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Senate

The Senate met at 10 a.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.

Eternal Spirit, the splendor of Your presence delights us. You have been our help in ages past. You are our hope for the years to come. Thank You for leading us beside the still waters of Your wisdom and through the green pastures of Your peace.

Empower our Senators for the tasks of this day. May they put right before expediency, others before self, principle before partisanship, and You before all else. Lord, keep our lawmakers under the canopy of Your care, sustaining them with Your grace amid all sunshine and shadow.

Lord, thank You that America still stands with lamp held aloft as a beacon of freedom for our world.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

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

FAA REAUTHORIZATION BILL

Mr. McCONNELL. Mr. President, later this morning the Senate will have an opportunity to pass the FAA reauthorization and security bill, which aims to secure our airports and look out for American travelers.

This legislation received bipartisan support from the start, and it shows what is possible with a Senate that is back to work. Under the guidance of Senator THUNE, the Commerce Committee chairman, and Senator AYOTTE, the Aviation chair, this FAA reauthorization and security bill incorporated ideas from both sides as it moved through the legislative process. I also appreciate the work of Ranking Member NELSON and Ranking Member CANTWELL in working with them to advance it.

After 7 hearings and nearly 60 amendments accepted, the bill passed the Commerce Committee by a voice vote. On the floor, the bill managers continued listening and working with Senators from both sides to process more amendments that Members thought would make this good bill even stronger. For instance, they worked to include a number of additional security measures in an amendment that earned bipartisan support. That amendment aims to enhance inspections and vetting of airport workers to improve security for international flights arriving at U.S. airports and to help ensure perimeter security is reviewed.

In addition to these important security provisions, we accepted an amendment from Senator HEINRICH to shore up security in prescreening zones, which could be particularly vulnerable to attacks. We also adopted an amendment from Senators TOOMEY and CASEY that addresses the security of cockpit doors. I appreciate these and other Senators who put forth ideas to make the final product something both sides can support.

The FAA reauthorization and security bill will make important strides for our national security and for travelers. It does so without increasing fees or taxes on passengers. It does so without imposing heavyhanded regulations that can stifle consumers' choices. I look forward to supporting this legislation later this morning.

ENERGY POLICY MODERNIZATION BILL

Mr. McCONNELL. Mr. President, moving forward, the Republican-led Senate will have another opportunity to pass bipartisan legislation—legislation aimed at modernizing America's energy policies. The Energy Policy Modernization Act is the result of more than a year's worth of work by our Energy and Natural Resources Committee chair Senator MURKOWSKI, and ranking member Senator CANTWELL. These Senators know it has been nearly a decade since the Senate considered major energy legislation, so they worked to do something about it. They also know that good policy results from good process, as this bill certainly demonstrates. It has meant working through countless listening sessions and oversight hearings; it has meant working through numerous amendment votes and debate hours; it has meant working to move this bipartisan Energy bill to final passage.

The Energy Policy Modernization Act aims to bring our energy policies in line with the demands of today and to position us to benefit from the energy opportunities of tomorrow. Here is how it can help achieve that goal: It expands domestic supply and improves efficiency. It addresses aging infrastructure and enhances safeguards. It promotes accountability and cuts through needless redtape. This broad, bipartisan bill does all these things. It builds on technological progress in order to strengthen and sustain America's energy advances. It protects our environment at the same time. It does all of this without raising taxes or adding a dime to the deficit.

Here is what that means for our country: It will help Americans save energy. It will help Americans produce more energy. It will help Americans pay less for energy. And, like the airport security legislation I mentioned earlier, the Energy Policy Modernization Act will help keep Americans safe.

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



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It includes provisions to bolster our national security by strengthening our cyber security defense mechanisms.

This legislation will make significant strides for American energy policies, and it wouldn't have been possible without the bill managers' leadership and dedication. So I want to thank them again for their diligence in advancing this critical legislation closer to passage.

TRIBUTE TO POLICE CHIEF RICK McCUBBIN

Mr. McCONNELL. Mr. President, I would like to say a few words about my good friend Police Chief Rick McCubbin of the Bardstown Police Department. We learned yesterday that he will be retiring from service after 5 years as chief and nearly 30 years in law enforcement.

Chief McCubbin led his officers through some of the most troubling times in the police department's history. He did so with rigor and resolve, with grit and with grace.

Nearly 3 years ago, the Bardstown Police Department took a blow to its very core with the tragic assassination of Officer Jason Ellis, who was killed in an ambush while driving home in uniform and in a marked vehicle. Authorities have strong reason to believe the killing was retaliation from drug traffickers against a police department that was making significant progress in rooting out trafficking and making drug arrests.

Chief McCubbin was the leader of that effort to stamp out drug crime. He spoke eloquently on behalf of the whole department about the loss of their brother Jason, who will never be forgotten. I know that while the case remains unsolved today, he has led the effort to see Officer Ellis's killers brought to justice.

