

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 48, as follows:

[Rollcall Vote No. 68 Ex.]

YEAS—50

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

NAYS—48

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

NOT VOTING—2

Duckworth McCain

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 48.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor.

The PRESIDING OFFICER. The Senator from Wyoming.

NOMINATION OF MIKE POMPEO

Mr. BARRASSO. Mr. President, I come to the floor as we, as Americans, continue to see the regular reminders that the world is a very dangerous place. The horrendous reports out of Syria over the weekend show us there are leaders in the world who will test the rules that define civilized nations. They will exploit any crack that they see in our resolve.

President Trump has consistently responded to these kinds of challenges by showing that he is resolute and that he is unshakable. He has a foreign policy

that always puts America first. To continue to do this, the President needs to have a full national security team on the job and working for America. The Secretary of State is a very important part of that team.

Tomorrow, the Foreign Relations Committee is scheduled to have a hearing on Mike Pompeo's nomination to do this very important job. Mike Pompeo understands that if we want safety and security at home, we need a world that is peaceful and stable. I expect he is going to talk about all of these things at the confirmation hearing, and I look forward to his testimony.

We have all heard about Mike Pompeo's impressive qualifications for the job to which he has been nominated—first in his class at West Point; Harvard Law School; a Member of Congress; and the Director of the Central Intelligence Agency. He has the integrity, and he has the experience to serve as America's Secretary of State. As a former Member of Congress, he certainly understands how policy decisions get made and the key importance of congressional oversight. As head of the CIA, he clearly understands the crucial role that the intelligence community plays in preserving America's national security. As a soldier, he understands the consequences of decisions that get made in Washington, DC.

I have traveled with Mike Pompeo to meet with world leaders and to attend national security conferences. He knows the issues, and he knows the people. He is the right person for this job. I met with him just last month after he was nominated. We talked about some of the specific issues going on around the world and how they affect our Nation's national security. It was a very good conversation, and I am extremely confident that he is the right person for this job.

I expect many more people will come away from these hearings tomorrow with great confidence in Mike Pompeo. He will be an excellent representative for our Nation, and he will be a strong hand to implement President Trump's foreign policy. So I look forward to voting on this nomination as soon as possible after the hearings.

It was just a little over a year ago that he was confirmed by a very large, bipartisan majority for his current job as the CIA Director. It was right here on this Senate floor where that confirmation occurred. Fifteen Senators from the other side of the aisle agreed that Mike Pompeo was the right choice for that position. As the nominee for the job he now holds, he drew bipartisan praise for his qualifications. Two Democratic Senators actually came to the floor and spoke in favor of his nomination—Senators FEINSTEIN and WARNER. They are the current vice chair of the Intelligence Committee and the former chair of the Intelligence Committee. Since that time, Mike Pompeo has done an excellent job at the CIA. Even Hillary Clinton has come out and

praised his time in heading that Agency.

I expect that this can be a short process to confirm him in the new job for which he has been nominated, that of Secretary of State. There is certainly no good reason for Democrats to slow things down or to attempt to slow things down.

We need to restore America to a position we once held as the most powerful and respected Nation on the face of the Earth. For 8 years, the previous administration had us going in the wrong direction. The Obama administration followed a policy that it called strategic patience. That meant watching while the Assad regime in Syria crossed one redline after another. Then the redline became a green light. The result is that Syria continues to use chemical weapons today in attacking its own people. Strategic patience did not work.

The Obama administration's policy also meant that North Korea was allowed to get away with too much for far too long. North Korea continued to test nuclear weapons, continued to test missiles, and continued to use hostages as a way of getting what it wanted from other countries. Strategic patience did not work with North Korea.

The Trump administration has said very clearly that the era of strategic patience is over. The leaders of these countries need to understand that their belligerence will not succeed. They need to get the clear message that America has a new foreign policy. It is a policy to secure America's national interests and demonstrate America's leadership around the world. Part of this leadership is to stand up to show that there is a limit to the patience of the civilized countries of the world. The previous administration too often placed international opinion ahead of what was actually best for America. That only made the world a more dangerous place. The Trump administration has begun to get us back on the right track, and Mike Pompeo will ensure that we stay on the right track.

When it comes to issues like the upcoming discussions with North Korea, Mike Pompeo understands the risks of dealing with these kinds of aggressive adversaries. He also understands the opportunities that we now have because of President Trump's forceful stand for American interests.

