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## House of Representatives

The House was not in session today. Its next meeting will be held on Friday, October 12, 2018, at 9:30 a.m.

## Senate

THURSDAY, OCTOBER 11, 2018

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who has given us life, we praise You that Your tender mercies are over all Your work. Today, may we represent the glory of Your kingdom on Capitol Hill, living in a way that will glorify Your Name.

Thank you that the work you have given our lawmakers and those who labor with them is crucial for our Nation's future. Lord, uphold our Senators with Your might, surrounding them with the shield of Your grace as You provide for their needs. Deliver them from impatience, irritability, and anger, as You keep them from the selfishness that can see only its point of view. Help them to reflect Your grace, purity, and love.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

### HURRICANE MICHAEL

Mr. MCCONNELL. Madam President, Hurricane Michael made landfall along the Florida Panhandle. This storm has already claimed multiple lives and left the gulf coast communities wounded by surging waters and high winds. As Michael continues inland, those left in its wake can count on the Senate's support for responsive recovery efforts and trust in our continued prayers. We remain grateful for the vigilance of first responders and emergency preparedness organizations as they work to keep residents of affected communities safe and for all of those who will help to rebuild after the storm has passed.

### POLITICAL CLIMATE

Mr. MCCONNELL. Now, Madam President, on an entirely different matter, with the bipartisan progress the Senate has made this week, it is hard to believe what was happening just a few days ago right inside this Capitol and right outside the building. It is hard to believe it was less than a week ago that far-left protesters were literally storming the steps of the Capitol and the Supreme Court, running my colleagues out of public places and attempting to shout over their voices right here in the Senate Chamber. Of course, it didn't work. The Senate stood tall and did the right thing.

The far left isn't done yet. If we take them at their word, this may have only been the warmup act. Here is the advice former Secretary of State Hillary Clinton gave to her fellow Democrats just a few days ago. She said: "If we

are fortunate enough to win back the House and/or the Senate, that's when civility can start again."

"That's when civility can start again," she said, when they win back the House and/or the Senate.

Just yesterday, we saw President Obama's Attorney General Eric Holder offer his own version of a slogan made famous by our former First Lady, Michelle Obama. This is Mr. Holder's new vision for civil discourse. Here is how the former Attorney General of the United States urged Democrats to treat the other side. He said:

Michelle always says, "When they go low, we go high." No. No. When they go low, we kick 'em.

He said:

When they go low, we kick 'em. That's what this new Democratic Party is about.

The "new Democratic Party," he said.

Remember, these comments come less than a year and a half after Republican Members of the House and Senate were literally shot at by a politically crazed gunman. Our colleagues were nearly killed just a few minutes from the Capitol. In just these past days, there have been graphic death threats, Senators and staff have needed extraordinary police protection, and the Democrats are calling for more incivility and more rage? They are calling for more incivility and more rage?

There isn't a firmer defender of the First Amendment than I. It is vital that citizens be heard. Americans with strong opinions on both sides of last week's debate spoke up in a civil and respectful way, and our Nation was better for it. But only one side—only

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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one side—was happy to play host to this toxic fringe behavior. Only one side's leaders are now openly calling for more of it. They haven't seen enough. They want more.

I am afraid this is only phase 1 of the meltdown. We are already seeing desperate voices on the far left explain that, well, because they lost this fight, even more drastic steps are in order.

There is crazy talk—crazy talk—about impeaching Justice Kavanaugh. There are left-wing writers demanding that Democrats pack the Court—a zombie idea from the 1930s they have dug up just in time for Halloween.

How about this: One columnist for a national newspaper called the result a coup—a coup—and implied that the Founders got it wrong and designed the Senate incorrectly. They want to rewrite the Constitution? The Founding Fathers got it wrong? Handling defeat badly is one thing, but regretting the Constitution itself because you don't like how a vote turned out—really? This is something else. But I guess it is not entirely surprising given the outright embrace by many on the left, including elected officials, of radical concepts like open borders and socialism.

Anyone who thinks that intimidation and scare tactics might rule the day must have missed the Senate's vote last Saturday. Maybe they weren't tuned in. This body will not let unhinged tactics replace reasoned judgment. We will not let mob behavior drown out all the Americans who want to legitimately participate in the policymaking process on all sides. The Senate, I assure you, will not be intimidated.

#### NOMINATIONS

Mr. MCCONNELL. Madam President, on an entirely different matter, yesterday the Senate passed broad, bipartisan legislation to maintain our Nation's waterways and drinking water systems. Now we are turning back to the personnel business and confirming more of the President's qualified nominees to important executive branch positions.

