

So I have another job for them. Why don't they investigate Donald Trump? They can do it quickly. They are all set to do this. They don't mind spending taxpayer dollars. All these investigations of the Clinton operation have always been taxpayer dollars. They should take a cue from the attorney general of the State of New York and hold Trump accountable for scamming charities, the IRS, and the American people.

Donald Trump desperately wants people to believe that he is a brilliant, rich, rich businessman. In reality he is a silver-spoon-toting fraud who would never make it in the real world without his father's money. That is why Trump's entire business career has been one scam after another, such as in Atlantic City where he cheated everybody and got rich at the expense of others. If there is one reason Atlantic City has gone downhill—and it has—it is Donald Trump.

He is always looking for a mark, some victim for one of his scams, because he is incapable of making money honestly. Now our country is Trump's next target. He wants this to be the biggest payoff ever.

Mr. President, I think it is time to announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 5325, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 516, H.R. 5325, a bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

The PRESIDING OFFICER. The assistant Democratic leader.

#### ZIKA VIRUS FUNDING

Mr. DURBIN. Mr. President, I can still recall the first briefing I had as a Member of Congress on something called HIV/AIDS. I didn't know much about it. I heard the words, but I didn't understand them until this briefing brought to mind and brought to light the serious threat this was to the health of thousands of people in the United States and around the world. It was a frightening moment. The information we received led us to believe quite honestly that this was the public health crisis of our time.

There was a response that I was surprised by. Despite all the controversy around all the values and issues, President Ronald Reagan and his Surgeon General Koop stepped forward and showed real leadership.

Some argued that President Reagan waited too long. I am going to put that argument aside. The day came when the Surgeon General sent a letter to every American family telling them the threat of this public health crisis. It was the right thing to do. We dealt with it in an honest, forthright way. We appropriated massive amounts of money for treatment research, and we have come a long way in saving the lives of many who were threatened by this deadly disease.

It is rare when a President of the United States steps up and says to the American people: We have a public health crisis. Because it is so rare, we should take it very seriously.

In February of this year, President Obama made that plea to Congress about a new public health crisis involving the Zika infection. Zika, of course, is borne by mosquitoes. There is evidence in countries around the world that when these mosquitoes bite someone and infect them, it has a negative health consequence, particularly on pregnant women and the babies they carry.

President Obama came to Congress in February of this year and in a rare moment announced that we had an emergency, a public health crisis that needed to be addressed. He asked for \$1.9 billion to eradicate the mosquitoes and also to develop a vaccine to protect innocent Americans.

I took that seriously. Unfortunately, the Republican leadership in Congress did not. It wasn't until May, some 3 months later, that the Senate passed a response to the President's request for this public health emergency called Zika. We passed a bill that had about \$1.1 billion in it—not what the President asked for but a substantial investment toward his goal of protecting America and developing a vaccine, and we passed it with an overwhelming bipartisan vote. Some 89 Senators from both parties voted for it in May of this year. That, of course, was 4 months ago.

What happened after the Senate with a strong bipartisan vote responded to the President's request for emergency funding for a public health crisis involving Zika? What happened to this bill after it passed the Senate? It went to the House of Representatives. Unfortunately, that is where it took a bad turn. Instead of passing the obvious bipartisan bill in response to the President, the House Republicans insisted on delaying it further and adding provisions that were politically controversial and really were unnecessary to our goal of protecting America from this crisis.

They added a provision that said that if you were a woman seeking family planning so that your pregnancy was not compromised by the Zika virus, you could not use the Planned Parenthood agencies for those family planning consultations. Why would they pick Planned Parenthood? Because the Republican Party is at war with

Planned Parenthood. They are willing to stop even their family planning functions.

Two million American women went to Planned Parenthood last year. They count on them for professional services they can trust and afford. The Republicans want to close it down. They have voted repeatedly to do that. So they chose this Zika emergency public health crisis bill to do that again.

They took \$500 million slated for the Veterans' Administration to expedite the consideration of claims by our veterans and eliminated that money in the VA—put it toward the Zika virus.

Third, they decided to suspend the authority of the Environmental Protection Agency when it came to monitoring and overseeing the chemicals that would be sprayed to kill these mosquitoes.

Finally, in the ultimate political act, they put in a provision that eliminated the prohibition against displaying a Confederate flag at a U.S. military cemetery. That is what happens when legislation that starts off as very simple, pointed, and direct runs amok and becomes a political freighter, carrying all of these issues.

