

tax reform to fix it. Here is what she said:

The federal government takes too much. Our small businesses—which according to the U.S. Small Business Administration total 96.5 percent of Kentucky's employers—often face the greatest tax burden.

This Kentuckian continued:

If we want better lives for the nearly 700,000 employees across the [C]ommonwealth who work for small enterprises, we must lift this weight off their backs.

Small businesses deserve a tax code that works for them. Middle-class families and individuals deserve the same. That is why we are working so hard to enact tax reform. Over in the Senate Finance Committee, Chairman HATCH has laid down a tax reform proposal that is premised on a single idea; that we should take more money out of Washington's pockets and put more money in the pockets of the middle class.

It cuts taxes for middle-class families. It doubles the child tax credit. This plan does a lot of things, including providing relief for businesses so they can create more jobs here in America and then keep them here. The Nation's leading small business advocacy organization endorsed this legislation, saying that it "will provide much needed tax relief to enable small businesses to grow and create jobs."

There is another important provision of the Finance Committee's tax reform proposal as well. It will deliver relief to low- and moderate-income families by repealing ObamaCare's individual mandate tax. In other words, we can deliver even more relief to the middle class by repealing an unpopular tax from an unworkable law. It just makes sense.

I would like to once again thank Chairman HATCH for his commitment to an open process and regular order. The Finance Committee will report a bill soon. Before it does, however, it will continue to consider a number of amendments from both sides of the aisle. In fact, the chairman's modified mark already incorporated amendments from both Republican and Democratic members of the committee.

I look forward to the Finance Committee completing its work on this crucial legislation very soon. As it does, our colleagues in the House will continue working on their own tax reform legislation. I commend Chairman BRADY and the members of the Ways and Means Committee for their efforts. I look forward to the full House passing their bill.

Once both Chambers pass their tax reform bills, we will keep working together to get a bill to President Trump's desk for his signature.

I am also grateful to Chairman MURKOWSKI and members of the Senate Energy and Natural Resources Committee for reporting bipartisan legislation yesterday to secure our Nation's energy future. By further exploring the responsible development of Alaska's re-

sources, this bill can help grow our economy, support high-paying jobs, and strengthen our national security. I look forward to promoting American energy independence through this legislation.

NOMINATIONS

Mr. MCCONNELL. On another matter, today, the Senate will continue to fulfill its important responsibility of providing advice and consent on President Trump's nominations. So far this week, we have confirmed talented individuals to important positions in the Departments of Transportation, Labor, and Defense.

Yesterday, the Senate advanced the nomination of Joseph Otting to serve as Comptroller of the Currency. Mr. Otting's experience as a leader in various financial agencies has helped prepare him to serve in this new role. I look forward to voting to confirm him later today.

Next, the Senate will consider two well-qualified nominees to serve on Federal district courts. Donald Coggins and Dabney Friedrich both have the experience and temperament to excel as judges. Both of these individuals have stellar legal credentials. Their careers demonstrate a serious commitment to the law, and by confirming them both, the Senate will continue to ensure the Federal judiciary fulfills its particular role in our constitutional system.

I would like to thank Chairman GRASSLEY for his leadership of the Senate Judiciary Committee, which reported both of these nominees on a voice vote. I look forward to advancing their nominations very soon.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the Otting nomination, which the clerk will report.

The legislative clerk read the nomination of Joseph Otting, of Nevada, to be Comptroller of the Currency for a term of five years.

The ACTING PRESIDENT pro tempore. The majority leader.

AMENDING THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. MCCONNELL. Mr. President, as in legislative session, I ask unanimous

consent that, notwithstanding rule XXII, the Senate proceed to the immediate consideration of H.R. 4374, which was received from the House. I further ask 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; further, that at a time to be determined between the majority leader and the Democratic leader, the Chair lay before the Senate the conference report to accompany H.R. 2810, and the Senate vote on the adoption of the conference report with no intervening action or debate.

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

The bill (H.R. 4374) to amend the Federal Food, Drug, and Cosmetic Act to authorize additional emergency uses for medical products to reduce deaths and severity of injuries caused by agents of war, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE CALENDER—Continued

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

REPUBLICAN TAX PLAN

Mr. SCHUMER. Mr. President, as the Senate Finance Committee continues to mark up the Senate Republican tax bill, the House will take a vote this afternoon on their version of the bill.

