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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Most high God, You are the great King of the Earth. Nations must submit to Your sovereignty, for You hold the hearts of national and global leaders in Your hands.

May our lawmakers remember that You can show them a way out of any difficulty, empowering them to not give up. Remind them that the tests they face are similar to what other generations have experienced and that You will enable them to prevail as You have done in the past.

Lord, thank You for Your faithfulness, mercy, and love.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. YOUNG). Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### ALLOW STATES AND VICTIMS TO FIGHT ONLINE SEX TRAFFICKING ACT OF 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will re-

sume consideration of the motion to proceed to H.R. 1865, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 339, H.R. 1865, a bill to amend the Communications Act of 1934 to clarify that section 230 of such Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation of children or sex trafficking, and for other purposes.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### SENATE AGENDA

Mr. McCONNELL. Mr. President, this is the start of another busy week in the Senate. We have a lot to accomplish for the American people.

This week, we will take up an omnibus that builds on the bipartisan funding agreement we reached back in February. It will provide our Armed Forces with the stable funding they need to meet emerging challenges.

Among other important matters, it will also strengthen our fight against the scourge of opioid addiction—an issue the President has already declared a public health emergency and is continuing to address today up in New Hampshire.

We have several concrete opportunities to make America safer and more secure. First, we will vote on the confirmation of Kevin McAleenan, the President's nominee for Commissioner of U.S. Customs and Border Protection. Mr. McAleenan is a 16-year veteran of the CBP. He served under administrations of both parties. His nomination carries the unflinching support of a bipartisan group of leaders and was thoroughly vetted in committee. Ensuring our national security means steady control over what and who comes across our borders. I would urge everyone to join me in voting to confirm him later today.

Later this week, the Senate will turn to another important matter relating

to America's safety and security. We will take up legislation to combat the evil of sex trafficking. Keeping children safe from exploitation has been a key focus for several of us going back some years. In 1984, I advocated the passage of the Missing Children's Assistance Act. In the 1990s, I was proud to introduce measures that mandated centralized reporting for missing children's cases and created a national database and screening system to identify abusers. In 2003, I joined a number of colleagues as founding members of the Senate Caucus on Missing, Exploited and Runaway Children. As recently as 2015, the Senate passed the Justice for Victims of Trafficking Act. This week, it is time to build on those achievements and take another step.

It is time to confront the reality that trafficking has largely moved from the street corner to the smartphone. From 2010 to 2015, the National Center for Missing & Exploited Children saw reports of suspected child sex trafficking increase more than eightfold. Last year alone, more than 8,500 cases were reported to the National Human Trafficking Hotline. Part of the problem is a 1996 communications law that is being misused to protect websites that knowingly facilitate sex trafficking. The legislation before the Senate will reform that law and ensure these institutions can be held accountable for facilitating these heinous crimes. Senator PORTMAN has worked long and hard on this subject. He has helped assemble a broad, bipartisan coalition.

I would urge everyone to join me in voting to advance this legislation later this afternoon.

### TAX REFORM

Mr. President, now, on one final matter, the good news about tax reform keeps piling up. Here is one important headline from just a few days ago. "U.S. consumer confidence hits 14-year high." That is right; tax reform is contributing to a dynamic, growing economy, and Americans are taking notice.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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In fact, according to the Wall Street Journal, "Optimism improved markedly for households in the bottom third of income distribution." Remember that the next time my friends across the aisle claim tax reform is only helping the big guys. It is just a political talking point.

In the real world, businesses large and small are thriving. In my home State of Kentucky, Goodwood Brewing Company has crunched the numbers and expects a tax reform savings of \$30,000. They are planning to use it to purchase new equipment and hire new employees. According to the CEO, Ted Mitzlaff, tax reform is offering "a significant benefit—hardly crumbs."

Last Wednesday, President Trump visited a Boeing manufacturing facility in St. Louis to hear how tax reform is helping those Americans. For Boeing's workers, tax reform means a new \$300 million investment in workforce development, training, philanthropy, and workplace improvements, but the President didn't just hear from the hometown crowd.

Bonnie Brazzeal works in the cafeteria at the College of the Ozarks—that is in Southwest Missouri, more than 250 miles away from St. Louis. Bonnie made the trip to tell President Trump: "I work in the cafeteria at [the] College of the Ozarks alongside the hard-working students and I am grateful for the bonus. . . . I put mine in savings for my retirement." Renee Crooker, also at the College of the Ozarks, said: "This bonus could not have come at a better time." Her daughter was gravely ill but out of the country. Renee's tax reform bonus enabled her to fly to her daughter's bedside. Brandon Pister is a supervisor at Mid-Am Metal Forming. He received a tax bonus too. It helped him afford the deductible when his 2-year-old son needed surgery.

These Americans' tax reform stories are amazing and so is the fact that only one Senator from Missouri voted to help all this good news happen. Their senior Senator joined Democrats in a party-line vote to block tax reform and keep Washington's foot on the brake of our economy. When Democratic leaders called these historic middle-class tax cuts crumbs, the senior Senator from Missouri followed suit and called them scraps.

I am proud that Republicans, including Missouri's junior Senator, looked past this partisan rhetoric and stood up for the middle-class families who deserve to keep more of their own money. Because we did, Bonnie, Renee, Brandon, and millions more hard-working Americans are already reaping the benefits.

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

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

#### FIX NICS BILL

Mr. CORNYN. Mr. President, I am pleased to learn that Senator CORY BOOKER, our colleague from New Jersey, is the 73rd cosponsor of the Fix NICS bill, which I have introduced and which I hope will be passed out of the Senate soon. This bill is designed to fix the National Instant Criminal Background Check System, which, if it had been working the way it was designed to, would have caught the shooter at Sutherland Springs, perhaps saving the lives of 26 people who lost their lives in that little Baptist church outside of San Antonio; 20 more were shot and will suffer those wounds the rest of their lives.

