai's agenda. In his first 2 weeks on the job, Chairman Pai stopped 9 companies from providing discounted high-speed internet to low-income individuals, and he jammed through nearly a dozen industry-backed actions, including some to begin curtailing net neutrality. The most alarming part: these clandestine moves to clip the public's fundamental right to a free and open internet were done without seeking public comment first.

It is no surprise, therefore, that Chairman Pai would be willing to further undermine the FCC's protection of net neutrality, notwithstanding the views of the nearly 22 million American citizens who have commented in opposition to his net neutrality proposal.

The open internet order is working well as it is and should remain undisturbed. Mr. Pai, however, seems bent on rolling back the open internet on behalf of a few corporate friends, rather than serving the American consumer and the American economy by keeping the current protections in place.

For these reasons, I feel very strongly that I must oppose his nomination; I cannot support this agenda, which I believe imperils consumers and the internet itself.

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, thank you very much.

Today, I am here to speak on behalf of a good friend and an exceptional public servant, Chairman Ajit Pai of the Federal Communications Commission.

I have admired his work throughout his service within the Commission, which dates back to 2007, when he was in the Office of General Counsel. Over

time, he was promoted to become the Deputy General Counsel of the Federal Communications Commission. In 2012, by voice vote, he was confirmed by the Senate to serve as a Commissioner, and he has continued to embody integrity, honesty, and dedication in this role, something we would expect from a Kansan.

As only the second Kansan ever to be nominated to serve on the Federal Communications Commission—the first being Bob Wells of Garden City, KS, who served from 1969 to 1971—Ajit Pai has proven himself to be a capable and talented leader and one of the smartest people whom I have ever met, especially when it comes to public policy.

I have worked with him and his staff throughout my time on the Senate Commerce, Science, and Transportation Committee and have traveled with him throughout our home State. My getting to know him on a personal level has really been a delight, something that has been a highlight of my time while serving in the Senate. He is a native of Parsons, KS, which is a small town in the southeast corner of our State, and he brings with him an understanding of the challenges that face rural America. He understands the importance of access to high-speed broadband and wireless connectivity, and I believe that his roots as a small town Kansas kid make him exceptionally qualified to advocate for rural America.

Ajit came to Wichita just this past week to explore ideas and explain policy opportunities to close the digital divide within local broadband providers that work in Kansas communities I serve. The lack of broadband connectivity in parts of rural Kansas has lasting economic, educational, and public health impacts, and Ajit Pai has prioritized incentive-based solutions like the Connect America Fund and Mobility Fund to close this divide in a fiscally responsible and competitively driven way.

Outside of supporting high-speed broadband build-out to unserved or underserved areas, Ajit created the Broadband Deployment Advisory Committee to promote broadband deployment across America, including removing regulatory burdens and barriers and improving permitting and the right-of-way process through regulatory reform.

While in Kansas, he was also able to see the great work that was being done to implement the Next Generation 9-1-1 technology in our home State. As we know, improving these communications systems is absolutely necessary to ensure adequate emergency services to rural and urban Americans alike, and we see that today and over the last several months with the disasters and tragedies that have occurred in our country.

Ajit has also proven himself to be a leader who is committed to free markets, clearly understanding that regu-

lations should be balanced with pro-growth economic principles that do not unduly harm employers or stifle innovation. To this end, Ajit Pai announced his intentions to stand up a new Office of Economics and Data within the FCC to provide economic analysis of the policies and functions of the agency. We are looking for thoughtful, data-backed input to the agency that should lead to market-driven policy decisions the Commission can then hang their hat on.

Critical issues before the FCC today require this type of expertise; things such as efficient and effective broadband deployment, quality spectrum management that schools and libraries desperately need, as well as hospitals that also desperately need this spectrum, and fostering innovation just in the general sense. If we want a growing economy with more jobs, better jobs, higher paying jobs, we need access to the latest technologies across the country.

As the currently appointed Chair of the FCC, Ajit has improved openness and transparency within the Commission, eliminated onerous and duplicative regulations holding up that innovation, and has protected consumers from illegal and fraudulent robocalls. One recent decision under his leadership that has received so much attention from consumer advocates, industry representatives, and policy academics is the FCC order Restoring Internet Freedom Notice of Proposed Rulemaking.

Under Chairman Pai's leadership, the Commission has collected tens of millions of comments regarding the agency's proposal to roll back the 2015 open internet order and has extended the deadline so more interested parties can be heard. This input collection, coupled with fundamentally improving the rulemaking processes, has increased the Commission's culture of openness and transparency, something I certainly support and would continue to encourage.

