

taxpayers. The Congressional Budget Office says that this bill would lower Federal spending by more than half a billion dollars over 10 years. That is not a panacea, but it is a good start. This is just savings to the Federal Government for Medicare and Medicaid. There would undoubtedly be more savings for consumers who get their health coverage through private health insurance.

It checks every box. It checks innovation, increases competition, lowers prices for patients, and saves money for taxpayers. On top of that, this bill has a raft of bipartisan cosponsors. This is not a partisan bill; this is a bipartisan bill. In addition to Senator BLUMENTHAL, five other Democrats have endorsed the bill, including both the Democratic whip and the assistant Democratic leader.

I am sure it comes as no surprise that this bill sailed through the Judiciary Committee without a single Senator voting against it. It was unanimous. During simpler times, it would have quickly passed the full Senate and moved on to the House for their consideration and then gone on to the President for his signature. But we all know things aren't quite that easy these days, and even bipartisan bills get caught up in the political crosshairs.

According to a report in *POLITICO*, the minority leader from New York, Senator SCHUMER, is blocking this bill from passing in the Senate. He is blocking one of his own Member's bills—and one to lower prescription drug prices, of all things. While the American people suffer from the crush of high costs at the pharmacy, he stonewalls, and it is to the detriment of just about everybody—except one group.

I know there are some drug manufacturers that must be thrilled with his blocking the bill that would reduce their compensation and increase competition. You see, the army of special interests who have been fighting my bill since day one when it was introduced is ecstatic that the Democratic leader is blocking this bill, but I am not, and I don't think the rest of the Senate is either because this is a noncontroversial, bipartisan bill. The only thing that Democrats are doing by continuing to hold up this bill is to carry water for one of Washington's most prominent special interest groups. As long as they do, it will be to the detriment of the American people.

I know this frustration is bipartisan because my friend Senator BLUMENTHAL is just as frustrated by this ridiculous holdup as I am. We have tried to reason with the minority leader. We have tried to negotiate. We have tried to get him to allow the bill to come to the floor, but we have had no luck so far.

Last week, I came to the Senate floor to ask unanimous consent to pass this bill, and what happened next felt like a scene from a bad made-for-TV political drama. The minority leader, who was

unwilling to come to the floor and block the bill himself, tried to have one of the cosponsors of my bill do it for him, the Senator from Illinois. He would rather force his own member to block a popular bipartisan bill, which happens to have my name on it, than allow it to pass on its own.

Well, as you can imagine, that didn't go very well. So then it was on to plan B. They wanted to link the fate of our bill, which passed unanimously in the Judiciary Committee, with another bill that hasn't even passed out of committee.

The other bill was introduced by our friends, Senators Grassley and Durbin, and aims to provide greater transparency on drug prices, something that is definitely needed, and I don't object to it. But these bills are in very different places in the legislative process, and some Members on our side have concerns about a bill coming to the floor that hasn't even been through the committee of jurisdiction.

Now, to the minority leader this is just another creative way to stop passage of a noncontroversial bill and attach a free rider onto the bill, which, in essence, is a poison pill. The result is the same. Nothing passes.

As I said, the bill Senator BLUMENTHAL and I have introduced is bipartisan. It is not controversial. It went through regular order. Every member of the Judiciary Committee had a chance to vote on it, and no one voted against it. We checked on our side, and there is no objection. We have run a hotline on the Democratic side, only to find that the Democratic leader is the one himself who is blocking it.

Well, unfortunately, politics, once again, has overwhelmed our collective good judgment and good sense. I know the Democratic leader doesn't want any bills to pass that Republicans can use to tell their constituents that they are listening to their concerns and acting on those concerns in the run up to the next election. He doesn't really care about the merits of the legislation or that it would, in fact, help New Yorkers. It is politically inconvenient, and that, clearly, is his top priority.

The American people deserve better. With the House working day and night to remove the President from office and the next election less than a year away, the opportunities for us to pass any sort of bipartisan legislation are getting slimmer and slimmer.

I plan to return to the floor later this week with my colleague from Connecticut to ask unanimous consent that this bill be passed. If the Democratic leader is going to block the bill, I want it to be clear to the American people and the people who would benefit from the passage of the bill being signed into law. I want them to see him do it and to hold him accountable for his misguided politics.

I hope the minority leader will rethink his decision to block this bill so that we can all work together to deliver bipartisan results for our constituents.