Today the news brought us the fact that apparently there had been a recommendation by mental health professionals that Nikolas Cruz, the shooter in Parkland, FL, be committed for involuntary treatment, but apparently that never materialized. That was the recommendation, but it never actually happened. If that had happened, under the current law, his name would have been included in the Florida upload of background check information, and that would have prevented him from legally buying a firearm.

So we are starting to see the different data points that begin to paint a picture of the sorts of things that we could do here in Washington, DC, to save lives in these future mass shooting events. We know the President has said to the Department of Justice that he wants bump stocks banned. Of course, that was the instrument used to kill dozens of people in Las Vegas and injure 851 more.

So by addressing things like the background check system, improving the mental health response, eliminating the bump stock—which takes a semiautomatic weapon and makes it operate essentially like an automatic weapon—and by providing assistance to our schools so that they can harden themselves against potential attacks, we can begin to see a picture of the sorts of things we ought to be doing to prevent future mass shootings like the one we saw most recently in Parkland, FL. It is simply our responsibility to make sure we do everything we humanly can.

I know that after these horrific events, people throw up their hands and say: We need to do something. Well, we need to do something that matters and that will save lives in the future. I think we now begin to have a picture of the sorts of things we can do, starting with the passage of the Fix NICS background check system. It is the only piece of legislation I know of that now has 73 cosponsors, with Senator BOOKER of New Jersey being added as the 73rd today. It is the only bill I know of that has that kind of broad, widespread support and that will actually, if implemented, save lives.

Mr. President, this week we will be discussing another important subject—one that perhaps people do not want to

hear about; rather, they would prefer that it not exist at all because it is a manifestation of evil. The subject is online sex trafficking. Unfortunately, it happens in the shadows of our society. Today, the internet and other forms of technology have made certain forms of predatory, perverted behavior easier to engage in without getting caught.

The legislation we are voting on this week aims to protect our children, provide justice to victims of human trafficking, and to make sure Federal laws do not protect profiteering web domains where sex trafficking occurs.

The Stop Enabling Sex Traffickers Act, or SESTA, would allow sex trafficking victims to have their day in court by eliminating Federal liability protections for technology providers that knowingly—knowingly—facilitate online sex trafficking. It would allow State and local law enforcement to investigate and prosecute providers that violate Federal sex trafficking laws.

I am proud to be one of the original cosponsors of this legislation and to have been working on it with my colleagues to get it to this point today. The bill was introduced last summer after a 2-year inquiry by the Permanent Subcommittee on Investigations, which culminated in a report. The report found not only that sex trafficking has run rampant in certain online spaces but also that websites have tried to cover it up. Well, no longer. Last fall, the Senate Commerce Committee unanimously approved SESTA, and the House passed it last month. This week, it is our turn.

Senator PORTMAN, the junior Senator from Ohio, has been this bill's greatest champion since its inception. He has been informing us time and again of the ways in which sex trafficking has moved—as he likes to say it—from the street corner to the smartphone. He spoke on the floor earlier this year and reminded us that even as technology develops and gives us new opportunities to learn, to innovate, and to connect with one another, it is not an unalloyed good. In the wrong hands, by the wrong people, it can be misused. As Senator PORTMAN urged us, we need to shine a light onto the "dark side of the internet," an area he called a "stain on our national character." He is absolutely right, of course. The buying and selling of young people for sex is a moral scourge, and how we respond is a measure of our national conscience.

In the committee's investigation, one website in particular came up over and over and over again; that is, backpage.com, which is responsible for perhaps three-quarters of all child trafficking reports—three-quarters. It eventually became clear that even though that site was actively helping to sell young women for sex and even though the victims and their families were suing backpage.com in response, none of the lawsuits were successful because of what some people are coming to believe is an outdated immunity for

technology providers under a Federal law known as the Communications Decency Act. Courts have repeatedly emphasized that the broad reach of one section of that statute protects websites that help to buy and sell underage girls for sex. Judges across the country have said it is up to Congress to change the law, and now it is our time to do just that.

The original law was intended to protect free speech, which, of course, is important. I, of course, like all of our colleagues, am a firm believer in the First Amendment, but free speech is no license to engage in illegal activity. Free speech can't be used as an excuse to offer young people into sexual servitude. And the internet cannot be a safe place for terrorists and child sex traffickers.

At last count, 67 Senators have joined this effort as cosponsors. We are joined by anti-human trafficking advocates, law enforcement organizations, State attorneys general, the civil rights community, faith-based groups, and tech companies like Facebook and Oracle. We have all made clear that we stand behind SESTA.

I hope our colleagues will join me in voting for this important legislation this week and ensure that websites and online platforms can be held accountable for facilitating sex trafficking.

#### YEMEN RESOLUTION

On another matter, Mr. President, this week, the Senate may vote on a privileged resolution offered by three of our colleagues—the junior Senators from Utah, Vermont, and Connecticut—which would direct the President to cut off financial support and other support for the Saudi-led coalition in Yemen. This, of course, is a proxy war, in many ways, between Iran, which has intervened in the civil war in Yemen, and—not only to allow the Saudis the means to defend themselves against incursions and attacks by the Houthis, Iranian-backed rebels, but also to facilitate our relationship with the Saudis and the Emirates, which is very important in terms of our anti-ISIS and anti-al-Qaida effort, with cells of these organizations located in Yemen too.

Our support, of course, is already narrowly circumscribed—our support for the Saudi-led coalition in Yemen. General Mattis, our Secretary of Defense, has described this as our alternative to putting American boots on the ground. We operate by, with, and through our allies by providing logistical support, intelligence, and some technical advice. Currently, in Yemen it takes the forms intelligence-sharing, military advice, and logistical support, such as air-to-air refueling. This is very clearly noncombatant support, at least as traditionally defined and historically known, and it is meant to improve processes and procedures and increase compliance with the international law of armed conflict.

