

Smith  
Stabenow  
Tester

Udall  
Van Hollen  
Warner

Warren  
Whitehouse  
Wyden

Rounds  
Rubio  
Sasse  
Scott

Shelby  
Sullivan  
Thune  
Tillis

Toomey  
Wicker  
Young

## NOT VOTING—2

Duckworth

McCain

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays 42.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

## 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 assistant bill 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 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.

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 JAMES BRIDENSTINE, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant 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 (Mr. COTTON). 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. 78 Ex.]

## YEAS—50

Alexander  
Barrasso  
Blunt  
Boozman  
Burr  
Capito  
Cassidy  
Collins  
Corker  
Cornyn  
Cotton  
Crapo  
Cruz

Daines  
Enzi  
Ernst  
Fischer  
Flake  
Gardner  
Graham  
Grassley  
Hatch  
Heller  
Hoeven  
Hyde-Smith  
Inhofe

Isakson  
Johnson  
Kennedy  
Lankford  
Lee  
McConnell  
Moran  
Murkowski  
Paul  
Perdue  
Portman  
Risch  
Roberts

Baldwin  
Bennet  
Blumenthal  
Booker  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coons  
Cortez Masto  
Donnelly  
Durbin  
Feinstein  
Gillibrand  
Harris

## NAYS—48

Hassan  
Heinrich  
Heitkamp  
Hirono  
Jones  
Kaine  
King  
Klobuchar  
Leahy  
Manchin  
Markey  
McCaskill  
Menendez  
Merkley  
Murphy  
Murray

Nelson  
Peters  
Reed  
Sanders  
Schatz  
Schumer  
Shaheen  
Smith  
Stabenow  
Tester  
Udall  
Van Hollen  
Warner  
Warren  
Whitehouse  
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 SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

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

The PRESIDING OFFICER. The Senator from Tennessee.

## NOMINATION OF CARLOS MUNIZ

Mr. ALEXANDER. Mr. President, later this afternoon, the Senate will finally vote to confirm Carlos Muniz—a well-qualified nominee—to be general counsel at the U.S. Department of Education.

I came to the floor last week to ask for this vote because I believe Mr. Muniz has been subject to unreasonable delays. For example, Mr. Muniz was nominated by the President on June 6th of last year—316 days ago. He has been pending on the floor since we reported him out of the Health, Education, Labor, and Pensions Committee on October 18, 2017—182 days ago. In other words, he has been waiting for 6 months, following his approval by the relevant committee, for the Senate to consider this nomination. So it is time to confirm him. It is time to give Secretary DeVos an attorney and a general counsel.

Mr. Muniz has extensive experience as an attorney and in government. From January 2014 to February 2018, he was a partner at the law firm of McGuireWoods in Florida.

Prior to that, from January 2011 to 2014, he was Deputy Attorney General for the State of Florida and Chief of Staff to Attorney General Pam Bondi. There, he managed a 400-lawyer agency and oversaw all functions, including litigation, policy development, legislative affairs, and communications. He was also General Counsel for Florida's Department of Financial Services and Deputy General Counsel for Governor Jeb Bush.

Mr. Muniz graduated from the University of Virginia with high honors. He earned his law degree from Yale, where he was an editor of the Yale Law Journal. After law school, he served as a law clerk to two Federal judges, one on the U.S. Court of Appeals for the Second Circuit and the other for the U.S. District Court for the District of Columbia. In other words, he is exactly the kind of person that we hope would serve in public life.

I am delighted that he chose to accept the President's nomination and that we will have a chance this afternoon to confirm him.

As general counsel, he will have the important job of providing legal assistance to the Secretary concerning the programs and policies of the Department and making sure that these policies follow the law, which given his background, he has the experience to do.

He testified in his confirmation hearing that he is committed to advising the Secretary to follow the law as Congress wrote it.

I am glad we are having this vote today. I support his nomination. I urge my colleagues to do the same.

Mr. President, I thank the Senator from Texas for his courtesy in allowing me to speak before him.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the clerk will report the nomination.

The legislative clerk read the nomination of Carlos G. Muniz, of Florida, to be General Counsel, Department of Education.

The PRESIDING OFFICER. Under the previous order, there will now be 1 hour of debate on the nomination, equally divided between the Senator from New York or her designee and the Senator from Tennessee or his designee.

The majority whip.

## REMEMBERING BARBARA BUSH

Mr. CORNYN. Mr. President, it is with sadness that I come to the Senate floor to speak about former First Lady Barbara Bush on her passing yesterday. Of course, she was the wife of our 41st President and the mother of our 43rd President.

My wife Sandy and I have wonderful memories of Mrs. Bush flying around the State of Texas with us during my campaign for attorney general. That the former First Lady of the United States was so willing to embark on this long day of campaigning speaks to her generosity and her devotion to causes she believed in. With her, we always felt like we were flying in first class.

Many kind things have already been said about the First Lady's sharp wit and her sense of humor, her efforts to improve child literacy, and her faith and loyalty to family and friends; and all of those are true. I will not try to top those statements. I will simply say what all of us are feeling today: sad

and a little bit emptier as a nation, missing her honor, dignity, and respectability.

#### NOMINATION OF MIKE POMPEO

Mr. President, later today I have the honor of meeting with the Director of the CIA, Mike Pompeo, who has been nominated by the President of the United States to become America's chief diplomat, the U.S. Secretary of State. I am looking forward to catching up with the Director about several global challenges and his priorities as the next Secretary of State.

What confounds me as I stand here today is that many of our Democratic colleagues have made his nomination a partisan wedge issue. Diplomacy, which is what the State Department does, is supposed to be about bringing people together, not driving them apart. But sowing discord is what some partisans seem content on doing when it comes to Director Pompeo's nomination, and it is a shame.

