

to defend Japan, including all areas under the administration of Japan, under Article V of the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, and to defend the Republic of Korea under Article III of the Mutual Defense Treaty Between the United States and the Republic of Korea;

(2) a constructive and forward-looking relationship between Japan and the Republic of Korea for United States diplomatic, economic, and security interests and for open and inclusive architecture to support the development of a secure, stable, and prosperous Indo-Pacific region;

(3) strengthening and broadening diplomatic, economic, security, and people-to-people ties between and among the United States, Japan, and the Republic of Korea;

(4) developing and implementing a strategy to deepen the trilateral diplomatic and security cooperation between the United States, Japan, and the Republic of Korea, including through diplomatic engagement, regional development, energy security, scientific and health partnerships, educational and cultural exchanges, missile defense, intelligence-sharing, space, cyber, and other diplomatic and defense-related initiatives;

(5) trilateral cooperation with members of the United Nations Security Council and other Member States to fully and effectively enforce sanctions against the Democratic People's Republic of Korea (in this resolution referred to as the "DPRK") and evaluate additional and meaningful new measures toward the DPRK under Article 41 of the United Nations Charter;

(6) trilateral cooperation to support and uphold a rules-based trade and economic order in the Indo-Pacific region, including the empowerment of women, which is vital for the prosperity of all our nations;

(7) supporting the expansion of academic and cultural exchanges among the three nations, especially efforts to encourage Japanese and Korean students to study at universities in the United States, and vice versa, to deepen people-to-people ties; and

(8) continued cooperation among the governments of the United States, Japan, and the Republic of Korea to promote human rights.

RECOGNIZING THE 198TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 60, S. Res. 95.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A bill (S. Res. 95) recognizing the 198th anniversary of the independence of Greece and celebrating democracy in Greece and the United States

There being no objection, the Senate proceeded to consider the resolution.

Mr. BARRASSO. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 95) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 5, 2019, under "Submitted Resolutions.")

ORDERS FOR THURSDAY, APRIL 11, 2019

The PRESIDING OFFICER. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, April 11; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Bernhardt nomination; finally, that all time during recess, adjournment, morning business, and leader remarks count postclosure on the Bernhardt nomination.

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

ORDER FOR ADJOURNMENT

Mr. BARRASSO. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator HIRONO, and under the provisions of S. Res. 155, and do so as a further mark of respect for the late Fritz Hollings, former Senator from South Carolina.

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

The Senator from Hawaii.

NOMINATION OF DAVID BERNHARDT

Ms. HIRONO. Mr. President, time and again over the past 2 years, we have seen a clear pattern in the types of people Donald Trump nominates to serve in his Cabinet.

They have extensive conflicts of interest. If confirmed, they work to advance the interest of former clients and special interests, and in doing so, they are often hostile to the very mission of the very Department they have been nominated to lead.

We have seen this time and again with the same disastrous results—from Scott Pruitt at the Environmental Protection Agency and Ryan Zinke at the Department of Interior to Andy Puzder at the Department of Labor and Tom Price at Health and Human Services.

Today, the majority leader and Senate Republicans are forcing through the nomination of David Bernhardt to serve as Secretary of the Interior—an other person who fits Trump's pattern for conflicted, unethical Cabinet nominees.

Bernhardt brings so many conflicts of interest to the job that he has to carry a list around in his pocket to re-

mind himself of what they are. I am putting up this graphic poster that shows a card he carries around in his pocket to remind himself of the people he is not supposed to be interacting with or helping.

In normal times, a President would not nominate someone with David Bernhardt's background as a superlobbyist who represented interests before the Department he was nominated to lead. In normal times, the majority party would push back against a nominee who brings so many obvious conflicts of interest to the job. But these are not normal times, and the Senate is moving in an all-fired rush to confirm someone who shouldn't have been nominated in the first place.

