

Area designation for quite some time. In her view, have I properly characterized the intended effect of this designation?

Mrs. FEINSTEIN. I thank my colleague from Alaska and appreciate her help with this measure. Yes, her characterization of this provision is exactly right. There is no intent that this designation will have any impact on water rights or water-related management decisions. The general protections and limitations, along with the inclusion of language specific to Delta water operations, makes certain that the designation of the Sacramento-San Joaquin Delta National Heritage Area will not affect or influence water operations of the Central Valley Project, State Water Project, or other water supply facilities within the Bay-Delta watershed, including a reduction in water exports from the Bay-Delta. I am pleased that we have included additional language to dispel any such concerns and make absolutely certain that no one reads anything into the legislation that is not there and was never intended.

I thank her for including this designation in S. 47 and for all of her work to move this historic public lands package forward. The public lands package includes a number of provisions that will benefit California, and I appreciate her leadership in building bipartisan agreement to steer it through the Senate.

Ms. MURKOWSKI. I thank Senator FEINSTEIN. As we have explained, the purpose of this designation is straightforward and intended to promote and celebrate the cultural heritage of the Sacramento-San Joaquin Delta region, without any broader implications on water or land management.

Mr. MURPHY. Mr. President, I wish to engage in a colloquy with the chairman of the Energy and Natural Resources Committee, Senator MURKOWSKI, regarding S. 47, the Natural Resources Management Act, often referred to as the lands package, of which Chairman MURKOWSKI is the sponsor and which is currently under consideration by the full Senate. In particular, I am interested in clarifying the intent of title IV, regarding "Sportsmen's Access and Related Matters."

This title of the legislation deals with—among other issues—the amount of Federal lands open to hunting, fishing, and recreational shooting. If I understand the bill correctly, nothing in S. 47 opens existing Federal lands to hunting, fishing, and recreational shooting that are not currently open to those activities. Moreover, under this bill, those lands may be closed for reasons, including public safety and environmental protection, among other reasons.

Is that a correct reading of the bill?

Ms. MURKOWSKI. Senator MURPHY's reading of the bill is correct.

Mr. MURPHY. Thank you. It is also my understanding that S. 47 makes uniform the process by which Federal

lands may be closed to hunting, fishing, and recreational shooting. Moreover, it is my understanding that S. 47 does nothing to change the standards that the Federal Government uses to determine whether to close Federal lands to hunting, fishing, and recreational shooting or to otherwise limit those activities.

Is that a correct reading of the bill?

Ms. MURKOWSKI. Senator MURPHY's reading of the bill is correct.

Mr. MURPHY. Thank you.

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 legislative 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 Calendar No. 7, S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

Mitch McConnell, Lisa Murkowski, Kevin Cramer, Mike Braun, Mike Rounds, Mike Crapo, Michael B. Enzi, Steve Daines, John Cornyn, John Thune, Thom Tillis, Tom Cotton, Richard Burr, Shelley Moore Capito, Rob Portman, Todd Young.

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 S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes, 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. THUNE. The following Senators are necessarily absent: the Senator from TX (Mr. CORNYN), the Senator from TX (Mr. CRUZ), the Senator from ND (Mr. HOEVEN), and the Senator from NE (Mr. Sasse).

Further, if present and voting, the Senator from TX (Mr. CORNYN) would have voted "yea" and the Senator from ND (Mr. HOEVEN) would have voted "yea".

Mr. DURBIN. I announce that the Senator from MN (Mrs. KLOBUCHER) and the Senator from MI Mrs. STAVENOW are necessarily absent.

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

The yeas and nays resulted—yeas 87, nays 7, as follows:

[Rollcall Vote No. 21 Leg.]