There are plenty of reasons for House Republicans to vote against this bill. For those who care about deficits, you should vote no because the bill increases deficits by over \$1.5 trillion, likely more. Any deficit hawk should be against this increase.

Any defense hawk should be wary of this bill for the same reason. High deficits make it harder to fund important priorities like the military. This morning, three former Defense Secretaries—Leon Panetta, Chuck Hagel, and Ash Carter—penned a letter warning that the Republican tax plan could result, in their words, in a "hollowed-out military force" wracked by cuts to training, maintenance, flight missions, and other vital military programs.

I spoke to General Mattis yesterday. He is definitely afraid of a CR because a CR is at sequestration levels. If we pass this tax bill with its huge deficit, we will have no choice but to go back to sequestration, and the fears of our defense leaders that they cannot fund the military adequately will be very real. So my shout-out is to all of those who care about defense, particularly our defense hawks: If you vote for this bill, you are going to be voting for a "hollowed out military force," as three former defense secretaries have written to us this morning.

For those House Republicans who represent middle and upper class suburban districts, you should vote no because this bill will raise taxes on a

high number of your constituents. Members of Congress from New York, New Jersey, Washington, Pennsylvania, Illinois, and Virginia know that State and local deductibility is crucial to working families in their districts. Today, House Republicans in many districts will take a vote to raise taxes on their constituents. And the compromise—the first three-quarters of the break is rescinded even with the compromise over in the House, but, second, the Senate, so desperate for money, has not even included the compromise here. You can be sure when it comes back, that compromise will not be in the bill—certainly not as generous as it is now. It was not very generous to begin with.

According to the New York Times, the House bill would raise taxes on a third of middle-class taxpayers next year and almost half by 2027. The rich, meanwhile, will do just fine.

The Senate bill, similarly, would raise taxes on 20 million middle-class Americans by 2027. Meanwhile, folks making over \$1 million will get an average cut of \$50,000. People say: Well, they have more money; they should get a bigger tax cut. No. The wealthy are doing great. They don't need any tax cut. Give the money to the middle class.

The number of middle-class families who would lose money from this bill may even be higher now, considering the 10-percent increase in premiums that will occur as a result of the Republican plan to repeal the individual mandate. That 10-percent increase in health premiums could more than wipe out the tax cuts received by some folks in the middle. All the while, 13 million fewer Americans get health insurance.

My friend, Senator GRAHAM, recently said: "I hope every Republican knows that when you pass a repeal of the individual mandate . . . [healthcare] becomes your problem." LINDSEY GRAHAM is very politically pressured. He is telling his Republican colleagues that if they do this, every problem in healthcare will be on their backs.

The whole idea of taking money from the pockets of hard-working Americans, of taking money out of their healthcare and giving it to big corporations and those at the very top is so backward, so wrong, that the American people will reject it, and the blame will fall on Republican shoulders. If the Republican tax bill should pass, it would make our economy, so unfairly tilted toward the top as it already is, even more unbalanced and unfair.

Over the past three decades, as technology has changed our economy and our world has become ever more interdependent, our economy has grown. Yes, it has grown; there is a lot of growth. But that growth, more than at any time in history, has been captured entirely, almost, by big corporations and the top 1 percent and particularly the top 0.1 percent of our country. We don't begrudge them. We are glad people work hard. With new ideas and hard

work, people should become wealthy, but they don't need a tax break.

At the same time, middle-class families have muddled along. Median income has barely nudged up in three decades. The costs of college, healthcare, prescription drugs, cable, and the internet have skyrocketed as corporations have consolidated in their industries, reducing competition and driving up prices.

For the middle-class families in the suburbs, for the working parent in the city, for the young millennials just setting off into the workforce after college, for the single mom raising two children, it is about as hard as ever to balance your income with ever-rising costs. In such an economy, tax reform could really matter to those folks, but only if it is done right.

Instead of focusing all their efforts on improving the condition of those working Americans, Republicans have directed the lion's share of the benefits to the already wealthy, the already powerful—corporate America and the very rich.

There is perhaps no better example than President Trump and his family, for whom this bill would be an express mail gift from Heaven: Repealing the estate tax, they have a big one; repealing the alternative minimum tax—the Trumps pay a lot of alternative minimum tax; dropping the rate on pass-through entities like the Trump Organization, a huge tax break for Donald Trump.