During his tenure as Deputy Secretary of the Interior, Mr. Bernhardt was well-placed to deliver results for the special interests who paid his firm millions of dollars to lobby on their behalf over the past decade.

Mr. Bernhardt, for example, spent years lobbying on behalf of an organization with a misleading name—the Center for Environmental Science, Accuracy & Reliability, or CESAR. Far from being a nonpartisan group, CESAR is an industry front group dedicated to, among other things, attacking and weakening the Endangered Species Act, the ESA.

As a lobbyist at Brownstein Hyatt Farber Schreck, Bernhardt spearheaded CESAR's efforts to gut the ESA through a disingenuous shell campaign to list the American eel as a threatened or endangered species.

Here is what they did. First, CESAR petitioned the Fish and Wildlife Service and National Marine Fisheries Service to designate the American eel—a species whose habitat spans the entire east coast of the United States—as a threatened or endangered species. These Agencies are required to complete their review of such a position within 90 days. Both Agencies were unable to complete their review on such a short timeline, and CESAR filed a lawsuit in DC District Court.

CESAR did not undertake this campaign with the objective of protecting a threatened or endangered species. Instead, as an E&E News report made clear, CESAR tried to undermine the law by making it nearly impossible to enforce.

Why was this the case? Because the American eel has habitat all along the eastern seaboard and to make a listing and to conduct critical habitat designations would be a paralyzing undertaking that might force Congress to undergo a rewrite of the ESA.

Mr. Bernhardt did not just represent CESAR, but he has also served on their board for many years. It was reasonable to conclude, therefore, that his sustained personal advocacy on behalf of his client to undermine the ESA would carry over to his work at the Department of the Interior, and, indeed, it has.

Last summer, the National Marine Fisheries Service and the Fish and

Wildlife Service proposed some of the most drastic changes to the ESA in 30 years. These changes include allowing economic estimates during the listing process, changing the definition of “foreseeable future” to not allow for the consideration of climate change when determining whether to list a species and removing a blanket rule that protects threatened species.

It certainly doesn’t seem like a coincidence that the Department is considering such radical changes to the ESA under the leadership of Mr. Bernhardt—someone who was paid by his clients to challenge it.

Over the past few weeks, we have also learned from reporting in the New York Times about Mr. Bernhardt’s efforts to suppress a Fish and Wildlife Service report on the impacts of certain pesticides on endangered species. This report was due to be released more than 1½ years ago, and despite documents indicating that the Department had completed the report on time, it has yet to be released.

Last week, I, along with several of my colleagues, sent a letter to the Department’s deputy inspector general, requesting that she open an investigation into these allegations. Based on Mr. Bernhardt’s industry priorities and past attempts to weaken the ESA, I think it is prudent that we get to the bottom of what is going on at the Department before confirming him.

If the Department of the Interior’s mission is to “provide scientific and other information about natural resources,” then isn’t it Mr. Bernhardt’s job to ensure that scientific reports on the impacts of chemicals on endangered species are released in a timely manner, especially knowing that these species are threatened or endangered? Yet this report has been kept back for over 1 year.

Unfortunately, I don’t think he considers that a priority of his job. Instead, he seems to prioritize moving the levers within the Department that he was unsuccessful in moving while representing his clients as a lobbyist.

This pattern of activity also extends to his former clients in the oil and gas industry. During the government shutdown, for example, Mr. Bernhardt recalled furloughed DOI employees in order to have them process and approve 267 offshore oil drilling permits and 16 leases for drilling on public land. His decisive action on behalf of oil and gas interests came as thousands of employees went without pay and critical Federal services were shuttered for over 1 month.

Is it really any wonder that executives from the Independent Petroleum Association of America were caught on tape bragging about the unprecedented access they have to Mr. Bernhardt at the Department?

The American people deserve an Interior Secretary devoted to the mission of the Department, not the narrow special interests of his former lobbyist clients.

I urge my colleagues to oppose this nomination and await the IG report before voting on this nomination.