That is what happened and, of course, the Republicans in the House knew what would follow. The bill would run into resistance, and the Senate would be bogged down. Instead of taking the simple funding bill the Senate passed overwhelmingly with a bipartisan vote, the Republicans complicated the situation dramatically and brought the whole conversation to a stop.

So here we are today. The President's request was in February; we are now in September. Congress has yet to send the President the resources he asked for. At what cost? Well, we know the cost. At this point we estimate that by the end of the year in Puerto Rico, 25 percent of the people on that island will be infected with the Zika virus, including presently about 1,000 women in Puerto Rico. We know that they are in danger and that the babies they give birth to will have serious life-threatening birth defects because of that infection—an infection that might have been slowed down or even avoided had this Congress under Republican control responded to President Obama's request for emergency public health funding for this Zika epidemic.

As of last week there were 20,870 reported cases of Zika in the United States and its territories. That included 1,897 pregnant women, and in Illinois there are 70 of these women. We estimate about 700 or 800 women in America in the continental United States have been infected by this virus, with another 1,000, as I mentioned, in Puerto Rico.

If we had responded quickly in a responsible bipartisan way when the President made his request, I don't know whether some of these families and women and their babies could have been spared. We will never know, but

we do know this for sure: The Republican-led Congress ignored the President's request, refused to send the money he asked for, and we are paying a heavy price as a nation—not as heavy a price as these women who sadly have a tragedy on their hands that maybe could have been avoided if Congress had responded in a timely fashion.

Seven months without congressional action for an emergency public health crisis called Zika is shameful. Let's not wait another day before we leave here to go back and campaign, before each party returns home to brag about what they have achieved or can achieve. Let's do our job when it comes to this Zika crisis. Let's make sure the continuing resolution that keeps the government's lights on also turns on the lights at the Centers for Disease Control and Prevention and at the National Institutes of Health so that we start reducing the number of people infected and also developing a vaccine to protect innocent families across the United States and perhaps around the world. That is something we desperately need to do.

#### FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. President, the for-profit college and university industry is the most heavily federally subsidized profit-making private business in America, bar none. Most of these for-profit colleges and universities, like the University of Phoenix, Kaplan, and others, have decided they want to tap into our Federal Treasury for anywhere up to 90 or 95 percent of all the revenue that comes through their universities and schools.

There is no other business in America so dependent on Federal subsidies as for-profit colleges and universities. What happens? The Federal Treasury sends money to the students who apply to these schools in the form of grants and loans. The money is then transferred to the school, and the student has a debt they have to cope with when it comes to the money that is borrowed from the Federal Government.

What happens in those circumstances where the school goes out of business? We saw it with Corinthian last year, one of the largest for-profit colleges and universities, and we just saw it 2 weeks ago with a group called ITT Tech. Here is what happens. Students have debt incurred at these for-profit schools like ITT Tech. They are approached by the Department of Education which offers them two options. The first option is, if you were a student at the school when it closed or you withdrew 120 days before it went out of business, you have a choice. You can keep your credit hours that you earned at ITT Tech and the debt incurred in earning them or walk away from both.

Also, if you happen to have been defrauded by these schools, you have something called defense to repayment. If they misled you about the courses you were going to take, how much they would cost, what kind of

loans were available to you, what kind of job you may have after graduation, then you, too, can raise that as a defense and potentially have your federal student loan debt forgiven. That is an option that many ITT Tech students now have.

There is another aspect of this that we should not overlook. These schools do not just exploit students who are fresh out of high school or coming from some other place, unfortunately, they defraud veterans. Veterans using GI bill benefits at ITT Tech have been unfairly affected by this company's practices and now its closure and bankruptcy. For years, ITT Tech has been a major recipient of GI bill benefits. According to the 2014 report by Senator Tom Harkin's HELP Committee, ITT Tech was the third largest recipient in 2012 and 2013, receiving \$161 million in GI bill funds.

When it closed earlier this month, an estimated 7,000 veterans were enrolled at the school that has now gone out of business. Not only have these veterans used up part or, in some cases, all of their limited GI bill education benefits, some of them relied on VA housing assistance to pay their rent and afford a place to live for themselves and their families.

Veterans can only receive this housing stipend if they are enrolled in a school that qualifies for GI bill benefits. So the closure of ITT Tech has put these veterans and their families at risk of being unable to afford their current housing, disrupting their lives. I support a bipartisan bill introduced by my colleagues Senators BLUMENTHAL and TILLIS, a bipartisan bill to reinstate GI bill education benefits in certain cases and give the Secretary of the VA the authority to temporarily extend housing benefits to vets, including those who attended ITT Tech.