The very support we are providing aids in mitigating civilian casualties

and the deteriorating humanitarian crisis brought on by the Iranian-backed Houthis. I know the Presiding Officer has been leading the charge on addressing the humanitarian crisis there, which is mind-boggling, to be sure.

Contrary to the resolution's sponsors' claims, though, the U.S. military is not engaged in hostilities in Yemen, as that term has historically been understood and applied, since it is not in direct conflict or exchanging fire with Houthi forces. Of course, we all share a concern with what is at stake in Yemen and in Saudi Arabia and in the gulf region but also civilian casualties, which this resolution creates problems with. Almost everyone is aware that Yemen has been suffering from a severe humanitarian crisis for years. Were we to remove U.S. targeting and logistical support from the Saudi coalition, then the humanitarian situation could get even worse than it has been.

Both political parties recognize the important role the United States plays in support of our partners' efforts to push back against the malign forces that have been coalescing in Yemen. In fact, President Obama was the one who first implemented the refueling and logistical support policy that remains in effect today.

In 2016, Senator MENENDEZ—now the ranking member of the Senate Foreign Relations Committee—criticized the international community's failure to address the Iranian-fueled conflicts that included support to a Houthi insurgency that helped topple the internationally recognized Government of Yemen. Senator MENENDEZ went on to say: "I have a sense we are creating a permissive environment."

I agree with Senator MENENDEZ that we should not abandon our partners and leave a "permissive environment"—a vacuum, a void—for bad actors to fill.

If there is one lesson that I thought we learned after 9/11, when 3,000 Americans were killed when two planes were hijacked—actually, four were hijacked; two went into the World Trade Center, one into the Pentagon, and one landed in Pennsylvania because passengers on the plane overwhelmed the hijackers—what we learned is that what happens in the Middle East does not stay in the Middle East. What happened in Afghanistan is that the Taliban provided a safe haven for Osama bin Laden and al-Qaida, and they used that safe haven to train and export their terrorist attacks against countries around the world but primarily against the United States. That is what happened on 9/11/2001.

That is why we can't allow a safe haven, a void, in Yemen, not to mention the fact that Iran continues to use proxies in places like Lebanon, Syria, and Yemen, among others, to try to fight the United States in a low-grade war that has been going on literally since 1979. I should mention Iraq as one of those countries as well.

It is precisely because of the delicate and desperate situation in Yemen that

I am making the argument that any consideration to withdraw U.S. troops from fulfilling their limited auxiliary role in this conflict would have broad impacts on our global partnerships and counterterrorism efforts. It is not a decision to be made in haste or a decision to be made lightly; therefore, I believe the idea deserves the careful consideration of the committee of jurisdiction, the Senate Foreign Relations Committee. If the Senate takes this vote without adequate preparation and deliberation and passes this resolution, we lose that chance for careful consideration. We lose the chance to have the Senate Foreign Relations Committee issue a thoroughly researched and deliberated recommendation to the entire Senate.

Even more troubling is the prospect that this resolution could set a precedent—one in which a few Members' preferred policies are prioritized over the normal Senate procedures and more thoughtful committee deliberation, with unintended global impacts. Yemen is not the only place where we are addressing challenges to peace and to our country by, with, and through allies, without Americans engaging in direct hostilities. So this would have unintended global impact.

Secretary of Defense James Mattis has voiced his concerns over this resolution. In a letter to congressional leadership, he said that new restrictions on the U.S. military could increase civilian casualties and jeopardize our partners' cooperation on counterterrorism efforts. On top of that list would be the Saudis and the Emirates, among others, and other people are watching as well. And it will reduce our influence in the key region.

He warned that a withdrawal of our noncombat support in Yemen could embolden rebels in the area, enable further missile strikes on Saudi Arabia, and threaten shipping lanes in the Red Sea—one of the key chokepoints for international commerce—right there on the western border of Yemen. All this combined could stoke the embers of an even greater regional conflict in the Middle East with unknown consequences. More importantly, it would damage U.S. credibility and strengthen Iran's position in Yemen and throughout the Middle East more broadly.

I hope our colleagues will think soberly and thoughtfully about this resolution and insist that a fulsome debate take place where it belongs, initially, and that is within the Senate Foreign Relations Committee. I have talked to Senator CORKER, the chairman of that committee. He will speak for himself, but I think he certainly believes that the committee can help the Senate make a good decision after giving the committee an opportunity to have hearings and to consider all the intended and unintended consequences of this resolution.

I know our colleagues who have offered the resolution mean well and their intentions are good, but sometimes—particularly in the area of

international conflict and global interactions with different countries—our actions beget an unintended consequence. I think it is good to be safe in the first place and to take this matter through the Senate Foreign Relations Committee, where I have every confidence that Senator CORKER, as the chairman, and Ranking Member MENENDEZ can guide the members of that committee through a process that will help us in the end to make a better decision.

I yield the floor.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

#### GUN VIOLENCE

Mr. MURPHY. Madam President, it has been 32 days since the tragedy in Parkland. I think Senator NELSON may be coming to the floor very soon. Frankly, every day since then, there has been a series of tragedies all across this country. On average, 90 people lose their lives every single day to gun violence. There has been, over the course of the last year, a mass shooting, on average, every single day. Most of them aren't covered in the newspaper, but there is an incident in which four or more people are shot, on average, more than once per day in this country.

Of course, it has now been more than 5 years since the devastating tragedy in my State, where 20 first graders lost their lives. This is deeply personal to all of us here in this Chamber.

