

Mr. SASSE. 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 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. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 69 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 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. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to the cloture vote.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, the Senate will vote on cloture on the nomination of Andrew Wheeler to be the Deputy Administrator of the Environmental Protection Agency.

The Deputy Administrator is critical in developing and implementing policies that fulfill the EPA's mission of protecting America's water, land, air, and communities.

He is the right person for the job. He has spent 25 years working in environ-

mental policy. In that time, he has served as a career employee of the EPA; a staff director on the Hill for the committee I now chair, the Environment and Public Works Committee; and, most recently, as a consultant in the energy policy space.

Andrew Wheeler is well qualified to fill this critically important job. I urge all Senators to support the nomination.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Delaware.

Mr. CARPER. Mr. President, they say that a man or woman's word is his bond. When the Environment and Public Works Committee voted on the nomination of Andrew Wheeler, someone I have known for 25 years or more, I was very clear about my desire to help smooth the way to a faster floor process. I was very clear that what I needed, and what we needed, was an assurance from EPA that it would respect settled law, that it would respect EPA actions and court decisions that found that global warming pollution from cars and SUVs is a danger to our Nation, to our citizens, and to our planet.

What I asked for was an assurance from Scott Pruitt that he would do what the auto industry has asked him to do, which is to negotiate an agreement on vehicle standards for the State of California. I worked with Bill Wehrum, the Assistant Administrator for the Office of Air and Radiation, for weeks, and we reached an agreement that I was told Administrator Pruitt supported until Scott Pruitt reneged on the deal and decided he might prefer fighting and litigation to cooperating and negotiating.

Let me be clear, I tried to work with the EPA. I believed that perhaps in just this one instance we could find a win-win. There is one that is right there to be grasped. But Administrator Pruitt ignored his own top air official. Let me close, if I can.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CARPER. Whatever Mr. Wheeler's qualifications, he cannot solve this problem alone at EPA, which is that Scott Pruitt has no interest in governing, no interest in leaving a lasting and responsible legacy, and no interest in working with anyone who doesn't enable him to act on his own worst instincts.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CARPER. I urge a "no" vote.

The PRESIDING OFFICER. The Senator's time has expired.

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 nomination of Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency.

Mitch McConnell, Jerry Moran, Deb Fischer, John Barrasso, Johnny Isakson, Thom Tillis, Roy Blunt, Mike Rounds, Steve Daines, James M. Inhofe, Shelley Moore Capito, John Cornyn, John Boozman, John Thune, Roger F. Wicker, John Hoeven.

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 nomination of Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency, 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 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. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 45, as follows:

[Rollcall Vote No. 70 Ex.]

YEAS—53

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

NAYS—45

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

NOT VOTING—2

Duckworth      McCain

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 45.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency.

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. McCONNELL. Mr. President, yesterday, the Senate confirmed John Ring to the National Labor Relations Board. Now the NLRB is, once again, fully staffed and ready to call balls and strikes fairly for America's workers.

This morning, we confirmed Patrick Pizzella, the President's highly qualified nominee, to fill the No. 2 job at the Department of Labor. Mr. Pizzella brings a sterling reputation and an impressive resume. It includes time at the GSA, the Small Business Administration, the Department of Education, the Federal Housing Finance Board, and OPM.

Even with 8 years as the Assistant Secretary of Labor for Administration and Management and 4 years as a Senate-confirmed member of the Federal Labor Relations Authority, this dedicated public servant saw his confirmation process play out in a manner that has become all too familiar—months of waiting on the Senate calendar, months of obstruction by our Democratic colleagues, months of needless vacancy in this critical agency position. After this morning's vote, Mr. Pizzella can finally get to work, but the same story of obstruction applies to the next nomination on the slate as well.

Andrew Wheeler is ready and waiting—and waiting and waiting—to clock in as Deputy Administrator of the EPA. His qualifications are beyond question. He has won the support of the American Farm Bureau Federation and has won praise from both sides of the aisle. Mr. Wheeler's former boss, our colleague Senator INHOFE, said, "There is no one more qualified." Our former colleague, Senator Lieberman, called Mr. Wheeler "fair and professional" and said, "I hope his nomination will receive . . . fair consideration by the Senate."

Delaying key executive nominees does not come cost-free to the country. The Deputy Administrator is the EPA's chief operating officer. He plays a major role in protecting America's air and water, while minimizing unnecessary obstacles for workers and job creators. The American people deserve to have him and other key officials in place.

