

worked with the UK Government to be able to study cell phones in prisons, came to a decision about the best way to jam those signals, and, in 2012, the UK passed a piece of legislation to get this resolved.

So this has been studied in labs; it has been studied in New Zealand; it has been studied in the UK; and all we are hearing is it needs to be studied more here.

My suggestion is simple. Let's jam cell phones in prisons for the protection of our guards, our families, and to block criminal activity operating from inside our prisons. We know how to do this. We have the technology to do this. This body needs to address it in law and make sure it gets resolved in the days ahead. I look forward to passing that and not doing one more study to delay action on it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. SMITH. Mr. President, I ask unanimous consent to speak for up to 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### NOMINATION OF STEPHEN MOORE

Ms. SMITH. Thank you, Mr. President.

I think it is fair to say that most Americans didn't wake up this morning thinking about the role the Federal Reserve plays in their lives. The people we represent are focused on putting in an honest day's work, taking care of their families, and gradually climbing the economic ladder. The Fed is focused on making sure our economy is giving them every opportunity to do just that—or at least it is supposed to be.

The Fed's mission is to keep employment high, prices stable, and our financial system in good working order. When it succeeds, we see the full potential of the American economy, the greatest force for prosperity the world has ever known. When it fails, ordinary people can wind up losing their jobs, their homes, and their savings.

Even though most Americans don't know their names or think about their work, the seven members of the Federal Reserve Board of Governors, nominated by the President and confirmed by Congress, have an important job to do.

The Fed is not supposed to be a place for politics. It is not a job for politicians. It is a job for the most accomplished and thoughtful economists and financial experts we have—men and women who truly understand not just what makes an economy work on paper, but what makes our economy truly work for working Americans.

Through his choice of nominees for this position, a President demonstrates whether he understands the importance of a functioning financial system and respects the American people, who rely on the Fed to keep our economy on solid footing. Through our consider-

ation of those nominees, we here in the Senate do the same—which brings me to the President's latest choice for this position: Stephen Moore.

Let's be clear about who Mr. Moore is. He is not a professor of economics at a prestigious university. He has won no prizes for his intellectual scholarship. In fact, he has never authored or coauthored a single peer-reviewed article or journal ever.

While some have suggested it might not be a bad thing to have a range of experience on the Federal Reserve Board, it is unclear what experience Mr. Moore has that would contribute a useful perspective. He has never run a bank or a business of any size. In fact, he has barely any experience in the private sector at all. No, Stephen Moore is a political operative and a pundit. There is nothing wrong with that, *per se*, but the fact is that President Trump picked him not because of anything he has accomplished in business or in the study of economics but rather because of what Mr. Moore believes—or at least what he goes on TV and says he believes.

As we try to decide who Mr. Moore is and whether he is, in fact, suitable for a job that has never before been held by someone with his total lack of qualifications, we might start by taking a look at the opinions he has shared over the decades he spent doing little else but sharing his opinions. For example, nearly all economists agree that empowering women to participate fully and equally in the workforce would result in huge gains for our economy. In fact, earlier this decade, a McKinsey analysis found that the increased number of women entering the workforce between 1970 and 2011 accounted for roughly a quarter of the gains in GDP achieved over that time period.

This McKinsey study noted:

Still, the full potential of women in the workforce has yet to be tapped. As the U.S. struggles to sustain historic GDP growth rates, it is critically important to bring more women into the workforce and fully deploy high-skill women to drive productivity improvement.

That is why so many of us in Washington are focused on empowering women to find jobs and build careers, to balance the responsibilities of work and family, and to participate in the economy on equal footing with men.

Mr. Moore apparently disagrees. He believes and has written that “the male needs to be breadwinner of the family.” When it comes to pay discrimination, Mr. Moore was unconcerned with the fact that, on average, women were earning 77 cents on the dollar compared to men. In fact, just 5 years ago, he warned that raising women's pay “could be disruptive to family stability.”

Perhaps Mr. Moore should read the McKinsey study. After all, it was produced for the Wall Street Journal, where he is a frequent commentator and used to serve on the editorial

board, so I am sure he could get a copy of it. But the more Mr. Moore's public statements are examined, the more it becomes clear that his views on women and the economy might have less to do with the economy and more to do with women.

Here is just one example. Mr. Moore apparently believes that efforts to address sexual harassment and assault on college campuses are quote “draining all the fun out of college life.”