It became very personal to me last week when my 6-year old came home from school to tell me about his active shooter drill. He is 6, and he is in kindergarten. In his kindergarten class, they have a small bathroom that all of the kids in the class use. He explained to me that for their active shooter drill, all 25 kids in his classroom—a whole bunch of 5- and 6-year-olds—were shoved inside this tiny, little bathroom together, crunched together, shoulder to shoulder, with the door locked. Imagine how frightening that would be to a 6-year-old child, even if they didn't completely understand why they were there.

He said to me when he got home that night: Daddy, I didn't like it. In the most powerful, most affluent country in the world, our children should not have to go through that; never mind those who have actually had to face down someone with a gun inside their classroom or inside their school.

What is devastating to the parents in Parkland and Sandy Hook, what is devastating to the parents in Baltimore, in New Haven, and in Chicago is that we refuse to have a debate on the Senate floor about how we can help ad-

dress this epic mass slaughter, this gun violence epidemic in this country.

I have been taking pains over the course of the last 6 months to try to reach out across the aisle and find common ground with my colleagues on some commonsense legislation about changes to our gun laws. I am proud to have worked with Senator CORNYN on a small bill that would encourage States to comply with existing law—the Fix NICS Act. It now has over 60 Republican and Democratic cosponsors, enough that it could overcome a cloture motion.

I have come to the floor today to ask that we come to an agreement—Republicans and Democrats—by which we can have an open debate on the issue of gun violence for the American public before we break for a 2-week Easter recess. We are going to go back to our States and have a wonderful time with our friends and families, while many others continue to grieve all across this country and many others will enter the ranks of those who grieve because, during the 14 days that we will be away, thousands of people will die from gunshot wounds. I just can't imagine that we would make a decision to go home at the end of this week without having had a debate on the Senate floor for the American people to see how we can try to respond to this cry, this call from the American public to do something.

These kids have been amazing. Literally hundreds of thousands of children walked out of school last week, and hundreds of thousands more students and their parents will be here in Washington for marches and at 600 other marches all around the country this weekend.

The polls tell us over and over again that 9 out of 10 Americans want us to take bold steps forward. Record numbers of American citizens believe the laws that exist today are not sufficient. This isn't a controversial issue outside of Washington. It is controversial only here, inside this Chamber. If we remain silent, if we refuse to have a debate on the Senate floor, we are failing the people who sent us here.

I have come to the floor today to propose a very reasonable path forward so that we can have a debate and some up-or-down votes on proposals this week. From what I understand, there is still a lot of discussion happening with respect to the budget. Obviously, we have to get that done by the end of the week, but it is not ready yet, so we have time this week to have a short but meaningful debate on the issue of guns.

Here is what I am proposing. I am proposing that we have a unanimous consent agreement whereby we can have a time-limited debate—I would suggest perhaps not more than 6 hours—and at the end of that period of time, we have six votes, three votes propounded by the Democratic side and three votes on measures propounded by the Republican side.

I think it is no secret the amendments that Senate Democrats would offer. We would want to see a vote on universal commercial background checks to make sure that commercial sales of guns are subject to background checks. That is something President Trump said he was for at the White House, and he has encouraged the Congress to work on it. Let's have an up-or-down vote on background checks.

I think Democrats would clearly want to see the bipartisan compromise, which has been worked out by Senator BLUMENTHAL and Senator GRAHAM with respect to protective orders, red flag orders, come before the Chamber. It simply makes sense that we do what Florida is doing: Pass a law that allows for law enforcement, after a viable court process, to take away weapons temporarily from someone who poses a threat. The problem in Florida was, even if they had done something about this young man, they didn't have the legal ability to take his weapons away, even if he had made those kinds of threats in public. Florida is correcting that with their new law. We should do the same at the Federal level.

On our side, there is also interest in talking about the kinds of weapons that are legal and the kinds of weapons that are not. I am a believer, of course, that there is a class of military-style tactical semiautomatic weapons that are best if they are not in the hands of civilians. Obviously, that issue divides our side too. So if that were to come up for a vote, there will be Democrats for it and Democrats against it.

On the other two measures, there will be Republicans for them and Republicans against them. Some Republicans are for universal background checks; some aren't. There are many Republicans on record as being for protective orders, and there are others who will not vote for them.

We will have no idea, the American public will have no idea, and our constituents will have no idea what we are really willing to do and what we are not willing to do unless we have a debate. This is our last chance before we go home.

What I am proposing, I think, is reasonable, practical, and viable. We can get it done—six total amendments to the Fix NICS Act, time limited, perhaps only 6 hours. We could be in and out of that debate in a day. I have talked with my leadership about it. I am confident that Democratic leadership would support that path forward, and I propose it to Republican leadership tonight, as we enter this week, as a means of having this debate that the American public so badly needs. The alternative is unthinkable—going home, letting over a month pass since Parkland, since this outcry for action from kids across America, and not even attempting to get something done here.

I understand this issue is still difficult. I don't understand why my Republican colleagues will not support

something like background checks, an issue supported by 97 percent of Americans. It is pretty hard to find anything in America that is supported by 97 percent of Americans. Apple pie and Grandma probably don't get 97 percent approval ratings in this country, but universal background checks do. So, yes, I am frustrated that my Republican colleagues don't just come to the floor and agree to pass something that has mind-blowing universal support in the public, but what is more offensive is that we don't even try.

What is more offensive to me is that we don't even make an attempt to put these measures on the floor of the Senate and let them be voted up or down. I don't want the gun lobby to have veto power over the legislation that gets passed here, but even worse than that is for the gun lobby to have veto power over what we even debate.

I propose a total of six amendments and a total of 6 hours of debate. I would argue that is insufficient to meet the moment, but I get it that time is running out, that there is not a lot of interest from some Members on the Republican side to enter into this debate. So we are very willing to have a short, time-limited debate to see what we can get consensus on and what we can't get consensus on, and whatever moves out of this building, whatever amendments get passed, then we live with it and live to fight another day.