So scrapping middle-class deductions while maintaining loopholes for real estate businesses, golf course owners—who do you think came up with this plan? Not the average middle-class guy or gal. All of these things contained in the House Republican bill would likely pile more on top of President Trump's fortune while millions and millions of middle-class families end up paying more.

I am not sure any family in America feels it is right to subsidize tax cuts for folks like President Trump and his family, and their voices will be heard during the debate on this bill and afterward.

This bill will be a huge burden for Republicans to carry on their backs over the next year, make no mistake about it. So we hope they will vote down the bill in the House and in the Senate. I want to assure my friends in the Senate on the other side of the aisle that if the bill goes down, Democrats are ready, willing, able, and eager to work with Republicans on a bipartisan reform.

DACA

Mr. President, before I yield the floor, seeing my friend Senator DURBIN here, I would like to address one final issue—the Dreamers.

My dear friend Senator DURBIN has an uncommon eloquence. He speaks with eloquence and yet with Midwestern common sense. He speaks with persuasiveness and ease on a great number of subjects. He is a great asset

to our Democratic caucus and to the Senate as a whole, but there is no doubt that the Dreamers are at the top of his list. They are near and dear to his heart. He is one of the chief architects of DACA and has labored on their behalf for as long as I can remember.

Every Dreamer should thank Senator DURBIN. He is their sponsor, their champion, and their staunchest advocate.

This morning I would like to join him in recognizing the contributions of a Dreamer in my State—a reminder of the glaring need to pass the Dream Act, since President Trump so misguidedly terminated the program a few months ago.

Zuleima Dominguez is a DACA recipient who lives in the Bronx. Zuleima was brought to the United States from Mexico when she was 7 years old. She has grown up in the United States and has gone to school here; she went to her first dance in the United States and knows no other country as her home.

Like so many other Americans, Zuleima is working her way through college—Hunter College, part of City University on the Upper East Side—but because of her legal status, she has been unable to access enough help to afford her tuition. So what does Zuleima do? She works 45 hours a week at a homeless shelter, giving back to her fellow New Yorkers while saving up for her next semester.

She is studying to be a social worker. Isn't Zuleima what we hope an American citizen would be like? Wouldn't we all be proud to call her our neighbor, our friend, our daughter?

She is someone who works hard and feels a calling to give back to her community. Zuleima has the quintessential American spirit, as had millions who came to this country before her, through the centuries.

She is part of that long and grand tradition of immigration in this country, of folks coming from all over the world to find a better life here, build strong families and communities, and make indelible contributions to our society, our economy, and our culture.

Zuleima and her two children are part of that American tradition. They, with all of us, are what makes America great.

There are many more Dreamers just like Zuleima who came to this country through no fault of their own as very young kids. They study at our schools; they work in our companies; they serve in our military. They are American in every single way but one—their paperwork.

We must fix that now and forever by passing the Dream Act through Congress and giving folks like Zuleima and her kids a chance to live and thrive in the only country they have ever known.

I know my entire caucus supports the bill. I know how many of my friends on the other side of the aisle support it as well. So what are we waiting for? Let's put the bill on the floor and pass it.

I yield to my friend and colleague from Illinois, Senator DURBIN.

The ACTING PRESIDENT pro tempore. The Assistant Democratic leader.

Mr. DURBIN. Mr. President, I want to thank the Democratic leader. His strong support of the Dream Act encourages me but, more importantly, gives hope to the Dreamers across America: young men and women, just like the one he described, who are living in fear, fear that their time in America is coming to an end.

This is the only country they have ever known. They have stood in classroom after classroom and pledged allegiance to the American flag, the only flag they have ever known. They sing the national anthem. They believe they are part of America, but as Senator SCHUMER has reminded us, they are missing the paperwork. Their parents brought them here as infants, toddlers, children and never filed the paperwork, never made them legal, and here they are in this country, searching for an answer, searching for some hope.

My best basic question to the U.S. Senate and to my colleagues is: Why do we make this so hard? Why is this so difficult? Don't we all fundamentally agree on the premise that no young person should be held responsible for the actions or decisions of their parents? That is what is happening here. These young people didn't make the key decisions in their lives; their parents did.