Democrats should commit to allowing this nomination to move as quickly as possible. We will have a hearing tomorrow. We need to have a thorough discussion about what is happening around the world, and then we need to vote. Let's not have any more of the deliberate delays that we have been seeing by the Democrats in this body—no more pointless and partisan obstruction.

America's adversaries around the world are watching closely—in Russia, in Syria, in North Korea, in Iran, and in other places. It is time for us to show that we are serious about maintaining a strong foreign policy that

puts America first. President Trump is doing his part. Mike Pompeo is ready to do his part in his job. It is now time for the Senate to do our job.

Thank you.

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

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

50TH ANNIVERSARY OF THE FAIR HOUSING ACT

Mr. BROWN. Mr. President, 50 years ago today, Congress enacted the Fair Housing Act, exactly 1 week after the assassination of Martin Luther King as he fought for economic justice for sanitation workers in Memphis. It also came just weeks after the Kerner Commission issued its report on the origins of urban unrest in the 1960s. This report contained the now famous warning that “our nation is moving toward two societies, one black, one white—separate and unequal.”

In the wake of these events, the Fair Housing Act made discrimination in the sale, rental, and financing of housing illegal for the first time. For generations, redlining, restrictive covenants, and outright discrimination kept families of color locked out of entire neighborhoods, often far from where jobs were, and they created segregated communities that linger to this day. They denied these families the opportunity to build wealth through home ownership. Many of these exclusionary practices were carried out by private entities and local governments. But as Richard Rothstein reminds us in his new book, “The Color of Law”—and I recommend to everybody listening that they read that book—Federal policies also played a significant role in reinforcing segregation.

From 1934 through 1962—30 years, three decades—98 percent of all FHA mortgages went to White homeowners. In a country that in those days was about 10 percent African American, 98 percent of mortgages went to White homeowners. The Fair Housing Act made this despicable discrimination illegal. It required that Federal housing and urban development grants be administered in a way that would “affirmatively further” fair housing—not in a reactive way but in a way that would affirmatively further fair housing. State and local governments and public housing authorities were required to use their Federal funds in ways that would reverse, rather than accelerate or reinforce, segregation in their communities.

April 11, 1968, however, was not the end of our work to ensure fair housing and equal opportunities. Fifty years later, we haven’t had the progress we should have had, and so much more needs to be done.

A new report this year from the Center for Investigative Reporting analyzed tens of millions of mortgage records and found that all across the country people of color are far more likely—even holding constant for economic situations—to be turned down for a loan, taking into account factors like their income and the size of the loan. We know that the 2008 housing crisis hit communities of color particularly hard.

In the run-up to the crisis, faulty mortgages were targeted to people of color. Even those who qualified for a no-frills, no-surprises prime mortgage were often instead steered into a subprime, much riskier loan. Even African-American and Hispanic borrowers with higher incomes than other borrowers found themselves in risky, subprime, designed-to-fail products. These practices of discrimination stripped a generation’s worth of equity from communities that had fought hard for equal access to home ownership.

I know in my community in Cleveland, on the southeast side of Cleveland in the Broadway, Harvard area of that community, so much wealth has been lost. As people finally began to gain in home ownership and in wealth accumulation, what happened in 2006, 2007, 2008, 2009, 2010, and 2011 devastated these communities. As a number of my colleagues have heard me say, in my ZIP Code of 44105, in Cleveland, OH, in the first half of 2007, there were more foreclosures than any ZIP Code in the United States of America.

The household wealth of communities of color still hasn’t recovered. My neighborhood hasn’t, my community hasn’t, and my State hasn’t. Middle-class Black and Hispanic families lost half their wealth from 2007 to 2013—half their wealth. Middle-income Black household wealth was \$63,000 in 2007. A decade later, it was \$38,000. The numbers are similar for Hispanic households—\$85,000 down to \$46,000.

Borrowers with these higher cost loans were foreclosed on at about triple the rate of borrowers with standard, 30-year, fixed-rate mortgages. Over a recent 8-year period, 9.3 million homeowners lost their homes through foreclosure, distress sales, or surrendering their home to the lender.

After the crisis, we took steps to fight this discrimination. We created the Consumer Financial Protection Bureau to look after bank customers and to help root out discrimination. We required lenders to report more detailed data so that we can more easily spot modern-day redlining.

