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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

O Lord, our God, You rule the raging of the sea. You are the giver of our lives, and we belong to You. Sustain our lawmakers with Your everlasting arms. Direct their actions as they seek to glorify You. Lord, surround them with Your gracious favor so they may more fully serve You faithfully. Deliver them from discord and disunity through the power of Your prevailing providence.

And, Lord, we thank You for the life, contributions, and legacy of our Assistant Parliamentarian, Michael Phillip Beaver. Sustain his loved ones and friends during this season of grief.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to a member 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. BLUNT). The majority leader is recognized.

REMEMBERING MICHAEL BEAVER

Mr. MCCONNELL. Mr. President, I wish to pay respects to a member of the Senate family who tragically passed away last week. Michael Beaver was a talented attorney who served as the Senate's Assistant Parliamentarian.

That followed service as deputy legislative counsel for the State of California.

Michael was just 39 years old. He leaves behind his wife, Gilda, his two beloved sons, Bradley and Connor, his parents, and an extended family that mourns his loss. They are joined by Michael's colleagues here on the Senate staff, in the Secretary's office, and with the floor staff on both sides of the aisle and throughout our whole institution. The Senate's prayers are with all of Michael's family and friends at this immensely difficult hour.

NOMINATION OF KURT ENGELHARDT

Mr. MCCONNELL. Mr. President, on a totally different matter, this week the Senate will consider another slate of extremely well-qualified nominees for seats on the Federal bench. A thoughtful, independent, and expert judiciary is a cornerstone of our constitutional order. It has been the case since the very beginning of our country.

Accordingly, the six circuit court nominees we will now consider have excellent reputations in the legal field and have demonstrated they understand the proper role of Federal judges in our government.

First up is Kurt Engelhardt, of Louisiana, the President's choice to serve on the Fifth Circuit Court of Appeals. The Senate previously confirmed Judge Engelhardt by voice vote to the Federal trial bench in the Eastern District of Louisiana. Since then, he has only strengthened his reputation for fairness and thoughtfulness.

In the latest edition of the Almanac of the Federal Judiciary, his legal peers describe him as "very conscientious" and "fair and independent minded." The American Bar Association agrees. It awarded Judge Engelhardt its highest possible rating of "unanimously well qualified." I urge every

one of our colleagues to join me in voting to advance Judge Engelhardt's nomination later this afternoon.

TAX REFORM

Mr. MCCONNELL. Mr. President, on one final matter, in storefront windows across America, new signs are going up—signs that many communities haven't seen literally in years. Here is what the signs say: "Now Hiring." Just 16 months into the Trump administration and this Republican Congress, the percentage of American workers who are unemployed, underemployed, or have given up finding a job is already smaller than it ever was in any of the Obama years. In fact, it hasn't been this low since 2001. Let me say that again. Less unemployment, underemployment, and discouragement today than at any point in the last 17 years. Or we can look at how many Americans are receiving unemployment benefits. The answer is this: fewer today than at any time since—listen to this—1973.

We all know that these economic indicators can be noisy, but the big overall shift from the Obama era is impossible to deny. Republican policies have taken Washington's foot off the brake of the U.S. economy. We have rolled back a host of job-killing regulations. We have passed historic tax reform for middle-class families and job creators. These Republican policies have helped to unleash a dynamic, growing economy that is producing many more new jobs. It is putting the stagnation of the last decade literally to shame. That means sidelined workers get the chance to check back into the game. It means renewal is coming to so many small towns, small cities, and rural areas that had to sit and watch as Democratic policies funneled nearly all of the new wealth and new jobs into our Nation's biggest and bluest urban areas. It means higher wages, as local businesses are forced to compete again for the best workers.

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



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I recently read about a man named Chandler Steffy. He owns a roofing company in Iowa. Three years ago, in the Obama economy, his laborers earned less than \$15 an hour. Today is a different story. The unemployment rate in Iowa is under 3 percent, and Mr. Steffy pays \$25 per hour to attract the best talent. American small businesses are doing well and outbidding each other for American workers. It feels good; doesn't it?

After 10 years of Democratic policies, this had practically become a foreign concept. Not anymore—it is a new day. There is more business for job creators, which means good jobs that need filling, which leads to higher pay for workers. This is happening all over our country.

Rich Obermark owns a small contracting business in Paducah, KY. They retrofit electrical systems, A/V equipment, and gas piping. He wrote me to explain: "For our small company, the tax cuts will mean [we'll] be able to afford more trucks and tools." Tax reform, he said, "will allow us to invest back into our company, which will in turn allow us to hire more people."

There is more business, more investment, more job openings, and higher pay for workers as a consequence. After 8 years of Democratic policies, this sure is a sight for sore eyes, and this is only the beginning. These are only the early returns from Republicans' pro-opportunity, pro-worker agenda.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING MICHAEL BEAVER

Mr. SCHUMER. Mr. President, we recently received some terribly bad news. Michael Beaver, the Assistant Parliamentarian of the Senate, passed away unexpectedly last week. His death at the young age of 39 is shocking in its suddenness and tragic for the family, friends, and coworkers he left behind.

