

the administration was weighing in on the side of the petitioners.

Almost immediately after filing that brief, he was nominated to serve on the appellate court, sending a very clear signal to all of those in the administration that if you take a leadership role on trying to strip away protections for people with preexisting conditions, you will be rewarded—in this case, rewarded with a lifetime appointment.

So we are about to vote on the architect of this administration's legal strategy to try to undo the most popular, most important protections in the Affordable Care Act, and it represents this rare opportunity to understand where Senators stand.

It is super easy. It takes no political risk to stand up and say you support protecting people who are sick and making sure insurance companies don't jack up their rates. As it turns out, it is a little bit harder to actually back up your words with actions, but this one isn't that hard. Voting against Chad Readler isn't that difficult, in part, because Senator BROWN, who is the Senator from Ohio who did not sign a blue slip for Chad Readler's nomination, has made it clear as early as 10 minutes ago that he is willing to support and sign a blue slip for a mainstream conservative nominee.

In this case, Democrats aren't saying we want a nominee to the Sixth Circuit who isn't one who could be charitably described as a conservative nominee. We just don't want a nominee who has made his mark trying to tear down protections for sick people in this country, but that is what happens when you get rid of the blue ship. Senator MCCONNELL and Senator GRASSLEY have gotten rid of this decades-old protection to try to make sure nominees to the Federal bench, to the appellate bench in this case, have the support of their home State Senators. When you do that, you tend to get a little bit more mainstream nominees.

Now that the blue slip is gone, now that Senator BROWN has no ability to weigh in on individuals who are going to be making law in his State, you get a much more extreme nominee like this.

So let's see what happens. I hope there are some Republicans who will stand up and decide they are going to put their votes where their mouths have been on the question of protections for people with preexisting conditions, but at the very least, the American public will get to see where we all stand on this very important question in a matter of hours.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NUCLEAR DETERRENCE

Mrs. FISCHER. Mr. President, in the 116th Congress, I am once again chairing the Senate Armed Services Committee Subcommittee on Strategic Forces, which oversees our nuclear forces.

Over the coming months, I will be coming to the floor to discuss specific components of our nuclear deterrent and their contributions to the defense of this Nation.

Today, I rise to speak about the critical role strategic bombers play in our nuclear triad. The triad is known for its flexibility and resilience, and bombers contribute to this flexibility in important ways. They are highly visible, and they can be forward deployed. They can be used to signal resolve to our adversaries and commitment to our allies.

This benefit is not theoretical. Bombers have been used in exactly this way many times, particularly on the Korean Peninsula. Bombers are also recallable and, when armed with standoff weapons, they can offer the President a variety of tailored response options in a crisis.

As the oldest leg of our nuclear triad, bombers have a long and distinguished history. In some ways, the story of the strategic bomber begins in the great State of Nebraska.

In the early 1940s, Bellevue, NE, was home to the Martin Bomber Plant, which was located on the land that is now Offutt Air Force Base. The Martin plant, with the help of thousands of Nebraska workers, built and modified the Enola Gay and Bockscar. These two B-29 bombers went on to deliver the Little Boy and Fat Man nuclear bombs over Hiroshima and Nagasaki, ending World War II and ushering in the nuclear age. The horrific destruction of these attacks established the deterrent power that has prevented conflict on a global scale ever since.

As ballistic missile technology evolved, the bomber continued to be the mainstay of our nuclear deterrent forces through the early 1970s. Although bombers carried the heavy load for many decades, today we no longer rely on them in the same way. Nuclear-armed bombers have not been on 24-hour ready alert status since the end of the Cold War in 1991, and the responsiveness that alert-status bombers provided now resides primarily with our ICBM forces.

The strength provided by the other legs of the triad have allowed us to take our nuclear capable bombers off alert and use them for conventional missions. When we send B-52 bombers to Afghanistan to complete a conventional mission, we exercise the triad's flexibility. When U.S. B-2 bombers struck targets in Libya, we utilized the triad's flexibility. These examples clearly demonstrate that the flexibility of the triad is not an abstract concept. It is something our forces use every single day.

