

the voices of those who speak out on their behalf resonate and resonate loudly. Those who are keeping Americans wrongfully imprisoned, who are committing evil, should know that we will not give up. We will not rest until these Americans are set free.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

PEARL HARBOR NAVAL SHIPYARD SHOOTING

Ms. HIRONO. Mr. President, 2 weeks ago today, the State of Hawaii was in shock as an active shooter took the lives of two workers at Pearl Harbor Naval Shipyard and wounded a third worker.

Located on Joint Base Pearl Harbor Hickam, the shipyard is a pillar of our community. It employs over 6,400 workers who labor every day to keep our Pacific Fleet “Fit to Fight.”

Hawaii is a small place where we have deep connections to one another. Almost everyone in Hawaii either is related to or knows someone who works on base or in the shipyard. In my State office in Honolulu, a member of my staff has a son who is an apprentice at the shipyard and who was there that day. These connections are part of the reason why the shooting has impacted our State so deeply. Too many families were waiting that day for news of their loved ones in harm’s way.

The investigation into what happened is ongoing, and there is no easy explanation for what happened and why.

It is clear that no community in our country is immune from the tragedy of gun violence. Today, I rise to honor the lives of those we lost—Roldan A. Agustin and Vincent J. Kapoi, Jr.

Mr. Kapoi and Mr. Agustin were both dedicated Department of Defense—DOD—civilian shipyard workers and members of the International Federation of Professional and Technical Engineers Local 121.

Roldan Agustin was 49 years old and lived in Ewa Beach. He was adored by his family, who describe him as a “true American patriot” who dedicated his career to his country. After serving honorably in the U.S. Navy, Mr. Agustin also served in the Army National Guard, retiring as a staff sergeant, having deployed to Afghanistan and Kuwait.

At Pearl Harbor Naval Shipyard, he served as a DOD civilian employee, working as a shop planner in non-destructive testing and a metals inspector.

In paying tribute to their lost loved one, Mr. Agustin’s family said in a statement:

He was a loving son, brother, uncle, and friend to many. Having grown up in Waipahu, Roldan enjoyed working on cars with his friends and spending time with his family and adored his nieces. We will forever remember Roldan to be humble and honest, and a generous and patient man.

Vincent Kapoi was 30 years old and lived in Honolulu. He grew up in Waianae and graduated from Kameha-

meha schools. His father, brother, sister, and sister-in-law are also civilian employees at the shipyard, where he served as a metals inspector apprentice. He was dearly loved by his family, which includes his wife, parents, siblings, aunties, uncles, grandmother, cousins, and friends.

His wife offered these loving words:

I have been through a lot of tragedy in my life, but nothing compares to losing the love of your life. I will miss you truly, and I will always love you Vincent J. Kapoi Jr.

His sister Theona said in a family statement:

He will always be that easy going, fun loving, “let’s do this” man that will remain in our hearts. There are so many unanswered questions. We all have to be honest, it changes nothing because we can’t bring him back. What we must do is honor his memory, keep him alive in our hearts.

I also want to honor Roger Nakamine, who was wounded in the attack. Mr. Nakamine was working as a civilian apprentice at the shipyard when he was wounded.

Upon leaving the hospital about a week after the attack, Mr. Nakamine said:

My family and I would like to express our gratitude to the first responders and the expert medical staff at Queen’s, as well as to all the friends and extended ‘ohana who have been reaching out to offer their support physically, emotionally and spiritually. Our deepest condolences go out to the friends and family of Vincent Kapoi Jr. and Roldan Agustin.

Roldan and Vincent, like thousands of their fellow workers, dedicated themselves to the shipyard’s critically important mission of repairing, maintaining, and modernizing the U.S. Pacific Fleet in defense of our country.

In recognition of their service and in keeping with the words of their families, I ask all my colleagues to join me in honoring the lives of those we lost: Roldan Agustin and Vincent Kapoi, Jr.

This is a photograph that depicts the memorial, which was set up the day after this tragedy, where friends and family brought lei to honor their fallen heroes, their loved ones.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

5G

Mr. KENNEDY. Mr. President, I rise briefly today to thank a number of my colleagues—first, the senior Senator from Mississippi, ROGER WICKER, who has offered a bill called the 5G Spectrum Act.

