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## Senate

The Senate met at 3 p.m. and was called to order by the Honorable JONI ERNST, a Senator from the State of Iowa.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Spirit of the living God, fall afresh on us this day. Radiate Your hope and power through our lawmakers, creating in their hearts an expectation of Your best for them, our Nation, and our world. May they face their challenges with total confidence in the triumph of Your unfolding providence.

Lord, give our Senators the wisdom to seek ways to work together to find creative solutions to the crucial issues of our time. As they seek to serve Your purposes for their lives in this generation, may they remember the sacrifices of those who fought and died for the American dream.

Lord, change and decay surround us, but You are the same yesterday, today, and forever.

We praise You and pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 4, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JONI ERNST, a Senator from the State of Iowa, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mrs. ERNST thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the Nielsen nomination, which the clerk will report.

The legislative clerk read the nomination of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. McCONNELL. Madam President, today the Senate will continue to fulfill its important responsibility to confirm critical nominees for President Trump's administration. We will do that by voting to advance the nomination of Kirstjen Nielsen, the President's choice to serve as Secretary of Homeland Security.

As my colleagues know, this is an incredibly important position within our

government. With responsibilities ranging from cybersecurity, to protecting our borders, to the continued recovery efforts of the recent natural disasters, the Department of Homeland Security requires strong leadership to get the job done. Ms. Nielsen is a qualified candidate with the talent and experience to succeed. As Chief of Staff to the previous DHS Secretary, Gen. John Kelly, she understands the daily operations of the Department and shares our goals for its future.

In addition, her previous tenure with the Department makes her an ideal candidate to be ready to lead the agency on day one.

Ms. Nielsen is an experienced professional who will help lead the Department as it faces constantly evolving threats. I look forward to advancing her nomination later today, and I urge my colleagues to join me in supporting Ms. Nielsen for this critical national security post.

#### GOVERNMENT FUNDING BILL

Madam President, on another matter, this week Congress will consider short-term funding legislation to provide resources to address many important issues facing our country. The House recently released its legislative text to fund the government through December 22. I look forward to our colleagues' consideration of that measure.

This bill—one without any controversial policy riders—will continue government funding and give the House and Senate time to complete their work on a long-term solution. It will keep the government open and functional, and it includes critical resources for our national defense and to give States certainty to continue the Children's Health Insurance Program while the bipartisan work on CHIP reauthorization continues.

Congressional leaders continue to work with the administration on a long-term funding proposal to help agencies accomplish their goals and to plan for the future.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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As we wait for the House to take the next steps, I encourage my colleagues in the Senate to review the legislation. We will pass it before the end of the week.

TAX REFORM BILL

Mr. President, on one final matter, last week, the Senate passed a critical tax reform bill to jump-start the American economy by putting more money into the pockets of hard-working families and small businesses, creating more jobs and economic opportunity, and taking steps to ensure that jobs and business stay right here in America.

This is a once-in-a-generation opportunity, and we are meeting the challenge.

Soon, the House and Senate will meet in conference to produce a final bill so that we can send it to the President's desk. Then the American people can begin to enjoy the relief.

I want to take a few minutes to thank a number of people who were key to getting us to this point. First, President Trump and Vice President PENCE, who fought for the promise they made to the American people to cut their taxes. Their tenacity, commitment to the effort, and engagement with the Senate were invaluable. I look forward to working with them on the many other priorities we plan to deliver for our country. The President and Vice President are great allies, and we will accomplish much, working together.

I also want to acknowledge the efforts of Secretary Mnuchin, Director Cohn, General Kelly, Marc Short, and many others at the White House who worked with us on this effort.

Speaker RYAN, Ways and Means Committee Chairman BRADY, and our friends over in the House have done great work, as well, and we are looking forward to getting a final bill to the President's desk soon.

To my leadership team, who provide good counsel and good humor even in the most trying of times, thank you—most especially to the majority whip, JOHN CORNYN, who is not only a valued colleague but a trusted friend. JOHN and his whip team, led by Monica Popp, helped navigate many challenges along the way. There is no doubt we wouldn't have made it this far without them.

The chairman of the Finance Committee, ORRIN HATCH. His many years of service in the Senate have brought the expertise and steady hand we needed to get this bill written, out of committee, and on to the floor. Not only is ORRIN an expert at legislating, but he also is a trusted friend, and I thank him for his many years of work to get us to this point.

The chairman of the Budget Committee, MIKE ENZI. There are few people around here who understand this complicated process better than Chairman ENZI, and we are grateful to him as well.

The chair of the Energy and Natural Resources Committee, LISA MUR-

KOWSKI. This is an important moment for Alaska and for American energy security.

To the committee staffs: Finance, led by Jay Khosla; Energy and Natural Resources, led by Brian Hughes; Budget, led by Betsy McDonnell; and, of course, the Senate's dean of the tax counsels, Mark Prater—thank you.

There are a number of other Members who have been critical to the process. Senators THUNE, PORTMAN, TOOMEY, and SCOTT took on the yeoman's work in the Finance Committee as we worked to unite our conference on a bill that everyone could support. I will never forget the time and energy they have put into this effort, and I can't thank them enough. My staff calls them the "core four" of tax reform.

I would also like to extend my gratitude to the Senate Parliamentarians, who worked long hours and weekends with Republicans and Democrats alike to apply the rules of the Senate in a fair and unbiased manner.

The floor staff, doorkeepers, those working for the Sergeant at Arms, Secretary of the Senate, and Architect of the Capitol—those behind the scenes who provide essential support for the Senate whenever we are in session. You are the reason this institution functions so well. In light of the challenges before us, we appreciate your commitment and your service.

To the members of the United States Capitol Police, who stand constant guard and protect the Members, staff, and the millions of visitors who travel here, we are always grateful for your service.

We all know that without our teams on the floor and in the cloakroom, this place simply wouldn't run the way it should. Secretary for the majority, Laura Dove, Robert Duncan, and the whole cloakroom team are invaluable to the work we do each and every day. I would like to thank them for the hours they put in, no matter what the issue of the day may become.

Finally, to my own team—first to Sharon Soderstrom, who leads my staff with focus and commitment to success. I am lucky to have her by my side every day. She makes each of us better by not letting us forget why we are here; that is, to do the right thing for the American people. We have seen a lot of debates together over the last 10 years, and her counsel is always steady and straightforward. She truly is the best of the best.

Don Stewart. Stew keeps us all on our toes but always with a smile. The communications team of Robert Steurer, Antonia Ferrier, David Popp, Stephanie Penn, Kevin Grout, and many more helps communicate in a challenging news environment every single day, and I am so thankful for their efforts.

Hazen Marshall, who has been in the trenches on this every day since we started our work on this bill. Hazen may be the most likeable guy in the Senate but with a backbone of steel.

Jane Lee, my budget lead, smart, cheerful, and determined. To my leader office policy team that gets to work with the committees as well as folks outside the Senate to help keep everyone informed, field questions, and address concerns, I want to thank them all. Scott Raab, Terry Van Doren, and Erica Suarez each played a role in this, and I want to thank them. Phil Maxson and my personal office staff, including Katelyn Conner and Liz Strimer, who each day help my whole team keep Kentucky in the forefront of anything we are working on, I can't thank them all enough.

To many others in both my State operation, especially Terry Carmack, and my leader office team, while I can't name everyone by name, know my appreciation goes to each of you as well. Of course, Stef Muchow, my director of operations, keeps everything running, is always working, and I can't imagine this success without her.

Finally, to the man who has been the steady hand in the tax reform effort in my office, Brendan Dunn. His leadership and counsel over the last several months has been absolutely unparalleled. Brendan, many days, worked around the clock to hear from our Members on what they were hearing from our constituents and helped us get to passage of this incredibly significant piece of legislation. He worked with the committees to draft language, rework ideas, present thoughts, and prioritize Member feedback. I couldn't be more proud of Brendan and the work he has done.

Brendan, you have my deep gratitude and admiration for how you have helped manage this critical bill. It is an honor to call you a colleague and also a friend.

I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

REPUBLICAN TAX PLAN

Mr. SCHUMER. Madam President, in the early hours of Saturday morning, under the cover of darkness, the Republican majority rushed through one of the worst, most hastily considered pieces of major legislation I have seen in my time in the Senate.

The bill will cause one of the greatest transfers of wealth to corporate America and the already wealthy, while working America picks up the tab. Millions of middle-class families will pay higher taxes under the Republican plan in only a few short years. Because the bill is unpaid for, the deficit will skyrocket, cannibalizing resources for education, scientific research, infrastructure, and our military, endangering Social Security, Medicare, and Medicaid.

As I said last week, I have not seen a more regressive piece of legislation so devoid of a rationale, so ill suited for the condition of the country, so removed from the reality of what the American people need.

The text of the bill itself was released in the early evening, only several hours before a final vote took place. Lobbyists had a chance to read and change the bill before Members of the U.S. Senate. When we received the bill, there were sections of text handwritten in the margins concerning some of the most complex tax provisions. The Joint Committee on Taxation was not even able to produce an analysis of the bill until after the final vote took place at around 2 or 3 in the morning.

Amid such haste, the Republican majority likely made drafting errors and inclusions that will have unintended consequences, even severe ones. Amid such secrecy, such cloak-and-dagger legislating, the majority slipped in several additional goodies for big corporations and the very wealthy that are already being uncovered. I am sure even more will come to light in the coming days.

The appalling process we all witnessed led Bloomberg News—a middle-of-the-road, business-oriented publication—to write the following in an editorial today:

In their rush to pass something, anything, that they can call “tax reform,” congressional Republicans have achieved the impossible: They have made an awful plan even worse. The end result is sheer absurdity: a reform that actually complicates the tax code further, and that must contradict itself and partially self-destruct to attain some semblance of the fiscal discipline Republicans claim to value. It’s hard to imagine a more egregious waste of time and energy, or a worse outcome for taxpayers and the broader economy.

That is Bloomberg News, not some leftwing publication. It is a business publication. If they can say that, imagine what average Americans are saying. What a condemnation from a publication that would be inclined to favor tax reform. In short, my Republican friends ought to be ashamed of the process and the product that emerged from the Senate last week.

As the two Houses of Congress prepare to go to conference, I suggest that my Republican colleagues reconsider their efforts and think again on how much better of a product we could produce through a bipartisan, open, and transparent process. Regardless, with so much left to do before the end of the year, the Republicans should not be devoting their energies toward the conference on tax reform because this bill, in both the House and Senate, needs dramatic repair.

#### GOVERNMENT FUNDING BILL

Madam President, on the year-end matter, the most pressing matter before the Senate this week is not tax reform. That has no immediate deadline. Rather, it is to make sure that we keep the government up and running on Fri-

day. Nobody should want to see a government shutdown. We should all be working to avoid one. I must say that I don’t believe my Republican friends, Leader MCCONNELL and Speaker RYAN, want a government shutdown. The only one at the moment who has flirted with a shutdown is President Trump, who tweeted earlier this year that we could use a “good ‘shutdown’ . . . to fix [the] mess” and was quoted in last week’s Washington Post suggesting to associates that a shutdown could help him politically.