We voted yesterday to advance the nomination of Jeffrey Clark to serve as Assistant Attorney General for the Environment and Natural Resources Division.

Mr. Clark's qualifications include several years of prior service as Deputy Assistant Attorney General in that same position. He has also built a strong reputation in the private sector as a leading litigator with subject-matter expertise in administrative law. Mr. Clark's legal colleagues describe him as "one of the most capable lawyers with whom [they] have ever worked." No fewer than seven former Assistant Attorneys General for the Environment and Natural Resources Division tell the Senate that his well-rounded background and prior experience in the division make him an excellent choice for this position.

After we confirm Mr. Clark, we will consider another Assistant Attorney General nominee, Eric Dreiband, for the Civil Rights Division. Mr. Dreiband is also well prepared to serve. His resume includes several stints of public service, including as general counsel of the EEOC, in addition to private sector experience. Others have praised his service at the EEOC as "widely respected," "in the highest rung of the Agency's general counsels," and a "record of superlative performance." Those who have worked with Mr. Dreiband emphasize his strong commitment to protecting all Americans' civil rights.

In the words of one leader who is known and worked hard with the nominee for 15 years, "his commitment to fairly enforcing the law is without question."

After Dreiband will come James Stewart, the President's choice to serve as Secretary of Defense for Manpower and Reserve Affairs. Mr. Stewart's experience managing military manpower runs deep through his distinguished career at the U.S. Air Force, from which he retired as a major general.

He has most recently served on the North Carolina Military Affairs Commission and on the Secretary of Defense's Reserve Forces Policy Board.

Each of these nominees deserves confirmation, and I would urge our colleagues to approve all of them.

#### TAX REFORM

Mr. MCCONNELL. Madam President, it has been more than 9 months since Republicans passed the most sweeping tax reform in a generation. Here are just a few of the economic headlines we have seen since it took effect: consumer confidence at an 18-year high, faster year-on-year wage growth than at any point since 2009, and the lowest national unemployment since 1969—almost 50 years ago.

Behind all of these numbers are middle-class families whose lives are changing for the better, and the effects are reaching all kinds of communities—even the places most neglected for nearly a decade by the Obama administration's so-called recovery.

After years of investment and job creation being disproportionately concentrated in the biggest metropolitan areas, 2018 has been a different story. So far this year, it has been smaller and rural communities—smaller and rural communities—that have led the Nation in relative job growth. Out across the heartland, empty storefronts and stagnant local economies are giving way to vibrant transformation and new opportunities.

So when we hear that States like Missouri are thriving again on the watch of the Republicans' pro-growth, pro-opportunity agenda, it really shouldn't come as a surprise. It shouldn't surprise us that Missouri's statewide unemployment rate has

reached its lowest level since 2000—the lowest unemployment in 18 years.

News like this will not surprise anyone who has been listening to the accounts of Missourians, like Mary Beth Hartman, who runs a small construction company in Springfield. She says the new tax law has given her the flexibility to expand vacations and bonuses for her employees and invest half a million dollars in new equipment.

Or Brandon Pister—he used his tax reform bonus to help his family cover medical expenses and put money into savings.

The junior Senator from Missouri can be proud that he voted for the historic policies that helped unleash all of this good news. It is a shame that his colleague, the senior Senator from Missouri, chose to vote in lockstep with Senate Democrats and try to block tax reform from taking effect.

Republicans will keep sharing success stories like these from Missouri and keep helping the American people write more.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### HURRICANE RECOVERY

Mr. SCHUMER. Madam President, let me say to the people of Florida, Georgia, and everyone else affected by Hurricane Michael that our thoughts and hearts are with you. Having worked and lived through the recovery of Hurricane Sandy in my home State of New York, I remember vividly the anguish of families who lost their homes and businesses the day or two after and then realizing it took years for areas of New York and Long Island to recover. We are still in the process of recovering. I know, A, your pain and suffering and, B, the challenges that await you.

So we hope everyone stays safe as the storm passes through the country. We know that Americans and the Senate will pull together, as they always do, to help one another build and recover.

#### CLIMATE CHANGE

Mr. SCHUMER. Madam President, this year has seen a huge number of powerful storms and hurricanes both on the Atlantic seaboard and in the gulf. Hurricanes Harvey, Irma, Maria, Florence, and now Michael have wrought severe damages. According to