It has been 5 years since the tragedy in my State and now 32 days since Parkland. I don't think we should wait one day longer before we have an open debate on the Senate floor about how we, as those entrusted with the safety of our children, do something about the epidemic of gun violence in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

ECONOMIC GROWTH, REGULATORY RELIEF, AND CONSUMER PROTECTION BILL

Mr. TESTER. Madam President, I rise today to reflect on the landmark legislation that this body passed with overwhelming bipartisan support last week. It isn't every day that folks in Congress can work together in a bipartisan way to get something done that will benefit Main Streets across rural America, but that is exactly what we did last week. I am very proud of that effort.

I say a big thank-you to the chairman of the Banking Committee, Chairman CRAPO, for the work he has done, his ability to listen, his commonsense perspective, and his patience. It would not have happened without those qualities that Chairman CRAPO exhibited.

I also want to single out three Senators who worked very hard on this bill. There are a number of others who did, too, but I am just going to mention Senators HEITKAMP, DONNELLY, and WARNER. Those folks did yeoman's work in bringing into view the challenges that our banking industry has out there, coming up with solutions for

those challenges, and coming up with consumer protections to put into this bill to move it forward. There were many others. I think there were 17 or 18 cosponsors on the Democratic side of the aisle, but I say a special thank you to Senators HEITKAMP, DONNELLY, and WARNER for their advocacy, input, knowledge, expertise, and their ability to work to get things done.

People ask me: Senator TESTER, why did you write this bill? Well, I was a part of the folks who wrote this bill for good reason. I remember very well that during the financial crisis, then-Secretary of the Treasury Henry Paulson came in—it was in 2008, I believe—and said that we were on the cusp of a financial meltdown in this country. I remember some of the free and irresponsible activities that were done in the financial system. I remember bringing regulators in front of the Banking Committee and ripping them up one side and down the other as to why we had gotten into this situation. In the end, we came up with a bill called Dodd-Frank.

Dodd-Frank was put together after a lot of public input and a lot of hearings, and it was put into effect really to regulate the folks who got us into the situation we were in. At that moment in time, we had banks that were too big to fail, folks who were doing no-doc or low-doc loans, and foreclosures happening everywhere. We put in the regulation.

One of the things we heard when we put in the Dodd-Frank regulation was that it was a big bill and that it was going to need to be changed, adapted—however you want to put it—moving forward. I believe that bill was passed in 2009. Here we are 8 or 9 years later, and we look at Dodd-Frank and see that in some cases, it has done exactly as was intended, especially for the larger banks. Some could argue that there is more work to be done there.

One of the negative things that resulted from the Dodd-Frank regulation was that some of that regulation bled down onto our local community banks and credit unions. This is particularly concerning to me because I come from a very rural part of this country. It is a small town where, when my grandfather homesteaded, they had all sorts of options when they marketed their grain. In the 1940s and 1950s, when my folks took over in my small town, I believe there were five grain elevators there. When Sharla and I took over in the late 1970s, there were three. Today, there is one.

You ask, why does that have anything to do with the banking industry, JON? Well, it is consolidation. And the consolidation didn't happen overnight; it took decades. You end up with less competition in the marketplace when it comes to selling your grains.

That same thing could be adapted to what has gone on in our community banks over the last 8 or 9 years, where they have been bought up by bigger banks. The bigger banks will tell you

that they have to get bigger to be able to compete with the regulations put on them. So they were bought up, and the same thing will extrapolate out over time.

Those folks who say: Well, this isn't necessary because banks are making a lot of money—look, banks may be operating today, but they are looking into the future, as any good business does, and they are saying to themselves: Do I really have what it takes to stick around? They can see the writing on the wall, and they are selling out because of it. There are no ifs, ands, or buts about this—this will result in less consumer choice and more consolidation, making the bigger banks even bigger and really helping the folks who caused the crisis back in 2008—ultimately, the biggest of the big banks.

We have seen the consolidation at grocery stores, grain elevators, and even bars. The truth is that it isn't all due to one single thing. The consolidation in the financial industry and on the ground isn't due to just regulations. Technology has its impact, and a moving population also has its impact.

As I looked at this 5 years ago, I said: If we don't do something to tweak Dodd-Frank, we are going to end up in a situation where we don't have consumer choice to buy that house or expand that business or start that new business—what entrepreneurs do. So as a policymaker, I thought it was my job to look ahead to the next generation of people who are going to be out there in rural America, whether it is a Main Street small business or a farm or a family who is working for a business. That is why I helped write this bill, because from a rural America perspective, it was the right thing to do, and it was time to do something for the next generation, for our kids and our grandkids, so that they could have the kind of opportunity that, quite frankly, my folks and my grandparents had given to my generation.

I am not the kind of person who will sit back on the sidelines and complain about stuff over a cup of coffee. When we see a problem, my folks taught me to work and try to fix it. I see a problem, and there is little doubt in my mind that if we had not done what we did last week to give some regulatory relief to community banks and credit unions, things would have continued to get worse in rural America. They still may get worse in rural America, but at least we have done what we needed to do in this body to try to change that.

There are some out there who, for whatever reason—and I haven't quite been able to figure it out yet—are spreading misinformation about this bill. Maybe it is just the day we live in. So let me set the record straight about this bill.

This bill does not help the Wall Street banks. It does not. Those who say it does are not correct. This bill does not set us up for another financial crisis. In fact, the authors of the original Dodd-Frank bill, Chris Dodd and

Barney Frank—both smart guys whom I admire—wrote:

As the authors of the original Dodd-Frank reform law, we want all Montanans to know that the banking bill Senator Tester helped write does not dismantle Dodd-Frank as some people claim. Jon knows Montana and challenges facing rural America. While we did not agree with every part of this bill, it helps local credit unions and community banks across Montana while keeping protections in place that are designed to prevent another financial crisis.