Let me quickly add, because many of the Dreamers say: Senator DURBIN, understand that our parents were doing everything they could to help us. I couldn't agree more. From a moral viewpoint, their parents were determined to help their children and were prepared to incur great risk, even legal risk, to do it. I understand that. I would do the same thing, and I am not being critical or negative. But the simple fact and reality is that these young people, because they don't have the paperwork, don't have a future in America.

The circumstances they face are bleak. Imagine, if you will, the challenge of college, the challenge of going from high school on to an education at a university, with no help whatsoever from the Federal Government. You don't qualify for a penny in Pell grants; you don't qualify for any help when it comes to government loans. Think about the challenge of college and higher education without that help, without the fundamental assistance that millions of young Americans count on. Dreamers get no help—none. They have to fight their way forward on their own, and they do it in remarkable and heroic ways.

Over the last break, I was down at Southern Illinois University at Carbondale—deep southern Illinois, 300 miles or more away from the city of Chicago—and I sat down with a group of these Dreamers who were at the university. One young woman had worked so hard to get through community col-

lege and now through the university at Carbondale and still had two semesters left before graduation. She was telling me about her struggles—taking time off to work a job, save the money, go back to school, and here she was where she could see the finish line. As she sat there and described it to me, she stopped and broke down in tears. She said to me: Why am I doing this? Because of the announcement by President Trump, I don't have any future in this country. After all these years and all this effort, I really don't have a future here.

I don't believe that, and I begged her not to believe it either. She has a future, an important future in the United States and in the State of Illinois. She has proved through her determination and hard work that she is an extraordinary young woman. She is going to get that bachelor's degree, and I pray that we in the Senate and the House—with the President—will give her a chance to be part of America.

President Obama did. He created DACA. I had introduced the DREAM Act years and years ago—16 years ago—when President Obama was my colleague in the Senate from Illinois. He was the cosponsor. I joined with Senator Lugar, a Republican Senator from Indiana, writing to President Obama, saying: Find a way, if you can. Find a way to protect these Dreamers from deportation until we pass a law that needs to be passed. And he did it. He created the DACA Program, where young people could come forward, pay the fine and fee of almost \$500 or \$600, submit themselves to a criminal background check to make sure there were no problems in their background, show proof that they had graduated from high school, and then—only then—would they be allowed to stay in the United States for 2 years and not be deported and legally be allowed to work.

Well, President Obama created by executive order the DACA Program. At the end of the day, 780,000 of these young people stepped forward. It was a leap of faith on their part. Each and every one of them had been raised in America by their parents and carefully schooled in this belief: Don't raise your head. Don't let this government see us. As long as we can live in the shadows, as long as we are not confronted with the legal system, we have a chance to stay. They lived with that looming over their heads every single day. Then, when President Obama said to them: Come forward, tell us who you are, where you live; tell us about your family; and we will give you a chance to stay here legally under this Executive order, they did it. They trusted in their leaders. They trusted in their government. They were prepared to make that leap of faith, at great risk, on the chance that this might be the ticket they were looking for to a life in America, to be part of America's dream and America's future.

Then, on September 5, President Trump came forward and announced

that he would abolish this program created by President Obama and that it would end on March 5, 2018. He established a standard and said: We will allow those who have to renew during this period of time—their 2-year DACA protection had expired, and they would have to renew—until November 5 to file and to qualify for a renewal period. He picked November 5. For many of them, it was a surprise and a challenge to come up with the filing fee and to get the papers in on time so that their protection would continue until March 5, 2018, or beyond. Some of them did everything they could think of. Some went to attorneys, for example, to make sure they got this renewal of DACA completed successfully and accurately.

Now we have learned that something terrible happened in the meantime. They relied on the Federal Government—particularly, they relied on our Postal Service—to mail in their applications for renewal. Who would have argued that that was not a responsible thing to do? I can tell my colleagues that practicing attorneys across the United States use our Postal Service regularly.

One attorney sent the renewal to Washington by certified mail so that there would be proof that it was mailed. He mailed it on October 21. The problem was that the Postal Service lost the application. It didn't arrive until a day later, a day past the deadline established by the President.

That young person has lost the right to renew unless the Department of Homeland Security comes up with a new ruling on the subject. That is the complexity of the life of these young people who are simply asking for a chance to be part of America's future. That is what that young applicant faced. That is what hundreds of others faced. We believe that some 8,000 were not able to renew in time and lost their protected status.