YEAS—87

Alexander	Boozman	Casey
Baldwin	Braun	Cassidy
Barrasso	Brown	Collins
Bennet	Burr	Coons
Blackburn	Cantwell	Cortez Masto
Blumenthal	Capito	Cotton
Blunt	Cardin	Cramer
Booker	Carper	Crapo

Daines	Leahy	Sanders
Duckworth	Manchin	Schatz
Durbin	Markey	Schumer
Enzi	McConnell	Scott (FL)
Ernst	McSally	Scott (SC)
Feinstein	Menendez	Shaheen
Fischer	Merkley	Shelby
Gardner	Moran	Sinema
Gillibrand	Murkowski	Smith
Graham	Murphy	Sullivan
Grassley	Murray	Tester
Harris	Perdue	Thune
Hassan	Peters	Tillis
Hawley	Portman	Udall
Heinrich	Reed	Van Hollen
Hirono	Risch	Warner
Hyde-Smith	Roberts	Warren
Isakson	Romney	Whitehouse
Jones	Rosen	Wicker
Kaine	Rounds	Wyden
King	Rubio	Young

NAYS—7

Inhofe	Lankford	Toomey
Johnson	Lee	
Kennedy	Paul	

NOT VOTING—6

Cornyn	Hoeven	Sasse
Cruz	Klobuchar	Stabenow

The PRESIDING OFFICER. On this vote, the yeas are 87, the nays are 7.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Florida.

AMENDMENT NO. 182 TO AMENDMENT NO. 112

Mr. RUBIO. Mr. President, I call up my amendment No. 182 to amendment No. 112.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO] proposes an amendment numbered 182 to amendment No. 112.

Mr. RUBIO. Mr. President, I ask unanimous consent that the reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: To give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping)

At the end, add the following:

SEC. 2402A. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.
(a) IN GENERAL.—Section 2(b) of the Strengthening Coastal Communities Act of 2018 (Public Law 115-358) is amended by adding at the end the following:

“(36) The map entitled ‘Cape San Blas Unit P30/P30P (1 of 2)’ and dated December 19, 2018, with respect to Unit P30 and Unit P30P.

“(37) The map entitled ‘Cape San Blas Unit P30/P30P (2 of 2)’ and dated December 19, 2018, with respect to Unit P30 and Unit P30P.”

(b) EFFECT.—Section 7003 shall have no force or effect.

The PRESIDING OFFICER. The Senator from the great State of Alaska.

ORDER OF PROCEDURE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 4:30 p.m. on Tuesday, February 12, all postcloture time be considered expired on S. 47; that following the disposition of any pending amendments, the substitute amendment, as amended, if amended, be agreed to, the bill, as amended, be

read a third time, and the Senate proceed to vote on passage of the bill, as amended.

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

Ms. MURKOWSKI. Mr. President, I appreciate the cooperation of the body on the very substantive vote, and I look forward to tomorrow.

The PRESIDING OFFICER. The Senator from Oklahoma.

BORDER SECURITY

Mr. LANKFORD. Mr. President, 2½ weeks ago, Democrats and Republicans—the House, the Senate, and the White House—agreed to reopen the government for 3 weeks to be able to continue negotiations on border security.

A very simple statement that was made by my Democratic colleagues was this: Reopen the government for 3 weeks. We will negotiate on border security and come to an agreement, but only if the government is open, and it would be limited to border security.

It was a pretty straightforward conversation.

President Trump said: We trust you on this.

We agreed to reopen the government for 3 weeks to focus on border security.

Now it appears that based on the negotiations that are happening right now in this building, this has become a Lucy-and-the-football-type negotiation because this doesn't seem to be about border security anymore.

My Democratic colleagues have said: Now we want to add one thing. We will vote for fencing at the border as long as you agree to defund a section of ICE.

The whole negotiation now is this: Yes, we will add border fencing, but you have to agree to defund ICE.

Here is the way that works. Their agreement is this: You will have to limit the number of people that ICE can detain.

Now, to our credit, this Congress has always allocated funding to say: Here is x amount of dollars for detention facilities and for bed space for ICE, knowing that if somebody is picked up at the border, when they are picked up at the border as they cross, the Border Patrol does not house them. They are not detained by Border Patrol. They are arrested by Border Patrol, and then they are turned over to ICE.