Those are the original authors. That is why it is called Dodd-Frank—because it is from Chris Dodd and Representative Barney Frank.

The other thing the bill does not do is it does not leave banks unregulated. There is implication by some out there that this bill deregulates 25 of the 40 largest banks. To me, that implication is that now they are no longer regulated. The fact is, all the banks are highly regulated for safety and soundness. Quite frankly, this does not leave banks unregulated. They still have plenty of regulation to go through.

In conclusion, the bill we passed last week does several things. I believe it is going to increase access to capital, particularly in rural America. I think it makes the regulation fit the risk, while still continuing to crack down on risky behavior. It has great consumer protection components to it. Last and certainly not least, from my perspective, it is good for rural America.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Iowa.

#### EB-5 REGIONAL CENTER PROGRAM

Mr. GRASSLEY. Madam President, I rise today to bring to my colleagues' attention an issue that is important to millions of individuals who understand that American citizenship is something that ought to be treasured.

The American people understand that our citizenship is a blessing and shouldn't be given away cheaply. Unfortunately, for too many years, this body has witnessed the perversion and degradation of a program that sells—yes, we sell citizenship to some people.

This program originally had a good purpose. In return for investing money in underserved areas and creating good-paying American jobs, immigrant entrepreneurs could eventually become U.S. citizens. Sadly, in the last decade, this program has been hijacked by big-moneyed New York City real estate interests—to be specific, the Real Estate Roundtable. These developers now take almost all the foreign investment from this program, and for the last few years, they have actively prevented this body from enacting any reforms and needed reforms.

For those who are not aware, I am talking about the EB-5 Regional Center Program. I have been fighting in a bipartisan way for years to reform this corrupt and scandal-clad program. I have been fighting to protect our national security, to ensure foreign investment is going to the most deserving areas, and to make sure that Amer-

ican citizenship isn't sold at rock-bottom prices in order to feed the addiction of New York interests to cheap money. But no matter how hard I fought, each and every time we tried to reform this program, these same moneyed interests have used their political influence and political connections to block any meaningful reforms. This is sickening and is exactly why most American people sometimes question what we do here in Washington, DC.

After more than 3 years of trying to fix this broken and scandal-plagued program, I have finally come to the conclusion that it can't be fixed, and since it can't be fixed, the EB-5 Regional Center Program needs to be terminated. Let me explain to my colleagues and directly to the American people exactly how I have reached that conclusion.

Several years ago, I started working with then-Ranking Member LEAHY of the Judiciary Committee on reforms to the EB-5 Regional Center Program. Through the hard work and dedication of our staffers, we discovered the program is riddled with fraud and corruption and poses a real and serious threat to our national security. I will explain some of those things we discovered.

First, investments can be spent before business plans are approved.

Next, regional center operators can charge excessive fees of foreign nationals in addition to their required investments.

Next, none of the jobs created have to be direct or verifiable jobs but rather are indirect and based on estimates of economic modeling; again, not knowing for sure if jobs are created.

Next, investment funds from foreign sources are not adequately vetted. Gifts and loans from anyone are acceptable sources of funds from foreign nationals.

Next, there is no prohibition against foreign governments owning or operating these regional centers or projects. So let me emphasize—that is right—foreign governments can own businesses that sell our citizenship. Now, think about that.

Another problem is regional centers don't have to certify that they comply with security laws.

Next, there are no required background checks on anyone associated with the regional centers.

Just take this example: One need look no further than the indictment last September of two Chinese fraudsters who stole more than \$50 million in foreign investment and managed to sell U.S. citizenship to individuals on the Chinese Government's most wanted list.

Next, gerrymandering continues in rural and urban distressed areas and, as a result, lose out.

There is no transparency on how funds are spent and who is paid and what investors are told about the projects they invest in.

The list can still go on and on and on, but I have given my colleagues just

some examples. I could literally speak for hours about the corruption of the program.

Faced with this appalling list of fraud, corruption, and national security loopholes, for 3 years, I have been working with Senator LEAHY and our counterparts in the House of Representatives to produce real EB-5 reform. Our staffers have spent countless hours, nights, and weekends meeting with congressional colleagues and industry stakeholders to hammer out a compromise that is fair to all sides, but our offers have constantly been rejected by the Big Money industries, and related real estate roundtables, every single time—not just this time. We reached a compromise with the vast differences of views to start out but still ended up with a compromise. Somehow, these powerful interests are able step in and stop it. This time has been no different than at least three previous times we have gotten this far.

Let me explain how we have been doing this. For the last year, my staff, along with Chairman GOODLATTE of the House Judiciary Committee, Senator CORNYN, and Senator FLAKE—these teams have worked around the clock to produce an EB-5 reform package. Everyone made numerous concessions in order to reach a compromise. After more than 20 meetings, and of course countless hours of drafting, we produced a reform package that was fair to all sides. Our reforms would reauthorize the Regional Center Program for 6 years, providing the certainty that industry has long said it craves.

Our compromise would have permanently set aside 3,000 visas for rural and underserved urban areas and would have increased the minimum investment amount to \$925,000. In recognition of longstanding industry concerns, we agreed to reduce the investment differential between nonpriority areas and priority areas to a mere \$100,000.

Finally, we would have implemented a host of badly needed integrity measures that would have cracked down on investment fraud, cracked down on foreign corruption, and cracked down on bad business practices.

Our reforms had the unanimous support of Invest in the USA, the largest EB-5 trade association. Our reforms had the support of the EB-5 Rural Alliance, a group working to ensure that rural America has a fair shake at attracting EB-5 money.