I can't tell you what their future is, but I pray that the Senate, before we leave this year, will decide the right thing for their future.

I have come to the floor over 100 times to tell the personal stories of these young people who are asking for a chance to have the Dream Act become the law of the land. Some Republican Senators have joined me in this effort. Notably, LINDSEY GRAHAM, the Republican Senator from South Carolina, has been a cosponsor. Three other Republican Senators have joined in sponsoring the Dream Act, and more are interested in helping. The conversations continue on the floor and give me some hope that, at the end of the day, we will do the right thing, before the end of this year.

Let me add, too, that having served in the Senate—it has been my honor to be here for some years—I know the calendar determines your fate many times in the Senate. The calendar we face could determine the fate of these Dreamers.

Here is what it boils down to. If we don't renew the Dream Act before the end of this year, then it has to be done in January or February. January and February are well known to be months of little activity in the Senate and in the House. So if we wait until then, it is not likely it is going to happen. That is why I am pleading with my colleagues and the leadership of the Senate: We can't go home for the holidays until we do this. We can't talk about dreaming of a white Christmas until we face the Dreamers and the bleak Christmas they face if we fail to act. I am begging my colleagues on both sides to roll up their sleeves and join me, sit at the table, and let's get this job done.

There are specific reasons why we should, and I want to tell one of those stories today, as I have done more than 100 times in the past.

This young lady's name is Priscilla Aguilar. Priscilla was 5 years old when her family brought her to the United States from Mexico. She grew up in Brownsville, TX. She was a great student. In high school she joined a medical magnet program and graduated in the top 10 percent of her class.

Priscilla was a member of the Health Occupations Students of America, where she participated in regional and State competitions in biomedical debate and medical reading. This experience sparked her love for science.

Priscilla went off to the University of Texas at Brownsville. She graduated with honors in the winter of 2012 with a bachelor's degree in biological sciences. Remember, as a Dreamer, she didn't qualify for any Federal assistance going to school. She had to work at jobs and borrow money from others to finish her education.

After graduation, Priscilla was accepted into Teach for America, a national nonprofit organization that places talented college graduates in urban and rural schools where there are special challenges and shortages of teachers. It is interesting, isn't it, that this young woman who was brought here at the age of 5 not only worked so hard for her own education but was then willing to give 2 years of her life in the schools of America to help less fortunate students. Do you think you have an insight into who she is and what her values are?

Priscilla is not alone. Twenty thousand DACA Dreamers are currently teaching across the United States of America, including 190 in the Teach for America Program.

Priscilla now teaches biological and medical microbiology at Mercedes High School in Mercedes, TX. She is the head of the Science Department. She oversees a team of nine science teachers. She teaches students of all grade levels and coaches the school's debate team. The team won the district championship last year and participated in the State championship.

In 2013, a tragedy struck Priscilla's family. Her mother died unexpectedly.

Currently, Priscilla is caring for her three younger siblings, all of whom were born in the United States and are U.S. citizens. In fact, almost 75 percent of Dreamers have a U.S. citizen spouse, child, or sibling.

Priscilla wrote me a letter, which I will read into the CONGRESSIONAL RECORD:

Science and learning are my biggest passions and I want to keep pushing myself forward so that I can be better equipped to serve my community and my students. I want to inspire and encourage all students to pursue careers in science. I want to be a role model and mentor to students by succeeding in a science career myself. If I can do it, so can they!

But without DACA, and without the Dream Act, Priscilla and 20,000 other teachers just like her will lose their jobs in America. I am not exaggerating. DACA gives Priscilla the legal right to work in America. If she loses that DACA protection on the March 5 deadline, or whenever her renewal comes up, at that point she can no longer work in the United States.

This is not an isolated case. I have told the story many times about 28 students at the Loyola University Stritch School of Medicine in Chicago. They are all protected by DACA. They came to that medical school in open competition—no quotas, no special slots. They are the best and brightest. They came from all over the United States because Loyola University—thank goodness—decided they deserved a chance. Young people like them all across America who had given up on a medical education because they were undocumented finally had their chance under DACA. Twenty-eight of them now are dedicated to becoming doctors.