So the plan is not to allocate enough dollars for ICE detention but to create a new arbitrary cap for the number of people that ICE could actually detain, so that ICE could only hold x amount of people. That is what they want to get a negotiation—for the first time ever to have a maximum cap of the number of people that ICE could detain.

Why does that matter? One is to allow funding for it, and another one is to have a cap. A cap is very different, and my Democratic colleagues know it.

In real life, here is what it would look like. If ICE, at any point, already had the number they have in custody at that point and they arrest someone

else, they would have to choose to release someone currently in detention before they could arrest someone and put them in detention.

Let me give an example.

Coyotes now try for any adult who is coming to try to have them bring a child with them because they know if a child travels with the adult, they are going to get a special lane into the country, as if they are coming as a family. They get their own fast lane into being released into the country.

If you have this ICE detainer cap, coyotes will know: Bring people in mass migration because ICE can't release enough people at once. So if you come as a thousand across the border or 500 across the border, they have to be released into the country because ICE can't quickly release 500 people from detention to add the new 500 people who are coming through.

My Democratic colleagues also know that it currently takes about 41 days for someone who is in detention to go through the whole process to get a hearing and get finished. This would accelerate the process of getting those people out and released into the country, rather than getting them through the actual hearing.

The better solution on this is to add judges and actually get people to go through the process and get due process faster, instead of releasing people into the country. Once someone crosses our border illegally and they are released into the country, the vast majority of those individuals never get deported because they either don't show up for the hearing at all or, when they do show up for the hearing and they are told, no, you can't legally stay, they disappear.

This cap negotiation that is going on right now is exactly the wrong direction to go. It is not about border security. It is about releasing people into the country.

Several years ago, there was a young lady named Sarah Root. She was in Iowa. It was graduation night from college, and she was hit by a drunk driver and killed. Sarah Root's loss drew the Nation's attention for a moment to the issue of not only drunk driving but illegal immigration, because the person that hit Sarah was illegally present in the country and had a blood alcohol level three times above the legal limit.

Local law enforcement, at that time under the Obama administration, asked ICE to detain them. ICE said they didn't meet the minimum qualification that had been set by the administration to detain them. So they released this person on bond. Sarah later died from her injuries, and they have never been able to find that guy again. He is gone. He is somewhere in the United States, or maybe he is running internationally. We don't know, but he is on our most wanted list instead of being held.

That was a decision made by a previous administration just on priorities. My Democratic colleagues are trying

to force ICE to make those kinds of decisions every single day now—to determine who needs to be released and who needs to be kept based on an arbitrary cap that they want to put in on the maximum number of people that ICE can detain.

There is no State in the country that sets an arbitrary cap, other than the bed space that they have available. But this conversation is that we have enough bed space to hold someone, but you can't use that bed space because we want to limit the number of people that ICE can detain.

This is the current debate on border security. It is not about border security anymore. It is not about fencing anymore. It is now about giving ICE a maximum cap they can detain and, literally, forcing ICE to release people illegally present into the United States. That is not border security. That is the opposite of border security, and we should not go for a deal that puts a cap on ICE that is an arbitrary number.

I hope this administration rejects that. I hope we can finish negotiations. I hope the American people see this for what it is. This is no longer about border security. This is about trying to force this administration to release people into the country who are illegally present and prevent ICE from doing its job. Enough is enough on this. Let's allow the ICE folks to be able to do their job—they are Federal law enforcement—and not put a cap on them, saying: You can only enforce the law this far, and then after that, you cannot enforce the law anymore because we have an arbitrary cap. That needs to be rejected, and that is not a serious offer in negotiations.

The reason we don't already have a deal that is already done right now, with this body debating it, is that debate about capping ICE detentions got added into the conversation last weekend and blew up the whole negotiation.

This is not the White House blowing up negotiations. This is not Republicans blowing up negotiations. This is my Democratic colleagues saying they want a cap on ICE detentions and allowing coyotes to be able to rush large quantities at the border or forcing ICE to have to make difficult choices about which gang members they are going to release and which they are going to hold, literally getting a briefing every morning saying: We can't arrest anyone today because we don't have enough detention space, so today we have to look the other way.