Chief McCubbin continued the fight against drug trafficking by seeing to it that Bardstown's surrounding Nelson County earned inclusion in the Appalachia High Intensity Drug Trafficking Area program, which we call HIDTA, back in 2014. HIDTA is not just another government acronym but a model that works. It couples Federal law enforcement with State and local task forces and the supplies, training, and technology they need. By getting Nelson County included in the HIDTA program, Chief McCubbin brought a powerful force multiplier to his department's own efforts to fight drug trafficking and keep the citizens of Bardstown safe.

It has been an honor to work with Chief Rick McCubbin over the years. He received the honor of Kentucky's Police Chief of the Year in 2015, and I know the people of Bardstown and Nelson County certainly appreciate his diligence and determination to fight crime and to keep them safe. I thank him for his service to Bardstown, to Kentucky, and to the Nation.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ENERGY BILL

Mr. REID. Mr. President, I appreciate the Republican leader talking positively about the Energy bill, which we called the energy efficiency bill in the last two Congresses, when we tried so hard under the direction of Senator SHAHEEN from New Hampshire to get this done. We tried so very hard. We had many runs at it. There were promises from the Republicans; I don't need to mention names, but they know who they are: Let's get back on this bill. We will get it done. We have only three amendments. We have only two amendments. We did that time after time over 4 years. Every time, the obstruction would not go away, and we could not do the bill.

I am grateful that we have a bill now dealing with energy efficiency. The name has been changed, but it is the same bill. I hope that Senator SHAHEEN from New Hampshire has some degree of pride over what she started a long time ago. Her name is not on the legislation anymore, and I appreciate the junior Senator from Washington and the senior Senator from Alaska working hard to bring it to the floor today. We brought it to the point where we are today as a result of a very long struggle.

The Republican leader talks about the many years since we have had an Energy bill. The reason we didn't have one 4 years sooner is that they wouldn't let us. Gridlock, obstruction—the Republicans blocked Energy bills any chance they got. They insisted on offering amendments that weren't germane or relevant.

We are not acting the way they did. We want to get it done also. It is important for our country, and it is a positive step forward. I want to make sure there is a full understanding of the history behind this.

OKLAHOMA CITY BOMBING ANNIVERSARY AND NOMINATION OF MERRICK GARLAND

Mr. REID. Mr. President, 21 years ago today, in Oklahoma City at 9:02 a.m. Oklahoma City time, Timothy McVeigh detonated a bomb at the Federal building in Oklahoma City, killing 168 innocent people, and 19 of them were children who were there with their parents on business the family had. This was a work day, and Timothy McVeigh detonated that huge explosion. People could see the smoke from miles and miles away. It was the deadliest terrorist attack on American soil before 9/11.

I think we can all see—I know I can see in my mind's eye the images that were on television and the huge Federal building destroyed. It had been

ripped in half. I recall, as I am sure people within the sound of my voice recall, the images of chaos: bloody, disoriented victims trying to determine if they were alive, if they had their arms, if they had their legs, if they had their mind, if they had their eyes. As soon as they got that straightened out, they started desperately trying to find and assist the injured.

This was a heart-wrenching day for our Nation. People watched the aftermath and wanted to help in any way they could.

One of those eager to help was a lawyer from the Department of Justice named Merrick Garland. His boss at the time was a well-known political figure, Deputy Attorney General Jamie Gorelick. She explained Garland's desire to go to Oklahoma City and help with the investigation. She said:

Both of us had kids about the ages of the kids in the day care center [in Washington]. We were just sick to our stomachs. And Merrick said, "I need to go."

Merrick Garland went home that evening knowing that he would be gone for a while. He kissed his wife and his children, and he arrived in Oklahoma City less than 48 hours later.

At this time, Garland was a seasoned Federal prosecutor, having served as U.S. Attorney for the District of Columbia prior to taking a senior role in the Department of Justice. Those who knew him recall how competent he was. Having done some criminal defense work in my past, I know how difficult it is for somebody trying to defend somebody when you come up against a prosecutor with the reputation of Garland. They have a way about them to make the case simple in the minds of a judge and jury, even though there could be a very complicated set of facts. Those who worked with him recall him as unwavering in his commitment to the law. He followed the law. He followed procedure. He was guided by an acute sense of fairness. The New York Times reported:

Former colleagues also recalled that Mr. Garland insisted on doing the investigation by the book, like obtaining subpoenas even when phone and truck rental companies volunteered to simply hand over the evidence, to avoid any future trial problems. He also made sure there was a prosecutor responsible for keeping relatives and victims informed about the case as it developed.

In speech after speech, the senior Senator from Iowa has insisted that a nominee to the Supreme Court should be "supreme," should be someone who—and I quote him—"adheres to the Constitution and the rule of law and decides cases based on wherever the text takes him or her."

Merrick Garland is the person the senior Senator from Iowa described. With an entire nation wanting justice served immediately to those responsible for the bombing, Garland and his team refused to take shortcuts. They did it the right way. They did it the Garland way. They adhered to the law every step of the way.