This bill, called the Department of Veterans Affairs Veterans Education Relief and Restoration Act or VERRA, was included in a larger bipartisan VA reform package that I hope the Senate will still take up this year. But the closure of ITT Tech makes the need to pass VERRA urgent. I urge my colleagues to join me in passing this common-sense, bipartisan legislation before we adjourn. I urge them to stop and reflect on the fact that these for-profit schools are exploiting students and families, members of the military and their families, and veterans across the United States.

Why, in good conscience, are we allowing this to continue? It is time for us to put some standards of conduct on this for-profit university industry that has taken so much money from our Federal Treasury, from \$25 to \$30 billion a year. These heavily subsidized, crony capitalist operations are a disgrace.

Ten percent of all students enrolled in postsecondary education attend for-profit colleges and universities. Forty percent of all the student loan defaults are from the students at these for-prof-

it colleges and universities. Their tuitions are outrageously high, their diplomas are outrageously worthless, and many students and innocent people pay a heavy price.

I will close with a story about one of them I represent. Laura Cotton is one of those students who was misled by ITT Tech. She is a single mom in Oak Lawn, IL, working part time. She saw the come-on advertising of ITT Tech, had a lot of conversations with their recruiters about their great programs and the job she would get with an ITT Tech degree.

She said they never bothered to talk to her about what it was going to cost and how she was going to pay for it. She ended up enrolling in an online criminal justice program. According to Laura, most of the courses had nothing to do with her program of study. ITT Tech would just send her paperwork to sign, more loans, Federal and private.

She ended up dropping out of ITT Tech when she finally added up all of the money they had enticed her to borrow. Laura has a debt of \$98,000 from ITT Tech and nothing—no degree, nothing to show for it.

In a letter she sent me, Laura wrote: "My American dream of home ownership, purchasing a new car, giving my kids an education has suffered because my credit is now shot."

I wish Laura's story was unique. I wish more Members of the Senate and Congress would sit down and talk to people just like her who have been victims of these for-profit colleges and universities. When are we going to accept our responsibility to clean up this shameful industry?

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I came to talk on a different topic, but it is interesting because I noticed the front-page story of the Washington Post about a for-profit college not too many weeks ago. Headline: "Inside Bill Clinton's nearly \$18 million job as 'honorary chancellor' of a for-profit college."

I just heard this Senator talk about somebody signing something, and this article refers to this for-profit college that signed Bill Clinton to a lucrative deal as a consultant and honorary chancellor, paying him \$17.6 million over 5 years. It is very disturbing because it says:

The guest list for a private State Department dinner on higher-education policy was taking shape when Secretary of State Hillary Clinton offered a suggestion.

It says:

In addition to recommending invitations for the leaders from a community college and a church-funded institution, Clinton wanted a representative from a for-profit college company called Laureate International University, which, she explained in her email to her chief of staff that was released just last year, was "the fastest growing college network in the world."

There was another reason Clinton favored setting a seat aside for Laureate at the August 2009 event: The company was started by

a businessman, Doug Becker, “who Bill likes a lot. . . .”

Nine months later, Laureate signed Bill Clinton to a lucrative deal as a consultant and “honorary chancellor,” paying him \$17.6 million over 5 years.

So when I hear another colleague from the Senate come to the floor and talk about for-profit colleges and make reference to the fact that something needs to be done about it, it seems obvious to me that Hillary Clinton, Bill Clinton, they had something to do with it as well, and a \$17.6 million contract—consultant fee, honorary chancellor—to Bill Clinton.

#### PRESIDENT OBAMA’S LEGACY

Mr. President, I come to the floor to talk on a separate matter. We are just 4 months away from an inauguration of the next President. So President Obama is spending lots of time going around trying to polish his legacy. He is doing it today at the United Nations.

The facts we see and Americans across the country see are very different than what President Obama is trying to paint as his legacy. The President’s legacy of failure—we see it in the President’s health care law. Many people feel deceived by the President when they find themselves paying much more for health care. Many people have been hurt by the law. Republicans are trying to provide relief for the damage the President has done.

The President’s legacy of failure continues in foreign policy. America’s power, prestige, and respect around the world has declined, and in many places evaporated under President Obama. Today I want to talk about the devastating legacy the President has left in terms of failure regarding his economic policies.