That is an absurd proposal, and we should reject it.

With that, I yield the floor.

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

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

THE ECONOMY

Mr. TOOMEY. Mr. President, I rise to discuss two economic issues this evening. The first is a reaction to a proposal that comes to us from our colleagues on the other side of the aisle. Let me preface this with the observation that I am pretty sure we are living through the strongest economy in the United States in my adult lifetime. It has been fantastic for the people I represent.

Our unemployment rate is pretty much at a 50-year low. African-American and Hispanic unemployment is the lowest that has ever been recorded. The youth unemployment rate is extremely low. It is at historically low levels. Our economy has accelerated, and wages are growing exactly as we said they would. It is very simple. The demand for workers has grown so much that employers are being forced to bid ever higher for the services of the workers.

Now we are in a tremendously enviable position of having more job openings in America than there are people looking for work in America. It is fantastic. This is exactly what we want to have happen.

Last week, the President was right when he said that our economy is the envy of the world. It is totally true.

So what do our colleagues on the other side of the aisle propose to do in light of the fact that we have this fantastic economy? Well, Senator SANDERS and Senator SCHUMER joined up and made a proposal that we adopt legislation that would severely restrict the ability of American companies to buy back their own stock. This is just the latest iteration of a socialist tendency that seems to be growing on the far left. This is a horrendous idea.

I suppose we shouldn't be surprised when we hear a Socialist-leaning idea coming from a self-described Democratic Socialist or a Socialist Democrat—whatever the description is—but I am surprised to hear this coming from the Senate minority leader.

Let's talk about this a little bit. First of all, what is a stock buyback? It is not that complicated. It is when the owners of a company take some or all of their money out of the company.

Let's think about it this way. A business is owned by its shareholders, and the shareholders hire a management team to take their money and invest it in a way that will generate a return for the investor, for the shareholder. That is the role of the management team.

So why would they buy back their own stock? The reason they would buy back their own stock is that sometimes it happens that the management team of a company is just not able to deploy any more capital in a way that would generate a better return than what is generally available in the marketplace. What sometimes happens is companies might make huge investments; they may be investing tremendous amounts—record amounts—in expanding their capabilities, expanding their production, more R&D, and expanding

their staff, but they can reach a limit as to how much they can expand and how much they productively invest at any given point. If they have more money—more cash—than they can productively deploy, they have an obligation to return that to the people who actually own it; that is, the shareholders, the investors. That is their obligation.

Shockingly, Senators SANDERS and SCHUMER are suggesting that companies be forbidden from being able to return some portion of their excess capital to their shareholders unless the company first complies with a list of political demands that Senators SCHUMER and SANDERS are advocating.

Let me tell you why this is such a bad idea. I will give you three reasons. No. 1, it is a disturbing and profound attack on freedom. No. 2, it would be terrible for the economy. And, No. 3, it would hurt the very people they presumably intend to help. Let me go through them in order.

First of all, as far as freedom goes, whose company is it? To whom does a given company in America belong? I have always thought they belonged to the shareholders of those companies—the people who saved up and invested in them, the people who have launched those companies, and the people whose capital made it possible. So, of course, it should be within the rights of the people who own a company to decide what to do with the profits after all expenses have been covered and taxes have been paid. That is what we are talking about here.

I have a question for my colleagues. The question is, What principle confers on politicians the right to control whether and when and under what circumstances an investor can withdraw his own money from a business in which he invested? I don't know what that principle is.

I will say, to me, it seems exactly equivalent to confiscating the property of somebody—in this case, their ownership in a business—and redistributing that confiscated asset to whomever they choose. That strikes me as pretty close to the definition of socialism. It clearly is an attack on the economic freedom that underpins our entire economy, an entire market economy.

My second point, and related, is this would be terrible for the economy. It would do great harm to an economy that is doing quite well right now. The main way it would be so damaging is it would scare away capital.

