The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2235 to the instructions of the motion to refer.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike ''2'' and insert ''3''

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2236 TO AMENDMENT NO. 2235

Mr. MCCONNELL. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator for Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2236 to amendment No. 2235.

The amendment is as follows:

Strike ''3 days'' and insert ''4 days''

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 609.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of JAMES BRIDENSTINE, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration.

CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant 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 on the nomination of James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration.

Mitch McConnell, John Hoeven, Johnny Isakson, James Lankford, Steve Daines, Mike Crapo, John Kennedy, John Barrasso, John Thune, Thom Tillis, Roger F. Wicker, James M. Inhofe, Richard Burr, Mike Rounds, Shelley Moore Capito, Tom Cotton, Cory Gardner.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

(At the request of Mr. CORNYN, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Mr. RUBIO. Mr. President, today I joined President Trump in Florida to discuss the benefits of the Tax Cuts and Jobs Act with local businesses. Due to these important discussions, I will miss today's vote.●

(At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Ms. DUCKWORTH. Madam President, I was necessarily absent for vote No. 74 on the motion to invoke cloture on the motion to concur in the House amendment to S. 140. On vote No. 74, had I been present, I would have voted nay on the motion to invoke cloture on the motion to concur in the House amendment to S. 140.●

AMENDING THE WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION BILL

Mr. INHOFE. Madam President, I am delighted the Senate has decided to take up S. 140, a bill to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund which, in part, includes a bill I have cosponsored, S. 63, the Tribal Labor Sovereignty Act of 2017.

S. 63 is a much needed reform measure aimed at correcting excessive government overreach by the National Labor Relations Board, NLRB. In 2004, the NLRB overturned longstanding precedent by asserting its authority over Native American Tribes. The NLRB never should have expanded its authority to Indian Tribes located on Tribal land. This decision has caused tremendous legal confusion and stagnation of Indian business development. Fortunately, with passage of S. 140, the Congress is acting to address bureaucratic overreach by the NLRB. I urge my colleagues to support its passage.

NOMINATION OBJECTION

Mr. WYDEN. Madam President, I am putting a hold on the nomination of Mr. Jason Klitenic to be General Counsel of the Office of Director of National Intelligence. I intend to maintain the hold until there is a satisfactory response to the March 6, 2018, letter Senator GRASSLEY and I sent the Director of National Intelligence regarding the Intelligence Community Office of Inspector General, OIG, and the termination of its Executive Director of Intelligence Community Whistleblowing and Source Protection. To date, we have received no response to the letter, nor have we been provided the documents related to the Executive Director's termination requested in the letter.

My hold is not connected to the qualifications of Mr. Klitenic to serve in the position to which he has been nominated, and it is my intention to release the hold once my concerns related to the OIG are resolved.

I ask unanimous consent to have the March 6, 2018, letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 6, 2018.

Hon. DANIEL COATS,
Director of National Intelligence,
Washington, DC.

DEAR DIRECTOR COATS: We write to express deep concern about the Office of the Intelligence Community Inspector General (OIG) and to urge that you stay actions taken by the OIG pending confirmation of the new Inspector General. We are writing to you because the current acting leadership of the OIG is the subject of our concerns as well as the subject of allegations in connection with the specific personnel matter in question.

Late last week, the OIG's Executive Director of Intelligence Community Whistleblowing and Source Protection (the ''Executive Director'') was terminated in a process marked by procedural irregularities and serious conflicts of interest. Further, the termination of the Executive Director came after an extended period during which the acting leadership of the OIG demonstrated a lack of support for the critical whistleblower protection mission of the office.

The timing of these actions, which occurred during the confirmation process for Mr. Michael Atkinson to be the new Inspector General, is especially troubling. We are concerned that the termination of the Executive Director may constitute an effort to preempt the nominee's authority to make his own decisions upon confirmation. Moreover, during the nominee's hearing, multiple U.S. Senators expressed the expectation that the nominee would, if confirmed, address their concerns regarding the current acting leadership of the OIG and its approach to whistleblowers. We are concerned that any preemptive steps taken by the acting leadership risk undercutting the constitutional authority of the U.S. Senate to provide advice and consent through the confirmation process.

We therefore write with several urgent requests. First, on November 29, 2017, Senator Grassley sent you and the Acting Inspector General letters urging the preservation of all records relating to the Executive Director's then-proposed termination, as well as all the contents of the Executive Director's office.

