

confirm two more of President Trump's fine circuit court nominees, Michael Scudder and Amy St. Eve—both of Illinois, both exceedingly qualified, and both carrying the bipartisan support of the Judiciary Committee.

Michael Scudder carries an impressive legal record, with extensive experience in both private practice and public service, and the American Bar Association's highest rating. Judge Amy St. Eve shares the ABA's unqualified confidence. She has compiled a 17-year record in the Northern District of Illinois. That is why the Senate confirmed these highly qualified nominees to serve on the Seventh Circuit Court of Appeals with a bipartisan majority.

Today, our progress will continue. We will vote to confirm John Nalbandian, of Kentucky, to serve on the Sixth Circuit and Joel Carson, of New Mexico, to serve on the Tenth Circuit.

Judge Carson has had a distinguished tenure as a U.S. magistrate judge. His peers say his "integrity, fairness, and respect for the dignity of others are top notch." A bipartisan group of New Mexico lawyers has expressed confidence "he will be an excellent addition to the Tenth Circuit." The Judiciary Committee agreed and reported Judge Carson's nomination to the full Senate in a bipartisan fashion.

We will also vote on John Nalbandian, who is from my home State of Kentucky, who has been nominated to serve on the Sixth Circuit. Mr. Nalbandian has earned respect from across the political spectrum as a top appellate advocate. He is known for his fairness, collegiality, and legal ability. In 2007, Mr. Nalbandian was appointed to be a special justice on the Kentucky Supreme Court. He later sat on the selection panel for magistrate judges in the State's Eastern District. More recently, President Obama nominated him to serve on the board of the State Justice Institute. He was confirmed by a voice vote.

In addition to well-regarded work in private practice, Mr. Nalbandian has also dedicated himself to community causes, such as economic development in Northern Kentucky and greater local representation for minority attorneys. To that end, the National Asian Pacific American Bar Association has joined the multitude of supporters of his nomination. They note that if confirmed, Mr. Nalbandian will be just the seventh active Asian Pacific American Federal appellate judge nationwide.

John Nalbandian has the impressive credentials, the preparation, the broad support—every indication that he will be a worthy and capable judge.

We should confirm both of these nominees without delay.

ECONOMIC GROWTH

Madam President, less than 16 months into the Republican government, our policies are helping to create a sea change in the economic climate in our country. The Washington Post

recently reported on new data from the National Federation of Independent Business. Forty-three percent of small business owners say they are already investing in new equipment. More than half of manufacturing firms and construction firms expect demand to keep growing, and the percentage of small businesses that has raised worker compensation is the highest it has been since 2000.

For years, Democratic policies, like high taxes and runaway regulations, have put a headwind in the faces of American job creators. Now, historic tax reform, regulatory relief, and the rest of our opportunity agenda mean the wind is once again at their backs.

Republicans understand that American workers don't win when American businesses lose. Our economy is not a zero-sum game. If we want middle-class families to thrive, we need the American businesses that compete to employ them and pay them to thrive as well. Sure enough, the Bureau of Labor Statistics reported that the amount employers spent on worker pay and benefits grew more in 2017 than it did in any calendar year under President Obama.

More prosperity, more opportunity, and more raises and bonuses for working families are just the start of what the American people can accomplish when Republicans get Washington out of the way.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

NOMINATIONS OF ANDREW OLDHAM AND WENDY VITTER

Mr. SCHUMER. Madam President, the Judiciary Committee announced that it would be voting on a slate of judicial nominees including Andrew Oldham, a nominee for the Fifth Circuit, and Wendy Vitter, a nominee for the Eastern District of Louisiana.

We prize the quality of moderation in all our judges at the district level, the circuit level, and, of course, at the Supreme Court level. Mr. Oldham and Ms. Vitter unfortunately have expressed a number of sentiments that would put them on the political extreme, including troubling statements about women's healthcare rights.

