

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), and the Senator from South Dakota (Mr. ROUNDS).

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

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

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

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 385 Ex.]

YEAS—89

Alexander	Feinstein	Portman
Baldwin	Fischer	Reed
Barrasso	Gardner	Risch
Bennet	Gillibrand	Roberts
Blackburn	Graham	Romney
Blumenthal	Grassley	Rosen
Blunt	Hassan	Rubio
Boozman	Hawley	Sasse
Braun	Heinrich	Schatz
Brown	Hirono	Schumer
Burr	Hoeven	Scott (FL)
Cantwell	Hyde-Smith	Scott (SC)
Capito	Inhofe	Shaheen
Cardin	Johnson	Shelby
Carper	Jones	Sinema
Casey	Kaine	Smith
Cassidy	Kennedy	Stabenow
Collins	King	Sullivan
Coons	Lankford	Tester
Cornyn	Leahy	Thune
Cortez Masto	Lee	Tillis
Cotton	Manchin	Toomey
Cramer	Markey	Udall
Crapo	McConnell	Van Hollen
Cruz	McSally	Warner
Daines	Menendez	Whitehouse
Duckworth	Merkley	Wicker
Durbin	Murphy	Wyden
Enzi	Murray	Young
Ernst	Peters	

NOT VOTING—11

Booker	Moran	Rounds
Harris	Murkowski	Sanders
Isakson	Paul	Warren
Klobuchar	Perdue	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 533.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The clerk will report the nomination.

The PRESIDING OFFICER. The bill clerk read the nomination of Patrick J. Bumatay, of California, to be United States Circuit Judge for the Ninth Circuit.

CLOTURE MOTION

The PRESIDING OFFICER. The closure motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Patrick J. Bumatay, of California, to be United States Circuit Judge for the Ninth Circuit.

Mitch McConnell, Tom Cotton, John Boozman, Mike Crapo, Thom Tillis, Chuck Grassley, Jerry Moran, Kevin Cramer, John Barrasso, Mike Braun, Joni Ernst, Pat Roberts, John Cornyn, Roy Blunt, John Thune, Lindsey Graham, Roger F. Wicker.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 534.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Lawrence VanDyke, of Nevada, to be United States Circuit Judge for the Ninth Circuit.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a closure motion to the desk.

The PRESIDING OFFICER. The closure motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Lawrence VanDyke, of Nevada, to be United States Circuit Judge for the Ninth Circuit.

Mitch McConnell, Tom Cotton, John Boozman, Mike Crapo, Thom Tillis, Chuck Grassley, Jerry Moran, Kevin Cramer, John Barrasso, Mike Braun, Joni Ernst, Pat Roberts, John Cornyn, Roy Blunt, John Thune, Lindsey Graham, Roger F. Wicker.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 530.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a closure motion to the desk.

The PRESIDING OFFICER. The closure motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation.

Mitch McConnell, Thom Tillis, Richard Burr, Pat Roberts, John Cornyn, John Hoeven, Cindy Hyde-Smith, Roger F. Wicker, Marco Rubio, John Boozman, James E. Risch, John Barrasso, John Thune, Roy Blunt, Lamar Alexander, Mike Braun, Shelley Moore Capito.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 543.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Stephen Hahn, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Stephen Hahn, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services.

Mitch McConnell, Thom Tillis, Richard Burr, Pat Roberts, John Cornyn, John Hoeven, Cindy Hyde-Smith, Roger F. Wicker, James Lankford, John Boozman, James E. Risch, John Barrasso, John Thune, Roy Blunt, Lamar Alexander, Mike Braun, Shelley Moore Capito.

LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 452.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service.

Mitch McConnell, Thom Tillis, Richard Burr, Pat Roberts, John Cornyn, John Hoeven, Cindy Hyde-Smith, Roger F. Wicker, Marco Rubio, John Boozman, James E. Risch, John Barrasso, John Thune, Roy Blunt, Lamar Alexander, Mike Braun, Shelley Moore Capito.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

The Senator for Louisiana.

5G

Mr. KENNEDY. Mr. President, last week, of course, was Thanksgiving, a day that we all set aside in America to count our blessings. As we do that, we always say to ourselves: Gee, we really ought to be thankful every day of the year for the many blessings that have been bestowed upon us.