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.

Ms. ROSEN. 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 Senator from Nevada.

NOMINATION OF CHAD F. WOLF

Ms. ROSEN. Mr. President, I rise today in opposition to this administration's nomination of Chad Wolf to be Under Secretary for Strategy, Policy, and Plans at the Department of Homeland Security. I stand here today opposed not only to Mr. Wolf's nomination but also to the way in which this administration is circumventing the constitutional requirement of advice and consent to make Mr. Wolf the head of the third largest Department in the Federal Government.

By the President's own admission, Mr. Wolf is slated to immediately be appointed to serve indefinitely in the position of Acting Secretary of Homeland Security. Thus, our votes tonight and tomorrow are effectively to confirm Chad Wolf to be Acting Secretary of the entire Department of Homeland Security, despite limited vetting, no committee vote, and no confirmation hearing for this position.

But this is about more than just an egregious attempt to bypass the Senate's role of advice and consent for Cabinet nominees. Rather, this evening's vote will advance a nominee who played an integral role in this administration's cruel family separation policy, and tonight's vote is about the refusal of this administration to address its treatment of detained children.

That is why I was so disappointed to see cloture filed on Chad Wolf's nomination. I placed a hold on Mr. Wolf's nomination to be Under Secretary as a result of the ongoing humanitarian crisis at the southern border, which began and grew during Mr. Wolf's tenure as chief of staff to DHS Secretary Nielsen.

Between July 2017 and June 2018, while Mr. Wolf held the position of chief of staff, 2,800 migrant children were separated from their parents and held in DHS custody under this administration's cruel, so-called "zero tolerance" immigration policy.

Even today, we don't know the extent of the damage. Just last week, reports identified 1,500 more children who were separated from their parents during that time. We do, however, know from emails that Chad Wolf played a leading role in developing, suggesting, and implementing this inhumane policy.

When I asked him if he had helped to develop the administration's family separation policy, he said: "No, ma'am." When I asked him if he had concerns with the policy of indefinitely separating children from their parents, Mr. Wolf said: "My job wasn't to determine if it was the right or wrong policy."

When I asked him how he became aware of the policy, he stated that he learned about it in April of 2018. Emails now show that Mr. Wolf had been participating in meetings discussing family separation as far back as December of 2017. The emails showed that Mr. Wolf provided then-Secretary Nielsen a list of 16 options to limit immigration, one of which was to separate families.

Even before these emails came to light, I found Mr. Wolf's failure to take responsibility for his direct involvement in the administration's cruel family separation policy to be both misleading and disingenuous, which is why I voted against his nomination in committee.

I also placed a hold on both Mr. Wolf's nomination and that of DHS CFO nominee Troy Edgar until the inhumane and substandard conditions for children at CBP processing and detention facilities improved significantly. Reports from journalists, attorneys, and advocates detailed ongoing horrific conditions, making it clear that DHS was not taking the actions needed to care for and treat migrant children at the southern border.

I witnessed these conditions firsthand. When I toured detention facilities at the border earlier this year, what I saw was entirely consistent with the news and DHS inspector general reports about the horrific and inhumane conditions there: children freezing, scared, and unsure of what would happen to them next. The children didn't know if they would ever see their parents again. Even the parents didn't know when their next meal would be, when their next shower would be, and how long they would be there. The anxiety and despair was palpable.

Amidst this crisis at the border, I placed a hold on Mr. Wolf. My requests of the Department were simple—that every child under the care of the United States of America be treated humanely. I requested that DHS hire more pediatricians for CBP facilities, that they bring on child welfare professionals to care for and provide services to the children in CBP custody, and that they increase NGO access to CBP facilities.

Regarding these specific requests, DHS has not adequately addressed the concerns. This is why I maintain my hold on Mr. Wolf's nomination and why my hold on Mr. Edgar will remain until these conditions improve.

With this in mind, we cannot allow a nominee like Mr. Wolf to move forward, especially when we know he is going to be moved right up to Acting Secretary, a position where the President can keep him indefinitely without a confirmation hearing and without the advice and consent of the Senate.

It is an end run around our constitutional role, one of the most important checks we have on the executive branch. It is also not the process we should accept for filling a Cabinet-level position in the third largest Depart-

ment in the Federal Government, one charged with the critical job of protecting our homeland.