While congressional negotiators have continued the hard work of hashing out a deal, the President’s unproductive behavior has been the only monkey wrench in the process. It is difficult to find a consensus when one of the parties at the table tweets that he “doesn’t see a deal.”

In a very positive development, however, the White House has reached out and asked for a second meeting with congressional leadership. We hope the President will go to this meeting with an open mind, rather than deciding that an agreement can’t be reached beforehand, as he did before the first meeting.

We need to reach a budget agreement that equally boosts funds for our military and key priorities here at home, including: the opioid crisis, pension plans, veterans healthcare, student loan debt relief, and rural infrastructure. We have to provide funding for community health centers and CHIP, as well as relief for the millions of Americans still reeling from the natural disasters that hit us earlier this year. We also must come together on a bipartisan deal to pass the Dream Act, along with tough border security measures. There is a bipartisan path forward on every one of these items.

As negotiations with our Republican counterparts continue, we are hopeful the President will be open to an agreement to address the urgent needs of the American people and keep the government open.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TAX CUTS AND JOBS BILL

Mr. CORNYN. Madam President, as the world knows by now, last Friday night—I guess early in the morning on Saturday—we passed the Senate’s version of the Tax Cuts and Jobs Act, the first major overhaul of our Nation’s tax system in more than 30 years.

I want to express my gratitude to Chairman HATCH, the chairman of the Senate Finance Committee, who shepherded that bill through the com-

mittee. I thank him for his leadership, as well as that of Chairman ENZI, who led the reconciliation process in the Budget Committee. I know it is a complex, convoluted, and arcane process, but we couldn’t have done it without both of those gentlemen.

I also commend our majority leader, Senator MCCONNELL, and all of our colleagues who worked together for proceeding with final passage and for negotiating in good faith. I have said before, and I will say it again, that one of the differences between this and healthcare reform is that everyone, I believe, on our side of the aisle wanted to get to yes, wanted to find a way to find a solution, and that goes a long way to getting to a solution.

Last week, the majority leader rightfully referred to the process as a once-in-a-generation opportunity, and he is right. I am glad we got this bill across the finish line and will soon deliver to the American people the tax relief they deserve. Notwithstanding some of the propaganda that has been disseminated on this, the fact is, this bill benefits Americans of all stripes, including low-income families.

Well, let me just start there. This bill doubles the standard deduction, which means a married couple earning up to \$24,000 will pay zero tax on that \$24,000 of earnings. Above that, we have raised the child tax credit to \$2,000 per child. The first \$1,000 of that \$2,000 is refundable. That means that even if you don’t pay income taxes, if you don’t make enough money to pay income taxes, you will still get the benefit of at least half of that child tax credit. It also reduces the tax bracket for low-income families as well. The bill lowers the current 15-percent rate and increases the child tax credit, both of which help persons of modest means.

This bill also helps the broad middle class. Some of our colleagues ran around like “Chicken Little” during the debate on this bill, saying that eliminating certain deductions will disproportionately harm hard-working families, but that is just not true. A family of four earning the median income of about \$73,000 will see their taxes cut by nearly \$2,200. That may be chickenfeed to some of the folks inside the beltway, but that is real tax relief for hard-working, middle-class families. We also preserve the home mortgage and charitable deductions, and families will enjoy an enhanced child tax credit which, as I mentioned earlier, along with the larger standard deduction, will help them significantly.

Finally, this bill effectively repeals ObamaCare’s individual mandate. Some have called this a tax on the poor, which it is because 80 percent of the people who pay the tax or the mandate penalty earn \$50,000 or less, and that is because they can’t afford to buy the government-approved health insurance. So their own government, rather than help them find affordable health coverage that suits their needs that they can afford, mandates they buy a

policy they can't afford, and when they don't do it, then taxes them with the individual mandate. We repealed that entirely, which will also ensure more take-home pay for America's families.

For America's job creators, this lowers taxes from 35 percent to a much more nationally competitive rate. What that means is, rather than hiring people overseas and keeping that money overseas earned from their labor, they will be now incentivized to bring it back to the United States to build and to hire in America. Right now, we have the highest tax rate in the industrialized world, 35 percent, when the international average for the industrialized world is roughly about 22 percent. We are getting a little below that at 20 percent, and together, with all the other advantages of doing business in America, we believe there will be a flood of money that is repatriated to the United States that is currently parked overseas, along with the jobs and investment that will go along with that.

Now that the bill has passed the Senate, we will soon begin to discuss the bill in a conference committee. This is how we reconcile the differences between the House version and the Senate version. I know there are a few items of concern and that the two versions of the bill differ to some extent, but I feel confident that with the help of Speaker RYAN and the chairman of the House Ways and Means Committee, KEVIN BRADY, we can reach an agreement quickly. It is important that we do so, that we reconcile those differences as quickly as we can, because we want to get this bill on the President's desk before Christmas so the people we are targeting relief for—starting from lower income Americans to the middle class, to America's job creators—can begin to enjoy the benefits of the tax cuts and tax reform right out of the gates in 2018.

It is true that our shared goals between the House and Senate are much more important than the small differences in our approaches, and these goals, as we have always agreed on, are increasing the paychecks of American workers and getting the economy working again because, unfortunately, it has become flat and stagnant.

The President has called tax reform rocket fuel, and I think that is right. Our economy has already begun to take off. It is amazing what the American economy will do when it is unleashed from overtaxation and overregulation. We have already seen the consumer confidence at a 16-year high; the stock market is hitting historic highs; people are anticipating the results of the rollback of excessive regulation during the Obama administration and the reduction in taxes, creating a much more competitive environment. It is exciting to see it beginning to happen.

As I said, the GDP grew 3 percent this last quarter, but over the last year it has been about 1.9 percent—so low

that it is really not creating new jobs and certainly not creating new investment here in the United States. This tax reform and tax cut bill will change that. It will keep the American motor running fast and smoothly.

Now, it is my sincere hope that those in the driver's seat, the families and companies great and small, will reach destinations that before maybe they only dreamed of because this is really what this legislation is about. It is not about dollars and cents. It is not just about taxes. It is not just about the government's relationship with its own people, the people who are the heart and soul of this great country. This is about America's standing in the world. Will we continue to be the economic leader and the envy of the rest of the world? Will we continue to be able to have the strongest military and the ability to lead and keep the world safe, as opposed to creating vacuums when we retreat? Those vacuums are then filled by the bullies, tyrants, and dictators who certainly don't share our values.

I am excited about what we were able to accomplish last week, but we are not done yet. We need to get this bill reconciled with the House and put it on the President's desk so all Americans can enjoy the benefits of this tax reform, whether it is a direct tax reduction from their tax burden or being relieved from the onerous tax on poverty in the individual mandate or enjoying the benefit of America's increased competitiveness in the world and incentivizing businesses to invest, hire, and improve wages right here in America. I am excited and optimistic about what the future will hold once we get this on the President's desk later this month.

#### DACA

Madam President, the next topic I would like to address is something we refer to as DACA. This is the Deferred Action for Childhood Arrivals. Of course, this is a program that President Obama instituted because he decided to take an end-run around the Congress and tried to unilaterally provide relief to these young adults who came here as children with their parents illegally.

Being a recovering lawyer and judge myself, I can tell you we don't ordinarily hold children responsible for the actions of their parents. So I believe the President's compassion was appropriately placed, but his fidelity to the Constitution and to Congress's role in coming up with a solution was misplaced. So it is now our chance to put the program where it belongs, which is back into the hands of Congress, working with the administration.

As a result of what President Trump decided to do, which is to give this responsibility for a solution back to Congress, some of our Democratic friends are threatening to shut down the government this month, without an agreement on DACA. That is simply a hysterical and cynical ploy, putting

their party and their agenda ahead of the Nation. How can you claim to care about the 800,000 undocumented immigrants this program protects through work permits and deportation relief, but then turn your back on the 322 million people who need to know that their government is still able to function? That is holding 322 million Americans hostage for their political desire to get a solution on their timetable—not on our timetable—and one that if we are successful and able to accomplish in January or February, will be done well in advance of the deadline in March of next year.

Let's all remember the recent course of events. President Trump announced his decision to rescind DACA on September 5 but delayed the decision to take effect for 6 months, giving us a little time to approach this problem thoughtfully and carefully. The chairman of the Senate Judiciary Committee then convened a working group to study potential DACA fixes. Finally, last week, Republicans on the Senate Judiciary Committee offered an initial proposal which our Democratic colleagues rejected out of hand, refusing to even make a counterproposal.

The proposal we made included border security, interior enforcement, improvements in the E-Verify system, and a path to legal status for DACA recipients and limits on certain types of chain migration. Members of the Republican caucus, including myself, indicated a willingness to continue to negotiate, saying this was our starting point, but we insisted that any proposed solution must include border security and interior enforcement measures.

Now, as a result of our Democratic colleagues simply rejecting out of hand our initial offer and refusing to negotiate with us, it is fair to say those negotiations are currently at an impasse. By threatening to shut down the government, they are jeopardizing the future fate of those DACA recipients.

We have heard the senior Senator from Illinois, the junior Senator from California, the junior Senator from Vermont all threaten to shut down the government unless they can get their way when they want to get their way sometime this month. Perhaps they are unaware of how dire this ongoing uncertainty is. I come from a State where there are some 124,000 DACA beneficiaries, so I understand what is at stake, and I am committed to doing everything I can to helping provide them some relief, but it is not just my way or the highway. We are going to have to come up with a negotiated outcome that demonstrates our compassion for these young adults who came here as children through no fault of their own and now find themselves trapped.

We need to make sure that, No. 1, we stop or limit as much as we can illegal immigration into the United States, that we enforce our laws, and make sure people do it the right way.

We are the most generous nation in the world when it comes to legal immigration. Our country naturalizes almost 1 million people a year. We are a nation of immigrants, but we are also a nation of laws. That is what our colleagues across the aisle seem to have forgotten about. We will no longer be the great Nation we are if we fail to be a nation of laws.

We need to address the root problems as well. We can't just every few years come negotiate a temporary patch to what is a larger problem. Among them are holes in our porous border. My own State has 1,200 miles of common border with Mexico. We know that our Border Patrol and Customs officials are overwhelmed. There is outdated surveillance and detection technology and a lack heretofore of serious interior enforcement of our immigration laws. We know that our immigration courts are stacked up and badly in need of additional resources.

By playing games and threatening to shut down the government unless our Democratic colleagues get what they want when they want and engaging in stunts to shut down the government, they are only hurting their own cause and the very individuals they claim to be protecting. They are engaging in destructive identity politics and turning their backs on the rest of the Nation.

