

which Floridians have already paid for with their tax dollars, and provide healthcare for up to 800,000 Floridians who don't have it now.

Perhaps what is even more troubling is that the letter accompanying the State of Florida's request stated that the agency—get this—“was not aware of any concern or opposition raised by any member of either party regarding this provision during extensive budget debate.” So now not only is the State of Florida trying to harm thousands of Floridians, including many of our seniors and veterans—by the way, veterans are on the Medicaid Program as well. Don't forget that. All veterans are not taken care of under only the Veterans' Administration; there are a lot of veterans on Medicaid.

So the State is trying to harm these people, and I wonder now, in that letter that I just quoted from, if the State is misleading the Federal agency CMS in trying to get their waiver approved to cut the 90 days down to 30 days. Indeed, members of the Florida State Senate, the legislature, raised innumerable concerns and objections to the provision. Most recently, the Florida Senate minority leader called out the Governor's administration for the misleading claims.

Instead of making it harder to gain coverage, we ought to be focusing on getting our uninsured neighbors quality and affordable health coverage and reducing uninsured, uncompensated costs. We need to do what is good for the people of Florida.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

YUCCA MOUNTAIN

Mr. HELLER. Mr. President, I rise today to reiterate my strong opposition to the House of Representatives' effort to restart licensing activities at Yucca Mountain and in particular the Nuclear Waste Policy Amendments Act, which passed the House just a few hours ago.

This bill, which is a complete and total waste of taxpayer dollars, is dead on arrival in the U.S. Senate. Not only will I place a hold on the bill now that it has passed the House, I will also object to the motion to proceed to the bill. This vote today proves my point that I am the only person in Washington, DC, standing between a pristine, beautiful Nevada or a Nevada dripping with nuclear waste. As I have said in the past, I will continue to serve as a roadblock to every effort to make Nevada our Nation's nuclear waste dump.

Despite the House of Representatives' repeated attempts to revive a failed project, I have been able to ensure that not a single dollar has been appropriated to restart licensing activities at Yucca Mountain. This vote is nothing but a failed exercise because as long as I am in the Senate, Yucca Mountain is dead. It is as simple as that. As I have previously said, under my watch, I will not let one more hard-

earned taxpayer dollar go toward the failed Yucca Mountain project. My State refuses to serve as our Nation's nuclear waste dump. That is why I am proud to say that because of my leadership, the Senate has repeatedly refused to pass a law funding the high-level nuclear waste repository—a position that was most recently confirmed in the most recent omnibus spending measure.

Because of my current work as Nevada's senior Senator and my bipartisan work with the former Senate majority leader, Yucca Mountain remains dead. I repeat, it is simple as that. But despite Yucca's clear and unquestionable death long ago, some of my friends on the other side of the Capitol continue to waste their time attempting to bring back life to this ill-conceived and fiscally irresponsible plan. Their efforts keep alive a longstanding fight over States' rights and distract us from the real task at hand, which is finding a viable, long-term nuclear waste storage solution that meets the needs of all Americans.

I will be the first person to recognize the important role nuclear power plays in a stable and secure “all of the above” energy strategy and that with nuclear energy comes the need to properly store spent nuclear fuel, but I firmly believe that our Nation cannot progress towards achieving viable and sustainable storage solutions for spent nuclear fuel and defense high-level waste without first abandoning Yucca Mountain.

I am not saying that we shouldn't come to the table to discuss our Nation's nuclear waste storage needs. We should, and I would. But I also believe States should have a say in the matter. That is why, in my opinion, consent-based siting presents the only viable path forward on this issue. Consent-based siting offers a means of addressing our Nation's high-level nuclear waste problem while at the same time respecting the sovereignty of States to object to becoming nuclear waste dumps. The Yucca Mountain proposal, however, represents the exact opposite of consent; it is a unilaterally imposed Federal mandate that goes against the will of the people it directly affects.

My colleagues have heard me raise the question many times that I and Nevadans are thinking: Why should a State without a single nuclear powerplant of its own be forced against its will to house all of our Nation's nuclear waste?

Let me repeat that. Why should a State without a single nuclear powerplant of its own be forced against its will to house all of our Nation's nuclear waste? This is a question that has never been answered—not from the Presiding Officer's seat, not from the Speaker of the House, nor from the author of this bill. And I think if we want an intellectually honest answer, it would be that it shouldn't have to.

Beyond the violation of the State sovereignty and the disregard for the

will of the local population, the Yucca Mountain proposal poses significant health and safety risks and potentially catastrophic financial risks that must be addressed before, not after, the proposal moves forward, should it move forward at all.

What are these risks? Well, for one, Yucca Mountain is located just 90 miles from the world's premier tourist and convention and entertainment destination of Las Vegas, NV. Last year, Las Vegas welcomed nearly 43 million visitors. Over the past decade, the greater Las Vegas area has been one of the fastest growing in the United States, with a population that now exceeds 2.1 million people, according to the latest U.S. Census Bureau numbers. Any issues with the transportation of nuclear waste to that site or issues with storage there would bring devastating consequences to the Las Vegas, NV, and national economies—issues that would inevitably result from shipping 9,500 rail casks in 2,800 trains and 2,650 trucks hauling 1 cask each to Yucca Mountain over the next 50 years. These shipments would use 22,000 miles of railways and 7,000 miles of highways and cross over 44 States.

