

Well, I have said enough. I just love this body. I personally have been very moved by the kindness of the two leaders, and I just hope we can get together and do these things the right way. We are not going to go anywhere with constant bickering and fighting and the constant running for President that we have around here. I don't mind that. I mean, I think there is something to that, but it can't be every time a person opens his or her mouth.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. Mr. President, I rise today to say thank you. Republicans and Democrats have been talking for a long time this week, and perhaps that is productive. But without any question, from what we have seen, I think both sides would agree that the support cast has made this possible. I think it is important for us to pause for just a moment and say thank you.

We have pages who are juniors in high school here with us around the clock, and we want to say thank you to the pages. I think about the fact that we have law enforcement guarding this place so we can be here safely, all night long. We have Parliamentarians and clerks who have been at their places on and off over the last 4 days, nearly around the clock. I want to say on behalf of our side and the Democrats, I believe we all are very thankful and appreciative for your long hours and the time you have served us. Thank you for helping us represent the American people.

I would also like to point out a few people by name because these folks have been here for up to 57 hours straight—57 consecutive hours of doing their jobs. Captioning services: Sandra Schumm, Brenda Jameson, Doreen Chendorian, Jennifer Smolka, and Laurie Harris.

Official Reporters of Debates, 57 consecutive hours of work: Patrick Renzi, Susie Nguyen, Julia Jones, Mary Carpenter, Patrice Boyd, Octavio Colominas, Alice Haddow, Andrea Huston, Carole Darche, Desirae Jura, Megan McKenzie, Wendy Caswell, Diane Dorhamer, Mark Stuart, and Julie Bryan.

On behalf of a thankful Senate, we appreciate your time and your dedication to the American people, allowing us to do what we have been doing.

God bless.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, let me first of all say I echo the comments of my colleague from South Carolina. Thank you to all of you who have been working so hard.

I rise to yield the remainder of my postcloture time to Senator WYDEN.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I rise to yield the remainder of my postcloture time to Senator SCHUMER.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator has that right.

The Senator from Ohio.

Mr. BROWN. Mr. President, I appreciate your flexibility during Senator HATCH's speech. I thank Senator DUCKWORTH and Senator CORTEZ MASTO for their evolving leadership and for their passion about these issues.

NOMINATION OF STEVEN MNUCHIN

Mr. President, I listened to Senator HATCH for many moments not so many moments ago, and I was pretty struck by his analysis of these two nominees who are about to come forward, Mr. Mnuchin and Congressman PRICE. I was struck by Senator HATCH's suggestions of their high ethics and honesty and ability to serve in these two exalted—he is right about that part—exalted Cabinet posts, the Secretary of Health and Human Services, Congressman PRICE, and the Secretary of Treasury, Mr. Mnuchin.

What struck me is that I was sitting in the same committee room as our respected chairman, Senator HATCH, and I heard these two nominees lie to the committee—lie to the committee; not sort of a Trumpian lie, not kind of at the edges, misspeaking or confusing things, but outright lied.

Mr. Mnuchin forgot that he had a \$100 million investment, I believe somewhere in the Caribbean. I don't know if too many staff here or even too many of my fellow Members who are better off than most of the country financially—I don't know too many people who would forget they had a \$100 million investment somewhere. He forgot to tell the committee that. That was pretty bad, but then he told the committee, in an answer to a question from me, that his bank, OneWest, where he was the CEO for a period of years, that they didn't do any robo-signings. Robo-signings are a way that his bank staff signed document after document after document, very quickly, without looking at those documents, and then ended up causing foreclosures in my State. Hundreds of people in my State lost their homes because of OneWest robo-signings, and he told the committee that he didn't do robo-signings until later.

The Columbus Dispatch, the most conservative newspaper in my State—a newspaper that almost never endorses a Democrat and a newspaper that has generally supported President Trump on most issues; sort of like when one bird flies off a telephone wire, they all do—and they talked about how Mr. Mnuchin lied to the Finance Committee.

So Senator HATCH talks about their integrity and what great public servants they are, except they lied to his committee.

My wife and I live in ZIP Code 44105, Cleveland, OH. That doesn't mean much to people listening, but my ZIP Code 10 years ago—my ZIP Code, in the first half of 2007, had more foreclosures than any ZIP Code in the United States of America. So I take that personally

when somebody comes in front of me and in front of a U.S. Senate committee and in front of the American people and lies about something he did that turned hundreds, if not thousands, in Ohio—we still don't have enough information about it—turned their lives upside down.