I hope that those young adults—the Dreamers, they are frequently called—whom I described earlier aren't fooled by the theatrics of those who claim to help them. We all want a legislative solution, and we can find one as long as we quit the game-playing and the stunts and we sit down and negotiate seriously to try to come up with an avenue of relief, one borne by typical American compassion for these young people who find themselves at a dead end and those who believe that we need to get to the underlying causes that caused them to be in this situation in the first place; that is, a lack of appropriate border security and enforcement of our immigration laws. We can do this if we quit grandstanding and quit engaging in these sorts of stunts, and I hope we will.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam President, we had a press conference in Chicago this afternoon, and several young people were there. One is named Zarna Patel. Zarna is a student at the Loyola University Stritch School of Medicine. She is from a family that came to the United States from India. They brought her here when she was 3 years old.

When she was growing up, she didn't realize that she was undocumented. She thought she was just like everybody else in her classroom, standing up, pledging allegiance to that flag, and singing the national anthem. It was the only national anthem she knew. But then came high school, and she came to realize that she was different. She wasn't documented. She wasn't "legally in America."

Well, she soldiered on with her life and did quite well. She graduated from college with a degree in science. She prayed and hoped the day would come when she could go to medical school. Loyola University in Chicago offered her—and others like her, who were protected by President Obama's Executive order known as DACA—an opportunity to apply for medical school. They didn't get quotas. It wasn't any kind of affirmative action program. It just said you can compete with all the other students. The word got out around America to those who were protected by President Obama's order that there was a medical school that would accept you if you were protected. The net result of that was over 30 were admitted. They are so extraordinary, some of the best. They were admitted to medical school, and she is one of them. It is a great story, really.

She is realizing her dream to become a doctor, but there is a problem. The problem is that on September 5, President Trump decided to abolish DACA, the program that protects Zarna Patel, and in abolishing it—announcing that he would on March 5 of next year—it meant that she would then lose the protection she had under the previous Executive order.

What difference does it make? Well, it means that she is then subject to deportation, but equally important in her life, she loses the right to legally work in America. You say that she is a student and maybe she doesn't need to work. Well, as a student, she doesn't qualify for any Federal assistance because she is undocumented, and as a student in a medical school, to further your education, you need a residency. We know a residency means an awful lot of hours of working in a hospital that is teaching you how to be a doctor and develop your specialty. So you can't have a residency if you can't legally work in America. That means that, after all of these years of work, it is over; she can't apply for a residency.

The senior Senator from Texas came to the floor and said: Let's not have a hurry-up approach to this issue. Let's slow it down a little bit. The President announced on September 5 that he was going to abolish protection for Zarna Patel and for 780,000 others just like her. Here we are, 3 months later, having done nothing.

Many of us feel a sense of urgency because these young people have their lives on hold. They are living with the anxiety and stress of not knowing whether they will be deported tomorrow or can work. It is a simple thing to

many of us as we read about it. It is life and death in the future for these young people.

So when we say to the Senator from Texas that we need to get this done, it isn't like the Senate is overwhelmed with work. I didn't have to come down here and beg for an opportunity to speak on the floor. You can see it is empty, and it has been empty most of the year. We have done precious little this year. I can point to three or four things the Senate has accomplished. We had plenty of time to address this and still do, but it takes a will on the part of the majority to get this done.

I want to thank several Republican Senators who have stepped up to try to help me get this done, especially LINDSEY GRAHAM, a Republican of South Carolina and my cosponsor of the Dream Act, and other Senators who are sponsoring it and trying to move this forward. Senator JEFF FLAKE, last week, announced that his vote on the tax plan was contingent on a conversation he had with the White House about this issue of DACA and the Dream Act.

The senior Senator from Texas comes to the floor and says I haven't really reached out to him or spoken to him about this. He must have forgotten that I handed him this sheet of paper last week. This was our proposal on border security in the hopes that, by being serious about border security, we could get Republican Senators to join us when it came to protecting those who qualified for DACA in the Dream Act. I gave this to Senator CORNYN. He knows it. I like him. He is my friend. But we have to reach the point where we realize that there is a sense of urgency here. I hear the Senator from Texas say: Well, maybe next year we will get around to it. As of March 5, this program ends, and as of March 5, 1,000 young people will lose their protection every single day for 2 years.

What it means for Zarna Patel and others is the end of a dream, the end of an opportunity to pursue an education. She is not the only one. She is 1 of 30 or 32 at the Loyola Stritch School of Medicine. There are 900 of these young people who currently have volunteered to serve in the U.S. military under the MAVNI Program. If we don't renew this program, they are gone. Think of that. They are technically undocumented and illegal in this country. They volunteered to risk their lives for America in service to our country. Now the Senator from Texas says: Well, we are in no hurry to tell them whether they can continue to serve in our military.

As we look across America, we have 20,000 teachers. I met one of those last Friday in Chicago. She is 24 years old, teaching in an inner-city school, and protected by DACA. The minute DACA ends on March 5 of next year, she can no longer legally work in the Chicago Public Schools system. She is finished. Pack up, clean out your desk, and go home.

Is that what we want to see happen across America? We know what these young people are doing. They are going to school. They are working while going to school. They are teachers. They are nurses. They are involved as first responders and law enforcement. They are in medical school.

The Senator from Texas questions why I am in such a hurry to get this done? I am in a hurry to get this done, and he should join me in understanding that there is a sense of urgency here. There are a lot of rumors flying around here. I am not going to honor any of them as to what might occur, other than to say, when we get Senators who are willing to sit down and accept the principle of the Dream Act, that the principle is that those who were brought here as children, who have grown up in the United States, who have no serious criminal charges in their records, and who have completed school have a chance to become legal and become citizens—that is the fundamental of the Dream Act.

It is a bill I introduced 16 years ago. I am still trying to pass it. There are bills that are not identical but are very similar that accept that premise and have been offered twice by Republicans as well.

So if the Senator from Texas will start with the Dream Act, we can then engage in additional conversations about border security. He can take the draft I gave him last week, which includes, incidentally, 12 provisions from his own bill. The Senator from Texas had a bill drafted on border security. We read it. We picked up 12 of the major provisions and included them in our offer to try to get this done in an expedited way.

I will just tell you this. If any Senators want to come to the floor and say it is not that important, it isn't timely, we need not hurry about this, we can get around to it later, I would like them to come home with me. Maybe they should even go home to their own States and meet with these young people and realize that their lives are on hold because we have put this issue on hold.

For goodness' sake, let us face our responsibilities as Senators. Let's do what we are supposed to do—legislate solutions to problems. The President challenged us. He said: I am going to abolish this program; now Congress, you pass a law to create it. He challenged us. Let us accept the challenge and do it in a bipartisan professional way. That is all I have ever asked for and all I continue to ask for.

Yes, I want it done this calendar year. I don't want excuses about maybe next January or maybe next February, because we know that on March 5, when the deadline hits, it will be a disaster for 1,000 of these young people every single day. Yes, there is a sense of urgency. Yes, there is a need for us to work together. I am going to continue to meet with Republican Senators and Democrats to find a solution,

to find a way through this, and to get it done this month in December. How can we, in good conscience, pass a spending bill giving authority and resources to this administration to go out and arrest and deport these young people and not address the underlying issue of their legality and their future in the United States? That, to me, is obvious.

I hope my colleagues, those of good will and good faith, will join me in making sure that we don't go home for the holidays until we get this job done.

#### BEARS EARS NATIONAL MONUMENT

Madam President, very briefly, the President of the United States went to Utah to announce that he has done something that is going to be challenged in court—and should be—but is virtually unprecedented in the history of the United States. Presidents have the authority, going back to President Theodore Roosevelt, to establish monuments around this country—special land that is set aside because we believe it is important for future generations to have special access to it.

President Obama, before he left office, created the Bears Ears National Monument. It is in San Juan County in Utah. I know a little bit about it. Twenty years ago, I visited this area when it was characterized as the Red Rocks Wilderness, and I introduced a bill to protect it.

Over 20 years, little or nothing happened until President Obama designated a monument. Now comes President Trump, who has made a decision to dramatically eviscerate this monument, to basically eliminate 80 or 90 percent of the land that has been set aside.

It is a beautiful part of America. It is an extraordinary part of America. It is something that most of us know little about, but if you go to the southeastern corner of Utah, you will find tourists from all over the world who come to see the beauty of this region—the Bears Ears region, the Red Rock Wilderness region.

You ask local people: If you didn't set this aside for future generations, if you didn't protect it, what would you do with this land? The people of Utah are the first to tell me: Well, there is not much you can do with it. We don't think there is oil and gas there to be drilled. The uranium efforts have petered out; there is very little of that that is left. There is not much that can be done with it. But if it is preserved, clearly people want to come visit it and be part of this unique American experience.

When I was there just a few weeks ago, there was a group in Moab, UT, in a gift shop. I kind of drew near the group—there were about a dozen of them—and they were all speaking French. These were French tourists who came to this part of Utah not only to spend their money but to see something special.

President Obama said: Let's protect it. Let's make sure that future generations can indeed enjoy it and value it.

President Trump said: No. For 80 or 90 percent of it, let's make it go away.

This is a terrible decision. It is terrible for this section of Utah, it is terrible for our country, and it is terrible for our future. If we do not protect our natural heritage for our kids, grandkids, and their kids and grandkids, then we have walked away from a fundamental responsibility, and I believe we have.

We have a wonderful system across America protecting national parks. If you read the history of some of these national parks, you will know that it was a battle to stop someone who wanted to create a commercial interest there and didn't want it to be protected by the government. In this case, there doesn't appear to be any other economic interest that can really lay claim to this, but there is an effort by the Trump administration to remove the protection anyway. I think that is a serious mistake.

America is not America without its great outdoor spaces—its national parks, its historic monuments—that Congress and Presidents in both political parties have preserved for the benefit of future generations. To diminish our commitment to protecting the natural landscapes and historic places in this country from ruin by exploitation or environmental degradation would constitute a breach of our responsibility both to those who founded this Nation and to those who will inherit it. That is why we are deeply troubled by President Trump's announcement today, which would undermine the preservation of some of the country's most important national monuments and would remove protections for more than 2 million acres of public land—the largest elimination of protected land in the history of the United States of America.

Utah's most cherished national monuments—Bears Ears, which I mentioned, and the Grand Staircase-Escalante—will now be under threat from this new Trump order. Many of these are sacred lands to Native Americans, and they will now be put at risk for desecration and looting. Is that what we want to leave future generations? Is that the honor we are going to give to the lands that were part of the heritage of Native Americans? I think it is a serious mistake.

I hope that some will stand up and speak up about preserving this heritage for future generations.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### 50TH ANNIVERSARY OF ALVIS

Mr. PORTMAN. Madam President, today I am proud to stand here for the

recognition of the 50-year anniversary of a great organization in Ohio—Alvis. It is in Columbus, OH, and was formerly known as Alvis House. It was founded in Columbus, OH, with a broad mission of helping people in the community through human service programs to promote prosperous lives, with a focus on an individual's potential and not their past.