Just stop and think about it. Our economy thrives when people are willing to invest in existing businesses, in new businesses, and in startup businesses, but that investment is an absolutely essential part of a thriving economy. Well, people are much less likely to make an investment if Congress makes it harder to take that investment out. So what we would do is we would dry up sources of capital for companies that need that capital because investors would understandably

say: Well, we are heading down the road of putting all kinds of limits on my ability to ever get my money out. I think it may be good to just park it and not invest it.

That would be a very bad development.

The proponents of this idea of restricting companies this way say they want to "incentivize productive investment." I have to laugh because I have a secret for our colleagues. You see, the free enterprise system already provides an incentive for productive investment. It is called the profit. That is the whole idea. So we don't need to punish people for making an investment as a way to incentivize productive investment. In fact, it will not work at all.

I think some of what they have argued displays a little bit of confusion about how this works. In their argument about why something has to be done, they say that 90 percent of profits go to buybacks and dividends. What else would you use it for? I mean, you first have to cover all of your expenses before you have a profit. So you could have record amounts of research and development, record amounts of expansion, record amounts of employment, and growth in employment, but after all of that is covered, only then do you have the profit. That is what is left over. And after you have covered all of those things, why wouldn't you have buybacks and a distribution to the investors?

That raises this question: Exactly what problem is it that our colleagues think they are solving here? We are running at record high levels of investment in our economy. Capital expenditures have gone through the roof in response partly—largely—due to the change in the tax law that we made. The buybacks that have been occurring have coincided with record levels of investment. What is the problem here?

By the way, as I pointed out earlier, wage growth has accelerated at the highest rate we have seen in many, many years. I really don't understand what problem they think we are solving.

By the way, there is an alternative to distributing excess capital to shareholders. The alternative is keeping the capital trapped in the company where it is not being put to its most productive use. You see, one of the great dynamics of a market economy is that by returning excess capital to shareholders, the shareholders get to decide what new idea deserves to be funded by recycling this capital. Whether it is in the form of dividends or stock buybacks, we encourage this capital to find a new home—a new startup, a new idea, or an expansion of an existing business. The capital is constantly being redirected to the best ideas, as long as you allow it to happen.

Finally, this idea would be very harmful to the people it is, presumably, meant to help. About 40 percent of all equities in the United States are

held in pension and retirement accounts. These are the accounts of teachers and cabdrivers and truck-drivers and folks who work at factories and do every other job that our economy depends on, who put a little money away. It may be in a 401(k) plan, in an IRA, or in an employer-sponsored pension plan; these folks own an awful lot of the stock in America. Well, buybacks are good for their investment because, in some cases, it returns cash that can then be redeployed. In other cases, it provides a bid; it provides upward pressure on the stock price, which is good for the value of their savings. Over time, if the stock gets retired, then the diminished supply gets that much greater a share of all of the future earnings. This is completely a win-win for savers and investors.

Let me just conclude by saying it is a very, very bad idea for America to take any steps down the road toward socialism. This is very much an idea of that ilk. In fact, it is a big step in the direction of a collectivist socialist economy, and we should reject this out of hand.

U.S. TRADE

Mr. President, I also want to touch on an unrelated topic, but it is an important one; that is, the ongoing discussion we are having in this Congress and across the country with respect to trade.

I think most of us in this Chamber agree that international trade is very good for the United States. I know it is very good for Pennsylvania.

I think we all understand that if we impose tariffs on imported goods, that is a tax that American consumers have to pay on a product or a service just because it originates somewhere else. If you add up the impact of the tariffs that this administration has already applied, according to the Congressional Budget Office, that is already going to take one-tenth of a percent off of our GDP, off of our economic growth. That is assuming no further tariffs occur, which is unknown at this point.

In particular, I want to address a category of tariffs that are known as section 232 tariffs because that is the part of the trade law which justifies these tariffs. This is an old law. It is a Cold War-era trade law that is designed to allow a President to impose tariffs when he believes there is a national security threat that requires these tariffs, these taxes on some foreign product for some reason that affects our national security.

