

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Under the previous order, all postcloture time is yielded back.

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

Mr. BENNET. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

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

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 317 Ex.]

YEAS—53

| | | |
|-----------|-----------|----------|
| Alexander | Flake | Paul |
| Barrasso | Gardner | Perdue |
| Blunt | Graham | Portman |
| Boozman | Grassley | Risch |
| Burr | Hatch | Roberts |
| Capito | Heitkamp | Rounds |
| Cassidy | Heller | Rubio |
| Collins | Hoeven | Sasse |
| Corker | Inhofe | Scott |
| Cornyn | Isakson | Shelby |
| Cotton | Johnson | Strange |
| Crapo | Kennedy | Sullivan |
| Cruz | Lankford | Thune |
| Daines | Lee | Tillis |
| Donnelly | McCaskill | Toomey |
| Enzi | McConnell | Wicker |
| Ernst | Moran | Young |
| Fischer | Murkowski | |

NAYS—43

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

NOT VOTING—4

| | |
|---------|--------|
| Cochran | McCain |
| Manchin | Murray |

The nomination was confirmed.

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

The Senator from Utah.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. LEE. 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.

NET NEUTRALITY

Mr. LEE. Mr. President, earlier today, the FCC voted to reverse a major impediment to a free and open internet—the title II internet regulations that were imposed under President Obama in 2015. These regulations are commonly referred to as net neutrality. For the sake of convenience, that is what I will call it.

I want to congratulate FCC Chairman Ajit Pai for his brave accomplishment today. He has fought for what he knows is right, and he has done so in the face of tremendous pressure and, at times, overwhelming opposition. I also want to use this opportunity to correct the record about what it is that the FCC has actually accomplished.

There is an astonishing amount of misinformation about this issue, and there is a lot of hyperbole surrounding it. If you believe the passionate voices defending these regulations, then you may believe that the FCC just jeopardized the entire internet as we know and love it and sometimes loathe it. These activists tend to paint a scary vision of America without net neutrality—a vision in which large internet service providers prey on ordinary consumers and startup businesses, a vision in which internet access would be rationed or bundled up in very expensive, unaffordable packages. One viral tweet even suggested that Google would start charging two bucks apiece for internet searches.

These are falsehoods, every one of them, and they will be exposed as such in the coming days, weeks, and months, when the internet hums right along just like usual and skyscrapers in all of our major cities remain standing. In the wake of that, we are going to look back at these dire predictions, these mere hysterics, like the Y2K bug or the Mayan apocalypse of 2012. In the present, these exaggerations have real-world consequences that go far above and beyond scaring the public.

In the last 6 months, Chairman Pai and his family have been attacked in the grossest and most unacceptable terms. Even his children have been singled out for intimidation. These kinds of attacks have absolutely no place in our public discourse. Why don't we tone down the rhetoric and see if we can get to the truth about net neutrality. We can start with a little background.

In 2015, the Democratic-controlled FCC issued the so-called open internet

order. This order made dramatic changes to how the internet is classified for purposes of Federal regulation.

Until 2015, broadband internet was classified as an information service. As such, it was subject to light-touch regulations that allowed innovators to build without seeking permission from the Federal Government. This classification reflected common sense, and it reflected the intent of Congress.

The internet is a fast-moving information superhighway. If slow-moving government regulators had gotten involved decades ago, it could have inhibited innovation—the same kind of innovation that keeps service fast and keeps prices low for all Americans.

Not only was this a commonsense arrangement, it facilitated a virtual renaissance of innovation and discovery in this increasingly important part of our economy. This renaissance gave us things like smartphones, ridesharing, and super-fast fiberoptic internet services. It gave us 3G, 4G, and then, soon, 5G wireless service. This period also gave us Twitter. One could argue that maybe this wasn't all good but mostly good.

Overall, the light-touch regulatory arrangement works pretty well for ordinary users, big companies, and entrepreneurs who are just starting out in their garages. Contrary to net neutrality's most aggressive defenders, the internet of 2014 was not some sort of hopeless hellscape; it was actually pretty awesome.

The FCC threatened all of that in the early weeks of 2015 when it reclassified broadband internet as a "telecommunications service." This innocuous-sounding change subjected the internet to a whole host of regulations that were originally meant for New Deal-era telephone monopolies like Ma Bell. In essence, the government imposed 1930s-style regulations on 21st-century technology. This outdated arrangement has worked about as well as one might expect. Broadband internet investment has fallen significantly since the net neutrality regulations were proposed in 2011. Dr. George Ford of the Phoenix Center estimates that between 2011 and 2015, just the threat of internet regulation scared off \$200 billion in investment.

Since the regulations were imposed in 2015, broadband internet investment has declined by 5.6 percent. That is billions of lost dollars over just 2 years. As Chairman Pai has noted, this is the first ever decline in broadband investment outside of a recession, and this recession just happens to be self-imposed. It may not seem like a big deal to you that government is squeezing out billions in internet investment, but it hurts you and it hurts your fellow citizens in material ways, in ways that might not always be obvious. Less investment means less fiber optic cable, fewer towers, and fewer wi-fi hotspots. This translates into spottier coverage and slower speeds for Americans, especially those living on the periphery of