

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 President, I ask unanimous consent that the cloture motions with respect to the Scudder and St. Eve nominations be withdrawn and that the Senate vote on the nominations in the order listed at 5:30 p.m. on Monday, May 14.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	Merkley	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 Commandeer 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

more rigorous increase in fuel efficiency standards going forward.

There is going to be talk tomorrow in the White House about whether we should continue to raise fuel efficiency standards for cars and light trucks and SUVs.

Interestingly enough, the CEOs from a number of American auto companies and those that have plants here but are actually maybe foreign-based, foreign-headquartered auto companies are going to meet with the President tomorrow, and they are going to be talking about what should be done with these fuel efficiency standards. Should we continue to ramp them up? Under current law, they are going to continue to be ramped up until about 2024, 2025, and then after that, there is really nothing in the law that says what should happen after 2025.

There are some in the White House—maybe the President but maybe some others in the White House—who think that we ought to basically hold them in place where they are and not continue to increase fuel efficiency standards for cars and light trucks and SUVs. The administration has been basically suggesting a message or a path forward that says: Let's just sort of hold it in place—kind of like we did for 20 years on the heels of the Arab oil embargo.

So the White House will be meeting tomorrow with these auto executives, and it will be an interesting conversation. I expect the President is going to say: Look, we are going to give you a break. We don't think you ought to be building cars, trucks, and vans that nobody wants to buy. People want to buy big vehicles, fuel-inefficient vehicles. It doesn't matter; they are basically going to stop increasing fuel efficiency standards. That should help the idea of the White House and the auto companies to say: That should be what you want. That should be what you need.

The message that I think the President will hear from the auto industry is going to probably be a surprising one for him because that is not what they are going to be asking for.

I don't know if our Presiding Officer makes customer calls. I do. I was doing it when I was Governor and as a Congressman and a treasurer before that. I visit businesses large and small, year in and year out.

At one time, Delaware built more cars, trucks, and vans per capita than any other State in the United States. We had a plant in Newark, DE, near the University of Delaware, and 4,000 people worked there for Chrysler. We had another 4,000 who worked at the GM plant not far from here, between Wilmington and Newark. We lost them both during the great recession. We lost them both, 8,000 jobs, just like that. So I like to stay close to the auto industry. I think it is important to have a vibrant and strong auto industry in this country. I have done a lot of customer calls over the years to auto manufacturers, including Chrysler and

GM, for reasons that are important for Delaware, but I have visited a bunch of other companies as well.

When I do customer calls, I ask three questions of whomever I am visiting. I ask: How are you doing? How are we doing—"we" being the State of Delaware, whether as the Governor of Delaware or from the Federal Government. How are we doing, and what can we do to help? How are you doing? How are we doing? What can we do to help?

I hope that during this conversation that will take place about 25 hours from now—I hope the President is in a listening mood. I hope he will say: Well, what do you need? Because here is what he is likely to hear from them: They are not asking for relief and to not have to comply with fuel efficiency standards. Here is what they are asking for: They are asking for some flexibility in the near years, between 2021 and 2025, and in return for some flexibility in the targets for fuel efficiency during those years, they are willing to agree to more aggressive targets in the outyears, between 2025 and 2030.

The auto industry knows that by then—I don't know if the majority of vehicles being built in this country will be electric-powered, battery-powered, maybe powered with fuel cells, but we are going to see a revolution here in this country and, frankly, around the world. In the rest of the world, they are going to be building vehicles—cars, trucks, vans, SUVs—that are much more fuel efficient and, frankly, far less polluting. We in this country will get to compete in a world marketplace against those competitors. How do we better ensure that we are able to compete?

So what the auto industry is going to say is, give us some flexibility in the near term—2021 to 2025—and we are willing to work with more rigorous standards thereafter. Give us some certainty.

Currently, the folks in California and about 10 other States who support California have the ability to, under the law, have their own separate standards, fuel efficiency standards, compared to the rest of the country. When this was first envisioned, the auto companies almost had a heart attack. They said that the idea of having to build one set of models—say for a Ford—or having to build one version of that model for California and 10 or 11 other States and then something different for the other maybe 40 States—they didn't want to worry about that. They didn't want to have to do that. They know we need to be more energy efficient and less polluting. They were concerned about having to do that—two versions of every model. So it has been worked out that California can continue to have its own standards, but the auto industry—and, frankly, other countries, too, that build vehicles—will build one version of one model for each of the models that are sold in this country.