Our current nuclear bomber force consists of 46 B-52 and 20 B-2 aircraft.

While we rely on this highly capable but aging fleet, we also look ahead to the future of the bomber force, and that is the B-21.

As the B-21 development progresses, it is important to remember the lessons learned from the last time we developed a nuclear bomber, the B-2. As the Cold War ended, nuclear tensions cooled and the need for an expensive nuclear-capable stealth bomber seemed to diminish. Even though the B-2 had already been developed and significant resources spent on research and development, Congress decided to reduce the final order from 132 aircraft to 20. In so doing, the per-unit cost of the airframe rose to \$2 billion. The Air Force has said it plans to buy at least 100 B-21s, but many in this Chamber believe more are likely required to meet the conventional mission the Nation expects our Air Force to perform.

The nuclear triad is the bedrock of our national security, and the airborne leg continues to contribute to the strength and resilience of our nuclear forces. It is our responsibility to ensure that this capability is modernized, particularly as the global security environment transitions to one of long-term strategic competition.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate stand in recess under the previous order.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:05 p.m., recessed until 2:15 p.m. and was reassembled when called to order by the Presiding officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Texas.

TRIBUTE TO RICHARD C. SHELBY

Mr. CORNYN. Madam President, I want to start my remarks this afternoon by saying congratulations to our friend Senator RICHARD SHELBY, Alabama's longest serving U.S. Senator as of this Sunday.

Here in Washington, we know him as chairman of the all-powerful Senate Appropriations Committee, which holds the congressional purse strings, but Alabamians, from Huntsville to Gulf Shores, know him as a devoted public servant working for the good of all of his constituents and an invaluable Member of the U.S. Senate.

Senator SHELBY is a man of principles. He believes in smaller government, supports the Second Amendment, and works tirelessly for the military men and women from Alabama.

There is only one thing he is more proud of than his home State, and that may be the Crimson Tide football team and the number of their national championships.

I just wanted to start my comments this afternoon by saying congratulations to our friend Senator RICHARD SHELBY for 32 years of serving the people of Alabama.

NOMINATIONS

Madam President, we will continue to push through a long list of executive and judicial nominations pending before the Senate.

People may wonder, well, why are we making such an emphasis on nominations? That is mainly because of all of the foot-dragging and obstruction we have seen from our friends on the other side of the aisle. They have basically burned the clock and have caused many nominees to simply withdraw. There are not many people who can put their lives on hold and wait a year and a half for the Senate to act on their nominations, especially when it is not a controversial nomination in and of itself.

This is simply a continuing reaction to President Trump's election in 2016. Many of our colleagues simply haven't gotten over the fact that he won. They are just not willing to engage in the normal sorts of advice and consent that the Constitution calls for, nor will they let the President and his administration get the people they want on his team, even if there is not an extraordinary problem.

Under previous administrations, we know the process to confirm nominees is relatively quick and unremarkable and that cloture votes were rarely required. As soon as you start talking about cloture votes, people start falling asleep, but it is actually a pretty significant problem.

Cloture votes basically mean we have to burn the clock and go through the procedures—all of the different hoops that you have to jump through absent some consent or an agreement.

As you can see, under President Trump, the Senate has had to file for cloture 128 times, so it has caused an extended debate, even on uncontroversial nominees. What is worse, even after you vote to close, which is what cloture is, then you still have to burn 30 hours postcloture, which makes it very difficult for us to do anything else in the Senate other than to confirm uncontroversial nominees.

As you can see, when President Clinton was in office, in his first 2 years of office there were only eight cloture votes on nominees. Under President George W. Bush, No. 43, there were only 4, and, of course, under President Obama, there were 12. That is a far cry from the 128 nominees who were essentially obstructed by our colleagues across the aisle.

They aren't forcing these votes because these nominees are controversial or because they are unqualified. Just

look at one of the nominees we just confirmed as an example. Nearly 400 days after he was nominated, John Ryder was finally confirmed for a board position with the Tennessee Valley Authority.