Over the years, I have had the privilege of working closely with Alvis as they have become a model for reentry programs and treatment service programs with a focus on meeting individual goals—a customized approach—building a successful future, and implementing fundamental change for families and for our communities.

Since its opening in 1967, Alvis has grown from a single 15-bed home helping 60 men a year to an organization of 13 locations throughout Columbus, Chillicothe, Dayton, Lima, and Toledo. It now serves more than 8,000 people annually. This agency has helped provide support and hope to thousands of individuals who are returning to their communities after having spent time in the criminal justice system, as well as offering recovery and developmental disability services that encourage health, growth, and independent citizenship.

Alvis has been the recipient of Federal grants authorized by the Second Chance Act for their work in reentry. As the author of the Second Chance Act when I was in the House of Representatives, I have had the opportunity and the privilege to go to Alvis facilities and to see firsthand the good work that is being done using that legislation. I am proud to have worked with my friend and the corporate president and CEO of Alvis, Denise Robinson, to assist Alvis as it delivers services to Ohioans to turn their lives around so that people can indeed fulfill their God-given potential in life, and they have had a lot of successes.

Alvis recently opened its 14th location, the Alvis Pages Recovery and Treatment Center, in April of this year on the South Side of Columbus to help provide access to treatment and recovery. Alvis continues to lead in its mission to turn lives around 180 degrees.

In my work with regard to the opioid crisis in Ohio, we have looked to this treatment center and looked to the model that they provide other treatment centers to turn those lives around.

I am confident that Alvis will continue these next 50 years to offer these same comprehensive services for overcoming the challenges of transitioning out of the correctional system, treating substance abuse, mental health, trauma, and promoting dependence and accountability for those with developmental disabilities.

I applaud the outstanding commitment of Alvis, its staff, and all those who have been involved in reaching this milestone and making these first 50 years such a success in the lives of so many people.

Madam President, I would also like to speak today about a nomination that is before the Senate right now. Today we will have the first vote on Kirstjen Nielsen, the administration's nominee to be the next Secretary of Homeland Security. I want to talk about why I believe she must be confirmed.

I had the privilege of introducing Kirstjen Nielsen during her nomination hearing in the Senate Homeland Security and Governmental Affairs Committee. In that committee, she received broad bipartisan support, and I hope the Senate can now come together in a bipartisan fashion to confirm her as Secretary so she can get on with the critical work of leading the Department of Homeland Security.

I am delighted we are having a cloture vote today—I wish it had been a few weeks ago—and I am looking for a vote to confirm her later this week. I would encourage my colleagues on both sides of the aisle to look carefully at this nomination because we need her there, and it would be great if we had a strong bipartisan vote to send her there. I think she is ready to hit the ground running on day one. I say this because she knows the Department. She knows what the challenges are, and she knows how to address them.

She will be the first Department of Homeland Security nominee ever to have had previous experience at the Department of Homeland Security. She was a Policy Director for the Transportation Security Administration during the George W. Bush administration—that is TSA. She took over that role shortly after the attacks on September 11, 2001, and later served on President Bush's White House Homeland Security Council as the Senior Director for Prevention, Preparedness, and Response. I got to see her good work in that capacity. Most recently, she served as the Department's Chief of Staff for former Secretary John Kelly. She proved herself during the early stages of the administration's transition and experienced firsthand the challenges of managing this diverse and sprawling agency.

With her homeland security experience from those transformative years in the Department, her industry and homeland security consulting experience, and her most recent efforts in this administration, I believe Ms. Nielsen will be a capable leader—needed badly in this ever-evolving threat environment in which we find ourselves.

Throughout her career in government and in the private sector, Ms. Nielsen has developed extensive experience in homeland security strategy, cyber security, transportation security, and emergency resilience—all critical areas for the next Secretary to understand. As we have seen countless times from terror attacks, cyber attacks, and natural disasters, tragedies persist despite our preparation, and we need to remain resilient and responsive

to overcome new challenges and combat these evolving threats. I believe she gets that. She understands it. I believe she is well qualified to lead the Department of Homeland Security as a result.

From our conversations we have had both before and during her nomination hearing, I can say confidently that Ms. Nielsen is committed to addressing the most pressing issues facing our country. She has signaled that she has a full commitment to working with the U.S. Congress on both sides of the aisle to get this done.

There are so many issues this Department faces. For a moment, I would like to talk about one of those issues that is critically important to me and really to every Member in this body that she has made a commitment to addressing and will be able, I think, to make a big difference; that is, the scourge of deadly forms of synthetic heroin that are being shipped into your communities.

Synthetic heroin—usually fentanyl, sometimes carfentanil—is one of the great new threats we face in our communities. It is an example of one of the emerging threats that the Department of Homeland Security and its agency, Customs and Border Protection, must address.

Fentanyl is up to 50 times more powerful than heroin. Carfentanil is even stronger than that. These drugs are increasingly taking people's lives in my home State of Ohio and around the country. Fentanyl is so deadly that as little as 3 milligrams can be lethal to an adult male.

By initial estimates of 2016 statistics, fentanyl deaths in America have increased by 540 percent in the past 3 years. In 2016 alone, more than 20,000 Americans died from fentanyl overdoses.

Tragically, my home State of Ohio is at the center of this national epidemic. In 2015, fentanyl was involved in slightly more than 38 percent of the State's overdose deaths. Last year, that number increased to more than 58 percent. Fifty-eight percent of our drug overdose deaths in Ohio last year involved fentanyl. In the first 2 months of this year—2017—fentanyl was involved in approximately 90 percent of drug overdoses. So this is an emerging threat to all of our communities.

Fentanyl is a threat to every State represented in this Chamber and in every community. While overdose victims are most often the drug users themselves, it has also become a great threat to law enforcement and to children who have been inadvertently exposed—tragically exposed—to this substance.

An example is Chris Greene, a police officer in East Liverpool, OH. He was exposed to fentanyl while performing a routine car search, he thought, earlier this year. He pulled a couple of guys over. When he pulled them over, he noticed a white powdery substance in the car, and being alert to that, he put on

his gloves, he put on a mask, and he proceeded to determine it was fentanyl they had spread around the car to try to hide the fact that they were moving drugs.

When he got back to the police station after the search to book these individuals, Officer Green noticed there was something on his shirt, and he did what any of us would do; he reached down to brush it off of his shirt. Unfortunately, it was fentanyl, and the fentanyl became exposed to his fingers. Just that small amount absorbing through his skin caused him to have an overdose. This is a big guy, 6 foot 2, 220 pounds, great shape, and he fell to the ground unconscious.

Luckily, he was able to get immediate medical assistance at the police station, but it took four doses of Narcan to revive Officer Green. He said at the time he would have died had he been alone. Think if he had gone home to his family and he had hugged one of his kids and his kids had been exposed to that fentanyl.

So this is a great danger, obviously, to our communities generally and to individuals but also to our first responders who are, unfortunately, finding out that these dangerous poisons are more and more of a danger.

Children are also being exposed. This fall, a 12-year-old Columbus boy died as a result of fentanyl exposure. He was at a sleepover for a birthday party when he came into contact with the deadly poison someone had left lying around. He was unconscious by the time paramedics arrived, and he died in the hospital 2 days later.

These synthetic forms of heroin have created a new challenge for law enforcement as they increasingly account for more and more of our overdose deaths. Combating this threat requires solutions from across the Federal Government, along with local, State, and private sector initiatives. We talked earlier about an organization in Ohio that is dealing with this threat that is coming into our communities, and the private sector and nonprofits have a huge role to play but so does the Federal Government, and so does the Department of Homeland Security. Again, Kirstjen Nielsen understands that need. The Department of Homeland Security plays a critical role in countering the significant threat because it comes through the U.S. mail system, and it is Customs and Border Protection officers who are meant to screen those packages that come in through the mail.

Unlike heroin, which enters the U.S. over land, typically from Mexico, manufacturers, mostly in China, ship fentanyl through the U.S. mail directly into our communities. The Federal Government is responsible here. We are supposed to combat the spread of illegal drugs coming through the mail system, but in the case of fentanyl coming from labs in China, the U.S. Postal Service is oftentimes used as a conduit without any check. Drugs should not

be as easy to send as a postcard, and the U.S. mail service should not be able to be exploited as a drug trafficking service.

This is why we have introduced in the Congress legislation called the STOP Act. It is bipartisan. It is sensible. If enacted, it would give Customs and Border Protection officers, along with their law enforcement partners, the tools they need to identify suspicious packages by requiring the U.S. Postal Service to provide advanced electronic data on all of the packages and mail entering the United States. Already information as to what is in the package, where it is from, where it is going, the name of the center is required if you send it through one of the private carrier systems—UPS, FedEx, DHL, and others. Unfortunately, the Postal Service is not required to do that and, as a result, traffickers do what one would think they would do, they choose our U.S. Postal Service to send this poison into our communities, to a post office box, maybe to an abandoned warehouse address.

This fentanyl is being spread throughout our communities. We need to hold the Postal Service to that same standard.

At a recent hearing, Acting Customs and Border Protection Commissioner Kevin McAleenan voiced his support for reforms like those in the STOP Act and said advanced electronic data would enhance their detection and prevention efforts. I have seen this firsthand. I have visited the sites in Ohio where Customs and Border Protection is asked to screen these packages. When they are with these private carriers, they can find packages, take them offline, and carefully—because it requires a lot of care, given the poisonous nature of the packages—deal with it.

President Trump's opioid commission recently issued its recommendations. They endorsed the STOP Act and called for it to be enacted and implemented into the Commission's final report just a month ago.

At her confirmation hearing last month, Ms. Nielsen voiced her support for the STOP Act. I was pleased to have her commitment to getting this bill into law and implemented by CBP—Customs and Border Protection—so we can keep more of these deadly poisons off our streets.

There is no one solution to the opioid epidemic, but the STOP Act will give law enforcement the tools they need to help stop this synthetic form of heroin from entering our communities in the first place, while also raising the cost of this synthetic heroin. The end result will be saving countless lives.

So to get back to Ms. Nielsen, again, she is eminently qualified for this post and able to address so many of the tough issues we face as a country, including the evolving threats like the fentanyl issue and the terrorism issues we have talked about today. We need her at the Department of Homeland Security. We need her now. She is the

leader we need for this critical and sprawling Department at a time when our homeland security posture has never been more critical, more important.

I hope my colleagues will come together, on a bipartisan basis, and vote Ms. Nielsen out this week as the next Secretary of the Department of Homeland Security.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. MORAN). The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to first compliment my colleague from Ohio, Senator PORTMAN, on his leadership on so many different fronts in the U.S. Senate. His leadership is nowhere more important than what he has been doing on the opioid epidemic that is raging through Ohio, Alaska, and almost every State in the country. The STOP Act he just talked about is legislation I have cosponsored, and he is leading on it. It is one of the many things we need to do to really get a handle on this.

This should be a bipartisan issue. The opioid epidemic is ravaging through States, families, and communities. There has been no better leader in the Senate than Senator PORTMAN on these issues so I just want to thank him for that.