Senator Grassley has not received responses to those letters. We request that you respond and that you ensure that the Acting Inspector General responds as well. We further request that the preservation described in the letters be implemented, and that it be applied as well to all subsequent records related to the Executive Director's termination and all matters then pending involving his Office.

Second, Senator Grassley's letters requested documents related to the personnel action against the Executive Director and related matters. We request your support in ensuring that Congress receives the documents described in the letters as well as subsequent documents related to the process by which the Executive Director was terminated.

Finally, we urge that all personnel decisions made by the OIG since the nomination of Mr. Atkinson, including the termination of the Executive Director, be stayed pending his confirmation. (Mr. Atkinson's nomination has been favorably reported by both the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence and is awaiting final Senate action on the Calendar.) Upon his confirmation, the new Inspector General should have the unfettered authority to consider both personnel and policy matters de novo without being hindered by preemptive actions taken by the current acting leadership.

Thank you for your attention to this urgent matter.

Sincerely,

CHARLES GRASSLEY,
U.S. Senator.
RON WYDEN,
U.S. Senator.

TRIBUTE TO LIEUTENANT COLONEL CHARCILLEA SCHAEFER

Mr. MORAN. Madam President, I would like to take a few moments of the Senate's time this evening to recognize servicemembers who take time away from core missions serving our Nation to support Members of Congress to facilitate a healthy and balanced exchange with the Department of Defense. We work in an environment in which we are surrounded by these dedicated individuals in our Armed Forces. They educate us, prepare us, and do their very best to make sure the members of this body can strive to do their work in the most effective way possible. The vast majority of their efforts go without proper acknowledgement. I speak today to ensure that we recognize one of the hardest working and dedicated individuals among them, LTC Charcillea Schaefer. As an American soldier, she has dedicated her life to serving our country, and for the past 3 years, she has successfully supported me and other Members of Congress.

I have been able to work with Charcy by virtue of the U.S. Army Congressional Fellowship Program. Through this program, she was assigned to the U.S. Army's congressional budget liaison office, where she worked alongside Senate appropriators and Army leaders in the Pentagon. Charcy directly improved the relationships between Members of Congress, their staffs, and Army leaders with her ability to build trust and gain confidence among those who relied on her. Her accurate and timely responses to the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies had a significant impact on the subcommittee's ability to establish priorities and craft appropriations legislation that better serves our military, their families, and our veterans.

Charcy was skilled in translating the military construction needs of the Army such as military hospitals, barracks, and clean energy initiatives. She also helped Members understand the impact new construction and facility upgrades would have in direct support of combatant commands and their missions. Charcy was influential in assisting the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies support one of our Nation's most sacred and cherished treasures, the Arlington National Cemetery.

Charcy is trustworthy and dependable, she made a difference, and I am grateful for her support.

On behalf of Kansans and the Senate Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, I offer sincere gratitude to Charcillea Schaefer of Centreville, VA.

Charcy, ma'am, thank you for a job well done. I wish you nothing but the best in your future endeavors and service to our Nation.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Cuccia, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Veterans' Affairs.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 3:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4790. An act to amend the Volcker rule to give the Board of Governors of the Federal Reserve System sole rulemaking authority, to exclude community banks from the requirements of the Volcker rule, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4790. An act to amend the Volcker rule to give the Board of Governors of the Federal Reserve System sole rulemaking authority, to exclude community banks from the requirements of the Volcker rule, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2667. A bill to amend the Agricultural Marketing Act of 1946 to provide for State and Tribal regulation of hemp production, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4872. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tetraconazole; Pesticide Tolerances'' (40 CFR Part 180) received in the Office of the President of the Senate on April 11, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4873. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sulfentrazone; Pesticide Tolerances'' (40 CFR Part 180) received in the Office of the President of the Senate on April 11, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4874. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluensulfone; Pesticide Tolerances'' (40 CFR Part 180) received in the Office of the President of the Senate on April 11, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4875. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clethodim; Pesticide Tolerances'' (40 CFR Part 180) received in the Office of the President of the Senate on April 11, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4876. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Rinderpest; Update of Communicable Animal Disease Provisions'' (Docket No. APHIS–2017–0070) received in the Office of the President of the Senate on April 11, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4877. A joint communication from the Secretary of Defense and the Secretary of Energy, transmitting, pursuant to law, the fiscal year 2018 report on the plan for the nuclear weapons stockpile, complex, delivery systems, and command and control systems (OSS–2018–0437); to the Committees on Armed Services; Appropriations; and Foreign Relations.

EC–4878. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) for the Army and Air Force Major Defense Acquisition Programs