In 2015, HUD also issued the affirmatively furthering fair housing rule. This rule would have given clearer guidelines to communities to help them assess their own fair housing needs and provided them with the data they needed to inform their decisions. It would have allowed them to set their own goals and timelines.

Some of the questions communities would ask during these assessments

would demand they think in new ways about how to create housing and economic opportunities for all of their residents—no matter their color, no matter family size, no matter their disability if they have one. These are the types of questions this body told the country to ask when it enacted the fair housing bill five decades ago.

But instead of recommitting ourselves to the promise we made 50 years ago, too many Washington politicians are trying to take us backward. Earlier this year, HUD suspended implementing the affirmatively furthering fair housing rule. That will not reverse the requirements of the Fair Housing Act. Instead, it hurts communities, which will once again be left to comply with the law without the technical assistance they need.

Remember that new data that banks were going to report to make it easier to spot lenders who discriminate? The bill the Senate passed last month right here would exempt 85 percent of banks from reporting the data they are collecting and reporting today. So we are not even going to know what happened. This body has scaled back the amount of data we are trying to gather to stop discrimination. Without it, we can’t monitor trends in mortgage lending. It will be harder to see who has access to affordable mortgage credit and, importantly, who does not have access.

HUD is even thinking about changing its mission statement in ways that diminish the importance of combating housing discrimination. The administration’s actions over the past year make it clear they are already wavering in that commitment. For example, in 2017, HUD withdrew guidance requiring equal access for transgender people in homeless shelters. Let’s pick on them even more. According to a report in the New York Times, Dr. Carson’s HUD has suspended several anti-discrimination investigations, including an investigation of discriminatory housing advertisements on Facebook. The administration proposed a 14-percent cut to the HUD budget, including affordable housing and community development programs aimed at creating housing and opportunity for low-income communities.

We know that one-fourth of renters in this country spend at least 50 percent of their income on housing. If one thing goes wrong in their lives, they are evicted or they lose their homes. One-fourth of people in this country who rent are paying at least half their income in housing costs. In Cuyahoga County, the second most populous county in Ohio, one-fourth of all family units, one-fourth of all residents, homeowners or renters, spend one-half of their income on housing, so it is not just renters, but it is often homeowners too.

We are deciding in this body because the President wants to—the far right in this body wants to cut spending on housing even more. We have enough money to do a huge tax cut for the

richest people in the country. The richest 1 percent will get 81 percent of that tax cut. I was talking to an accountant the other day in Elyria, OH. It is tax season, of course, and he is busy. He said: When people come and see me, they ask inevitably when I am doing their taxes "Well, how does this tax bill affect me?"

He asks: Are you a billionaire?

They laugh and say: Of course not.

He then says: Well, only if you are a billionaire will it affect you, and then you will save millions of dollars on your taxes.

That is a bit of an exaggeration, but that is what that tax bill is all about. So if you are a billionaire, if you are a decamillionaire, if you made a million dollars last year, you are going to save a whole lot on your taxes this year. But if you are living in working-class housing, if you can't afford much more than the very basic kind of housing or even worse than that, you are going to see your budget cut. You are going to see fewer vouchers. You are going to see less funding for housing.

What kind of government is this, this mean-spiritedness? There are more tax cuts for the richest in this country, but let's stick it to people who are barely making it. These are people who make \$10 to \$12 an hour. They make \$10 to \$12 an hour, and we are going to cut their Medicaid. They are making \$10 to \$12 an hour, and we are going to scale back their SNAP benefits. They are making \$10 to \$12 an hour, and we are going to undermine their housing subsidies. What is all of that about in this new government that we are living in now?

The last thing we ought to do at a time when a quarter of all renter households—400,000 families in my State of almost 12 million, 400,000 families pay half of their income in housing costs. Again, if one thing goes wrong, if their car breaks down going to work, could they come up with \$500 to fix their car? Probably not. Then what happens? Then they are evicted, and then everything goes upside down because they can't pay their rent, so they get evicted. The kid has to go to a new school district. They lose most of the things they have. They have to find a place to live. They probably don't have the money for the downpayment that a landlord charges.

A few years ago, I hosted a discussion with some of my colleagues and invited Matthew Desmond, the author of the book "Evicted." In the front of the book, he scribbled the phrase "Home = Life." If you don't have decent housing, it is pretty hard to put a stable life together for you and your family. One of the things he said in that book is that when you get your paycheck every 2 weeks or once a month, the rent eats first. You have to pay your rent. If you can't afford to pay your rent or you can barely afford to pay your rent, you can't do much else. That simple statement captures so much—a safe, stable home is the foundation for opportunities.