With the growing number of threats around the world, with heightened tension in North Korea and Syria, it is clear that we need an intelligent, qualified person in that position. It is time to put partisan politics aside and to confirm this nomination. There is no good reason why we shouldn't be able to do that. After all, the editorial board at the Washington Post argued persuasively that Director Pompeo should be confirmed. Fourteen Democrats supported him when the Senate voted last year to approve his nomination to lead the CIA.

Back then, our colleague, the senior Senator from Virginia, said that he believed Pompeo would be an "effective leader of the CIA at a time when the Agency is facing many challenges."

The junior Senator from Virginia added that Pompeo "has a keen understanding of the CIA's role" and was "knowledgeable about our Nation's cyber threats."

Those seem like pretty nice compliments and pretty accurate assessments to me.

But now some Democrats are saying they oppose Pompeo's nomination for the State Department. On what grounds? Is the CIA any less important a job than the State Department? To be for Director Pompeo as Director of the Central Intelligence Agency and against him for Secretary of State seems to be unreconcilable.

Some have attempted to justify their opposition saying that he is somehow anti-diplomacy, but that claim is frankly false.

We just heard last night of the news of Director Pompeo's trip to North Korea. Two Democratic Senators from Connecticut praised the groundwork that was being laid, saying they were "glad" that preparations were being made for upcoming negotiations on the denuclearization of the Korean Peninsula and that this is the sort of diplomatic effort on the part of Pompeo that is undoubtedly welcome.

I agree with those comments. It is important to make sure that we ex-

haust all efforts to a diplomatic resolution on the Korean Peninsula, rather than see an armed conflict with so many innocent lives lost and so much bloodshed. So I applaud Director Pompeo and this administration for taking the diplomatic avenue so seriously and making that trip, laying the groundwork for the President's negotiation with Kim Jong Un.

That raises the question: How possibly could Director Pompeo, in light of this news, be the warmongering, anti-diplomatic caricature that some Democrats have painted him to be? It is just not true. The Director's trip is not the only thing that established his diplomatic credibility.

I have spoken about Director Pompeo's credentials on several occasions in the past. As we know, he graduated first in his class at the U.S. Military Academy at West Point, where he was an engineer. He served in the U.S. Army, earning the rank of captain, and he served as a cavalry officer in various parts of the world.

When he went to law school, he graduated at the top of his class and practiced at a prestigious law firm. Then he went into business, founding an aerospace company, and later ran for the House of Representatives from his home State in Kansas.

Those that know Mike know that "brash," "impulsive," and "reckless" are not words you would ever use to describe him. He is not somebody looking to pick a fight with dangerous regimes or to flex military muscle unnecessarily.

Actually, Director Pompeo is careful, thoughtful, and deliberate. He listens, he studies, and he gets along with people. Above all, he has the sort of experience we need in our next Secretary of State.

It is true that he has military experience, but that doesn't predispose him to military conflict as the best way to resolve our disputes with other countries—to the contrary. And he has much more than just that experience.

He served honorably on the House Intelligence Committee, and he has now served at the CIA for more than 1 year. So he has that vital intelligence background.

As I said, he worked in law and business. So he understands the role of civil society and public institutions and building the durable rule of law in countries unlike our own.

I hope our colleagues will remember these qualities in the days ahead, and I hope Director Pompeo will be confirmed on the floor in short order. It would be a grave mistake for this body to fail to confirm the next Secretary of State, particularly leading up to the important negotiations with regard to the nuclear weapons capacity of the North Korean regime. The likelihood that it could be resolved short of armed conflict should encourage all of us to continue to support those diplomatic efforts and to support Director Pompeo as the next diplomat in chief.

#### TAX REFORM

Finally, Mr. President, I would like to speak again about tax day, which, of course, was yesterday. I know so many Texans are saying: Thank goodness it is over.

We heard a collective groan across the country as people jumbled together all the paperwork and mailed their returns or delivered them to the IRS.

The good news is that the worst is behind us. As the majority leader wrote recently, there is "a silver lining—simply put, it is 'out with the old and in with the new.'"

Yesterday is the last time American families will have to file under the unfair, convoluted, and outdated Tax Code that Congress and the President got rid of a few months ago.

Unfortunately, none of our Democratic colleagues supported the Tax Cuts and Jobs Act—none. All of them voted no in lockstep. Every single Democrat in the House and every single Democrat in the Senate voted to block tax cuts for working families. They voted against doubling the standard deduction. They voted against doubling the child tax credit. They voted to maintain the U.S. corporate rate as the highest business tax rate in the industrialized world—all to our detriment and all to contribute to slow economic growth and a lack of hope for so many people looking for work and hoping to pursue their dreams.

Well, some of our colleagues yesterday met on the stairs out in front on the Capitol, and they said that not only did they vote no when it came to the Tax Cuts and Jobs Act, but now they want to repeal those tax cuts. That is right. They came together unanimously and said: We want to raise your taxes, killing the nascent economic recovery we have seen, which has gotten people so excited and has caused consumer confidence to be at an all-time high.

We have seen what has happened to the stock market and to people's 401(k)s, pensions, and retirement savings. People have a spring in their step once more when it comes to their job prospects and bringing home more take-home pay.

Our colleagues across the aisle voted against a \$2,000 tax cut for a family of four making \$73,000. They simply have ignored the fact that the Tax Cuts and Jobs Act doubled the standard deduction, making sure that for a married couple, their first \$24,000 of income earned was tax free. They ignored the fact that the Tax Cuts and Jobs Act doubled the child tax credit from \$1,000 to \$2,000, allowing many more parents to claim it and helping working families.

Our Democratic colleagues who voted no ignore the fact that the law eliminates the individual mandate tax, which disproportionately hits low-income families. Worst of all, our colleagues who insist on voting no to