Michael was incredibly bright, unfailingly honest, had a quick wit and a dry sense of humor. I know that as an Assistant Parliamentarian he was a member of a small but crucial team of behind-the-scenes staffers without whom the Senate couldn't function.

Our thoughts are with his family today, especially his wife, Gilda, and his two young boys, who will remember him as a loving and devoted father. In

the words of Scripture, "Blessed are those who mourn, for they shall be comforted."

JUDICIAL NOMINATIONS

Mr. SCHUMER. Mr. President, on another matter, as the Senate returns to work after the recess, we are scheduled to process six circuit court judges over the next few weeks. Some of these judges are noncontroversial and have received support from their home State Democratic Senators, and we will work with the majority to confirm them. But Michael Brennan, second in line this week, will receive a cloture vote on the floor of the Senate even though one of his home State Senators, Ms. BALDWIN, has not returned a blue slip for his nomination.

When hearing the facts, they are appalling—not just his ideology, although Mr. Brennan is a very conservative nominee who failed to earn the recommendation of a functioning bipartisan commission that was set up by both Senator BALDWIN, a Democrat, and Senator JOHNSON, a Republican, to recommend Federal judicial nominees. That is how people want us to do things, in a bipartisan way. I was able to work out judge nominations in a bipartisan way in the Senate when we had a Republican President, a Republican Governor, but that was overrun. This is now the second time that Chairman GRASSLEY has ignored the blue-slip tradition in this Congress, but the part that really burns me and I think many others who are fair-minded in the Senate and this country is the fact that the seat that Mr. Brennan would fill on the Seventh Circuit was held open for 6 years—6 years—via blue slips. Senator JOHNSON did not turn in a blue slip, and the seat stayed vacant.

Now that we have a Republican President, Senator BALDWIN's blue slip is being ignored. What a double standard; what hypocrisy. When people ask whether we are being obstructionist, let the shoe fit as to what happened to this seat on the Seventh Circuit. It was historic obstruction, yet Senator LEAHY faithfully observed the blue-slip tradition and kept the circuit seat vacant for 6 years.

Listen to this. During those 6 years, none other than Mr. Brennan himself, the nominee, wrote an op-ed defending Senator JOHNSON's right to refuse to return a blue slip to the Seventh Circuit vacancy. Of course, irony of ironies, it is now Mr. Brennan who is up for confirmation over the objection of one of his home State Senators. Where is the defense of senatorial courtesy today?

Making matters worse is the fact that the far right is pushing very conservative nominees, way out of the mainstream, and the pressure on my friend—and he is my friend, the Republican leader—to ignore all of the traditions, the blue slip above all, and create this double standard is really galling.

On Wednesday of this week, the Judiciary Committee will hold a hearing on Ryan Bounds. He is also a nominee for a circuit court, this one the Ninth Circuit in Oregon. He has not received a blue slip from either Senator WYDEN or Senator MERKLEY. This will be the first time the Judiciary Chairman has allowed a nominee who lacks the support of both home State Senators to proceed, and it will be the third time this Congress that Chairman GRASSLEY—who showed himself to be a statesman when he moved the bipartisan bill on the special counsel last week, but in this case, there is no statesmanship showing—has ignored the century-old blue-slip tradition.

When Democrats held the majority, we respected the blue-slip tradition, not because it was some esoteric custom but because blue slips are a way to force consultation and consensus on judicial nominees. You don't get many nominees with a blue slip, far right or far left. Those judges tend to want to make the law, not interpret it. We want all our nominees, whether they are nominated by a Republican or Democratic President, to be qualified and to have demonstrated excellence in their careers. Blue slips were a way to encourage the Senate to come together around qualified nominees. I assume that is why 41 Republican Senators a few years back, in 2009, wrote to President Obama to say that "we, as a Conference, expect [senatorial courtesy to the blue slip tradition] to be observed, even-handedly and regardless of party affiliation."

Let me read that again. This is what Senator MCCONNELL and Senator GRASSLEY signed: "[W]e, as a Conference, expect [senatorial courtesy to the blue slip tradition] to be observed, even-handedly and regardless of party affiliation."

Majority Leader MCCONNELL and Chairman GRASSLEY both signed that letter. Today they are singing a different tune. So while we want to work with our Republican colleagues to confirm nominees expeditiously, we are very disappointed in the way they have trampled the blue-slip tradition.

When my colleagues come to me and say: What about comity and what about working together? It goes both ways. It goes both ways. This is appalling. It is unfair, it is wrong, and it is another degradation of how the Senate has always functioned.

HEALTHCARE

Mr. SCHUMER. Mr. President, on the subject of healthcare, last week, insurance companies in the State of Virginia announced that health insurance premiums would be much higher this coming year. More than 100,000 Virginians who rely on these plans are staring at a proposed 2019 premium that will be 15 percent or 27 percent or 64 percent higher, depending on which insurer they use. In filing their rates, the health insurers are pointing to the