They can't borrow money from our Federal Government, as I mentioned before. The State of Illinois, under both a Democratic and Republican Governor, have created loan programs for them in medical school with one condition: For every year the State of Illinois helps to pay for their medical education, they have to pledge 1 year when they finish their medical degrees in service to our State, in areas where we have shortages of doctors—medically underserved areas.

So 28 of them now have their fate hanging in the balance, depending on the fate of the Dream Act. Why? Because to become a doctor, you need a residency. A residency is a job. A residency means legally working. If these young people lose the DACA and Dreamer protection, they have to drop out of medical school. They cannot continue their residency and pursue a specialty that they have had their heart set on.

That is the reality of our failure to act. That is the reality of losing Priscilla Aguilar as an inspiring science teacher in Texas, of losing 28 doctors who are on their way to graduation at Loyola University, and of literally thousands of others who could make America a better, more prosperous, and a more just Nation.

Why do we make this so hard? Why do we make it so difficult for these young people? They have overcome the odds. They have shown their determination. They have shown their love for this country. Many of these DACA Dreamers are begging to serve in our military, to risk their lives for America. Yet we have failed to act. The President draws a deadline and says: After this point, there will be no more protection for these young people. That isn't what America stands for. That does not reflect our values.

I stand here today honored to be the son of an immigrant to this country. My mother was brought here at the age of 2 from Lithuania. That immigrant family fought hard when they arrived, as most immigrant families do. By fate, my mother became a naturalized citizen and her son became a U.S. Senator. That is my story. That is my family's story, but it is America's story. It is a story that has been repeated millions of times over and over. People come here begging for a chance—a chance for a better life, a chance to make this a better nation.

These young people and their parents, I might add, deserve that kind of consideration. What we are considering today doesn't affect their parents and the Dream Act, but certainly we should give these young people a chance. I think their parents deserve it, too, but that is a debate for another day, perhaps. We will see.

In the meantime, I beg my colleagues to join us. Let's do something right this year, before the end of the year, that reflects our values of who we are. Let's acknowledge the obvious. Justice demands us to step up and stand behind these Dreamers.

The moment is about to arrive. Senator LINDSEY GRAHAM, my Republican cosponsor of the bill, said that a moment of reckoning is coming. He is right. It is a moment of reckoning as to who we are in the Senate and in the Congress and in the White House. It is a reflection on our view of America as a nation—a nation of immigrants that has embraced diversity and become all the stronger because of it.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. 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.

BACKGROUND CHECKS

Mr. BLUMENTHAL. Mr. President, unlike past occasions when I have spoken on the topic of gun violence prevention, I am actually pleased to talk about some good news. A powerful alliance across the aisle has enabled us this morning to introduce a measure that will be a modest but significant breakthrough. It is a breakthrough in

hopefully providing better data, more complete information for the database that provides for background checks. It is essential that more accurate and thorough data be provided in the database because background checks are no better than the information provided to them, as we have seen again and again, in Sutherland Springs most recently but also Charleston and Blacksburg, where individuals legally barred from accessing firearms were permitted to do so because of gaps in the NICS system. Each of those killers walked out of a gun store having purchased firearms from a federally licensed dealer, even though they should have been ineligible, because of gaps in the reporting system; that is, the information reported to the national system that collects that data and provides the underpinning for this program.

We are a bipartisan group that says, in effect, enforcement must be rigorous, as complete and effective as possible. New laws may be sought, and we will continue to seek a broader background check law, as well as a ban on assault weapons and high-capacity magazines. We in this coalition may be divided on those issues, but at the very least, we can join arms and link together on this measure.

These provisions will help enforce public safety protections that could mean the difference between life and death. Nonreporting now puts people at lethal risk, riddling with gaping holes a system that should keep guns away from killers. The Federal background check system is only as good as the information provided to it.

I am proud to be part of this alliance. I look forward to the next steps—the prompt passage of this legislation and other measures that perhaps will evoke the same kind of bipartisan spirit across the aisle.

I am working with a number of my Republican colleagues on a measure relating to military reporting, particularly as it concerns domestic violence. All of us who have been attorneys general, as the Presiding Officer has been, know the scourge of domestic violence and how much more dangerous it is—five times more lethal—when there is a gun in the house. More than half of the homicides in this country occur as a result of domestic violence. More effective enforcement requires steps that enable resources as well as awareness in the military and in our civilian courts.

