

complicated and doesn't give us the predictability we need in the Tax Code, and it should be rejected.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

COMPTON NOMINATION

Mr. BROWN. Mr. President, I rise to oppose the nomination of Paul Compton, which came out of the Banking, Housing, and Urban Affairs Committee. I might add that he is President Trump's nominee to serve as general counsel of the Department of Housing and Urban Development.

Mr. Compton is a longtime affordable housing and financial services attorney in the State of Alabama. Mr. Compton, if confirmed, would bring a deep familiarity with affordable housing to the Office of General Counsel. That part I like. With 11 million families paying over half their income for rent and with homelessness on the rise for the first time in years, a nominee who appreciates the importance of affordable housing could be a positive addition at HUD. Think about that. There are 11 million families who pay more than half their income on rent.

In a book written by Matthew Desmond called "Evicted: Poverty and Profit in the American City," the author said of the people at that income level: When your paycheck comes, the rent eats first. Everything depends on being able to stay in your home and not being foreclosed on. When 11 million people pay over half their income on rent, homelessness is going to be on the rise.

I appreciate Mr. Compton's commitment to me during our Banking, Housing, and Urban Affairs Committee hearing that he would look out for the interests of renters and homeowners if confirmed, but I am voting against him because I am concerned about the administration's approach to fair housing protections and the role that he will likely play in helping to carry that out.

I was troubled to learn that Secretary Carson had said that he plans to "reinterpret" HUD's affirmatively furthering fair housing—or AFFH—rule. Since 1968, the Fair Housing Act has required HUD and its grantees to affirmatively further fair housing. Unfortunately, in the 50 years since our country passed the Fair Housing Act, HUD has not provided enough direction to help communities meet this goal.

A 2010 General Accountability Office report recommended that HUD improve its processes for meeting its obligations to affirmatively further fair housing. In response, HUD developed a revised rule to finally help local governments across the country support and foster fair housing policies throughout their communities.

The rule gives clearer guidance to communities to help them think in new ways about how to create housing opportunities for all of their residents regardless of race or religion or disability or the size of their family. The

rule helps them to assess their own fair housing needs, and it provides them publicly available data with which to inform their decisions while they set their own goals and timelines.

Since its adoption 2-plus years ago, HUD has been working with communities to implement the new guidelines. That is the good news. The bad news is that the Secretary has said that he wants to reinterpret, but he is not elaborating on what he meant by his plan to reinterpret the rule. If the Secretary intends to reinterpret the rule in a way that undermines HUD's efforts to help communities fulfill their longstanding obligations under this 50-year-old law, Mr. Compton will be called upon to carry out this vision.

I voted against his nomination in committee because of my concern that he could help guide administration efforts to reverse progress on this fair housing rule. More recent activities by administration officials have only heightened the concerns that many of us have about their approaches to fair housing.

In 2013, HUD issued its discriminatory effects rule. This rule formalized HUD's longstanding prohibition against practices with discriminatory effects under the Fair Housing Act and provided uniform guidance for applying standards across the country.

Because homeowners' insurance is central to the ability to obtain housing, HUD and the courts have held for decades that the Fair Housing Act applies to discriminatory practices in insurance—a very easy-to-understand, logical step. Nevertheless, insurance industry representatives sued to block HUD's application of the discriminatory effects rule—also known as disparate impact—to their industry. HUD and the Department of Justice have been fighting this suit ever since. As general counsel, Mr. Compton would guide HUD's enforcement and litigation strategy.

In response to a written question, Mr. Compton declined to provide his views on the discriminatory effects rule and whether it should apply to the insurance industry. He noted that "it would be inappropriate" for him to comment on the matter given the pending litigation.

The administration, it seems, does not share his reluctance to comment on pending litigation. A month and a half ago, the Treasury Department issued a report entitled "A Financial System that Creates Economic Opportunities—Asset Management and Insurance." In this report, Treasury recommends that HUD reconsider the use of the disparate impact rule.

It is not that this administration decides to support the side of big insurance companies every time—maybe it doesn't every time—but it seems like it almost always does. It did it in this case. Yet Mr. Compton thinks that he shouldn't comment when other already confirmed Trump appointees have. The Treasury's report sides with arguments

that have been made by the insurance industry despite the fact that litigation is pending, and HUD and the Department of Justice, at least until now, have been defending the rule. The next court date for the suit is scheduled for later this week.

If the administration continues its drive to reconsider fair housing protections that are opposed to by industry, Mr. Compton will likely be called upon to help the administration in its efforts. Because he declined to answer my question, we don't know what his thinking will be.

While I might be inclined to give Mr. Compton the benefit of the doubt, we have seen too many officials in this administration who are working against the missions of the agencies to which they have been appointed. Financial regulators so often come from Wall Street. Environmental regulators so often come from the chemical industry and the oil industry. We have seen it time and again.

This is happening at a time when we see the administration taking steps to remove protections for average Americans and consumers in order to carry out the bidding of its supporters on Wall Street. These include sending in Mick Mulvaney, who once called the Consumer Financial Protection Bureau a "sick, sad joke." He is now serving as its Director. It is his moonlighting job, as he is also the Director of the Office of Management and Budget. His first act as Director of the CFPB was to block the payments of funds that were owed to consumers—consumers who were cheated or wronged by Wells Fargo and other big banks or big financial institutions. The consumers, in many cases, were servicemembers who had been cheated by these financial institutions. On Mulvaney's first day on the job, he said: No, we are not going to move forward in collecting those penalties and in paying those consumers and those servicemembers and those seniors and those families.