Tomorrow, the auto companies are going to say: We need to be able to con-

tinue to do that. We don't need to be building two versions of the same automobile for every car and truck and SUV that is sold in this country.

The automobile industry is going to say to the President that there is no need to kick California to the curb, or these other States that support that position; what we do need is what I said earlier—some flexibility in the fuel efficiency targets in the near term, up to 2025, and after that, more rigorous standards going forward.

One of the things I learned a long time before I was Governor was that among the things that businesses need are certainty and predictability. They need certainty. They need predictability. That is especially true in the auto industry, where the lead time building a new car or truck or SUV or van can be 5, 6, 7 years. That is why this is an important conversation to have tomorrow.

I learned long before I was Governor that Governors don't create jobs, Presidents don't create jobs, Senators don't create jobs, and mayors don't create jobs. What we do is we help create a nurturing environment for job creation. Among the things that help provide that nurturing environment are predictability and certainty with respect to our laws, with respect to our regulations. It is also helpful to have the Federal Government and maybe colleges and universities provide some money for research and development. Some of the R&D that has enabled our auto fleet—our trucks, our light trucks and SUVs—to be more energy efficient—some of the R&D provided, appropriated here by this body, has been used to make us more competitive in world markets.

Our tax policy is designed to encourage people to buy more energy-efficient vehicles. We use the government's purchasing power to buy more energy-efficient vehicles so they will be making a market, so they will be more likely to be able to sell them and build them in quantity.

I would just conclude by saying: Mr. President, when you meet with these folks tomorrow, carmakers from across the country and around the world, I hope that you won't just tell them what you think they want to hear but that you will ask them: What do you need? What do you need?

I think the message he will hear will be quite different from the message he is prepared to give them.

If we really want to help the domestic auto industry, we can do that. It is not by rolling back or freezing in place fuel efficiency standards; it is by helping us to get to the next level using the kind of technology in our vehicles that we can sell around the world and compete against the best in the rest of the world.

I think that is it for me. I don't see anybody else on the floor asking to speak, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF GINA HASPEL

Mr. PORTMAN. Mr. President, I rise to talk about an extremely qualified person who has been nominated to be the next Director of the Central Intelligence Agency.

I just left a meeting with Gina Haspel, who is a woman who has spent her entire career at the Central Intelligence Agency protecting our country. Over the decades, she has been in the field a number of times and has been in a number of dangerous situations. She has been an analyst. She has been in leadership. She is currently the Deputy Director of the Central Intelligence Agency. By the way, she is the first woman who has ever been the Deputy Director of this Agency. Of course, she would be the first woman Director if she is to be confirmed.

I had an opportunity to talk to her about a lot of issues, including the morale at the CIA and how people feel about her being the Director. As you can imagine, folks over there are extremely excited about this—one of their own, someone they know and trust. They understand she has their interests at heart. I think it would be terrific for that Agency to have someone with her capability. She would be only the second Director in the history of that Agency who came up through the ranks.

I also went down to what is called the SCIF, which is a place where you can look at classified information. This week, I had the opportunity to review her background, not just what is available publicly but also what is in a classified form. Suffice it to say, I was very impressed.

I spent my time looking at her record, looking at her background, talking to her personally, talking to other people in the intelligence community to understand the impact she would have on the men and women of that Agency. I can state that I truly believe she is not only qualified, but she may be the most qualified person you could think of to run this Agency, and she will be good for the Agency.

I have the opportunity, when I go around the world to make visits on behalf of the Foreign Relations Committee—I am a member of the Foreign Relations Committee—to meet with CIA personnel. I was in Ukraine, in the Czech Republic, in Germany over the Easter break, with our troops on Easter, and had the opportunity to meet with some of the CIA employees overseas. I can just state, you would be so proud if you had the opportunity, as I have had, to meet with some of these people and talk to them about what they are doing every day to help protect us and the risks they take every day to help protect us on behalf of our national security.