Imagine when you are foreclosed on—you probably can't if it hasn't happened to you. It hasn't happened to me, but I have heard people tell their stories. You go to your children and you say: We are going to have to move, honey. You are going to have to move school districts. I don't know where we are going to live. I don't know where your friends are going to be; you are going to be far from your friends. We have to move because our house has been foreclosed on. I was paying the mortgage, but this bank called OneWest did this to us.

So that is No. 1.

Then Congressman PRICE kind of didn't tell the committee the truth, either. You could say "lie" or you could use whatever term you want to use.

"Rep. Tom Price got a privileged offer to buy a biomedical stock at a discount, the company's official said, contrary to his congressional testimony."

This is sort of Wall Street Journal language for "lie" because he said this, and it said contrary to his testimony. In Cleveland, OH, or in Garfield Heights or in Cincinnati, we would say lie. They want to dress it up because they wouldn't want one of their people to be accused of something.

Congressman PRICE—I am pretty amazed. I know President Trump, Candidate Trump talked about draining the swamp. Draining the swamp—he says that, but it really does look like the White House is an executive retreat for Goldman Sachs, a retreat for Goldman Sachs executives and the people he has hired in the White House.

To hire two people who have these kinds of ethics—Congressman PRICE as a Member of Congress, a prominent Member of Congress in the House, as a Congressman working on health care issues, he bought and sold health care stocks profiting from it. In one case he got this special privileged offer that most people didn't get, and then he lied to the committee about it. That is bad enough, but look what he wants to be the Secretary of. He wants to be the Secretary of Health and Human Services. Why does that matter? Here is why it matters.

He has these views on Medicare that are so out of step with the country. For instance, he said in July 30, 2009, "Nothing has had a greater negative effect on the delivery of health care than the federal government's intrusion into medicine through Medicare." That sounds like the John Birch Society, 1965, when Medicare passed, overwhelmingly in the end because everybody saw how good it was, but they opposed it because it was socialism or some such term they used to describe Medicare.

I don't know too many people who actually receive Medicare—unless they are Members of Congress who really think that Medicare is socialism. Medicare has worked for—back in 1965—Senator DURBIN doesn't remember this as a Member of the Senate, but he remembers this figure I am going to give. In 1965, when LBJ signed Medicare, 50 percent of Americans 65 and older had no health insurance. Today that 50 percent has shrunk to less than 1 percent of Americans that age don't have health insurance. Think about that progress and what this means.

Congressman PRICE wants to be the head of Medicare. He wants to be the head of Medicaid. He wants to be the head of the agency that is going implement the Affordable Care Act if he can't repeal it. Think about this. He wants to privatize Medicare. He wants to voucherize it. He has voted consistently for Republican budgets in the House to do that.

Do you know what else he wants to do that is particularly offensive to me? It is offensive because we sit here and we dress well and we have good titles and we get paid well and we have insurance funded by taxpayers. He wants to raise the eligibility age for Medicare.

Look around my State. The Presiding Officer grew up not far from where I live in Cleveland, OH. He knows his adopted State way better, but he knows my State still, and he knows what this means. If you are a barber in Garfield Heights, you have to wait until 67, or even 70, according to Congressman PRICE, before you are eligible to draw Medicare. If you are a carpenter in Westlake, OH, you have to wait until you are 67 or 70 to draw Medicare. If you are working construction in Lima, OH, or if you are working a manufacturing plant in Mansfield, OH, if you are working retail in Cincinnati, OH, if you live in Zanesville and you wait tables in a diner, you are going to wait until you are 67 or 70 until you can draw Medicare.

That is what Congressman PRICE wants to do. Not only are his ethics challenged—that should be reason enough he should step aside. Buying and selling stocks, health care stocks as a Member of Congress while you are voting and helping those companies, that is bad enough, but what he wants to do to maybe the greatest program in American history, Medicare, is much, much worse because that affects people in those towns I mentioned—in Garfield Heights, Westlake, Zanesville, Cincinnati, and Mansfield, all over.

I hope I am healthy enough to continue working and continue serving in the Senate. The voters, obviously, would have to say that between now and then. I hope I can work until I am 67 or 70 in this job. I know a lot of people who work outside who are on their feet all day, who work with their arms and shoulders. They can't work until they are 67 or 70. It is immoral for Members of this body to support a candidate, to support somebody or to vote

for something like this that will raise the Medicare eligibility age.