Why are rural areas such a high concern? Because, quite frankly, way back in the 1990s, that was one of the goals of the EB-5 program—to help economic development in rural America, but these reforms weren't acceptable to the Big Money New York industry stakeholders that currently dominate the program. Because Big Money interests aren't happy with these reforms, we have been told they will not become law.

I have laid out a lot here, letting it sink in for a minute. In spite of the fact that reforms were agreed to by

congressional offices and had the support of the largest EB-5 trade association, they will not become law because a few EB-5 businesses, with lots and lots of money and lots and lots of political power, have used their political connections and influence, once again—for the third time; maybe even the fourth time over a period of that many years—to reach some sort of reform on a program we have demonstrated—I shouldn't say we have demonstrated—we have repeated what the FBI and national security people and people in the Justice Department have said about the shortcomings of this program.

I said, at the beginning of my remarks, I finally realize this program cannot be reformed. I would have to say this for my present ranking member, Senator FEINSTEIN, she has been telling me that for three or four years: Forget about reforming it; we ought to do away with it. The Regional Center Program is simply too corrupted to be saved, and it needs to be ended.

The American people deserve better than what we are seeing as a result of hard-working Members of the House and Senate trying to reform this program and getting nothing done.

So what happens here at the last minute? It will get stuck in an omnibus appropriations bill to extend it again for a period of time with the same bad practices that are going on. Why does that have to happen when it is so obvious what is wrong?

I yield the floor.

THE PRESIDING OFFICER (Mr. MORAN). The Senator from Florida.

Mr. NELSON. Mr. President, I ask unanimous consent that Senator WYDEN and I be permitted to speak for up to 5 minutes each prior to the vote.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### GUN VIOLENCE

Mr. NELSON. Mr. President, this Saturday, students from Marjory Stoneman Douglas High School in Parkland, FL, are going to lead hundreds of thousands of Americans all around the country in calling for commonsense gun control measures at the March For Our Lives.

Since this terrible shooting in Parkland, FL, on Valentine's Day, we have seen students all across the country say: Enough. This is a movement that cannot be stopped, and, frankly, we owe it to the students—the next generation—to get this right in the policies and the laws we adopt.

Just a few weeks ago, I went to one of the student's homes in Parkland—a group of them. We talked. Indeed, just last week, a number of the students came to my office here in Washington. It is amazing that at 15, 16, and 17 years old, these students are looking to us in this Congress to, at a minimum, consider legislation that could have prevented the slaughter that happened in Parkland just a month ago.

In Florida, we have witnessed these students march on the State capitol

and demand action. The legislature listened, in part. They made some changes in the law, like changing the age to 21 to buy an assault rifle. That is the same age in Florida law that says you can't buy a handgun until age 21. It was a small step, but it was a step in the right direction to address the problem we are confronting, but we need to do more.

I am so grateful for the resilience of these students, the power of their voices, and the strength of their activism, moving the lawmakers in Washington and in State capitals all across this country to act.

The students, the parents, the teachers, all of them we have asked: What do you want? And they say, obviously, we want commonsense things. We can start with universal background checks in the purchase of a weapon. That would then allow, universally, if you have a background check, you couldn't go to a gun show where there is not a federally licensed dealer and acquire a weapon without having a background check. Why is having a background check a commonsense thing to do? Because you not only pick up someone with a criminal record, you would pick up someone who had a restraining order for whatever reason—it could be mental, it could be domestic abuse. You would pick up somebody being on the terrorist watch list or you could pick up someone who had been on the terrorist watch list. That was the case with the killer in the Orlando Pulse Night Club shooting.

Clearly, that is a commonsense thing to approach this problem.

There is another commonsense thing; that is, these military assault rifles with the long—what I call the banana clips. These are clips that are shaped like a banana or even straight ones that hold 30 rounds. You know, there are State laws in the country that if you are going to hunt wild game, there are certain restrictions on the number of shells or bullets you can put in your gun. My goodness, why wouldn't we want to say there is a limitation on the number of bullets in a clip instead of these long clips that have 30 rounds?

It was used even in the shooting out in Arizona that our colleague Congresswoman Gabby Giffords was one of the victims of, and it was when the gunman was reloading with another clip that he was tackled to the ground; otherwise, there would have been more people who would have been harmed that day.

So it is another commonsense thing that people are asking for and that these students are bringing to light as they argue this case; that they don't want to be in a school where they have this kind of violence that is threatened. The students, the teachers, the parents just want our schools and our communities to be safe. As we have seen across the country, we have had too much violence with these military-style weapons. Nightclubs, churches, movie theaters, outdoor concerts—it

goes on and on. Students want to feel safe, and what some students have witnessed is unimaginable.

Mr. President, I ask unanimous consent for 1 additional minute.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. NELSON. The velocity of a bullet fired from an assault weapon compared to the velocity of a handgun is three times the velocity or speed of the handgun bullet. As a result, when that bullet hits its target, the energy is nine times that hitting the target than what a handgun bullet does.

They built a movement now that inspires student walks across the country. In just 5 days, they are inspiring marches across the country, and the future is bright because of these students. But it is up to us to make sure that what happened in Parkland never happens again.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Oregon.

#### NOMINATION OF KEVIN MCALEENAN

Mr. WYDEN. Mr. President, in a few minutes the Senate will vote on the nomination of Mr. Kevin McAleenan to serve as Commissioner of U.S. Customs and Border Protection.

As the ranking Democrat on the committee with jurisdiction over trade policy, I am particularly interested in working with Mr. McAleenan on an issue that is of longstanding, bipartisan concern; and that is tougher, smarter enforcement of America's trade laws.