He goes on to elaborate:

Colleges are places for rabble-rousing. For men to lose their boyhood innocence. To do stupid things. To stay out way too late drinking. To chase skirts. (At the University of Illinois we used to say that the best thing about Sunday nights was sleeping alone.) It's all a time-tested rite of passage into adulthood. And the women seemed to survive just fine. If they were so oppressed and offended by drunken, lustful frat boys, why is it that on Friday nights they showed up in droves in tight skirts to the keg parties?

This is the sort of thing a college freshman writes on his Facebook page that comes back to haunt him in his first round of job interviews. Mr. Moore chose to put those words in a newspaper column, underneath his name, at the age of 40.

Then again, anyone familiar with his record wouldn't be surprised to learn that Mr. Moore doesn't take sexual assault seriously. CNN recently unearthed that years earlier he had mocked the Violence Against Women Act as “objectionable pork” and referred to a program designed to promote gender quality in education as “vile.”

So in addition to “chasing skirts” on college campuses, Mr. Moore seems to believe that women's equality is ruining another favorite pastime—sports. He wrote that “co-ed sports is doing irreparable harm to the psyche of America's little boys,” and he mused about urging his young son to assault a kindergarten named Kate Lynn just because she was a better soccer player.

In another bit of sports commentary, Mr. Moore wrote:

Here's the rule change I propose: No more women refs, no more women announcers, no women beer vendors, no women anything. There is, of course, an exception to this rule. Women are permitted to participate, if and only if, they look like Bonnie Bernstein. The fact that Bonnie knows nothing about basketball is entirely irrelevant.

At the time Mr. Moore wrote this, Bonnie Bernstein was a prominent journalist and ESPN analyst, and he was a 42-year-old married man. But that didn't stop him from further underscoring his creepy affections for Ms. Bernstein, adding that she should be required to wear a halter top on the air. “If Bonnie were President of the United States,” wrote this adult male in a national publication about a complete stranger, “she'd be a Babe-raham Lincoln.” Perhaps that is why Mr. Moore has also said that powerful men should never meet alone with women, because they might wind up being accused of sexual harassment. Maybe it is a rule he should follow. Frankly, if I

were Bonnie Bernstein or any woman who read that column, I wouldn't want to be alone in a room with him.

Mr. Moore has tried to explain away some of these misogynistic comments as jokes, so maybe he just has a profoundly unfunny sense of humor. But he didn't sound like he was joking when he called for the elimination of child labor laws, adding, "I want people starting to work at 11, 12."

He didn't sound like he was joking when he went on CNN 2 years ago and claimed falsely that the Civil War was not fought over slavery or when he claimed bizarrely that liberals were to blame for the rise of White supremacist violence that resulted in the death of a young woman in Charlottesville. He didn't sound like he was joking when he attacked equal rights for LGBTQ Americans, arguing that rulings in favor of marriage equality were "overturning the will of the people."

He didn't sound like he was joking when he referred to the unemployment insurance that millions of Americans rely on to make ends meet during hard times as "paid vacation" or when he warned that guaranteeing paid sick leave for workers was "very dangerous."

And if he was joking when he referred to most of the Midwest, including great cities like Cincinnati and Cleveland, as "armpits of America," well, I know my friend Senator BROWN didn't think that was funny and neither did I.

Still, Mr. Moore tried to change the subject from his long history of offensive remarks, and he went on FOX News last week and said: "I'm no angel." No kidding.

Indeed, the best possible argument in Mr. Moore's favor is that it is possible to be a jerk about women, LGBTQ Americans, low-income workers, and anyone who has ever lived anyplace other than New York or Chicago or Georgetown and that you could still be that person and be a good economist, except, of course, that Mr. Moore isn't even a good economist.

For example, he opposed the farm bill that provides the lifeblood to rural communities that I represent in Minnesota, and he believes we should get rid of safety net programs that help those rural communities. Well, I think most people living in rural America would rather withstand Mr. Moore's insults than suffer the consequences of his agenda. The truth is, we need policymakers who are committed to creating more economic opportunities in rural communities by expanding access to credit, investing in education and infrastructure, and protecting the agricultural safety net. I guess Mr. Moore doesn't care what goes on in those parts of the country that he calls the armpits of America.