Asked separately by my colleague, Senator BLUMENTHAL, if they agreed with the decision in the landmark Supreme Court decision forbidding segregating schools in *Brown v. Board of Education*, both Mr. Oldham and Ms. Vitter demurred. Can you believe that? They would not say they supported *Brown v. Board of Education*, and this is who our colleagues are nominating

to put on the bench? It shouldn't be a tough question. Segregation and the false paradigm of "separate but equal" was a national disgrace. It remains a stain on our history. It has been widely discredited from one end of America to the other. Yet the nominees for the Fifth Circuit and the Eastern District of Louisiana could not say they agreed with the idea that we as a Nation should have one school system for all races.

The Judiciary Committee will vote on Mr. Oldham and Ms. Vitter's nominations on Thursday, 64 years to the day since *Brown v. Board* was decided and segregated schools were deemed unconstitutional. In honor of this anniversary, the 64th anniversary of *Brown v. Board*, my Senate Republican colleagues aren't rolling out a new education policy or a new civil rights policy, they are voting to give these two individuals lifetime appointments to the bench.

When we say that sometimes our Republican colleagues and this President is divisive, it is actions like this that document that and make the fact that they are being divisive irrefutable. Our Nation became a better nation—more just, more free—when the Supreme Court said that no official, high or petty, could determine where an African American child could or could not go to school. If you can't agree with that decision, you don't deserve to be a Federal judge, and my colleagues should make a stand and roundly vote against these two nominees.

TRUMP ADMINISTRATION

Madam President, next, I want to talk about an emerging theme from President Trump's Presidency, and that is his failure to deliver. For all the ballyhoo about the President being an effective dealmaker, a get-it-done business executive, President Trump has failed remarkably to deliver on his promises to the middle class and to the American people as a whole.

While sometimes I think some folks confuse chaos for activity, the truth is, the President's impulsive and erratic behavior has scuttled bipartisan legislation, impeded progress, and prevented the middle class from gaining their rightful share. The rhetoric continues unabated, the President talks a good game, but actions and accomplishments in area after area after area escape him.

President Trump, for instance, promised the American people a better healthcare system. He said better quality at lower prices. Premiums now have jumped double digits in State after State. It is clear he hasn't delivered on that promise.

President Trump promised to protect Medicaid and Medicare from cuts, and then he proposed cutting both these programs. Just recently, the President backed off from a commitment to let Medicare negotiate lower prices for prescription drugs. When he campaigned, all the President would talk about, time after time, is drug prices

are too high, and yet the program he announced last Thursday was a humiliation for the President. From one end of the Nation to the other, they said this does nothing. In fact, the stock prices of the pharmaceutical industry went up as he gave his speech—no better proof that he wasn't doing anything.

President Trump promised that his tax bill would be a middle-class miracle; instead, it is a giveaway mostly to corporations and the wealthy, with 80 percent going to the wealthiest people and most powerful corporations in America. Already we are seeing higher healthcare premiums and rising gas prices eat away at any meager tax benefit middle-class families received.

So, to ask the question that has been asked time and time again of middle-class people, "Are you better off today than the day President Trump became President," most people are not because so many costs are going up and so many promises that President Trump made are not being fulfilled. The President seems to think rhetoric is in one place and action is in another and the twain never meet. So he talks a good game and acts on behalf of the powerful and special interests that hurt the middle class.

Here is another one. What about infrastructure? President Trump promised the Nation a \$1 trillion infrastructure bill to build gleaming new roads, bridges, and tunnels. It took him over 1 year to propose a detailed infrastructure plan, and when he did, it wasn't even close to \$1 trillion and has gone nowhere. One of his spokespersons said: We are not doing infrastructure this year. That was one of his biggest promises to the American people—gone.

How about trade? Trade is an issue where the President and I mostly agree. As I have said, I believe I am much closer to President Trump on trade than either Presidents Obama or Bush. I publicly and privately told him as much, but now I am beginning to doubt him even on trade.

He talks a big game on China, he promises to be tough, and yet this weekend, on the toughest thing he did—the thing that woke up the Chinese and made them think we were serious—the President backed off. Not only may President Trump allow China to evade the consequences of rapaciously stealing American intellectual property, he also pledged to help a Chinese telecom company guilty of violating U.S. sanctions. Even on trade, where the President and I mostly agree on policy, President Trump hasn't delivered, to the chagrin of me and millions of Americans who depend on fairer trade policies for jobs and income.