Mr. PORTMAN. I thank the Senator.

TAX CUTS AND JOBS BILL

Mr. SULLIVAN. Mr. President, I also want to express appreciation to a number of my colleagues and, again, Senator PORTMAN is certainly one of them. We had an important night the other night with regard to the critical passage of the Tax Cuts and Jobs Act. I think it is going to be very important legislation to help grow our economy and, finally, get money in the hands of middle-class families and small businesses so we can finally start growing this economy nationally and, back home in Alaska, get my State out of a deep recession that it is in.

There are a lot of Senators who played critical roles. Senators HATCH, PORTMAN, TOOMEY, SCOTT, and so many others, but, in particular, I want to thank the majority leader. There is a provision in the Tax Cuts and Jobs Act which I think is going to be critical for America and certainly critical for my State, which is to help unlock more of the vast energy resources we have in Alaska, particularly on the coastal plain of the North Slope—what we call the 1002 area of Alaska. That pass is part of this bill. It is something in Alaska we have been working through in a bipartisan manner. Over 70 percent of Alaskans want to get this done. We have been working on it in Alaska for over 40 years to get this done.

I really want to commend and thank the majority leader, MITCH MCCONNELL. Over a year ago, he and I sat down to talk about doing this. Every step of the way, his commitment to me and to the people of Alaska to make this happen for my State as well as for our great country—he was there for us.

So I want to thank the majority leader for that firm commitment to helping on an issue that has been critical to Alaskans for decades. We have never realized it. We have a lot more work to do before we get there, both on the tax bill and the 1002 area provision in it, but we are closer. We are closer, in large measure, because of the leadership of the majority leader, and I thank him.

Mr. President, I have been coming to the floor—many of us have been, actually—for the last several weeks to talk about a really important issue for the country; that is, getting administration officials in the Trump administration confirmed by this body. There has been a resistance, a desire to not want to move very qualified people, unfortunately, by my colleagues on the other side. It is just not helping the country.

With each new administration, our great Nation sees a peaceful transition of power. It is a remarkable pillar of American democracy. This doesn't include just the transition with regard to the President and Vice President but also the team of officials in the Federal Government at senior levels who are required to run this country. Good people, whether it is a Democratic or a Republican administration—Republican administration is not always easy to serve—and what we have been trying to do is help this administration find, get nominated by the President, and confirm high-quality American people in these jobs to serve their country.

As a Senator from Alaska, I have had particular focus on Alaskans to serve in positions of the Federal Government, and I will say that the Trump administration has been very receptive to a number of these highly qualified Alaskans who want to serve their country, but, unfortunately, what we are seeing on the other side is just obstruction. They don't want to move people. They never explain it.

I have come to the floor and given this speech several times, and I have asked for the minority leader to come to the floor to explain why they are delaying all of these very well-qualified Americans who want to serve their government. Come to the floor and explain it. Tell the American people why Assistant Secretaries across Federal agencies who have been waiting months to be confirmed by this body, who have been voted out of committee, with big bipartisan numbers, sit and wait and wait and wait. What good is that doing for the country? Come to the floor and explain it. I have been asking them to come to the floor and explain it, and they never take me up on the offer.

So, unfortunately, we know the numbers. At this point, 8 years ago in the Obama Presidency, almost 70 percent—almost 70 percent—of the nominees by President Obama, who won his election, were confirmed by the Senate.

Now, I wasn't in the Senate then, but I know my colleagues on this side of the aisle, if they didn't like someone,

they could vote against them; they could put a hold on them for a while and get their questions answered. So that is the way it worked. That is normal. Those numbers are about normal. At the same time now, under the Trump administration's Presidency, the Senate has only confirmed 40 percent—40 percent. Now, is that helping the country? No. It is not helping the country. Do they ever come to the floor and explain why they are resisting? No. So it is a frustration, and it is not helping the country. We need good people in government.

If this trend continues, with the number of people we need to confirm for the remaining Presidential-appointed positions, it will take us more than 11 years. Let me repeat that—more than 11 years. We all know a Presidential term lasts 4 years.

This is unprecedented. It is unprecedented; go take a look. Yet the other side doesn't want to explain why they are so focused on obstruction. It is certainly not helping the people. The vast majority of these nominees are really well qualified.

#### NOMINATION OF JOSEPH BALASH

I want to talk about someone I know really well who is part of this partisan logjam. He is an Alaskan. His name is Joe Balash. I am a little biased here; he was my former chief of staff in the Senate. But Joe is also the former commissioner of the Department of Natural Resources in Alaska; he was the deputy commissioner. What is the position he has been nominated for? To be the next Assistant Secretary of the Interior for Lands and Minerals—essentially, the Federal official who would be working with Secretary Zinke at the Department of the Interior to oversee Federal lands—minerals, mining, oil, gas, onshore, offshore—for the country. It is a really big job in Alaska; 66 percent of our lands are Federal. But this is a huge job for the country and a really important job, as we are trying to take advantage of this new energy renaissance in our Nation, which is great for the Nation, great for jobs, great for foreign policy, great for energy security.

Joe Balash comes super well qualified. The DNR commissioner in Alaska manages one of the largest portfolios of land, oil, gas, water, minerals, and timber of anyplace in the world—in the world.

Nobody doubts that Joe is very well qualified for this position. As a matter of fact, on September 19, Joe's nomination was voted out of the Energy and Natural Resources Committee by voice vote, which means unanimously, with the exception of one Senator who said that he wanted to vote no. Every other Senator—it was very bipartisan.

We might not fully agree with all the policies he wants. I was talking earlier about opening the coastal region of the Arctic Slope, the North Slope, in Alaska, which we voted on last week in the Senate. Certainly, Joe Balash is supportive of that as an Alaskan. If someone doesn't like that, they should just

come down here and vote against him, but he has been put on hold. I have been trying for weeks to figure out why. Who has a hold on him?

I want to compliment the Democratic whip from Illinois, Senator DURBIN. I reached out to him several weeks ago. He mentioned to me that he had a hold on him. He said that there were certain things he wanted to get from the Secretary of Interior in some meetings. So I worked with Senator DURBIN and Secretary Zinke, and after those meetings it looked as if it was all good. The Senator from Illinois said to me: We are ready to move forward with him. So I appreciated that; it was very constructive.

As I mentioned, I am not opposed to holds. Sometimes it is important to put holds on administration officials. I did it in the Obama administration. I have done it even for some Trump administration nominees. But what is going on here, after working with the Democratic whip, seemingly clearing out everything—and he thought we were, too—getting ready to move Joe Balash. No, all of a sudden, there is a "secret hold"—a secret hold on Joe Balash. He is very qualified for the job, but somebody has a secret hold.

My colleagues on the other side talk a lot about transparency, but this has been months now. Working with the Democratic whip—again, in good faith, and he worked hard and I am complimenting him as much as I can on this. Then someone else decides: No, I am going to keep holding. But I am not going to come down here and say who it is or why or how long they want or what else they want out of the administration or maybe it is a question for Mr. Balash.

My point is, if Senators want to vote down or oppose a nominee, they should make their opposition known and transparent.

We are going to have a vote here in a couple of minutes. After the vote, I am going to come back to the floor. I could do it right now, but I am trying to be respectful to my colleagues on the other side of the aisle, even the secret holder, whoever he or she is. But I am going to come down and make a unanimous request to move Joe Balash forward. We have been waiting for months.

Maybe they don't want to show who the secret holder is, but I really hope my colleagues will come down and will not object. We are going to do this in a little bit, and I am going to essentially try to free Joe Balash. I am hopeful that we can agree on that and move this very well-qualified candidate forward. Maybe there is going to be an objection. We will see. I am going to ask for this in about half an hour. But if there is an objection, I certainly hope the secret holder is going to come to the Senate floor, speak to the American people, and say: Here is why I am secretly holding this guy, even though he is very well qualified, even though

unleashing the American energy renaissance for the country is great for everybody.

I am hopeful that whoever it is can show a little transparency. Hopefully, they will agree, but if they don't, come on down. Tell us who you are; tell us what the problem is.

We need to put good people in government, whether Democrat or Republican. Keeping people out of the government is not helping the American people. That is what is happening here, and, unfortunately, the other side is getting away with it. The media will not write about it, but it is a big problem, and people should be concerned.

Finally, in a couple of minutes, we are going to be voting on Kirstjen Nielsen for a really important job: the Secretary of Homeland Security. It goes without saying how important this job is. Every day, every minute of the day, that Department is trying to protect the American people, and we don't have a Secretary there right now.

I believe she is very well qualified. A number of people have spoken about her qualifications. I had a very good meeting with her on a whole host of issues. I certainly hope my colleagues will vote to move her nomination forward. If they don't like her, if they want to vote against her, great; vote against her. But we need good people in government, and there is no more important position right now in America than the Secretary of Homeland Security.

I encourage my colleagues to please vote to move her nomination and confirmation forward—but no more secret holds. If you have a problem, let us know what it is.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I ask unanimous consent that I be allowed to finish my remarks before the vote begins.

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

Mr. JOHNSON. Mr. President, I am pleased to speak today in support of Kirstjen Nielsen in her nomination to be the sixth Secretary of the Department of Homeland Security.

The challenges facing the next Secretary of the Department of Homeland Security are daunting. Our national debt exceeds \$20 trillion, and there is, unfortunately, no serious effort to reduce the 30-year projected deficits, which exceed more than \$100 trillion.

In the last few months, we have experienced unprecedented destruction from natural disasters, stressing the budgets of both HHS and FEMA. Our borders are not secure, allowing illegal immigration to persist, illicit drugs to flow unabated, and making us vulnerable to external forces. Meanwhile, our enemies are emboldened.

The threat of Islamist terrorism has evolved, metastasized, and spread throughout the world, even reaching our homeland. We see increased stress

from cyber attacks, hacking, and social media-inspired acts of terrorism. We face perhaps the greatest danger from enemies within. In the past 5 years, 262 Americans have been killed and over 1,000 injured from acts of evil committed here at home. These are some of the challenges awaiting the next Secretary of Homeland Security.

The Secretary oversees a department that is composed of 22 separate agencies, each with a diverse mission. It employs 240,000 people, with a budget of \$66 billion. It faces challenges with unity of effort and habitually low morale.

President Trump nominated Ms. Nielsen to lead DHS, and she is ready to answer this call of duty. She has been working in and around the Department since its creation. Ms. Nielsen brings valuable, practical experience to DHS. She is an expert in risk management, with a focus on cyber security, emergency management, and critical infrastructure.

In the aftermath of 9/11, Ms. Nielsen served as the Director of the Office of Legislative Policy at TSA. She then moved to the White House Homeland Security Council as Special Assistant to the President for Homeland Security and Senior Director for Prevention, Preparedness, and Response.

Before rejoining DHS earlier this year, Ms. Nielsen founded a risk and security management consulting firm.

Ms. Nielsen served as DHS Chief of Staff under then-Secretary Kelly, witnessing firsthand how the right leadership and support can quickly and dramatically improve agency morale.