I believe the Federal Government must ensure a fair and open internet that is not blocked or slowed. I do not want outdated utility-style regulations to the internet that were established for telephone companies in the 1930s. Instead of leaving this important regulatory framework open to interpretation and change with every new administration, Congress—the U.S. Senate—and our Commerce Committee should and must craft bipartisan legislation that preserves the fair and open internet ecosystem.

Chairman Pai has taken thoughtful steps toward a long-term solution by seeking to eliminate the harmful 2015 regulations hindering broadband deployment and harming an innovative internet ecosystem.

Ajit Pai has repeatedly proven himself to be a public servant of the highest caliber, with strong integrity and character. I am proud to recommend his swift confirmation to the Federal

Communications Commission and call on my colleagues to support his nomination. Ajit Pai is an intelligent, articulate public servant who has the character and integrity that is required at the Federal Communications Commission. I support his nomination and ask my colleagues to do the same.

I yield the floor.

Mr. McCONNELL, Mr. President, as I noted last week, the nominee before us, FCC Chairman Ajit Pai, has led a fascinating life with two defining features: hard work and success.

He understands communications policy from just about every angle—no wonder, given his deep and impressive resume.

He comprehends the needs of rural communities in states like mine, a product of his own rural upbringing.

He has dedicated himself to issues like advocating for Americans' First Amendment rights and bringing more openness and more accountability to the FCC, an agency that, too often, has earned a reputation for secrecy.

Chairman Pai is just the kind of person we need over at the FCC.

I was glad to see the Senate advance his nomination last week.

I look forward to confirming him to a new term later this afternoon.

Mr. DURBIN. Mr. President, I come to the floor today to voice my concern regarding the nomination of Ajit Pai to serve as a Commissioner of the Federal Communications Commission.

Many of my colleagues are planning to speak about the threat Mr. Pai poses to a free and open Internet, but what brings me to the floor is a different looming threat to the public interest: the proposed Sinclair Broadcast Group merger with Tribune Media Company. If approved, the Sinclair-Tribune merger would create the Nation's largest television broadcast company in history, reaching over 70 percent of households nationwide. There is reason for concern.

Mr. Pai's track record at the FCC has shown that he will not hesitate to put the needs of industry ahead of the best interests of consumers. Under his leadership as Chairman, the FCC acted to reinstate an outdated loophole known as the UHF discount that would make it easier for companies to get around rules limiting national media ownership. These rules are essential in maintaining the trust Americans have placed in their local broadcasters and ensuring consumers benefit from programming representing diverse viewpoints.

What was Mr. Pai's motivation for putting this loophole back in place? I will just say this: The loophole was reinstated in April, and Sinclair announced its acquisition of Tribune in May.

My concerns about the merger are not solely grounded in Sinclair's practice of mandating its stations distribute its self-produced conservative content, as troubling as that is. Rather it is that no single company should be

able to decide what 72 percent of the country's news looks like. The Sinclair-Tribune merger undermines competition and threatens local broadcasting as a trusted and diverse voice for its viewers in Illinois and across the country.

Because of Mr. Pai's deregulatory campaign and repeated failure to put the best needs of the consumer first, I will oppose his nomination to serve a second term as a Commissioner for the Federal Communications Commission.

Mr. LEAHY. Mr. President, in 2015, the Federal Communications Commission, FCC, did something that can be all too rare Washington: It listened to the American people. After a record number of Americans spoke in favor of clear rules to protect a free and open Internet, the FCC voted to adopt strong net neutrality protections that accomplished this goal. These protections, which ensure that innovation and free speech can flourish online, are currently under threat as the FCC now moves to repeal them. On net neutrality and on many other key telecommunications policy issues, Chairman Pai has stood against consumers, startups, and small businesses. Today I choose to stand with them and with millions of Americans who support net neutrality by opposing his reappointment.

Vermonters have been clear that they want strong FCC rules in place to ensure that the Internet remains the ultimate platform for economic opportunity and free expression. These protections are particularly important for small businesses, which compete on the internet's global stage against the largest companies in the world. The Vermont Country Store is a great example of a small company that has taken advantage of the promise of an open Internet. Family-owned with a rich history dating back to 1897, the internet offered new opportunities to extend the company's reach. As fifth generation storekeeper Cabot Orton said when he testified in Vermont about the FCC's effort to craft net neutrality protections in 2014:

We don't want to imagine an America with two Internets: a fast one for giant corporations and a slow one for everybody else. We don't want to imagine being held for ransom by telecom behemoths and cable monopolies just to reach our customers with the same speed and convenience that global conglomerates enjoy . . . A small business website that is no longer protected from giant Internet toll-keepers would have one choice: pay to play. Failing that, a company becomes the proverbial tree falling in the forest with no one there to hear it.