I know I say that to myself. So I thought today, for a few minutes, I would mention two things that I am especially thankful for, even though this isn't Thanksgiving, but it is another day that the Lord has blessed us with.

The first thing—and there are many things that I am thankful for, but the first thing I am thankful for that I want to mention today is the many public servants who care for and protect American taxpayer money.

I want to highlight one in particular: the Chairman of our FCC, Mr. Ajit Pai. Let me explain why I am thankful for this public servant—one among many who get up every day and work hard to protect taxpayer money. About 2 weeks ago, the Chairman of the FCC, over many obstacles, announced that he was going to hold a public auction for the C-band.

Why is that important?

We all have a cell phone now, and many of us have iPads and computers. The internet has changed our world and changed our lives. It has made it more complicated, of course, but on balance, I think the internet has been good for our lives.

We are about to move into a new phase of telecommunications called 5G. It stands for fifth generation. It is really an extraordinarily fast internet. It can carry huge amounts of data. The ingenuity of the American people takes my breath away.

I am pretty impressed with 4G, and 5G is going to be 100 times faster. It is going to make things possible like telemedicine, where a specialist in a field of surgery through robotics and now an incredibly fast internet can operate on a sick patient 1,000 miles away and save his or her life, thanks to 5G. We will be able to hook up all of our devices through 5G, saving time. It will give us more precious time to spend with our family. There will be driverless cars. Maybe I will not see them in my lifetime, but our assistants and our pages in the Senate will see them in their lifetime.

I could go on, but the point is, to make 5G possible, a lot of people have to work together. So 5G is made possible through the airwaves. When internet devices talk to each other, data in the form of radio waves—the scientists call them electromagnetic radiation—these radio waves go through the airwaves from one device to another.

We have all sorts of different airwaves. It is called spectrum. We have airwaves for radios and TVs. Well, 5G can be used in a number of different

airwaves or different parts of the spectrum. But one part of the spectrum, one part of the airwaves, is just perfect for 5G. It is called the C-band. That part of the airwaves is able to carry these 5G radio waves in a manner that can cover a huge geographical area but also carry lots of data.

It is called the C-band, and it is perfect for 5G. It is perfect. It is not too hot, not too cold. It is just right.

Some swamp creatures, both in government and out, came that close—that close—to getting control of the C-band, which is owned by the American people. Led by three foreign satellite companies, they had almost convinced the powers that be to give them the C-band—just give it to them—and let them decide who is going to get to use that C-band for 5G.

Oh, and, by the way, in picking the telecommunication companies that would get to use the C-band that was going to be given to them for free by the powers that be, these foreign companies were going to get to keep the money—about \$60 billion. That is just the upfront money—\$60 billion. That would build 7,000 miles of interstate in this country.

Not only would the companies get the \$60 billion, they would get to decide who could use the C-band, and they were that close. But the Chairman of the FCC stopped it. He is going to recommend next week—and I hope the rest of the FCC goes along with it. I am going to be there to watch. He recommended and is going to recommend that we have a public auction.

Doing a public auction is nothing new for the FCC. The FCC auctions off different airwaves all the time. In fact, the FCC in the last 25 years has held right around 100—I think it is 93—public auctions where anybody who wants to, any company that wants to—competition, moral good—can come in and bid on that part of the airwaves.

The good people at the FCC have brought in to the American taxpayer about \$123 billion in the last 25 years by auctioning off these airwaves and giving everybody a fair chance in a fully transparent way in front of God and country. That is the way it ought to be.

But a lot of swamp creatures were pushing hard for this private sale. The American taxpayer not only would have lost \$60 billion, they would have lost control of the C-band, which, according to the Communications Act, doesn't belong to me, doesn't belong to the businesses; it belongs to the American people.

We can't let our guard down. I have learned in my short 3 years here that those swamp creatures—if they can't get in the front door, they are going to try the side door, and if they can't make it through the side door, they are going to try the back door. We have a lot of money at stake here, so we have to remain vigilant.

I want to thank Ajit Pai for standing up. He made the right people mad.