Here is another example. Mr. Moore has repeatedly called for a return to the gold standard, a position described by a Washington Post reporter as "a lot like playing Russian roulette with the economy." Now, an economist who

believes in a return to the gold standard is like a zoologist who believes in the existence of unicorns. It is a plainly ludicrous opinion for a serious expert to hold, which is probably why Mr. Moore has tried to deny that he has ever said this, claiming that he has "never actually been a gold standard guy." But he has—consistently and forcefully.

In 2009, he told a Washington Policy Center reception: "We need to go back to the gold standard." In 2010, he told an audience at the Fort Henry Club in West Virginia: "We have to reestablish some kind of gold standard." In 2011, he went on the FOX Business channel and said: "I do think we have to peg the dollar to gold." In 2012, he was asked on CNBC whether he wanted to go back to the gold standard, and he answered: "Yes, I do."

In 2015, he told a tea party crowd: "We have got to get rid of the Federal Reserve and move towards a gold standard in this country." In 2016, he told a group of young conservatives: "We should go back to some sort of gold standard."

Mr. Moore apparently doesn't understand that things have changed a lot since the 1950s, not just when it comes to the role of women but when it comes to the ubiquity of video cameras. He is on tape again and again giving voice to this crazy idea that he claims he has never supported. Indeed, his position on the gold standard isn't just an example of being badly out of step.

Mr. Moore is out of step with mainstream economics, and it is a pretty good illustration of his difficult relationship with the facts. A few years ago, he was banned from the opinion pages of the Kansas City Star after he wrote a column claiming that low-tax States were performing better than high-tax States. He wrote:

No-income-tax Texas gained 1 million jobs over the last five years; California, with its 13 percent tax rate, managed to lose jobs. Oops. Florida gained hundreds of thousands of jobs while New York lost jobs. Oops.

It turns out that Mr. Moore got his facts wrong—never a good thing when you are in the economics business. Instead of adding a million jobs, Texas had actually added less than half that number. Florida hadn't gained hundreds of thousands of jobs; it had lost nearly half a million jobs. New York hadn't lost jobs; it had gained 57,000 jobs. "Oops" is right.

The truth is Mr. Moore is wrong a lot. He predicted that the Affordable Care Act would kill jobs. It didn't. He claimed that President Trump's tax giveaway to corporations would pay for itself. It didn't. He argued that the Fed should return to a rule tying monetary policy to commodity prices. No such rule ever existed. I could go on and on, and it would take me hours to even get to the kind of scandals that have disqualified previous nominees, like the \$75,000 in unpaid taxes it was discovered he owed after filing what the IRS called a "fraudulent" tax return, or the

time his political committee agreed to pay \$350,000 in fines for campaign finance violations, or the time he was held in contempt of court for failing to pay \$300,000 in alimony and child support after his divorce, or even the time he bought his mistress a T-shirt with the words "Doing It," which is pretty amazing coming from a guy who, again, thinks paying women a fair wage is, in his words, "disruptive to family stability."

We would be making a mistake if we made this story entirely about Mr. Moore. It is certainly troubling that President Trump was able to look past so many red flags in selecting this man for this important position, but it is even more troubling to consider why he wanted to pick someone like Mr. Moore for this role. It is not hard to figure out. This President wants an Attorney General who will act as his personal lawyer. He wants an Environmental Protection Agency staffed with scientists who will push the phony science of his energy industry donors. He wants a Consumer Financial Protection Bureau where his Wall Street friends get a free pass to rip consumers off. Now President Trump wants a Federal Reserve that, instead of acting in the economic interest of the American people, will act in the political interest of the President. That is the only explanation for Mr. Moore's nomination.

You see, Mr. Moore isn't really an economist at all. He is a political operative. When he is wrong—and he is wrong a lot—it isn't because he made a mistake. Mr. Moore has made a career out of being wrong on purpose.

Catherine Rampell wrote in the Washington Post:

Moore has repeatedly, and falsely, claimed that the country is experiencing "deflation." That means prices are falling, which they are not. But claiming this gives him cover to argue that the Fed should pump more stimulus into the economy just as Trump begins running for reelection.

Conversely, when we were in the depths of the financial crisis and prices were falling, Moore claimed that we were on the brink of Weimar-style hyperinflation. He therefore called on the Fed to tighten monetary policy, which would have crippled the economy—and, just coincidentally, maimed President Barack Obama.

If confirmed, Mr. Moore would not see his job as fulfilling the Fed's dual mandate of stabilizing prices and raising employment. He would not see his job as providing effective oversight to the financial system. He would see his job as getting President Trump reelected, no matter what it meant for American workers, investors, and businesses. That is why President Trump picked him.