I urge my colleagues on both sides of the aisle to vote against cloture on Mr. Wolf's nomination tonight and against his confirmation tomorrow, and I pledge to work with all of you and the administration to identify nominees to lead the Department whom we can all support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise today to ask the Senate to confirm Mr. Chad Wolf to be the Under Secretary of the Office of Strategy, Policy, and Plans at the Department of Homeland Security.

The Under Secretary of the Office of Strategy, Policy, and Plans leads an office of over 150 employees with an annual budget of over \$37 million to develop and implement DHS policy, long-term goals, and strategic plans. Chad Wolf has extensive experience in homeland security policy, starting in 2002 working as the chief of staff helping to stand up the new Transportation Security Administration after 9/11 and then as the Assistant Administrator for that agency.

He left government and spent over a decade working on homeland security policy issues as a consultant in the private sector. Mr. Wolf returned to public service and the Department of Homeland Security in 2017, serving as chief of staff at TSA, chief of staff to the Secretary, and now as the Assistant Secretary of Strategy, Plans, Analysis & Risk. Since February of this year, he has been the senior official performing the duties of the Under Secretary of the Office of Strategy, Policy, and Plans, the office for which we are now considering his nomination.

The Senate Committee on Homeland Security and Governmental Affairs approved his nomination on a bipartisan basis on July 24. As we all know, the Department has a number of Senate-confirmed leadership positions vacant. Currently, 7 of the 18 DHS offices requiring Senate confirmation are vacant. Three of those vacant positions have nominees that have been languishing on the Senate floor for months after being approved by my committee with bipartisan support.

Mr. Wolf's nomination has been pending in the Senate for almost 9 months. Troy Edgar, the nominee to be the Department's Chief Financial Officer, has been pending in the Senate for 8 months, and William Bryan, the nominee to be Under Secretary for Science and Technology, has been pending for over 4 months. All three nominees were approved by my committee with bipartisan support. We are holding a hearing to consider Mr. Peter Gaynor as the President's nominee to head FEMA this week.

Dedicated Americans serving at DHS in acting positions are doing admirable jobs under oftentimes difficult cir-

cumstances. I trust that Chad Wolf will do the same if he is asked to step aside from his role as Under Secretary to serve temporarily as Acting Secretary upon Kevin McAleenan's departure.

I fully expect and I call upon the President to nominate a permanent Secretary for the Department of Homeland Security. When he does, my committee will consider the nominee expeditiously. We need confirmed leadership at DHS to help direct the Department as it works to keep Americans safe.

We need confirmed leadership at DHS to help direct the Department as it works to keep Americans safe. I am grateful to Chad Wolf for his willingness to serve in this position, and I encourage my colleagues to support his confirmation.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Michigan.

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

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

Mr. PETERS. Mr. President, today, I rise to oppose the nomination of Chad Wolf. Officially, we are considering Mr. Wolf's nomination to serve as Under Secretary for Strategy, Policy, and Plans at the Department of Homeland Security. In that role Mr. Wolf would lead the DHS policy office, an important but little-known part of the Department.

However, that is not the role that Mr. Wolf will actually have. We have recently learned that the President has much bigger plans for Mr. Wolf. The President plans to make Mr. Wolf the next Acting Secretary for the entire Department of Homeland Security. Instead of running the policy office, which has a staff of about 160 people and an annual budget of \$35 million, Mr. Wolf will lead all of DHS, the third largest executive agency, with a 240,000-person workforce and a budget of over \$75 billion.

Let's be clear, for all intents and purposes, we are essentially about to vote on the confirmation of a new Secretary of Homeland Security, a position responsible for protecting this Nation from a vast and evolving array of threats. Despite the importance of this position and this vote, we have not been given a full opportunity to meaningfully examine Mr. Wolf's ability to take on this profoundly important and challenging role.

Based on my evaluation of his qualifications to serve as Under Secretary, I do not believe Mr. Wolf has the experience needed to lead this critical Cabinet Department.

I would like to recognize that Mr. Wolf does have several years of Homeland Security policy experience. In his

current role within the Department's policy office, Mr. Wolf has engaged in productive dialogue with the Homeland Security Committee. In particular, I have personally appreciated his willingness to recognize the growing threat of domestic terrorism and White supremacist violence and the need for the Department to do more to keep our communities safe.