I mentioned yesterday that our Democratic colleagues are literally setting records. Just 15 months in, they have chosen to force—listen to this—84 cloture votes on President Trump's executive and judicial nominees. Eighty-four. That is more than three times as many nominee cloture votes as happened in the first 2 years of Presidents Obama, President Bush, and President Clinton combined. Combined, 84 cloture votes is more than 3 times as many cloture votes as happened in the first 2 years of President Obama, Bush, and Clinton altogether. Many of the nominees were then confirmed nearly unanimously.

I hope these stalling tactics will end soon because the personnel business isn't going anywhere. Today, in fact,

CIA Director Mike Pompeo is appearing before the Senate Foreign Relations Committee for the first time as the President's nominee for Secretary of State. He is yet another qualified nominee who deserves fair and swift consideration for our country's sake.

For now, I meant what I said on Monday. We will remain in session as long as it takes to process this week's slate of nominees. After Mr. Wheeler, we still have two judicial nominees: Rebecca Grady Jennings for the Western District of Kentucky and John Broomes for the District of Kansas. One way or another, the easy way or the hard way, this Senate will get the people's business done this week.

#### PRO-GROWTH AGENDA

Mr. President, on another matter, I have been speaking all week about the stark difference between the Obama administration's economic legacy and the pro-growth agenda this Republican Congress and Republican President have been putting in place.

For 8 years, our Democratic friends' so-called economic recovery hardly made it past our Nation's biggest and richest cities. Democratic policies largely failed the millions of working Americans who live in our small towns and suburbs, smaller cities and rural areas—not so with this Republican Congress and this Republican President. Already, our inclusive opportunity agenda is bringing new energy, new optimism, and new growth to all of those forgotten parts of our country.

On my recent trip back to Kentucky, I heard what I have been hearing for months now. I heard how tax reform is helping bourbon producers compete, create jobs, and reinvigorate their local economies. I heard how employers in the State are reinvesting in their workers by offering bonuses or looking to increase hiring. I heard how farm families are breathing easier after regulatory reforms that will keep the government from invading every puddle, ditch, and pothole in America.

These signs of progress just confirm what Republicans have said all along: that middle-class families flourish when the IRS takes less of what they earn; that American entrepreneurs thrive when we scrub the regulatory rust off our economy and give farmers, ranchers local communities, community banks, and small businesses more say over their own affairs; that good things happen when we just get Washington out of the way.

Our policies are delivering real prosperity for Americans in all kinds of communities, so it is no surprise that a recent study found that last year, rural areas outpaced the rest of the country in relative job creation.

These are promising signs and long over due, but, of course, there is a lot more work to do.

#### HEMP FARMING ACT

Mr. President, that is why a number of us have been working hard on legislation that would get government out of the way in another important re-

spect. As the tobacco industry has changed, some farmers in States like Kentucky have been searching for a new crop that can support their families and grow our agricultural economy. Many believe they found such a product—industrial hemp—but the Federal Government has stood in the way. It is time to change that. That is why some colleagues and I are introducing legislation that will modernize Federal law in this area and empower American farmers to explore this promising new market.

I want to thank my fellow Kentuckian, Congressman JAMIE COMER, and my good friend and colleague from Oregon, Senator WYDEN, for their leadership on this issue, as well as Senator MERKLEY for his support.

During the recent State work period, I stood with Kentucky's agriculture commissioner, Ryan Quarles, to announce my intention to introduce new legislation on this subject. Today we are introducing the Hemp Farming Act of 2018. It will build on the success of recent pilot programs and take a big step toward growth and more innovation. As I travel across Kentucky, I have spoken with farmers, manufacturers, and small business owners. Time and again, they shared with me their enthusiasm for hemp's potential to reenergize agricultural communities and provide a new spark to the U.S. economy. This bill will help make that potential a reality.

But first, let's remember how we got to this point. In 2014, I secured language in the farm bill that established hemp pilot programs in States that allow hemp research. The results have been extraordinary.

In Kentucky, hemp is proving useful across a wide variety of innovative products. Its fibers are being added to concrete and home insulation. Its extracts are being researched for potential health benefits. Some breweries in Kentucky have even crafted hemp-infused beer. Last year alone, the hemp industry added 81 new jobs in Kentucky and yielded more than \$16 million for Kentucky farmers. That is just under Kentucky's research pilot program.

Of course, that is just one State. Already, in fact, around \$600 million in hemp products are sold each year here in the United States. Due to current laws, much of this hemp has to be imported. That cuts out our American farmers. It is time for that to change. The legislation we are introducing today will solve this problem and get the Federal Government out of the way of this promising market.

The Hemp Farming Act of 2018 will do the following:

First and foremost, our bill will finally legalize hemp and remove it from the list of controlled substances. By recognizing the difference in statute between hemp and its illicit cousin, we can remove much of the confusion facing farmers, producers, and State agencies.