Two years ago, President Trump allowed his advisers to talk him into nominating Jerome Powell, an accomplished financial expert with long experience in both public service and in the private sector, as Chair of the Federal Reserve Board. Now, Chair Powell and I certainly don't agree on every aspect of monetary policy, but we do agree that the Fed should be focused on the

productivity of our economy and the protection of American workers, not partisan political goals. In a recent hearing, for example, I discussed with Chair Powell the specific challenges of the labor market in rural areas, and he came prepared with a serious and thoughtful economic analysis that showed his keen understanding of these issues.

Chair Powell has resisted pressure from the White House to intervene in the economy to produce results in line with President Trump's political agenda, and that has infuriated President Trump, who has attacked Chair Powell on Twitter and harangued him in meetings. The President feels he made a mistake in choosing an actual, serious, sober-minded, thoughtful public servant, and he is set on not making that same mistake again.

Either President Trump doesn't understand what the Fed is for or he is hoping that we don't. And whether it is Mr. Moore or someone with the good sense to keep his misogyny to himself, we on the Senate Banking Committee should be prepared to give special scrutiny to any Federal Reserve nomination that this President sends to us because, while these issues might not be the flashiest, they are of critical importance to the people whom we represent.

Indeed, when I joined the Senate Banking Committee earlier this year, few Minnesotans took notice, but I see it as a chance to make an enormous impact on people's lives by opening up new opportunities for people to bet on themselves and to build the lives they want. Our work can help to open up access to credit for families and small businesses and underserved communities, especially communities of color. As a Senator from Minnesota who is proud to represent our States' Tribal communities, I know how badly they have been neglected by our financial system, and I am determined to rectify that injustice. As a Senator who is proud to represent so many rural communities, I am excited to use my place on this committee to expand opportunities for economic development in parts of our State that too often go overlooked.

Our work can make sure that our financial system remains on solid footing, not just so that our economy can continue to grow but so that more people can claim their stake in it—buying homes, starting businesses, and building wealth they can pass down to their next generation. Our work can help to hold Wall Street greed in check and to make sure that people don't get ripped off when applying for student loans and mortgages and so that we never again see a repeat of the great recession that wiped out so many jobs and pensions. Yes, our work can help to protect the integrity of the Federal Reserve from people who see it as a tool for partisan politics, as a laboratory for radical ideas, or as a playground for extremist ideologues who love to spout off with-

out knowing their facts—people like Stephen Moore.

So I urge my colleagues to join me in opposing this nomination. I also urge us all not to let the important work of the Federal Reserve slip out of the public eye once this nominee is defeated. Instead, let's make this a moment to highlight the important issues that the Fed deals with every day and ensure that it is led by men and women who understand its mission and appreciate the impact it has on the people that we all serve.

Thank you, Mr. President.

I yield the floor

The PRESIDING OFFICER (Mr. SASSE). Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Barker nomination?

Mr. PETERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE) and the Senator from Indiana (Mr. YOUNG).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted "yea."

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

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 85 Ex.]

YEAS—51

Alexander	Ernst	Paul
Barrasso	Fischer	Perdue
Blackburn	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Braun	Hawley	Romney
Burr	Hoeven	Rounds
Capito	Hyde-Smith	Rubio
Cassidy	Isakson	Sasse
Collins	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	McConnell	Thune
Cruz	McSally	Tillis
Daines	Moran	Toomey
Enzi	Murkowski	Wicker

NAYS—47

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Harris	Reed	

NOT VOTING—2

Inhofe Young

The nomination was confirmed.

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 senior assistant 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 the nomination of Andrew Lynn Brasher, of Alabama, to be United States District Judge for the Middle District of Alabama.

Mitch McConnell, Johnny Isakson, Roger F. Wicker, John Boozman, John Cornyn, Mike Crapo, Shelley Moore Capito, Pat Roberts, Roy Blunt, Deb Fischer, David Perdue, Todd Young, John Thune, Mike Rounds, Steve Daines, John Hoeven, Thom Tillis.

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 the nomination of Andrew Lynn Brasher, of Alabama, to be United States District Judge for the Middle District of Alabama, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Indiana (Mr. YOUNG).

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

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 86 Ex.]

YEAS—52

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	
Ernst	Paul	

NAYS—47

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Harris	Reed	

NOT VOTING—1

Young