Chairman Pai has shown total disregard for the concerns of businesses like the Vermont Country Store. In proposing to repeal the existing net neutrality protections, he makes no mention of their importance to the small business community. Instead of recognizing the very real impact on small businesses of stripping away these protections, Chairman Pai claims that there are no possible harms these

protections could be designed to prevent.

This is particularly clear when he discusses the current rule banning harmful paid prioritization agreements that would create the type of two-tiered internet small businesses fear. Chairman Pai claims that there was no need for this rule because some large internet service providers, ISPs, said they "had no plans" to engage in this kind of behavior. This is despite the fact that at least one major ISP said outright in its 2014 FCC filing that it wanted the "flexibility" to charge websites for priority access and that, even though it had no plans for these arrangements, they "should be permissible and should be tested."

I introduced legislation to ban pay-to-play deals online before the FCC adopted its rule because of the harm they would cause small businesses like the Vermont Country Store. I find Chairman Pai's failure to understand the importance of a level playing field for small businesses extremely disconcerting.

Not only is Chairman Pai ignoring the small business community by barreling ahead to repeal net neutrality protections, he is also ignoring the clear will of the American people. Over 22 million Americans have submitted comments in the proceeding he started to repeal these critical protections, shattering records at the FCC. Poll after poll has found overwhelming bipartisan support for net neutrality. In Washington, Chairman Pai calls net neutrality protections burdensome and unnecessary. In Vermont, we just call them common sense.

Vermonters also value their privacy rights and want basic protections in place to protect their personal data. In 2016, over Chairman Pai's objections, the FCC put in place important privacy protections to prevent ISPs from selling their sensitive information, including their web browsing history, without their consent. These rules also included basic data security and data breach notification requirements. We have seen how important it is to hold companies to basic data security and breach notification standards in the wake of the total disregard Equifax showed for protecting sensitive consumer information.

Unfortunately, Chairman Pai was a strong supporter of the resolution of disapproval passed by this Congress that permanently repealed the FCC's privacy and data security protections. At a time when the personal information of every single American is under constant threat, Chairman Pai thought it was simply too much to ask for ISPs to take reasonable steps to secure their subscribers data and notify them if a breach occurs.

Chairman Pai's approach to rural broadband, which is one of the most pressing issues for Vermonters, also raises cause for concern. Just recently, he has proposed to effectively lower the speed standard used to measure whether

Americans have access to adequate broadband service. As someone who represents a rural State, ensuring that we accurately measure how many Americans lack this essential service is critical. Under the current standard set by the previous FCC, 39 percent of rural Americans lack access to true high-speed broadband service. In contrast, only 4 percent of urban Americans lack access.

I supported the FCC's decision to set a high minimum broadband speed to use as the baseline for comparing rural and urban areas. All Americans deserve the same quality of broadband service, whether they live in the Northeast Kingdom of Vermont or the heart of Kansas City. Rural Americans should not be held to a lower standard simply so that Chairman Pai can rig the numbers to falsely claim that he has closed the digital divide once and for all.

Chairman Pai has shown far too often in his time at the FCC that he will side with Goliath over David and that he will ignore the overwhelming sentiment of the American people. With the fate of the open internet and many other critical telecommunications issues at stake, I must oppose Chairman Pai's nomination.

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

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

LAS VEGAS MASS SHOOTING

Mr. CORNYN. Mr. President, today we mourn the loss of at least 50 lives in Las Vegas, the victims of senseless violence at an outdoor concert near the Mandalay Resort and Casino. The lives of fellow Americans were taken in a barbaric manner that defies all justification, excuse, or even explanation. That these events have become almost commonplace in modern society makes them no less shocking or morally reprehensible.

The date and location—a country music festival on a Sunday afternoon—make the act seem doubly cruel. Thousands of innocent spectators were there from around the country enjoying themselves, with security being the furthest thing from their minds, until the shots rang out.

As news reports have now indicated, the event is one of the deadliest mass shootings in modern U.S. history. It and other forms of violence continue to tear apart the fabric of our country, and the scars left among the victims' families and loved ones will be painful and permanent.

My prayers go out to all those in Nevada who have not slept since yesterday and who are still grappling with the aftermath of the shooting, the families tending to loved ones in hospitals, as well as the first responders and law