I have offered a bill pertaining to the 5G spectrum, as well, and my two Democratic friends, Senator SCHATZ and Senator CANTWELL, have offered a bill on that subject as well.

We have been working enthusiastically and in good faith for some time to try to work out our differences on this legislation so that we could pass it this calendar year. I regret that we are not going to be able to work out our differences for the moment, but we are going to continue our efforts in good faith.

The good news about all this legislation is that we all agree that the FCC should conduct a public auction of the 5G spectrum.

What does that mean? We all have heard about 5G. It is extraordinarily fast internet—100 times faster than we have right now. But in order for 5G to work, there is a certain part of our spectrum, or our radio waves, if you will, that the telecommunications have to use to deliver the 5G service. It is called the C-band.

Of course, when we communicate between and among each other on the internet or by cell phones through wireless technology, all we are doing is sending electromagnetic radiation or radio waves from my device to your device. It is obviously more complicated than that, but at its fundamental level, that is what it is.

These radio waves and the airwaves through which though radio waves travel—this electromagnetic radiation—belong to the American people. It is called spectrum, and that is what we mean when we talk about 5G spectrum. We can’t lose sight of that fact.

The wireless telecommunication companies provide an extraordinary service. They are going to make 5G possible with the help of the U.S. Government and our other forms of government, but we cannot lose sight of the fact that none of this would be possible without that spectrum, and that is owned by the American people. That spectrum is essential.

As a result of the efforts of some swamp creatures both in and out of government, we came that close to having this spectrum, which belongs to the American people and is worth as much as \$30 billion to \$60 billion, given away in a backroom through a private auction to three satellite companies that happen to be domiciled in foreign countries.

The excuse given was that these three foreign satellite companies can conduct an auction themselves and allocate it to the American telecommunication companies that need it for 5G faster than the FCC can, even though the FCC has only conducted about 100 of these public auctions generating about \$123 billion for the American people. Why? Because the American people own the spectrum that is being auctioned off. It is theirs. But there was a proposal that came that close to passing the FCC to just give this spectrum to these three companies and let them keep the \$30 to \$60 billion that the spectrum auction would have generated and let them decide who was going to get to participate in the 5G throughout our country.

I thank the FCC. Fortunately, the FCC, at the last minute, said no, and I want to thank them. Hence, we have the legislation by Senators WICKER, CANTWELL, SCHATZ, and myself, and the good news about the legislation is that it would require a public auction by the FCC of the spectrum that belongs to the American people. The auction

would be open to anybody who wants to bid. There would be a fair and level playing field, and it would be conducted in front of God and country in a public meeting. The best way to resist temptation is a strong set of values, a proper upbringing, and witnesses. There will be witnesses to this auction.

What we cannot agree on is how much money, if any, to give to the foreign satellite companies. You ask: Why should we give them a dime? Well, the foreign satellite companies, the three companies to which this spectrum was almost given, are currently using this spectrum. They don't need all of it. They don't even need close to all of it, but they have been using it for a number of years. The FCC just gave it to them. They didn't pay a dime for it.

Now, I am not criticizing. They put it to good use, but they don't own it. They don't have a license. They have sort of a 30-day, month-to-month lease. That is the way I think of it. And the lease agreement says that the FCC can take it back any time it wants to.

Since the satellite companies have been using the spectrum and they have customers, we want to be fair to these companies. Certainly, when we decide how to allocate the proceeds of the public auction in front of God and country, which the FCC is going to conduct, we certainly want to consider the satellite companies' interests. But I am not going to support giving them half of the money this auction generates because this money belongs to the American people. It can be used to extend 5G and other forms of broadband to those of us who don't live in major cities but happen to live in rural areas and are all still very much Americans.

So I rise today to say thanks to Senator WICKER, and I mean that from the bottom of my heart. I learned so much from working with him. I thank Senators CANTWELL and SCHATZ. We are going to keep working toward a compromise in a way that will allocate this money to everybody fairly and efficiently.

I am going to end as I began—that first and foremost in my mind is the American people because the American people own this spectrum.