JUDICIAL NOMINATIONS

Mr. President, on the topic of effective enforcement of the law, I rise today on a related topic, which is the quality of our judiciary. Our laws are only as effective as the judges who implement them.

I rise with regret because the administration is attempting to radically reshape our judiciary, to remake the bench in the image of a far-right dogma that basically contravenes what we are and where we are as a nation.

This administration has proposed extreme nominees who will seek to undo

decades of critically important progress in recognizing and protecting reproductive rights, LGBT rights, voting rights, workers' rights, environmental protections, and more.

For the last 10 months, this administration has tried its level best to move our country backward by implementing its destructive, deeply unpopular agenda. They want to dismantle the Affordable Care Act. They want to abandon LGBT Americans. They want to make it harder to vote, harder to organize, harder to breathe clean air and drink clean water.

If they fall short in carrying out this cruel agenda through Executive action and legislation, this administration has looked to the courts to do its dirty work. The Trump administration seeks to flood the Federal judiciary with judges—appointed for life—who will defend their indefensible goals. This plot is not hidden. It is not secret. It is out in the open. President Trump has made it clear. He claims to have a litmus test for Supreme Court nominees—he will nominate someone who will “automatically” overturn *Roe v. Wade*. Just last month, the Senate voted to confirm two circuit court nominees—Allison Eid and Joan Larsen—who had been listed by then-Candidate Trump as potential Supreme Court nominees, indicating that they have passed that litmus test. When I asked both of these nominees whether their records would lead someone to believe that they would “automatically” reverse *Roe v. Wade*, they both demurred. They said they did not know why they were selected for President Trump's Supreme Court short list—no idea. I don't believe it. Then-Candidate Trump laid out his Supreme Court selection criteria in clear, unambiguous terms.

Yesterday we heard testimony from a circuit court nominee, Justice Don Willett, of the Texas Supreme Court, who proudly described himself in 2012 as the “consensus, conservative choice from every corner of the conservative movement: pro-life, pro-faith, pro-family, pro-liberty, pro-Second Amendment, pro-private property rights, and pro-limited government.” That is the way that he described himself.

When I asked him what he meant by tying himself to these labels, he refused to give me a straight answer. In fact, he said, in effect, that he was just pandering to the public for votes, that that was part of his reelection pitch. Maybe he didn't believe it, but we have all been around long enough to know what these terms mean to voters and what they mean to the President of the United States. They aren't dog whistles, literally, but they represent specific ideologies. They are shorthand for specific dogma.

I have no confidence that Justice Willett will be an impartial and objective implementer of the law and enforcer of the measures that we pass here.

Just last week, the Senate Judiciary Committee voted to advance Brett

Talley. He is someone who wrote that the solution to the Newtown shooting—he wrote it 3 days after that massacre—is to “stop being a society of pansies and man up.” He is someone who has written that the country “overreacted” and that “the Second Amendment suffered” after the murder of 20 children and 6 adults in Newtown.

After one of the great tragedies of this country in recent years, his reaction was that the Second Amendment suffered. He is someone who has disingenuously written that Democrats want to take away everyone's guns. Even setting aside the fact that he has never tried a case in his career, he is someone who should be nowhere near the bench, at least not as a judge.

I hope my Republican colleagues will revisit their decision to support him.

I want to emphasize that the compromise that we have reached today and that we are introducing in this bipartisan group takes away no one's guns if one is law-abiding and otherwise complies with the law. In fact, it provides incentives and rewards to States that do better reporting. It makes sure that a robust reporting system prevents the sales of firearms to people who are a danger to themselves or others, including convicted domestic abusers.

This exaggeration, distortion, misinformation from Mr. Talley is, I think, emblematic of what kind of judge he would be.

Let us not forget that we are, in fact, judged by the company that we keep. President Trump is willing to nominate someone like Jeff Mateer to a lifetime appointment on the Federal District Court for the Eastern District of Texas. He was not on the docket this week, but he could well come before the Senate Judiciary Committee for a hearing in the coming weeks.

This is someone who has called transgender children “Satan's plan.” He has proudly said: “On the basis of sexual orientation, we discriminate.” He has advocated conversion therapy for LGBT children.

With these nominations, President Trump has shown the type of people he is willing to propose for lifetime appointments on the district court, as well as the court of appeals. As someone who has practiced in the district courts of Connecticut and others around the country, as well as in courts of appeals in the Second Circuit and elsewhere, these appointments have a special meaning to me and to others who are well versed in the way our justice system works.