Mr. McAleenan is a longtime public servant, and he has been aware that the Finance Committee has put in many hours over the last few years to guarantee that this agency has tough new tools to fight trade cheats and protect our workers. It is vital that those tools be put to good use because their trade-related mission—defending American jobs from trade rip-offs—has too often gotten short shrift. It doesn't matter what kind of trade deals you sign or what laws you put on the books if you aren't serious about enforcing them. That is where their trade mission comes in.

In my discussions with this nominee, it is clear that he understands that when it comes to trade, this country has to do trade done right, and tougher trade enforcement is especially important.

I will close with the mention of another issue that this agency has seen over the last few months, and that is the onslaught of Americans being stopped at the border and forced to unlock their personal electronic devices for inspection. It clearly invades their personal privacy.

Senator PAUL and I have introduced bipartisan legislation on this—there is bipartisan legislation in the other body—that recognizes that law enforcement should have to get a warrant before searching a device at the border, and it comes with strong protections to



let Americans know when and how they consent to having their devices searched.

In my judgment, this is just common sense, particularly because the U.S. Supreme Court has already ruled that digital is fundamentally different. They did that when they ruled that law enforcement needs a warrant to search a phone after an arrest.

We are going to keep pushing for our bipartisan legislation. In the meantime, we need to work with this agency on this critical issue that ensures, once again, that this country recognizes that security and liberty are not mutually exclusive and that you can have policies that do both.

I want to continue to engage with him, if confirmed, to make sure that the constitutional rights of law-abiding Americans do not disappear at the border.

As I indicated, he is a public servant with many, many years of experience. I support his nomination.

I yield the floor.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Kevin K. McAleenan, of Hawaii, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

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

Mr. PORTMAN. 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 legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. ROBERTS), and the Senator from Pennsylvania (Mr. TOOMEY).

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

The result was announced—yeas 77, nays 19, as follows:

[Rollcall Vote No. 56 Ex.]

#### YEAS—77

Alexander	Cantwell	Coons
Baldwin	Capito	Corker
Barrasso	Carper	Cornyn
Bennet	Casey	Cortez Masto
Blunt	Cassidy	Cotton
Boozman	Cochran	Crapo
Brown	Collins	Cruz

Daines	Kennedy	Risch
Donnelly	King	Rounds
Enzi	Klobuchar	Rubio
Ernst	Lankford	Sasse
Fischer	Leahy	Scott
Flake	Lee	Shaheen
Gardner	Manchin	Shelby
Graham	McCaskill	Smith
Grassley	McConnell	Stabenow
Hassan	Moran	Sullivan
Hatch	Murkowski	Tester
Heitkamp	Murphy	Thune
Heller	Murray	Tillis
Hirono	Nelson	Warner
Hoeven	Paul	Whitehouse
Inhofe	Perdue	Wicker
Isakson	Peters	Wyden
Johnson	Portman	Young
Jones	Reed	

#### NAYS—19

Blumenthal	Harris	Schatz
Booker	Heinrich	Schumer
Cardin	Kaine	Udall
Duckworth	Markey	Van Hollen
Durbin	Menendez	Warren
Feinstein	Merkley	
Gillibrand	Sanders	

#### NOT VOTING—4

Burr	Roberts
McCain	Toomey

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 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 motion to proceed to Calendar No. 339, H.R. 1865, an act to amend the Communications Act of 1934 to clarify that section 230 of such Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation of children or sex trafficking, and for other purposes.

Mitch McConnell, John Kennedy, John Cornyn, Dan Sullivan, Joni Ernst, James Lankford, Richard Burr, Johnny Isakson, Thom Tillis, Mike Crapo, Steve Daines, John Hoeven, Tom Cotton, Roger F. Wicker, Patrick J. Toomey, Mike Rounds, Rob Portman.

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 motion to proceed to H.R. 1865, an act to amend the Communications Act of 1934 to clarify that section 230 of such Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sexual exploitation of children or sex trafficking, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. ROBERTS), and the Senator from Pennsylvania (Mr. TOOMEY).

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

The yeas and nays resulted—yeas 94, nays 2, as follows:

[Rollcall Vote No. 57 Leg.]

#### YEAS—94

Alexander	Flake	Murphy
Baldwin	Gardner	Murray
Barrasso	Gillibrand	Nelson
Bennet	Graham	Perdue
Blumenthal	Grassley	Peters
Blunt	Harris	Portman
Booker	Hassan	Reed
Boozman	Hatch	Risch
Brown	Heinrich	Rounds
Cantwell	Heitkamp	Rubio
Capito	Heller	Sanders
Cardin	Hirono	Sasse
Carper	Hoeven	Schatz
Casey	Inhofe	Schumer
Cassidy	Isakson	Scott
Cochran	Johnson	Shaheen
Collins	Jones	Shelby
Coons	Kaine	Smith
Corker	Kennedy	Stabenow
Cornyn	King	Sullivan
Cortez Masto	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	Leahy	Tillis
Cruz	Lee	Udall
Daines	Manchin	Van Hollen
Donnelly	Markey	Warner
Duckworth	McCaskill	Warren
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Ernst	Merkley	Young
Feinstein	Moran	
Fischer	Murkowski	

#### NAYS—2

Paul	Wyden
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#### NOT VOTING—4

Burr	Roberts
McCain	Toomey

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 2.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

### LEGISLATIVE SESSION

ALLOW STATES AND VICTIMS TO FIGHT ONLINE SEX TRAFFICKING ACT OF 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Cloture having been invoked on the motion to proceed to H.R. 1865, the Senate will resume legislative session and consideration of the motion to proceed.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, we just had a vote in this Chamber on a very significant piece of legislation. It was the motion to proceed to it. It was agreed to with good Republican and Democratic majorities, with both sides of the aisle supporting moving to this debate.

Because we have cosponsors from both sides of the aisle, I feel confident that we will get to an end point, and we