To date, however, Nevadans have not received sufficient assurance from the Department of Energy or the Nuclear Regulatory Commission that their concerns about these risks will receive the procedural due process and thoughtful consideration they are owed under existing law. In fact, in my recent correspondence with the Nuclear Regulatory Commission, I continue to stress to the Commission the importance of procedural safeguards, such as local hearings and local adjudication, to ensure that parties directly affected by the proposal have the opportunity to air their concerns and have them considered in an open and reasonably close forum.

It is because of these and other unresolved concerns that I continue to stand with the State of Nevada in its strong opposition to restarting licensing activities at the Yucca Mountain repository.

Rather than forcing the State of Nevada to accept nuclear waste at a scientifically unsound site, taxpayer dollars would be better spent identifying viable alternatives for the long-term storage of nuclear waste in areas that are willing to house it. Finding alternatives is the commonsense path forward, as well as the fiscally responsible decision.

The Federal Government should not waste another taxpayer dollar on Yucca Mountain—waste that already amounts to nearly \$15 billion. According to Department of Energy estimates, an additional \$82 billion would be needed to license, construct, and operate Yucca Mountain through closure, bringing the total system life cycle cost for the project to around \$100 billion—an amount that would be probably 15 to 20 percent higher in today's dollars.

So it is clear that instead of throwing more taxpayer dollars at a failed proposal, which is exactly what the House of Representatives' Nuclear Waste Policy Amendments Act does, we should be working on a real, long-term solution rooted in consent-based siting.

With that, I urge my colleagues, as we continue the budget and appropriations process for the 2019 fiscal year, to focus on further implementation of the Department of Energy's consent-based siting process.

I stand ready to partner with my colleagues on both sides of the aisle on this issue, and I am confident that together we can find a solution to this problem once and for all.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture motions with respect to the Scudder and St. Eve nominations be withdrawn and that the Senate vote on the nominations in the order listed at 5:30 p.m. on Monday, May 14. I further ask that, if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. I further ask that notwithstanding the provisions of rule XXII, the Senate vote on confirmation of the Carson nomination at 12 noon on Tuesday, May 15; that if cloture is invoked on the Nalbandian nomination, that confirmation vote occur immediately following the disposition of the Carson nomination; and that if either are confirmed, the motions to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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 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 John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, John Hoeven, Johnny Isakson, James Lankford, Steve Daines, Ben Sasse, Mike Crapo, John Kennedy, John Barrasso, 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 John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, 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 Arizona (Mr. MCCAIN) and the Senator from Kansas (Mr. MORAN).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Delaware (Mr. COONS), and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

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

The yeas and nays resulted—yeas 52, nays 43, as follows:

[Rollcall Vote No. 91 Ex.]

YEAS—52

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

NAYS—43

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

NOT VOTING—5

Booker	Duckworth	Moran
Coons	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 43.

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 John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Florida.

(The remarks of Mr. RUBIO pertaining to the introduction of S. 2826 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. RUBIO. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

FUEL EFFICIENCY STANDARDS

Mr. CARPER. Mr. President, I was filling up my Chrysler Town & Country minivan with gas last weekend, and I noticed the price in Delaware is up to about \$2.80 a gallon for regular gas. That is up by close to \$1 above what it was not that long ago.

I remember that the first time I bought gasoline in Delaware, I was right out of the Navy. I served in the Vietnam war as a naval flight officer, and I moved from California to Delaware. I drove my car to a gas station right in the middle of a gas war.

I actually benefited from the gas war in 1969 in Texas. I was driving from Pensacola, FL, to the San Diego Naval Station. I filled up my Volkswagen Commander for less than \$2 during the gas war in some little town in Texas.

Fast forward to, I think, 1970 through 1974, and we are having a different kind of war. It is with OPEC. They are putting the squeeze on us and much of the rest of the world by reducing the amount of oil they are bringing out of the ground and driving up prices.

Then we had an oil blockade, and things really got interesting for a while. I am not sure who was President then, whether it was Gerald Ford, who was succeeded by Jimmy Carter. But somebody—maybe it was Democrats and Republicans—finally said: You know, we have to be smarter than this. We continue to be dependent on foreign oil. They can put a blockade in place and essentially make it difficult for us to get oil and pay the prices that they want.

So Democrats, Republicans, the President, and Congress, working together, decided we should increase the fuel efficiency of our cars in this country. We hadn't done that for quite a while. They put in place fuel efficiency standards for cars. We stepped up the mileage requirements for a period of years, and after several years, that target level stopped. We reached a ceiling; I think it was like 27 miles per gallon, as I recall. But after that, the CAFE standards stayed right there for years, maybe for a couple of decades.

We kind of revisited the issue, I want to say in 2007, and said: You know, that doesn't make much sense. Why don't we begin to increase fuel efficiency again? We did so with bipartisan legislation. Senator DIANNE FEINSTEIN, Ted Stevens, and I, along with others, worked on it and passed legislation to increase—not dramatically, but for a while, for a number of years—fuel efficiency standards for cars, light trucks, and SUVs.

When we fell into the great recession in 2007, 2008, 2009, we saw the auto companies—a couple of them, Chrysler and I believe GM—going into bankruptcy. They got a huge bailout from our taxpayers, from the government. I was one of the people who sponsored and supported that. But in return for their getting that kind of help, they agreed to a