I am concerned about this emerging effort to roll back protections for consumers. I hope that Mr. Compton proves me wrong. I hope that he is a strong advocate within the agency and the administration for fair housing, for consumer protection, and for affordable housing. When given the chance to demonstrate his commitment to fair housing, he took a pass. These matters are too important to far too many Americans for us to leave their futures to chance. I urge my colleagues to join me in opposing Mr. Compton's nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I ask unanimous consent to speak on behalf of Mr. Compton and to conclude my remarks before the vote.

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

Mr. CRAPO. Mr. President, I rise in support of Paul Compton to serve as HUD's next general counsel.

Mr. Compton has dedicated his entire legal career to affordable housing and community development and for many years has headed the affordable housing practice of a prominent Alabama law firm. Over his distinguished career, Mr. Compton has played a direct role in over 70 transactions that have led to the creation of more than 5,000 units of affordable housing throughout the Southeastern United States. Among peers, he has come to be recognized as an industry-leading expert on the low-income housing tax credit, the new markets tax credit, public-private partnerships, and the regulatory environment surrounding housing production.

Mr. Compton's extensive track record, his experience, and his intimate familiarity with HUD programs make him an ideal fit to join the leadership team at HUD. As general counsel, Mr. Compton will not only serve as the principal legal adviser to Secretary Carson, but he will have a hand in nearly every departmental initiative. Once confirmed, I look forward to working with Mr. Compton to find solutions to our Nation's housing challenges, to eliminate barriers to safe and affordable housing, and to reform our housing finance system.

This confirmation vote is long overdue and is sorely needed. Following the storms that ravaged through Houston, Florida, Puerto Rico, the Virgin Islands, and elsewhere, HUD has been deployed on the frontlines, alongside FEMA and other agencies, and has worked to provide emergency and transitional housing to the thousands of families who have been displaced. This work is far from over, and I urge this body to confirm Mr. Compton today, as well as to confirm the various other HUD nominees who are awaiting votes so that they can get to work for the American people.

Thank you.

The PRESIDING OFFICER. All time has expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO) and the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting the Senator from West Virginia (Mrs. CAPITO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The result was announced—yeas 62, nays 34, as follows:

[Rollcall Vote No. 318 Ex.]

YEAS—62

Alexander	Flake	Nelson
Barrasso	Gardner	Paul
Bennet	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Carper	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Coons	Johnson	Shaheen
Corker	Kennedy	Shelby
Cornyn	King	Strange
Cotton	Lankford	Sullivan
Crapo	Lee	Tester
Cruz	Manchin	Thune
Daines	McCaskill	Tillis
Donnelly	McConnell	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Murphy	

NAYS—34

Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Stabenow
Cardin	Klobuchar	Udall
Casey	Leahy	Van Hollen
Cortez Masto	Markey	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murray	Wyden
Gillibrand	Peters	
Harris	Reed	

NOT VOTING—4

Baldwin	Duckworth
Capito	McCain

The nomination was confirmed.

VOTE ON WEST NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the West nomination?

Mr. BLUNT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The result was announced—yeas 74, nays 23, as follows:

The result was announced— yeas 74, nays 23, as follows:

[Rollcall Vote No. 319 Ex.]

YEAS—74

Alexander	Corker	Hassan
Barrasso	Cornyn	Hatch
Bennet	Cotton	Heinrich
Blumenthal	Crapo	Heitkamp
Blunt	Cruz	Heller
Boozman	Daines	Hoeven
Burr	Donnelly	Inhofe
Cantwell	Enzi	Isakson
Capito	Ernst	Johnson
Cardin	Feinstein	Kaine
Carper	Fischer	Kennedy
Cassidy	Flake	King
Cochran	Gardner	Lankford
Collins	Graham	Lee
Coons	Grassley	Manchin

McCaskill	Risch	Tester
McConnell	Roberts	Thune
Moran	Rounds	Tillis
Murkowski	Rubio	Toomey
Murphy	Sasse	Udall
Nelson	Scott	Warner
Paul	Shaheen	Whitehouse
Perdue	Shelby	Wicker
Portman	Strange	Young
Reed	Sullivan	

NAYS—23

Booker	Hirono	Sanders
Brown	Klobuchar	Schatz
Casey	Leahy	Schumer
Cortez Masto	Markey	Stabenow
Durbin	Menendez	Van Hollen
Franken	Merkley	Warren
Gillibrand	Murray	Wyden
Harris	Peters	

NOT VOTING—3

Baldwin	Duckworth	McCain
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The nomination was confirmed.

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

The Senator from West Virginia.

LEGISLATIVE SESSION

MORNING BUSINESS

Mrs. CAPITO. 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 and for debate only.

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

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

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

REPUBLICAN TAX BILL

Mr. BENNET. Mr. President, I come to the floor tonight, once again, to talk about this tax bill being rushed through the House and the Senate. This is the first time in 31 years that a tax bill of this magnitude has been considered. I don't refer to this as tax reform because it is barely reforming anything.

It seems a shame that we didn't follow in the footsteps of what then-President Reagan chose to do when he had the opportunity to reform the Tax Code. The bill he worked on, which was every bit as consequential as the one in front of us, commanded the vast majority of votes in this Chamber—Democrats and Republicans voting together—after years of process, years of committee hearings, years of hearings even out in the country, listening to business owners, economists, and citizens talk about what they thought our