I don't own this spectrum. The U.S. Senate doesn't own the spectrum. The three foreign satellite companies don't own the spectrum. The FCC doesn't own the spectrum. The telecommunications companies, for which we are grateful, don't own the spectrum. The American people own the spectrum, and the vast majority of the money generated by this public auction should go to them.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CRAMER. Mr. President, before I begin my comments about an upcoming nominee, I want to say in response to Senator KENNEDY that I agree 100 percent. Thank you.

NOMINATION OF DANIEL MACK TRAYNOR

Mr. President, later today the Senate will have the opportunity to vote on President Trump's second nomination to the U.S. District Court for North Dakota. My friend, Dan Traynor, has been nominated and we will be voting on his confirmation to be district judge for our district.

I have known Dan for a long time. That is why I was honored to recommend him to the President and pleased when the President nominated him earlier this year.

Dan received his bachelor's degree from the University of North Dakota and his jurist doctorate from the University of North Dakota School of Law. He clerked for the legendary chief justice of the North Dakota Supreme Court, Gerald VandeWalle, before heading to Devils Lake, ND, where he joined his family's law firm and where he works today.

Since that time, he has spent a couple of decades in various capacities, practicing various types of law, including being the assistant city attorney for Devils Lake. His extensive criminal and civil experience both as a prosecutor and defender in State and Federal courts and also in Tribal court are the main qualifications I think he brings to this important position. Again, I am honored to support him.

He has tried about 80-plus cases to a verdict or judgment or to a final decision, which I think is very good experience for somebody who is then going to stand in judgment. In addition, the ABA gave him a unanimous "well qualified" rating. He has also been recognized since 2015 as a "super lawyer." In 2017 he received Martindale-Hubbell's "AV Preeminent Rating."

So Dan's academic record, experience, and qualifications are more than adequate to be a good district judge. What makes him an exception is that Dan and his wife Trish, who is an Air Force veteran, are raising a beautiful family and are what we call pillars of their community and our State. As for Dan's family, his mom and dad, Jack and Jane, I know quite well, and they are what we would call legends in their community and in our State.

The bottom line is that Dan is eminently qualified in every way, including possessing the character, demeanor, and temperament, as well as the intellectual capacity, to be an excellent judge. I look forward to voting for him, 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. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

BIPARTISAN AMERICAN MINERS ACT

Mr. MANCHIN. Mr. President, I rise today to talk about something very

rare in Congress these days. On Monday—on Monday, after 4 long years of working hard through many uncertainties, Congress came together—Democrats and Republicans—to secure healthcare and pensions for our Nation's coal miners. We did our job. This confirms to me that we can do so much more. This is so important.

It was the coal miners of America who made us look beyond politics. These were hard-working people. They weren't Democrats or Republicans; they were hard-working Americans who built America.

I want to give my sincere thanks to all of my colleagues for putting partisan politics aside and for rising above the divisiveness and tribalism in order to keep the promise that was made in 1946.

Over 70 years ago, President Harry Truman recognized the importance of the workers who produced the coal for this country. After World War II, we had to keep this economy moving, we had to keep it churning, and we couldn't do it without the energy. Coal was basically the driver of this at that time, and there was a promise that the government would guarantee our brave coal miners benefits in return for their services. This agreement was a sacred promise between workers and our country, and it captured the very best of our American values.

This week, we kept the promise by including the Bipartisan American Miners Act in the end-of-the-year funding bill. We kept our promise to 13,000 retired coal miners and their families who will not lose their healthcare by the end of the year. We kept our promise to the 92,000 coal miners and their families who will not see their pensions drastically reduced starting next year.

Coal miners are the most patriotic people in America. They have done the heavy lifting. They have done everything that has been asked of them by this country. They provided the energy that made us the greatest country on Earth and the superpower—the only superpower in the world today.

Because of what they have done for our country, we have won two World Wars. We have built iconic American cities, and we have a strong middle class. They continue to provide the resources that make us the energy leader of the world, all while advancing the American dream.

The journey has not been short, and it sure hasn't been easy. In 2015, we knew the United Mineworkers of America's 1974 pension plan was severely underfunded. Unlike other public and private pension plans, the 1974 pension plan was well managed and funded prior to the crash in 2008—the economic financial crisis we had—which hit at a time when the plan was being drawn down more than ever because more people were retiring. The mining of coal, with the new automation, was being replaced, and a lot of miners were retiring out of it. This was coupled with the fact that many of the