Finally, what about draining the swamp? This is his big cry. That is all we hear on FOX News: The President wants to drain the swamp. It was a central campaign pledge, but what happened when the President got to Washington? He filled his Federal Government with industry lobbyists and rich

executives with sprawling conflicts of interests. His Cabinet Secretaries have engaged in flagrant graft, enjoying luxuries on the taxpayers' dime.

His administration hardly even vets its candidates. No President, at least in my career, has done as much to fill up the swamp as President Trump. If the American people look at his actions, not his rhetoric, the swamp has gotten much worse, and a lot of it is because of what President Trump did.

Mr. President, you can't say you are draining the swamp and then have an administration abounding with conflicts of interests and abounding with people who favor the wealthy and hurt the middle class.

Of course, there has been no "bill of love" for Dreamers.

The President said he was going to stand up to the NRA. He told a couple of Senators that you shouldn't be afraid of them.

And we haven't seen a check from Mexico on the border wall.

It is a plain fact that this President talks the talk but fails time and time and time again to walk the walk. The Trump administration has left behind a trail of broken promises. There is example after example of this President's failing to deliver. He has dropped the ball for the middle class on healthcare, on trade, on prescription drugs, on draining the swamp, and on infrastructure. On each issue he said he would do something. He hasn't.

I actually agree with a good number of President Trump's campaign promises. I want us to be tough on China. I want to bring more accountability and transparency to government. We Democrats want a trillion-dollar infrastructure bill, and we want to bring down the alarming costs of prescription drugs, but this President either lacks the commitment, the consistency, or the know-how to make real progress on any of these issues.

That is not good enough—not for the millions of Americans who voted for him because they expected him to deliver or the millions who didn't vote for him but need him to deliver because he is President of the United States and the buck stops with him.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. YOUNG). Without objection, it is so ordered.

THE BUDGET AGREEMENT

Mr. LEAHY. Mr. President, notwithstanding what we sometimes hear about a deadlocked Washington, there are times when both parties work together. Three months ago, Republicans and Democrats came together, and we reached a bipartisan budget agreement. Republicans and Democrats together

reached an agreement to lift the budget caps and provide relief from sequestration but, most importantly, to make responsible and new investments in the American people over the next 2 years. Then, President Trump, as he stated earlier that he would do if we reached that agreement, signed it into law.

But now, even though he signed it into law and even though the agreement had been worked out with Republicans, Democrats, and the White House together, the President has proposed—and, unfortunately, House Republicans have drawn up a proposal—to claw back vital funding for children's healthcare, to claw back funding for rural communities, to take back funding for our infrastructure programs, and to take back funding for law enforcement.

These programs from which the White House and, apparently, their allies in the House want to raid the money aren't Democratic priorities. They are bipartisan, American priorities. Ivanka Trump has said that American families need relief. The policies that allow women with children to thrive shouldn't be just for a press conference or a photo opportunity. They should be the norm.

President Trump's proposal would claw back \$7 billion from the Children's Health Insurance Program, or CHIP. If you can't keep a child healthy, what are they going to be like as an adult? CHIP currently provides health insurance for 8.7 million vulnerable children from low-income families. Millions of families from red States and blue States, urban and rural, depend on CHIP to keep their children healthy and happy and to make them the healthy and happy future generation. I don't know how pulling \$7 billion out of this program aligns with the policies to allow children to thrive and to say that should be the norm. You can't say at a press opportunity: This will be the norm—to allow children to thrive—but oh, by the way, we are going to take back the money to make that work. And if the money can no longer be dedicated to the CHIP program, well, then reinvest it in other important programs as we have done in the past—programs that support our Nation's children and families, including Head Start, the Child Care and Development Block Grant Program, opioid prevention, and cutting-edge research at NIH.

The President's proposal also takes away \$159 million from our law enforcement. I began my career in law enforcement. I can't understand taking \$159 million from law enforcement. The President claims that he is going to "support our police like our police have never been supported before." This week is National Police Week. Today, May 15, is designated as National Peace Officers Memorial Day. This is when we pause to thank and recognize our Nation's law enforcement officers for their important work and those officers who sacrificed their