In my view, the recent imposition of these 232 tariffs on aluminum and steel were not really about national security. They had other motives and other purposes, and, in my view, they have done much more harm than good.

If you look at tariffs on imported steel, you might believe that it is helpful to the people who are in the steel industry. We have about 140,000 Americans employed at steel mills. It is possible that the tariffs are helpful to those companies and those employees

at some level. The problem is, we have 6.5 million people in companies that use many, many multiples, and everybody who works in that sector of our economy across a wide range of industries is put at a competitive disadvantage when they have to pay that tax on imported steel and aluminum.

Some examples come to mind. Allegheny Technologies is a company in western Pennsylvania that last year had to pay \$16 million in taxes on the steel they imported. They had no choice but to import it because of the unique nature of that steel. It is threatening one of their production facilities.

American Keg is the only steel keg maker in the United States and makes beer kegs in Pennsylvania. They had to lay off one-third of their workers in March of last year because they are not as competitive as they need to be.

Colonial Metal Products is a small manufacturer. They use steel in fabrication. Their entire workforce is at risk.

The list goes on and on because fundamentally these taxes make many companies that use steel and aluminum less competitive.

That is not the only problem. As we all know, many American exporters are subject to retaliation by companies that experience these tariffs. So there are a lot of problems.

I have introduced legislation that is meant to address this. One aspect of this that I think is very important is that the Constitution unambiguously assigns to Congress the responsibility for managing our economic relations—our competing trade relations with other countries. In the Constitution, that explicitly includes the responsibility for deciding whether and to what extent we should impose tariffs on the products of other countries. Yet for years Congress has just let administration after administration take this responsibility that the Constitution gives to us.

So what my legislation does is pretty simple. It says, let's restore to Congress the responsibility that the Constitution gives to Congress. Let's make sure that national security-related tariffs are only imposed when Congress says they should be imposed.

The legislation has 11 original cosponsors, roughly even between Republicans and Democrats. Senator WARNER is the lead Democrat on this bill, and Senators SASSE and HASSAN are also original cosponsors. Four of the cosponsors are from the Finance Committee, which has jurisdiction over this issue. There is the House companion, which is also bipartisan. There are 61 organizations, business groups and others, that have endorsed this from the outside.

It is important to make the point that our legislation, while it is designed to restore to Congress this important responsibility, doesn't eliminate the ability of a President to invoke section 232 and impose tariffs if

there is a genuine threat to American security. What the President needs to do is explain the threat, make the case to the Congress, and under our legislation, there is a mechanism that requires expedited consideration of the President's request. It can't be filibustered. It doesn't take 60 votes. There is a strict timeline. So this can't languish on a shelf somewhere; Congress has to respond.

One other feature that is important in this bill is that the executive branch determination of whether there is a threat to national security would no longer be conducted by the Commerce Department, as it is now; it would move to the Department of Defense. My view on that is very simple. The Department of Defense is the entity within our executive branch that is best qualified to determine threats to our national security.

I am hopeful that we will grow our support and be able to get a vote on this legislation.

I should point out that there are other legislative approaches. There are other ideas on 232. There is one bill that, like mine, would shift the responsibility for evaluating the threat from the Commerce Department to the Defense Department, but the difference with some of these other pieces of legislation is they contemplate a disapproval resolution. They simply observe that Congress can pass a law to prevent or rescind a 232 designation, but these alternative bills would do nothing to restore that responsibility to Congress today. We could pass a law if we had the votes, and we could override a Presidential veto. We could pass a law to rescind any kind of tariff. The alternative legislation doesn't change that fact. What my legislation does is it would require the affirmative consent of Congress before the tariffs can go into place. That is a fundamental difference.

So I think, for the sake of expanding trade, but importantly, in my mind, for the sake of restoring the constitutional responsibility that is assigned to Congress, we ought to pass this legislation.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

NOMINATION HOLD

Mr. GRASSLEY. Mr. President, due to the actions of the Department of Justice, I have placed a hold on Donald Washington to be Director of the U.S. Marshals Service. This hold does not reflect any misgivings I may have