

President, I sent a list of names to the President, and when there was a Democratic President, Senator Harkin sent a list of names to the White House. We served together for those 30 years and never had any problems with blue slips, not once.

During the Clinton administration, a vacancy arose on the Eighth Circuit. The White House nominated Bonnie Campbell for the court. Ms. Campbell was originally from New York and had previously worked for two Democratic Senators. For 6 years, she served as chairwoman of the Iowa Democratic Party. Ms. Campbell was elected as Iowa's attorney general after having defeated the Republican candidate. She also ran for Governor against Gov. Terry Branstad. After she lost that election, she was appointed by President Clinton to a position within the Department of Justice.

It happens that I liked Ms. Campbell very much. She was not the type of nominee I would have picked for the court, but that did not stop me from returning my blue slip.

Ms. Campbell was a controversial nominee. During the campaign for Governor, she was quoted discussing Christian conservatives. She said: "I hate to call them Christian because I am Christian, and I hate to call them religious, because they're not, so I'll call them the radical right."

Ms. Campbell had a very liberal record and had spent most of her career as a politician, and a lot of people did not want me to return her blue slip. So why did I return her blue slip? In the process, I was criticized extensively by the conservative base of my State of Iowa.

I did that because the blue slip is not supposed to allow the unilateral veto of a nominee. A Senator cannot use a blue slip to block a nominee simply because he or she does not like the nominee's politics or ideology. A Senator cannot use a blue slip to block a nominee because it is not the person the Senator would have picked.

The President gets to nominate judges. The White House should consult home State Senators, and it is important that they do so in a meaningful way. The White House may disagree with Senators and may determine that a different individual is more suited to serve on the circuit court, but so long as there is consultation, the President generally gets to make that call. So I will not let Senators abuse the blue slip to block qualified nominees for political or ideological reasons.

I yield the floor.

Mr. SCHUMER. Madam President, I rise today to highlight the importance of the Gateway Project and express my continued frustration with the administration's approach to infrastructure and this critical project. The current Hudson River tunnels were built in 1908 and are rapidly deteriorating, a problem that was made far worse by Hurricane Sandy. Time is running out, and we must quickly build new tunnels

under the Hudson River before the current tunnels have to be closed for repairs.

The closing of either tunnel without a new tunnel in place would be devastating because it would essentially shut down the Northeast Corridor, the transit route from Boston to Washington that produces over \$3 trillion in economic output, a full 20 percent of the national gross domestic product. The importance of this project cannot be overstated.

Unfortunately, despite repeated campaign promises to focus on infrastructure investment, President Trump has proposed severe cuts to infrastructure programs, including the Capital Investment Grant Program. That cut is significant because it was the likely source of funding for the Gateway project. In addition to proposing to cut the funding needed for the Gateway Project, the Department of Transportation has been unresponsive to a number of important interim actions that are necessary to advance this critical project.

Given the lack of focus on infrastructure investment by the current administration and the continued roadblocks the administration has erected in front of the Gateway Project, I must oppose the nomination of Mr. Derek Kan to be Under Secretary of Transportation.

Mr. GRASSLEY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

Mr. ALEXANDER. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Dakota (Mr. HOEVEN).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The result was announced—yeas 90, nays 7, as follows:

[Rollcall Vote No. 270 Ex.]

YEAS—90

Alexander	Barrasso	Blumenthal
Baldwin	Bennet	Blunt

Boozman	Gardner	Murray
Brown	Graham	Nelson
Burr	Grassley	Paul
Cantwell	Harris	Perdue
Capito	Hassan	Peters
Cardin	Hatch	Portman
Carper	Heinrich	Reed
Casey	Heitkamp	Risch
Cassidy	Heller	Roberts
Cochran	Hirono	Rounds
Collins	Inhofe	Rubio
Coons	Isakson	Sasse
Corker	Johnson	Schatz
Cornyn	Kaine	Scott
Cortez Masto	Kennedy	Shaheen
Cotton	King	Shelby
Crapo	Klobuchar	Stabenow
Cruz	Lankford	Strange
Daines	Leahy	Sullivan
Donnelly	Lee	Tester
Duckworth	Manchin	Thune
Durbin	Markey	Tillis
Enzi	McCain	Toomey
Ernst	McCaskill	Van Hollen
Feinstein	McConnell	Warner
Fischer	Moran	Whitehouse
Flake	Murkowski	Wicker
Franken	Murphy	Young

NAYS—7

Gillibrand	Schumer	Wyden
Merkley	Udall	
Sanders	Warren	

NOT VOTING—3

Booker	Hoeven	Menendez
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The nomination was confirmed.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent that with respect to the Kan nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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 Steven Gill Bradbury, of Virginia, to be General Counsel for the Department of Transportation.