General Kelly calls Ms. Nielsen a superstar. In a letter supporting her swift confirmation, he wrote: "What truly sets Kirstjen apart is her integrity, sense of service to our nation, and dedication to the men and women who risk their lives serving our great country every day."

Former Secretaries Tom Ridge and Michael Chertoff have also voiced their support, as have more than 40 former senior homeland security and intelligence officials from both parties. Secretaries Ridge and Chertoff wrote of Ms. Nielsen:

Ms. Nielsen is a homeland security leader for our times. More than any previous Secretary, she understands the 21st Century challenges of the borderless cyber domain and has worked in both the public and private sectors to address this deeply interconnected and consequential risk to America's national security and economic stability.

Kirstjen Nielsen offers our nation the credentials required of the Secretary of Homeland Security in today's environment: expertise in homeland security policy and operations; national and international perspective; and public and private sector experience.

I do want to thank my colleagues on the Committee on Homeland Security and Governmental Affairs for their support and cooperation in moving this nomination quickly through committee and to the floor vote that we are about to undertake.

To my colleagues, I just want to say that we are fortunate to have a nominee with such experience and dedication to the mission of the Department of Homeland Security, and I urge all of you to support her confirmation.

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.

Mr. JOHNSON. 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 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 Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security.

Mitch McConnell, Tom Cotton, Roy Blunt, Rob Portman, James E. Risch, Lindsey Graham, Richard Burr, Mike Crapo, John Boozman, Roger F. Wicker, Ron Johnson, John Thune, John Hoeven, Steve Daines, Marco Rubio, John Cornyn, John Barrasso.

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 Kirstjen Nielsen, of Virginia, to be Secretary 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), and the Senator from Utah (Mr. LEE).

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Oregon (Mr. MERKLEY), the Senator from Vermont (Mr. SANDERS), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

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

The yeas and nays resulted—yeas 59, nays 33, as follows:

[Rollcall Vote No. 304 Ex.]

#### YEAS—59

Alexander	Cassidy	Cruz
Barrasso	Cochran	Daines
Blunt	Collins	Donnelly
Boozman	Coons	Enzi
Burr	Cornyn	Ernst
Capito	Cotton	Fischer
Carper	Crapo	Flake

Gardner	McCaskill	Sasse
Grassley	McConnell	Scott
Heitkamp	Moran	Shelby
Heller	Murkowski	Strange
Hoever	Nelson	Sullivan
Inhofe	Paul	Tester
Isakson	Perdue	Thune
Johnson	Portman	Tillis
Kennedy	Reed	Toomey
King	Risch	Warner
Lankford	Roberts	Wicker
Manchin	Rounds	Young
McCain	Rubio	

## NAYS—33

Baldwin	Feinstein	Murphy
Bennet	Franken	Murray
Blumenthal	Gillibrand	Peters
Booker	Harris	Schatz
Brown	Hassan	Schumer
Cantwell	Heinrich	Shaheen
Cardin	Hirono	Stabenow
Casey	Kaine	Udall
Cortez Masto	Leahy	Van Hollen
Duckworth	Markey	Warren
Durbin	Menendez	Whitehouse

## NOT VOTING—8

Corker	Klobuchar	Sanders
Graham	Lee	Wyden
Hatch	Merkley	

The PRESIDING OFFICER. On this vote, the yeas are 59, the nays are 33.

The motion is agreed to.

The Senator from Alaska.

## NOMINATION OF JOSEPH BALASH

Mr. SULLIVAN. Mr. President, I came to the floor a half hour ago talking about a very well-qualified candidate for the Assistant Secretary of Interior for Lands and Minerals, Joe Balash, whom I happen to know very well. He was my former chief of staff, and he is the former Commissioner of Natural Resources in Alaska. He is very well qualified. His nomination came out of our committee with only one vote against him.

This nomination has been waiting on the floor for several weeks now, but I just had a constructive conversation with Members on the other side of the aisle. What we intend to do is revisit Mr. Balash's nomination in the next 24 hours, and, hopefully, we will free Joe Balash to go serve the people of America and the people of Alaska. I know he will do a very good job.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

## HONORING NEVADA'S WORLD WAR II FILIPINO VETERANS

Mr. HELLER. Mr. President, today I wish to honor several Nevada heroes who recently received the Congressional Gold Medal for their service in the Philippines during World War II:

Sergeant Regalado Baldonado, Private Aurelio Dela Cruz, Corporal Benito Anton, and Private First Class Leonardo Palao and the many other Filipino and Filipino-American veterans across our Nation.

I would also like to acknowledge Maximino Vasquez, a recognized World War II Filipino veteran and Nevada resident who is on his way to receiving the Congressional Gold Medal as well. My appreciation for all of their service and sacrifice is immeasurable.

During World War II, more than 260,000 Filipino soldiers from the U.S. Commonwealth of the Philippines answered President Roosevelt's call to fight under the American flag. These individuals fought bravely, some making the ultimate sacrifice in defense of democracy and freedom. More than half a century later, our Nation made a commitment to honoring them for their service.

As a member of the Senate Veterans' Affairs Committee, I believe it is our solemn responsibility to recognize those who put their lives on the line. That is why I was proud to work with my colleague Senator HIRONO to pass into law the Filipino Veterans of World War II Congressional Gold Medal Act, Public Law 114-265, to recognize the dedication and heroism of these individuals.

On October 25, 2017, Congress paused to recognize Filipino World War II veterans with the Congressional Gold Medal, the Nation's highest civilian honor, and I could not be more proud and humbled that Nevada is home to Filipino veterans who served and are most deserving of this medal. Today I would like to again recognize and honor Filipino veterans who are living in Nevada: Regalado Baldonado, Aurelio Dela Cruz, Benito Anton, Leonardo Palao, and Maximino Vasquez. To these heroes, your place in history will not be forgotten. There are also many other Filipino veterans from Nevada who have passed on, but our gratitude extends to their family members who will ensure their legacy lives on.

While the awarding of this Congressional Gold Medal is a proud moment for the Filipino community and America, many Filipino veterans have yet to receive recognition for their service. There is no doubt to me that Filipino soldiers served honorably in the Commonwealth Army of the Philippines, Recognized Guerilla Forces, and New Philippine Scouts alongside U.S. troops during World War II. However, some have still not been verified by the U.S. for their service because they don't have the documentation the U.S. requires. This is an injustice that I will continue fighting so that every Filipino veteran is afforded respect for and acknowledgement of their contributions to our country.

I am honored to acknowledge all Filipino and Filipino-American veterans for their dedication to our country and am proud this Congressional Gold

Medal will serve as a constant reminder of the importance of the Filipino and Filipino-American community in our Nation's history.

## MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1699. An act to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage, to amend the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 to modify the definition of a loan originator, and for other purposes.

## MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1699. An act to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage, to amend the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 to modify the definition of a loan originator, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS ON DECEMBER 1, 2017

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 347. A resolution commemorating the 62nd anniversary of the dedication of Whiteman Air Force Base; considered and agreed to.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HEINRICH (for himself, Mr. HELLER, Mr. UDALL, Mr. RISCH, Mr. BENNET, Mr. CRAPO, Mr. WYDEN, Mr. GARDNER, Mr. DAINES, and Mr. TESTER):

S. 2185. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COONS (for himself, Ms. BALDWIN, Mr. MARKEY, Mr. CASEY, Mr. MURPHY, and Mr. MERKLEY):

S. 2186. A bill to modernize laws and policies, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ:

S. 2187. A bill to establish a regulatory framework for the comprehensive protection of personal data for individuals under the aegis of the Federal Trade Commission, to amend the Children's Online Privacy Protection Act of 1998 to improve provisions relating to collection, use, and disclosure of personal information of children, and for other

purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ:

S. 2188. A bill to amend the Fair Credit Reporting Act to provide protections for consumers after a data breach at a consumer reporting agency, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 2189. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of the landing of the Mayflower and settlement of Plymouth Colony, the signing of the Mayflower Compact near Provincetown, and the role of the indigenous Wampanoag Tribes in the realization of the settlement; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HEITKAMP:

S. 2190. A bill to amend the Agricultural Act of 2014 to remove a limitation on funding for emergency assistance for livestock, honey bees, and farm-raised fish, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON:

S. 2191. A bill to promote investments in renewable energy and consumer loans for residential solar energy systems; to the Committee on Banking, Housing, and Urban Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself and Mr. ENZI):

S. Res. 348. A resolution reaffirming the strategic partnership between the United States of America and the Federal Democratic Republic of Ethiopia and encouraging inclusive governance in the Federal Democratic Republic of Ethiopia; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 115

At the request of Mr. HELLER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 115, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide for an operation on a live donor for purposes of conducting a transplant procedure for a veteran, and for other purposes.

S. 856

At the request of Mrs. MCCASKILL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 856, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual assault, and for other purposes.

S. 1295

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1295, a bill to amend the Higher Education Act of 1965 to provide students with disabilities and their families with access to critical information needed to select the right college and succeed once enrolled.

S. 1901

At the request of Mr. GARDNER, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1901, a bill to require global economic and political pressure to support diplomatic denuclearization of the Korean Peninsula, including through the imposition of sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

S. 2070

At the request of Mr. GRASSLEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2070, a bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism.

S. 2114

At the request of Mr. ISAKSON, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2114, a bill to award a Congressional Gold Medal to the 5307th Composite Unit (Provisional), commonly known as "Merrill's Marauders", in recognition of their bravery and outstanding service in the jungles of Burma during World War II.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 348—RE-AFFIRMING THE STRATEGIC PARTNERSHIP BETWEEN THE UNITED STATES OF AMERICA AND THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA AND ENCOURAGING INCLUSIVE GOVERNANCE IN THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

Mr. INHOFE (for himself and Mr. ENZI) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 348

Whereas the first pillar of the 2012 United States Strategy toward Sub-Saharan Africa is to strengthen democratic institutions;

Whereas the third pillar of the 2012 United States Strategy toward Sub-Saharan Africa is to advance peace and security;

Whereas Ethiopia is one of the top troop contributing countries to the United Nations' peacekeeping missions, providing over 8,000 soldiers to United Nations missions around the world;

Whereas Ethiopia has contributed over 4,000 troops to the African Union Mission to Somalia (AMISOM);

Whereas the Government of Ethiopia, in collaboration with the United States Government, trained the National Army for Somalia, supported the fight against Al-Shabaab militants, and deployed its troops in support of regional protection force in South Sudan;

Whereas the close cooperation and strategic partnership between the United States of America and the Federal Democratic Republic of Ethiopia has been built on over a century of close cooperation and support;

Whereas the Government of Ethiopia continues to play a crucial role in Africa and specifically in East Africa, and the partnership in counterterrorism activities with the United States is vital for regional peace and stability;

Whereas the United States has welcomed Ethiopia's participation in the Global Coalition to Counter ISIS;