I will close with this. I was in Youngstown one day at a townhall. A woman stood up. She was clearly in her early sixties. It turns out I could calculate her age from what she said. She put her hand up, she stood up, and I called on her. There were about 200 people there. She said: I work two jobs. I don't make a lot of money. I am getting by with two jobs. Neither of my jobs has health insurance. She said: I am 63. My goal in life—think about this. The pages, they are not thinking a lot about Medicare, but my colleagues think about this. She said: I am 63. My goal in life is to live 18 months more so I can get Medicare.

Think about that. Her life is such that her goal in life isn't to get to know her grandchildren better or help her kids out or maybe take a trip to New York City or even Cleveland, her goal in life is to live long enough to have Medicare.

I would like Congressman PRICE to meet her and Congressman PRICE to say: Well, lady, you know, your goal in life needs to be you can live 3½ more years so you can be 67 or 70 to get this. Think about the morality of this.

Congressman PRICE, I know him. I don't know him well. He is a nice enough guy. Voting for somebody who wants to raise the Medicare eligibility age, that to me is immoral. It shows how out of touch—I am guessing that most of my colleagues who will vote for Congressman PRICE have never sat down with somebody who would think it is a really bad idea, not to mention immoral, to raise the Medicare eligibility age.

I plan to join a lot of my colleagues in voting no on Congressman PRICE. I think it is the wrong move for our country. I think it is the wrong move for particularly seniors in this country who depend on Medicare and on Medicaid, people of all ages. It is clearly the wrong move for our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

NOMINATION OF NEIL GORSUCH

Mr. FLAKE. Mr. President, as I did last week, I rise again to support the nomination of Judge Neil Gorsuch to serve on the Supreme Court. As we know, he is an accomplished, mainstream jurist, and he is a worthy successor to Justice Antonin Scalia. I look forward to seeing him receive an up-or-down vote on the Senate floor. I truly hope that happens.

After meeting with Judge Gorsuch and learning more about his judicial philosophy, I continue to be impressed by his humble respect for the law and his commitment to service. Before the hearings in the Judiciary Committee, I wanted to take the opportunity to highlight one aspect of his jurisprudence that I find particularly important: the separation of powers.

To hear some of our friends on the other side of the aisle, Judge Gorsuch

represents two equal yet opposing dangers to the country. First, they warn that he will lack any independence of thought or commitment to the Constitution. They allege that he would serve merely as a rubberstamp for President Trump and his agenda.

In the same breath, though, they claim he would engage in unprecedented judicial oversight of the Federal executive agencies. In other words, our colleagues on the other side of the aisle assert that Judge Gorsuch would be both too deferential to Federal agencies and not deferential enough.

The truth is, these warnings and accusations are entirely unfounded, and they appear to be grounded more in political calculations than in honest concern. For my part, I am excited about the prospect of confirming a Justice who not only represents the separation of powers but reveres it as one of the central principles of the Constitution.

A commitment to our constitutional separation of powers could not come at a more crucial time, as executive branch agencies have increasingly accumulated power and autonomy over the years. Both the Congress and the Federal judiciary bear responsibility for this.

Legislatively, Congress simply cedes too much of its own lawmaking power to the executive branch. We have been doing that for years. These agencies have been legislating through Federal regulation. In turn, Congress has allowed unelected bureaucrats to create law and determine how that law should be implemented.

We have to stop this erosion of our article I power. Congress needs to take ownership of its lawmaking authority and reverse this dangerous trend toward governance by executive fiat. That is only part of the equation. The Federal judiciary needs to use its constitutional prerogative to rein in the executive branch.

Ever since the 1980s, Federal courts have grown far too deferential to executive agencies. Under a doctrine known as Chevron deference, the courts defer to agency decisions if it makes "reasonable" regulations based on "vague" statutes.

In fact, this means that when the Federal courts consider an agency decision, the judges have a new catchphrase: "The agency is always right." This should concern my colleagues on the other side of the aisle who voiced strong concerns about rubberstamping.

I don't think the Founders ever intended for two constitutional branches of our Federal Government to voluntarily cede the power to the third. Importantly, neither does Judge Gorsuch. Judge Gorsuch has written extensively both about delegation and deference in his role as judge on the Tenth Circuit Court of Appeals.

He addressed the issue of delegation in a recent case called *Caring Hearts Personal Home Services, Inc. v. Burwell*. In it, he noted:

Executive agencies today are permitted not only to enforce legislation, but to revise