Mr. Ryder was initially nominated on February 1 of last year—more than a year ago. Not long after he testified before the Committee on the Environment and Public Works, we saw unanimous support from the members of the committee—bipartisan support.

During simpler times, the process would have been pretty straightforward. He would have been confirmed by the full Senate without any valuable floor time. He probably would have been confirmed by consent or by a voice vote, which would not have burned all of this valuable floor time, which is necessitated when you have to file for cloture. It is now clear that these simpler, more civil, and more bipartisan times have gone out the window.

Our Democratic colleagues have forced cloture on this nominee. Again, it is not because he is not qualified and not because he is controversial but because they are literally using every trick in the book to bring the work of the Senate to a crawl.

It is not Republicans who are being hurt; it is the American people. We are here to serve the American people and not to engage in these sorts of political games that result in nothing.

Sometimes we have important battles, debates, and disagreements, but usually they are over important principles. But here, it is just about burning time and making nominees wait, sometimes for a year or more before their nomination is even voted on.

I am personally aware of a number of nominees who have said: Do you know what? No more. I have a life to live. I can't put my life on hold waiting for the Senate to vote on my nomination, even if it is not going to be controversial.

I am afraid we will see the Democrats' political theater continue. One of the nominees we will soon be voting on is John Fleming of Louisiana, who has been nominated as Assistant Secretary of Commerce for Economic Development.

Mr. Fleming's nomination was first received by the Senate in June of last year. Again, the committee held a hearing and favorably reported out his nomination within 6 weeks. Here we are, 7 months later, and he still hasn't been confirmed because the only way our Democratic colleagues will allow that is by going through this long and laborious procedure of filing for cloture and burning hours on the clock.

Again, under previous administrations, a nominee for this sort of a position would be confirmed with little or no fanfare and certainly without sitting on the calendar for 7 months.

Again, this isn't about Republicans versus Democrats. Honestly, this is about punishing the American people

and these nominees who want to serve by keeping them hanging and forcing them to wait more than a year before they are confirmed. This, again, is part of the "Never Trump" syndrome, part of the Trump derangement syndrome that seems to be an epidemic here inside the beltway.

I personally see no reason these games should continue to play out, and that is why I am an advocate for the proposed rule changes to expedite the process.

These expedited changes we will make is something that, if the shoe were on the other foot and we had a Democratic President, Republicans could gladly live with. This isn't about gaining some advantage by a rules change; this is simply about returning the Senate to some sense of normalcy.

GEAR UP PROGRAM

Madam President, on another topic, this is a remarkable time for our Nation's economy. Sometimes with all of the noise, chatter, and just the chaos that is part of Washington these days, we forget the fact that our economy is doing so well that we are seeing a record number of people employed, and we are seeing the highest employment rate for African Americans and Hispanics at any time in recorded history.

I attribute some of this—not all of it—to the tax reform bill that we passed over a year ago. Since that time, 3 million jobs have been added here in America—3 million jobs.

Wages are on the rise. Labor is tight. It is hard to find people to work, particularly in places like West Texas in the Permian Basin around Odessa and Midland, which has the lowest unemployment rate in the country because of the energy boom there that has been long associated with that part of our State and that part of our country.

Workers are seeing more of their hard-earned money in their paycheck because tax rates are lower. As I said, unemployment hit its lowest rate in nearly 50 years. That is something to celebrate.

Today we find ourselves in the unique position of having more job openings than jobseekers. It is an indication of how great our economy is doing and a reminder that we need to continue to invest in our workforce.

One of the biggest reasons these jobs are unfilled isn't because there aren't willing candidates. Let me say that again. The reason these jobs are unfilled isn't because there aren't willing candidates. It is because the candidates who are available lack the right skills.

For many students, postsecondary education seems like a pipe dream. Many of my constituents in Texas come from families who have never attended college and, thus, are the first generation of young students who hope to achieve a higher education.

There is a great program that I am supporting. I introduced bipartisan legislation with our colleagues here called the Gaining Early Awareness and Readiness for Undergraduate Program,