Whereas the United States held a Strategic Dialogue with Ethiopia in Addis Ababa on July 27, 2015, during the visit by President Barack Obama to strengthen the bilateral relationship;

Whereas respect for democracy, inclusive governance, human rights, and civil liberties have been core pillars of United States foreign policy;

Whereas the Government of Ethiopia expressed its commitment to the Promotion and Protection of Human Rights by taking necessary measures to implement the National Human Rights Action Plan adopted by the House of Peoples Representative of the FDRE;

Whereas the Ethiopian Human Rights Commission (EHRC) conducted an independent and thorough investigation into the deaths and injuries caused during the protests in Ethiopia in 2016 and submitted its report with recommendations to the House of Peoples Representative of the FDRE; and

Whereas, on August 9, 2017, the Government of Ethiopia lifted a State of Emergency that had been imposed on October 9, 2016, to bring about peace and stability following violent protests that resulted in the destruction of government and personal property and the deaths of civilian and security officials: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms the commitment of the United States Government to support the Government of Ethiopia—

(A) to provide training and resources to counter terrorism and violent extremism and address security concerns in the Horn of Africa;

(B) to bolster trade and investment in the private sector between the United States and Ethiopia;

(C) to continue the support to strengthen higher education and promote health through the existing mechanisms;

(D) to continue the humanitarian assistance with the United States Agency for International Development to the people affected by the drought; and

(E) calls on the Secretary of State to engage with the Government of Ethiopia in strengthening the bilateral Working Group on Democracy, Governance and Human Rights, and provide support in the implementation of the National Human Rights Action Plan;

(2) condemns the violence that resulted in the death of over 500 Ethiopians;

(3) calls on the Government of Ethiopia—

(A) to hold accountable all personnel responsible for the death and destruction that took place as a result of violent protests in the Oromia and Amhara regions and publicly release information in a written report;

(B) to respect the right to freedom of peaceful assembly and guarantee freedom of the press and mass media in keeping with Articles 30 and 29 of the Ethiopian constitution; and

(C) to engage in open and transparent consultations relative to its development strategy, especially those strategies that could result in people's displacement from land, offering those displaced from their land the

right to seek remedy or redress in courts and providing a transparent means to access justice for those displaced;

(4) calls on the Administrator of the United States Agency for International Development to continue to lead efforts to work with the Government of Ethiopia to improve democracy and governance; and

(5) calls on the United States Agency for International Development to assist the Government and people of Ethiopia in capacity building in all areas.

#### DEPARTMENT OF STATE AUTHORITIES ACT, FISCAL YEAR 2017, IMPROVEMENTS ACT

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 371.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 371) entitled "An Act to make technical changes and other improvements to the Department of State Authorities Act, Fiscal Year 2017," do pass with an amendment.

Mr. MCCONNELL. I move to concur in the House amendment, and I ask unanimous consent that the motion be agreed to and the motion to reconsider be considered made and laid upon the table.

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

#### ORDERS FOR TUESDAY, DECEMBER 5, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, December 5; 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, and morning business be closed; finally, that following leader remarks, the Senate proceed to executive session and resume consideration of the Nielsen nomination; further, that at 12:30 p.m., the Senate stand in recess subject to the call of the Chair; finally, that all time during recess, adjournment, morning business, and leader remarks count postclosure on the Nielsen nomination.

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

#### TAKING OF OFFICIAL SENATE PHOTOGRAPH

Mr. MCCONNELL. For the information of all Senators, the official Senate photograph will be taken tomorrow immediately following the conference lunches.

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned, following the remarks of Senator BROWN.

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

The Senator from Ohio.

#### S. 2155

Mr. BROWN. Mr. President, I thank the majority leader for recognizing me.

Last week, the Senate gave tax handouts to millionaires, billionaires, and multinational corporations that ship jobs overseas, and the middle class got almost nothing. This week, it is the banks' turn, and just like last week, working people get ignored again.

The bill the Senate Banking, Housing, and Urban Affairs Committee will take up tomorrow, S. 2155, puts taxpayers at risk of another bank bailout and puts homeowners at risk of the same traps that led to the foreclosure crisis, all while, again, doing virtually nothing for hard-working Americans.

While Congress has been preoccupied doing the bidding of special interest lobbyists, American families started getting notices in the mail that their Children's Health Insurance Program, or CHIP, health insurance will be yanked away. There are 209,000 children in my State, the sons and daughters of low-income workers making 8, 10, or \$12 an hour and who don't have insurance. Having started bipartisan and having always been enacted and renewed in a bipartisan manner over the last 20 years, the CHIP program will be yanked away. Virginia will be next, then Ohio, and then other States where parents will go to their mailbox and open up a letter from the government saying: Sorry, your children's health insurance is gone.

The Senate is doing nothing to stop it. Instead this body, made up of Senators who have insurance paid for by taxpayers, devotes its energy to helping banks of all sizes that are making record profits. In the third quarter of this year, the five largest U.S. banks—just the five largest U.S. banks—raked in a combined \$21 billion in profits. In the third quarter only, the five banks have \$21 billion in profits. In fact, profits at the five biggest banks are even higher than they were before the crisis. Meanwhile working Americans haven't gotten a raise in 16 years.

I sat at my high school reunion in Mansfield, OH, about a year ago, with a woman who has been a teller at a large bank for 30 years. Her income, after 30 years at this bank, is \$30,000 a year. She is working for one of those largest five banks. Yet those banks, as I said, have \$21 billion in profits in the third quarter.

Forty-four million Americans are saddled with student loan debt. Communities are littered with abandoned homes and hollowed-out factories. Yet this bill has no help for Americans burdened with student loan debt, no help for homeowners still underwater, and no help for workers who haven't had a raise in years.

Congress, especially the Banking Committee, have a collective amnesia

about the financial crisis. It is like it didn't even happen 10 years ago. They have a collective amnesia about the housing crisis and the devastation it brought to families across the country. We know how many people lost jobs 10 years ago because of Wall Street's overreach. We know how many people lost their savings. We know how many people lost their homes. Families in Ohio don't have the luxury of this collective amnesia. Families don't have the luxury in my neighborhood of forgetting what happened 10 years ago because so many of them are still digging out.

We passed the Dodd-Frank Wall Street reform legislation to protect those families and make sure a crisis like we saw 9 years doesn't happen again. Stress tests were put in place to ensure that banks could weather the next downturn without putting the economy at risk. According to the President's designee to be Chair of the Federal Reserve and according to so many others who understand these issues and understand banking, stress tests are one of the most effective tools we have to prevent taxpayers from being asked once again to bail out the banks.

This bill weakens stress tests for all large banks, which together took \$239 billion—that is \$239,000 million—in taxpayer bailouts last time. They are banks like JPMorgan Chase and other Wall Street megabanks that are designated as global systemically important banks—we call them G-SIBs around here—which means their collapse could cause harm that ripples throughout the world. It is not just the damage it does to Main Street in Oklahoma City, Tulsa, Cleveland, or Toledo, but it would do damage to the economy all over the world. Without rigorous, annual stress tests, taxpayers could once again be on the hook if those too-big-to-fail banks collapse and we don't have the right tools in place to see it coming.

So I ask my fellow Senators: Are you willing to go back to your homes, are you willing to go back to your States and tell taxpayers you work for that you are willing to gamble another \$240 billion of their money on a bill like this? For some other large banks, those stress tests could be even easier under this bill. Make no mistake, these aren't small banks we are talking about, and I am not talking about the largest 10 banks. I am talking about the banks in more detail affected by this bill. Together these banks—about 30 of them—hold \$4 trillion in combined assets. That is \$4,000 billion in combined assets. That is more than one-quarter of all assets across the entire banking industry. Would you trust your family's health to a doctor who only passed a dumbed-down version of their board exams? Why would we trust the health of our economy to banks that only passed diluted weakened stress tests?

This bill doesn't stop at stress tests. It allows these same large banks to

borrow more money than they can afford by weakening capital requirements. It exempts dozens of the largest banks from making plans called living wills. These are plans that make sure that if a bank fails, taxpayers will not be paying the bills once again.

It weakens oversight of foreign megabanks operating in the United States, the same banks that have repeatedly violated U.S. laws. Let's run through a few of their rap sheets. Santander, I believe, is a Spanish bank. It illegally repossessed cars from members of our military. It repossessed cars from our servicemen and servicewomen who were serving our country overseas. Are we giving them a break? Are we going to deregulate them?

Deutsche Bank manipulated the benchmark interest rates used to set borrowers' mortgages. Barclays manipulated electric energy prices in the western United States. Credit Suisse illegally did business with Iran. UBS sold toxic mortgage-backed securities. So are we going to give these banks a break? They have repeatedly violated U.S. law. Are these the banks we want to help?

The bill also puts American homeowners at risk of the same sorts of mortgage abuses that brought us to foreclosure crisis. My wife and I live in Cleveland, OH, in ZIP Code 44105. In the first half of 2007, my ZIP Code had more foreclosures than any ZIP Code in the United States of America. It is pretty hard for most of us to imagine here what it might be like to be kicked out of our homes. I ask my colleagues to try for a minute to put yourselves in the shoes of one of these families. Pope Francis exhorted his parish priests to go out and smell like the flock—go out and listen to people, see the kinds of lives, ask them questions about the kinds of lives they live.

So what happens when a family is thrown out of its house? Before you are thrown out, you give up the family pet to try to save money even though that dog may have been your son's or daughter's. My son and my grandson and granddaughter just got a little stray that their father picked up when he was out jogging and picked a little dog. It has only been a week and a half, and they love this beautiful little dog. So families give up the pet to try to save money. When that is not enough, you sit the kids down and you have to tell them you are moving. They will have to change schools. Mom will not be around as much because mom has gotten a second job.

These are the impossible decisions and painful conversations millions of Americans were forced to have in 2007, 2008, and 2009 because of the big banks' greed and, in some cases, their illegal activity. Trillions of dollars of housing wealth were destroyed. African-American and Hispanic families lost more than half of their accumulated wealth—wealth they still have not fully recovered.

We can't go back there. These stakes are too high. That is why some of the provisions in this bill are so troubling.

Let me run through a few of them. This bill permits mortgages for homes up to \$400,000 in some areas to be offered without an appraisal to verify the home is worth what you are paying. Without an appraisal, you know what would happen. You could end up in an underwater mortgage on day one. It no longer requires banks to set up accounts that help you budget for your property tax and homeowner's insurance. Instead of manageable payments built into your monthly mortgage, you could end up with an unexpected tax bill at the end of the year. You could end up with an unexpected insurance bill at the end of the year. If you can't pay, then, the foreclosure proceedings start.

It allows some banks to sell you an adjustable rate mortgage without the bank assuming any responsibility for whether you can afford your payments once the initial rate expires. People don't always know what it means with an adjustable rate mortgage. It might be in the small print. We know forced arbitration is in the small print, too. We know how that works out. Say you are a customer in Youngstown, and you could take out a mortgage at 4 percent. Say your payment is \$400 a month. After 3 years, your interest rate jumps to 9 percent, so your monthly payment is all of a sudden almost \$700. Your bank knows you can't afford that. The bank knew it when it sold you the mortgage or it should have known. That is the bank's job. That is the law today. It is not the law under this bill.