For many people in this country, the U.S. district court is the first place they seek justice. They rely on Federal judges to be above politics and to be above personal ideology and dogma of the right or the left wing. The U.S. district court is the first place they seek justice, and, for many, it is the last place. Adverse rulings for them are often the end of the line because they lack the resources to pursue appeals to

the circuit court. Our district court judges are often the voices and faces of justice that the people of the United States most trust and rely on.

What we see in these nominees is a pattern. They have clearly demonstrated through their actions, their statements, their temperaments, and their characters that they are, simply, unfit and unable to serve as impartial judges, especially when it comes to our Nation's most vulnerable communities. Our Nation's most vulnerable communities are often the ones who rely the most on those Federal courts.

There can be no benefit of the doubt for nominees when they articulate the kinds of beliefs and dogma that these individuals have in their pasts and that they refuse to disavow in the present. I will oppose them, and I hope my colleagues will join me. I believe that on both sides of the aisle, we share a commitment to the credibility and trust of our judiciary.

As I have said before on the floor, our judges do not have armies; they do not have police forces. The enforceability of their rulings really depends on the credibility and trust that the people of our Nation have in them as individuals who put on robes, because they are supposed to put aside their personal prejudices and beliefs and fairly, impartially, and objectively enforce the law.

I fear that these nominees lack these qualities, and that is a tragedy for our Nation, whatever your politics. Someday, you will likely be before a judge—maybe not all, but many of you will—and you will want that judge to look at both sides of the courtroom and say that they both have an equal chance to make their cases, not tilt one way or the other because of the judge's personal beliefs. I hope that my colleagues will send a message to the President of the United States that one cannot politicize the American judiciary.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. YOUNG). Without objection, it is so ordered.

Mr. CRAPO. Mr. President, I rise to speak in support of the nomination of Mr. Joseph Otting to be Comptroller of the Currency. The OCC's mission is to ensure that the financial institutions it oversees operate in a safe and sound manner, provide fair access to financial services, treat customers fairly, and comply with the applicable laws and regulations.

The OCC is responsible for overseeing the supervision of all national banks and Federal savings associations as well as Federal branches and agencies of foreign banks. The OCC also plays an important role in identifying and re-

sponding to emerging threats in our financial system.

Mr. Otting is exceptionally qualified to lead the OCC as its comptroller. His unique expertise and understanding of the banking sector has been shaped by over three decades of firsthand industry experience. Mr. Otting has held positions at large regional and community financial institutions, including key leadership positions. In fact, he has touched virtually every segment of the industry, working in consumer services, business services, human resources, compliance, audit, and many others.

His understanding of how banks work and knowledge of the laws and regulations governing the financial sector was evident throughout his nomination hearings. I was also encouraged by Mr. Otting's statements about the importance of ensuring that all Americans have access to banking products and services. Mr. Otting also reaffirmed his commitment to honor the OCC's mission and cooperating with the work of Congress.

I am confident Mr. Otting will bring strong leadership to the OCC, given his extensive experience in the financial industry. I urge my colleagues to support Mr. Otting's nomination today and vote for his confirmation in the future.

Thank you.

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

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

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, at 1:30 p.m. today, the Senate proceed to legislative session and the Chair lay before the Senate the conference report to accompany H.R. 2810, as under the previous order, and that there be 15 minutes of debate equally divided between the managers or their designees prior to the vote on the adoption of the conference report; further, that following disposition of the conference report, the Senate resume executive session and all postcloture time on the Coggins and Friedrich nominations be yielded back and the Senate vote on confirmation of the Coggins nomination immediately, and that the confirmation vote on the Friedrich nomination occur at 5:30 p.m. on Monday, November 27; finally, that if the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the Senate be immediately notified of the Senate's action.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the votes following the first vote in this series be 10 minutes in length.

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

Mr. MCCONNELL. Mr. President, I yield back the time on the Otting nomination, and I ask for the yeas and nays.

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

Is there a sufficient second?

There appears to be a sufficient second.

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

The clerk will call the roll.

The bill clerk called the roll.

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

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

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 277 Ex.]

YEAS—54

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

NAYS—43

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

NOT VOTING—3

Booker	Franken	Menendez
--------	---------	----------

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

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