This government is going to give tax cuts to the richest people in the country, and we are pulling the rug out from under people who are working every bit as hard as we do in this body—and many of them work harder than we do—just trying to get along on \$8 or \$10 or \$12 an hour. We are denying people the opportunity of living in a safe, stable home. That is why we must redouble our commitment to fair housing. That is why we must take real, proactive steps.

My colleagues and I have legislation, the Fair and Equal Housing Act of 2017, that would add gender identity and sexual orientation to those protected from discrimination under the Fair Housing Act. Rather than take us backward, we must take these sorts of actions to give more Americans the opportunity to have a safe, stable home and to build wealth through home ownership. We must constantly work toward Dr. King's vision—killed 50 years ago this month—of equality and equal opportunity for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

NOMINATION OF ANDREW WHEELER

Mrs. CAPITO. Mr. President, I appreciate the opportunity to speak today about the nomination of Andrew Wheeler to be the Deputy Administrator of the EPA—an extremely important position.

Mr. Wheeler's expertise and experience make him extraordinarily qualified to become the Deputy Administrator. I am a little biased when it comes to Mr. Wheeler because he has great family roots in the State of West Virginia, which, to me, is a good recommendation in and of itself. I think his wealth of knowledge over the years working on environmental policy in the public and in the private sectors is just incredible. His knowledge and experience will be a tremendous asset to the Agency and to the American people. He understands—watching policy being made and helping policy being made himself but also then transitioning to the private sector and watching how that policy then influences the private sector as well. He has had an active hand in significant environmental—energy—and infrastructure policy achievements and debates and probably some of the failures that we have had, as well as the confirmation of numerous Presidential nominees. So Andrew will have a head start. He will hit the ground running, and that is what we need at the EPA.

Andrew was also tasked with coordinating and working with the various agencies within the committee's jurisdiction. Most importantly, he has been and was tasked with this, so he worked with other agencies while he was a staffer.

Beginning in 2009, Mr. Wheeler went into the private sector, continuing his work in environmental and energy policy. Throughout his career, he has worked with individuals and stake-

holders who run the political gamut, and he has left a very positive impression on them.

During his confirmation hearing in our EPW Committee, he was very forthright in his answers, very willing to look deeper into certain areas, and very willing to not express an opinion if he didn't really know or was unsure of some of the details. Actually, I think he exhibited a real curiosity as to how he could make the EPA run smoother and better and be more reflective of what the President and we here in the Senate and people across this country see as a vision for the EPA.

I have also been impressed by the number of individuals who know Mr. Wheeler and who have come forward and spoken about his expertise and his willingness to collaborate on issues all across the country. He has had an active role in my State of West Virginia, which is a high energy-producing State.

I urge my colleagues to vote to confirm Mr. Wheeler. They will have no regret. I look forward to working with him at the EPA on issues that are important to my State of West Virginia and across the country.

I yield back.

The PRESIDING OFFICER. The Senator from Missouri.

TAX REFORM AND GOVERNMENT REGULATIONS

Mr. BLUNT. Mr. President, over the last couple of weeks, many of us have had an opportunity to spend more time at home than we do just going back and forth a few days a week.

While I was there, I had the opportunity to talk to small business owners, employees—people who are seeing their paychecks for the first time reflecting what we have done with the tax bill. Both in my hometown of Springfield, MO, and around our State, I also heard a level of optimism that was very encouraging.

One of the people I talked to was on the national board of manufacturers. A recent poll of the manufacturers looking at their confidence level reflected that it was the highest it has ever been in all of the time they have been polling on how they see the future.

Mr. President, where you and I live, in an economy that makes things and grows things, we always do better. We are a productive part of the country. We don't do quite as well in an advice economy, but we are not opposed to an advice-giving economy. We have people who give advice. But, frankly, if you put that on top of truly productive capacity and a marketplace that meets that capacity, we always do very well.

As I talked to people, I heard consistently two reasons that people feel their optimism is justified and understandably growing. One reason is the Tax Cuts and Jobs Act. No matter what was said about the Tax Cuts and Jobs Act, people who were told it wouldn't help them are finding out, when they get their first paychecks, that it is helping them. People who were told that the