Mitch McConnell, John Hoeven, Thom Tillis, Tom Cotton, Cory Gardner, Jerry Moran, John Barrasso, Luther Strange, Mike Crapo, John Cornyn, Richard Burr, Mike Rounds, Orrin G. Hatch, David Perdue, Marco Rubio, John Thune, John Boozman.

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 Steven Gill Bradbury, of Virginia, to be General Counsel of the Department of Transportation, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Dakota (Mr. HOEVEN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 271 Ex.]

YEAS—50

Alexander	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Rubio
Cassidy	Heller	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Manchin	Toomey
Daines	McConnell	Wicker
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—47

Baldwin	Harris	Paul
Bennet	Hassan	Peters
Blumenthal	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Markey	Udall
Donnelly	McCain	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Merkley	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden
Gillibrand	Nelson	

NOT VOTING—3

Booker	Hoeven	Menendez
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The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47.

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 Steven Gill Bradbury, of Virginia, to be General Counsel of the Department of Transportation.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No.

270, on the nomination of Derek Kan, of California, to be Under Secretary of Transportation for Policy. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 271, on the motion to invoke cloture on Steven Gill Bradbury, of Virginia, to be general counsel of the Department of Transportation. Had I been present, I would have voted nay.●

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. BOOKER. Mr. President, I was necessarily absent for the votes on confirmation of Executive Calendar No. 159 and the motion to invoke cloture on Executive Calendar No. 254.

On vote No. 270, had I been present, I would have voted nay on the confirmation of Executive Calendar No. 159.

On vote No. 271, had I been present, I would have voted nay on the motion to invoke cloture on Executive Calendar No. 254.●

TRIBUTE TO LIEUTENANT COLONEL MICHAEL MANNING

Mr. WHITEHOUSE. Mr. President, today I pay tribute to a great Rhode Islander, LTC Michael Manning of the Rhode Island National Guard. My office, along with the rest of the Rhode Island congressional delegation, has worked closely with Lieutenant Colonel Manning for several years in his capacity as the Rhode Island National Guard legislative liaison. Throughout this time, he has been of great assistance to my office and has served in this position with great honor, dedication, and effectiveness.

This Saturday, November 18, the Rhode Island National Guard Recruiting and Retention Battalion change of command ceremony will take place at Camp Fogarty in East Greenwich, RI. The incoming commander will be Lieutenant Colonel Manning. This ceremony represents the formal transfer of authority and responsibility of the Recruiting and Retention Battalion. The event will include a passing of the unit colors from one officer to another, symbolizing continued leadership, trust, and allegiance to the soldiers in the unit.

Lieutenant Colonel Manning is a distinguished military graduate of Providence College's ROTC class of 1997. His first assignment was with 1st Battalion, 26th Infantry Regiment, 1st Infantry Division, forward deployed to the Republic of Germany. In June 1999, he deployed to Kosovo in support of Operation Joint Guardian II. While in Kosovo, Lieutenant Colonel Manning was reassigned to E Troop, 4th U.S. Cavalry as a brigade reconnaissance troop leader for Task Force Falcon.

In February 2002, after joining the Rhode Island Army National Guard, he was appointed commander of the 173rd

Infantry Detachment Long Range Surveillance. The 173rd LRS was mobilized in support of Operation Iraqi Freedom III from July 2004 through November 2005. Lieutenant Colonel Manning deployed with Special Operations Detachment Global in support of Operation Enduring Freedom Caribbean and Central America in 2008 through 2009, assigned to Special Operations Command South. While there, he served as the deputy chief for the Regional Engagement Branch, responsible for the Caribbean and Central America.

In 2010, he graduated with distinction from the College of Naval Command and Staff at the U.S. Naval War College in Newport, RI, with a master of arts in national security and strategic studies. In 2013, Lieutenant Colonel Manning mobilized and deployed once again with the Special Operations Detachment Global, where he served in the capacity of senior special operations to the Afghan Ministry of Defense.

Lieutenant Colonel Manning has also served as an assistant professor of military science at Providence College, State Partnership Program coordinator, legislative liaison, operations officer for Special Operations Detachment Global, and is currently the secretary of the general staff. He is a special operations support qualified officer, senior instructor of design at the Joint Special Operations University, and recipient of numerous awards and decorations, including the Bronze Star with oakleaf cluster, Combat Infantryman's Badge, and the coveted Ranger Tab.

I thank and congratulate Lieutenant Colonel Manning for his many sacrifices and achievements. In addition, I thank and congratulate his wife, Meg, his sons Michael and Jack, and his daughter Shannon for their many sacrifices and their support of the colonel. Rhode Island is fortunate to have such a committed, energetic, and selfless citizen and family. Godspeed, my friends.

MESSAGE FROM THE HOUSE

At 4:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2201. An act to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2201. An act to amend the Securities Act of 1933 to exempt certain micro-offerings from the registration requirements of such Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.