One would hope that with all of these conflicts he has to carry around in his pocket, surely we can come up with someone to lead this Department who actually has the mission of the Department as his calling. That is not the case with Mr. Bernhardt.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order and pursuant to S. Res. 155, the Senate stands adjourned until 10 a.m. on Thursday, April 11, and does so as a further mark of respect for Ernest “Fritz” Hollings, former Senator from South Carolina.

Thereupon, the Senate, at 7:14 p.m., adjourned until Thursday, April 11, 2019, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

KATE MARIE BYRNES, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NORTH MACEDONIA.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. ARNOLD W. BUNCH, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAVID A. HARRIS, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8033:

To be admiral

ADM. WILLIAM F. MORAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS AND APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8035:

To be admiral

VICE ADM. ROBERT P. BURKE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. HERMAN S. CLARDY III

FOREIGN SERVICE

THE FOLLOWING-NAMED MEMBER OF THE FOREIGN SERVICE OF THE OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE TO BE A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

LISA ANNE RIGOLI, OF FLORIDA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JENNIFER M. ADAMS, OF VIRGINIA
JEFFREY N. BAKKEN, OF MINNESOTA
SUSAN F. FINE, OF VIRGINIA
SUSAN KOSINSKI FRITZ, OF WASHINGTON
LAWRENCE HARDY II, OF WASHINGTON
SARAH-ANN LYNCH, OF MARYLAND

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

DERRICK SCOTT BROWN, OF FLORIDA
MICHAEL JOSEPH GREENE, OF MARYLAND
GARY C. JUSTE, OF VIRGINIA
MARK A. MEASSICK, OF FLORIDA
ELIZABETH B. WARFIELD, OF THE DISTRICT OF COLUMBIA
CLINTON D. WHITE, OF MARYLAND

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

KAYA D. ADAMS, OF LOUISIANA
MAURA E. BARRY BOYLE, OF MARYLAND
IDRIS M. DIAZ, OF THE DISTRICT OF COLUMBIA
BETTIE PENNOCK DUNFORD, OF MARYLAND
NATALIE J. FREEMAN, OF VIRGINIA
JONATHAN T. KAMIN, OF MARYLAND
LESLIE C. MARBURY, OF FLORIDA
MICHAEL RICHARD MCCORD, OF CALIFORNIA
MIKAELA SAWTELLE MEREDITH, OF VIRGINIA
V. KATE SOMVONGSIRI, OF VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE UNITED STATES DEPARTMENT OF AGRICULTURE TO BE A FOREIGN SERVICE OFFICER, A CONSULAR OFFICER, AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

TIMOTHY RYAN HARRISON, OF CALIFORNIA
ELIZABETH VIVIAN LEONARDI, OF CALIFORNIA
LAZARO SANDOVAL, OF CALIFORNIA
J. BRETT TATE, OF TEXAS

RACHEL LYNN VANDERBERG, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR GLOBAL MEDIA, BROADCASTING BOARD OF GOVERNORS, FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND A CONSULAR OFFICER AND A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

WILLIAM S. MARTIN, OF CALIFORNIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, OFFICE OF INSPECTOR GENERAL, FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

CHRISTINE BYRNE, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

ROBERT MASON, OF VIRGINIA

CONFIRMATIONS

Executive nominations confirmed by the Senate April 10, 2019:

THE JUDICIARY

DAVID STEVEN MORALES, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

HOLLY A. BRADY, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF INDIANA.

DEPARTMENT OF LABOR

CHERYL MARIE STANTON, OF SOUTH CAROLINA, TO BE ADMINISTRATOR OF THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR.

DEPARTMENT OF STATE

JOHN P. ABIZAID, OF NEVADA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SAUDI ARABIA.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on April 10, 2019 withdrawing from further Senate consideration the following nomination:

KATE MARIE BYRNES, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MACEDONIA, WHICH WAS SENT TO THE SENATE ON JANUARY 16, 2019.