Who better to provide the President of the United States with the sort of intelligence analysis needed to deal with so many challenges we face around the world than someone who has been in the trenches, who has been one of those people out in the field like the folks I met with as recently as last month? She is someone who has a deep understanding of intelligence operations.

By the way, she is not political at all—not a Republican, not a Democrat. She is a career professional. What better Agency than the Central Intelligence Agency to have someone who is a consummate professional? I believe that is one reason she has such strong support from former CIA Directors. You probably have seen this, but former Secretaries of State and former CIA Directors have come forward to support her, including Republicans and Democrats. The list includes Leon Panetta, John Brennan, and James Clapper, who were all intelligence leaders in the Obama administration. They have come out in support of Gina Haspel. It is easy to see why she is so widely supported.

Let me share one quick account I have read about. She is probably too modest to talk about it. One of her assignments was in a difficult part of the world, a dangerous part of the world. She was a station chief there. She got news that there were two senior al-Qaida associates linked to the Embassy bombings in Kenya and Tanzania. You may remember those horrible bombings. They were on their way to the country where she was stationed. With that little bit of information, she went to work. As a result of her swift actions and her dedication and intensity, she actually went full time, 24/7—they say she slept on the office floor to the extent she slept at all—and she was able to determine that these terrorists had gone to a particular hotel. Intelligence tracked them there, and after a firefight, they were apprehended. These two evil men who had killed so many people in Africa through terrorist attacks were stopped, but just as important, their computers were seized, and their computers revealed the next terror plot they were planning. Lives were saved, and Gina Haspel was awarded by George H.W. Bush the Award for Excellence in Counterterrorism.

So she has received a lot of honors like that throughout her career. I tell you that story just to give you a sense of who this woman is because I think when we hear debate in this Chamber and talking back and forth, sometimes we forget the fact that these people do work in dangerous situations to protect us.

She has been in situations where gunshots have been fired upon her vehicle, as an example. She is one of those people who all of these years has been out there serving us, and now for us not to support her, I think would be the wrong thing to do.

I look forward to the confirmation. It will be another first for her, the first

woman Deputy Director, the first woman Director, but that is not why she is doing it. She is doing it, as she told me today, because she is a patriot.

She is from Kentucky, right across the river from where I live in Cincinnati, OH. She grew up as a kid who believed in patriotism and service and protecting our country, and she has devoted her life to this.

One final point I hope some of my colleagues who might be listening or who are undecided might think about. This is an incredibly dangerous world we live in right now. Unfortunately, we face a lot of dangers. I just had the chance to talk to Gina Haspel about what is happening with regard to Iran, Syria, and the latest news with regard to the conflict between Israel and Syria. We had a chance to talk at some length about what is happening with regard to the Russian influence in Eastern Europe and particularly what is going on on the eastern border of Ukraine—the line of contact where I was a month ago, learning some of the challenges we now have with getting good intelligence with regard to what is happening in that part of the world. We talked about issues relating to North Korea and the recent return of the three hostages. I can just state, without going into detail, this woman knows the world. There would be no on-the-job training. She has been Deputy Director for 18 months, but long before that she had a grasp of what is going on around the world. She knows the people around the world, and she knows her senior leadership team as well. She is a woman who is prepared to step forward at a time when we cannot afford mistakes, when we need to have somebody who has that experience.

I would just say to the families we all represent, we are charged with voting up here, but ultimately we are charged with representing millions of Americans, each of us in our respective States. Think about their safety and think about whom you would want—whom you would want in that position. I would challenge my colleagues to think of somebody who is better qualified.

I know there are some concerns that have been raised by some of my colleagues about actions that were taken by the CIA immediately after 9/11. One, we have to put ourselves in that mindset after 9/11 and the great dangers we faced. Certain decisions were made that were considered absolutely legal. In fact, the congressional leadership, the so-called Big Eight, including the Intelligence Committee, Democrats and Republicans, were all read into it and knew what was going on and were approving of it. In fact, some would say that some Members of Congress even pushed the CIA to do even more in terms of interrogating people and getting more information to reveal thoughts that were being planned to save lives.

I understand there is new thinking about that, and Gina Haspel herself