Under this bill, when your mortgage suddenly spikes, when you have to start having these tough conversations around the dinner table with your partner, with your children, the bank that sold you the mortgage is protected. It gets off scot-free. Today, you could go to a judge and fight to stay in your home. You might not be able to under this bill. What is fair about that?

This bill blocks some homeowners from going to court to stop banks that foreclosed on them. Sound familiar?

Not that long ago Vice President PENCE came to the Senate floor to sit in the chair that the Senator from Oklahoma is sitting in, and he came to the floor late at night to stop customers like those 140 million cheated by Equifax and several million cheated by Wells Fargo from having their day in court. When the Vice President shows up in this body to break a tie, Wall Street wins every single time.

Now, this bill blocks homeowners from having their day in court. It is the context under which we will consider this bill. American families and American taxpayers, who stand to lose the most, get almost nothing—no help with student debt and no help with underwater mortgages. But we are hearing consumers being told: Don't worry. Trust us. Trust us.

The Trump administration regulators will make sure everything is just

fine. Trust us. Trust people like Vice President PENCE, who cast the tie-breaking vote to strip consumers from their day in court. Trust Treasury Secretary Mnuchin, whose former bank made a fortune kicking families, including veterans, including people in the Army and the Marines and seniors, out of their homes and has now merged into a new bank that gets relief under this bill.

Trust Secretary Mnuchin's colleague at that same foreclosure machine, Joseph Otting, now leading the Office of the Comptroller of the Currency, the financial watchdog in charge of overseeing the national banks. Think about that. Trust him.

Trust Mick Mulvaney, installed as the new part-time head of the Consumer Financial Protection Bureau, despite what the law says, whose first action on the job was to stop payments to veterans, to seniors, to consumers, and to stop payments to people who had been cheated by banks. These payments were on their way. The banks had been found guilty of cheating their customers, and Mick Mulvaney's first action as head of the consumer bureau was to stop those payments.

Trust Randy Quarles, the new head of Supervision at the Federal Reserve Board, who was a Treasury official in the years leading up to the crisis and who said on the eve of the financial crisis: "Fundamentally, the economy is strong, the financial sector is healthy, and our future looks bright." He was in the Treasury Department in a highly placed job in the Bush administration. As the economy started to implode, that was his observation of the state of housing and that was his observation of the state of the economy. He is now head of bank supervision at the Federal Reserve.

Is this track record what taxpayers and homeowners are supposed to trust? Is this the track record that gives Senators the confidence to take a gamble with taxpayer dollars? Are these guys going to protect us from another crisis or prevent another bailout?

I don't know about my colleagues, but I will tell you that when I am home in Ohio and when my friend from Delaware is at home in Wilmington, we meet a lot of people who feel invisible. Entire communities feel invisible. They feel used, they feel abused, and they feel some other things I can't say on the Senate floor by banks, by mega corporations, by Wall Street and, yes, by Washington and by this U.S. Senate. Too often, they are right. They are being used and abused by banks and by mega corporations and by Wall Street and by people in this body.

We have a chance to show these people that we see them, we hear them, we work for them, and that we will do our jobs and fight for them. We do that by blocking this bill.

As I conclude, I want to say something about some people who are affected by this bill that makes sense. Regional community banks provide

critical services to customers and homeowners and small businesses. I respect my colleagues' desire to support them. I do support efforts to help community and regional banks fill important needs. I don't support efforts to roll back accountability measures on the largest banks, with nothing to help hard-working Americans who have the most to lose.

It is this simple: If we want to help the middle class, let's help the middle class.

We sat here the last couple of weeks—both in the Finance Committee and on the floor—on the tax bill. I heard ad nauseam my colleagues say that this tax bill is for the middle class. Well, it really wasn't for the middle class. If you want to cut taxes for the middle class, you cut taxes for the middle class. Same here. If we want to help the middle class, let's help the middle class, whether it is the Tax Code or banking laws. You don't grow our economy by handing out more money to the people at the top, whether it is Wall Street banks or whether it is large corporations that outsource jobs. You don't give handouts to the wealthiest people with sort of a bank shot. Get rid of the middleman. If you want to help the middle class, darn it, help the middle class. Don't filter it through the largest banks and the largest corporations, hoping something will trickle down. We grow our economy by putting money directly into the pockets of middle-class families.

Let's cut the corporate middleman. Let's throw out the Wall Street lobbyists. Let's provide relief for student loan debt and mortgages and community banks. Let's help workers who haven't seen a raise in over a decade. Let's show the people of this country that we actually do, in fact, work for them.

I yield the floor.

Mr. COONS. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

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

The Senator from Delaware is recognized.

#### REPUBLICAN TAX BILL

Mr. COONS. Mr. President, when we were last here together, it was roughly 2 a.m. Saturday morning as this Chamber took up and passed by a very narrow margin—I believe 51 to 49—one of the biggest, broadest, most comprehensive pieces of financial legislation likely in our lifetime. The last time this Congress took up and passed comprehensive tax reform, I was 21 years old. It has been a long time since a bill of this scope and reach and impact has been considered, debated, and passed in this Chamber. I wanted to give some reflections this evening on what happened very early Saturday morning and what it means.

First, it did not have to be this way. That bill passed on a straight party-

line vote. Not one Democrat voted for it, and all but one Republican Senator voted for it. I joined more than a dozen of my colleagues in a press conference I think 2 weeks ago, saying that we wanted to work across the aisle and that we were trying yet getting no opportunity to do so.

Weeks and weeks ago, a group of us put out a letter to our colleagues saying that we wanted to work together on tax reform that would make our country more competitive and that would deal with some of the long-unaddressed issues in our Tax Code and yet be fiscally responsible. And right up until Saturday, I was working with a group of Republicans and Democrats to try to find a way to move forward on tax reform that would not blow up our deficit and debt, give real tax relief to middle-class Americans, and significantly reduce the corporate tax rate. Alas, we came up short.

I wanted to give just a few moments of reflection on how I see the tax bill that ultimately moved through this Chamber last week.

First, on the process, the idea that you do your best work at something like 2 in the morning—adopting a nearly 500-page piece of legislation without anyone having had the chance to really read it and understand it—I think defies common sense.

Second, I think that the idea that the best legislating is done by only one party has been proven to be incorrect, whether it is big pieces of legislation done by only Democrats or big pieces done by only Republicans. Part of the point of this Chamber—and the balance and the separation of powers that our Founders crafted into the Constitution—was the idea that when we listen to each other and compromise, we produce better legislation, better laws, better justice.

Last, I would like to talk for a moment about the values that underlie not just this process but the outcome of this bill, because in speeches and comments and debates here on the floor and in materials put out over the last 2 weeks, there has been a lot of talk about financial matters, about percentages, about numbers, and about the Joint Committee on Taxation or the Congressional Budget Office. There has been a lot of jargon and a lot of insider talk that has frankly left a cloud that has made it difficult for most Americans to understand what was at stake and what was at work in the steady progress toward that partisan passage of the tax bill so early on Saturday morning.

Let's talk for a moment, if we could, about the human values implicated by this bill. Let's talk less about fiscal jargon and financial details and more about where it will land.

I am sure it comes as no surprise to you that ultimately I voted against the bill. I was willing to do bipartisan tax reform that would allow President Trump to meet his expressed goal of delivering a Christmas gift to the

American people—in particular, to the American middle class—but I wasn't willing to sign off on a bill that would add \$1 trillion to our national debt and that laid the groundwork we are already hearing for calls to slash Medicare and Medicaid. Once this Christmas package is opened, the middle class will realize that its real impact is the steady increase of the tax burden on them and the steady decrease, over the years ahead, of critical, vital Federal programs like Medicare and Medicaid that have made such a difference to so many in need for so long.

For reasons that elude me, most of this country was not actively engaged in this tax debate. I had about 230 calls from Delaware on last Friday—200 opposed and 20 in favor, so 10 to 1 against. But I didn't hear from folks who might have understood and might have spoken up about the long-term, grinding impact this tax bill will have on those in real need in our country.

I wanted to take a moment here on the floor to reflect on something that happened late last week in the Budget Committee as they were marking up the bill. As several dozen clergymen, men and women of different faiths, gathered together outside in a moment of civil disobedience, a few of them—friends of mine—were arrested—arrested in a cry they had hoped would be heard to express their concern about the impact of this tax bill on the poor and needy in our Nation.

I stand tonight as a Senator. I stand tonight as someone who represents Delaware. I stand tonight as someone who was elected not to serve one particular faith tradition but who is deeply informed by my faith tradition and the Gospel that I read. In the Gospel According to Luke, Jesus said: "He has anointed me to proclaim good news to the poor."

I just wanted to stand here for a moment and say that while the Gospel is good news to the poor, this tax bill surely is not. Some of the best known, simple passages in the New Testament of the Christian Bible say you cannot serve both God and wealth. Jesus's call in Matthew 25: Inasmuch as you did this to the least of these, you did it unto me.

This preference for the poor, this focus on the least among us, is not new to the New Testament; it is deeply rooted in the Torah and in the Judeo-Christian values that underlie all of Christianity. In Proverbs, the Torah teaches that those who oppress the poor insult their Maker. Deuteronomy Chapter 15 teaches that you should open your hand to the poor and needy neighbor in your land.

Lastly, it seems to me that while the Bible, the New Testament, and the Torah teach these things about God's deep preference that we be kind to one another, that we care for one another, that we support those in need around us, that doesn't inevitably lead to one party's position or another. It doesn't inevitably lead to one clear economic

theory or policy or another. But it does say that before we took dramatic action that will reset the ground for a generation, that I believe will inevitably lead to a loss of security and stability and opportunity for those in need in our country, we should have reflected. We should have listened to each other. We should have respected the greatest traditions of this country that say that we are most American when we open the doors of opportunity to all, when we create chances for those who are struggling amongst us to have a brighter future. And as I searched through what I understood of this 500-page bill thrust upon us late on a Friday night and marked up and voted on early on a Saturday morning,

I found none of that. I found an incredibly expensive bill that even some titans of industry have said will add little to the growth of this economy and much to the burden of debt of this country.

I know people of good faith on both sides have differing views about the impact of this bill, but I, for one, felt called tonight to come to this floor and say that I think we have made not just a mistake of fiscal policy, but I think that in moving this bill forward, we have failed in our most fundamental call to hear each other, to work together, and to be mindful that we do not cause harm to those in our society who look to us to make the future brighter, to open the doors of oppor-

tunity wider, and to listen to some of the most ancient and profound voices in the traditions that lay the foundation of this free society; that we legislate worst when we legislate against the least of our brethren.

Thank you.

I yield the floor.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:42 p.m., adjourned until Tuesday, December 5, 2017, at 10 a.m.