However, Mr. Wolf's tenure as chief of staff to former DHS Secretary Nielsen raises serious concerns about his judgment and, in particular, his involvement in some of this administration's most misguided and harmful policies. As part of the Senate's constitutional responsibility to provide advice and consent, I have repeatedly asked DHS to provide documents directly related to Mr. Wolf's time as Secretary Nielsen's top adviser. However, the Department has failed to comply, leaving Congress without the information needed to fully and fairly evaluate Mr. Wolf's qualifications to serve as Under Secretary, let alone run the entire Department of Homeland Security.

Unfortunately, this disregard for Congress's constitutional role as a check on the executive branch is not an isolated occurrence. Instead, it appears to be a defining feature of this administration.

The Constitution requires that the President's nominees to hold key positions receive the advice and consent of the Senate. The Framers knew this arrangement was necessary to ensure that those who hold the most powerful and influential positions in government are accountable not solely to the President but to Congress and, most importantly, to the American people.

However, this President has shown a willingness to abandon the foundational principle of advice and consent and to test the limits of his legal authority to unilaterally install acting officials of his choosing. This has resulted in far too many critical positions going unfilled.

At the Department of Homeland Security, all three top positions—Secretary, Deputy Secretary, and Under Secretary for Management have been vacant for more than 7 months, and the President has yet to name a nominee for any of those roles. Other key DHS components have seen temporary leaders come and go for months—even years—without a nominee for the Senate to consider. This President has declared that he prefers “acting” officials because it “gives [him] more flexibility.”

Leadership turnover and acting officials are a part of every administration, but widespread and deliberate reliance on temporary leaders defies the constitutional principle of advice and consent, harms the Department's critical national security missions, and puts the American people at risk. The dedicated men and women at DHS who are working tirelessly to keep our country safe deserve much better. The American people deserve much better.

To his credit, I believe Mr. Wolf recognizes the untenable situation caused by the President's refusal to submit nominees to the Department's highest offices. When asked about the impact of vacancies across the top ranks of DHS, he stated “I believe having Senate-confirmed leaders in the senior levels of any cabinet agency is a benefit to the morale of the workforce and the success of the agency.”

I continue to urge the President to nominate qualified, principled leaders to lead the Department of Homeland Security. I remain committed to working with my colleagues on both sides of the aisle to carry out our constitutional duty to provide advice and consent by promptly, fairly, and thoroughly vetting the President's nominees. I am also committed to working across the aisle in Congress to ensure that the Department of Homeland Security has the resources and authorities it needs to keep Americans safe and to provide oversight—robust oversight—of the Department's actions and use of taxpayer dollars.

I have sought to fully and carefully weigh Mr. Wolf's qualifications for Policy Under Secretary. Unfortunately, due to the lack of transparency in Mr. Wolf's involvement in very troubling Department decisions, I cannot support his current nomination, much less his elevation to Acting Secretary.

If he is confirmed, I will do my part to support Mr. Wolf and help him be successful in an incredibly important job while also working to hold him accountable. But today, I will be voting no on his confirmation, and I urge my colleagues to do the same.

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.

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

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

#### 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 the nomination of Chad F. Wolf, of Virginia, to be Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security. (New Position).

Mitch McConnell, Roger F. Wicker, Mike Rounds, Rick Scott, John Barrasso, Kevin Cramer, Richard Burr, Steve Daines, James E. Risch, John Cornyn, John Boozman, John Hoeven, James Lankford, Todd Young, David Perdue, John Thune, Lamar Alexander.

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 Chad F. Wolf, of Virginia, to be Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

(Ms. ERNST assumed the Chair.)

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Rhode Island (Mr. REED), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 54, nays 40, as follows:

[Rollcall Vote No. 353 Ex.]

#### YEAS—54

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

#### NAYS—40

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

#### NOT VOTING—6

|        |        |         |
|--------|--------|---------|
| Booker | Reed   | Sanders |
| Harris | Rounds | Warren  |

The PRESIDING OFFICER. On this vote, the yeas 54, the nays are 40.

The motion is agreed to.

#### JUDICIAL CONFIRMATIONS

Ms. BLACKBURN. Madam President, over the past few months, pro-democracy protestors in Hong Kong have captivated the American consciousness with one of the most stunning mass protests in recent memory. Hong Kong people are no strangers to suppression. They are used to the censorship, digital stalking, and persecution embraced by their overlords in Beijing, and they have seen firsthand the dangers of tyranny.

Watching these protests play out got me thinking about the core values that