According to a recent Gallup poll, people say the economy is the biggest problem facing this country today. The No. 2 concern in the poll was a tie between unemployment and dissatisfaction with government. After 7½ years of a very poor recovery from the recession, it is easy to see why Americans are so concerned about their own jobs, their own economy, and their own future.

It is also easy to see why there is a lack of faith with regard to the Obama administration, in terms of their ability to even know how to grow a strong and healthy economy. President Obama took office during a recession. The recession ended in June of 2009, just a few months after the President was in office so that was more than 7 years ago.

America has an economy that has been crawling on its hands and knees ever since. Normally, after a recession, an economy bounces back, does it vigorously, with great strength—never happened this time.

Under President Obama, the country has been struggling with the weakest recovery in the last 60 years. Millions and millions of Americans have been left behind, and they feel it. Going back to 1950, the average annual

growth for our economy has been 3.25 percent a year. So over 3 percent growth a year, on average, since the year 1950. Through good times and bad, an average of 3 percent a year.

President Obama’s average the past 7 years has been less than half of that. For the past three economic quarters, it has been growing at a 1.1-percent annual rate, 0.9 percent, 0.8 percent, well below average when it comes to his economic policies. That is not a legacy of which to be proud.

This nonexistent Obama recovery means too many Americans have gone too long without being able to find a job. There are still close to 16 million Americans who are either unemployed or underemployed who are seeking to find full-time work. Many of these are part-time workers who are trying to go and find full-time work.

Many others have given up looking for work entirely. They have tried, they can’t find anything, and they have quit actually looking so they are not even counted in the unemployment numbers. This is not a legacy for which anybody should be proud. I ask the President is he proud of this legacy.

Last month, the Congressional Budget Office came out with some new numbers about Washington’s debt. The American people know the President has added considerably to the debt of this country. He came into office, he immediately started running deficits of \$1 trillion a year—the President’s so-called stimulus package.

No one had ever seen deficits like that before. Of course, as each deficit gets added to the debt, the debt accumulates with deficit spending each year, but that wasn’t enough for this President. Oh, no. Then, he pushes a health care law that burdens taxpayers with trillions of dollars of additional debt.

According to this new report, Washington’s deficit is going to be 35 percent higher this year than it was last year. That just keeps adding to our national debt. Is President Obama proud of this legacy? Is he proud he is impacting our children, our grandchildren, sticking them with a tax bill they will never be able to repay?

There was another report that came out of the Census Bureau last week. It said the average family income actually did go up from 2014 to 2015 by 5 percent. That leaves us with an average family income that is still below the numbers from before the recession, from back in 2007. We are still below that level.

Five percent may sound good for that year—until you realize that health insurance premiums under the Obama health care law are going up 20 to 30 percent all across the country. The Wall Street Journal came out last week with a piece that said: “America Gets a Raise, Finally.”

A raise for American families is good news. It should happen every year. But why didn’t it happen sooner? Well, because of the policies of the Obama ad-

ministration—policies such as higher taxes, more regulations. The average family income is still \$900 less than it was in 2007. There are still 43 million Americans living in poverty. If President Obama is proud of his legacy, let him stand up and say it. But is he really proud of a legacy of making America wait so long for so little?

Here is how the Wall Street Journal put it in its editorial:

Last year’s encouraging progress doesn’t obscure the reality that neither the economy nor workers are reaching their full potential. The next President can build on this late uptick by changing policy direction.

That is what we need to do—change direction and policy. That is the key. These failed economic policies over the past 7½ years don’t just belong to President Obama. They belong to Democrats in Congress who have been pushing—and continue to push—along this line of more government, more spending, more regulations, and less individual choice.

These are the same ideas that have robbed Americans of opportunities every single time the Democrats have tried it.

Although President Obama and the Democrats in Congress may think the pace of this recovery has been good enough, Republicans in the Senate know this is an economy which is nowhere near as good as it should be or could be. We are focused on policies that promote real job growth so Americans can get off the sidelines and back onto a career path.

Republicans are focused on policies that free our economy—free the economy to grow like it should, not just hobble along with the lackluster pace of the last 7 years.

We are focused on policies that will rein in Washington out-of-control debt and regulations. That is the way that our children and grandchildren can afford to live the lives they would like, not just paying for Democrats’ mistakes.

We are focused on policies that allow Americans to get paid what they deserve, not just one raise every 7 years or 8 years. Republicans are ready to move beyond the President’s legacy of failure and to help the American economy really get moving again.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

#### FIGHTING TERRORISM

Mr. CORNYN. Mr. President, we continue to learn more and more about the terrorist attacks that occurred last weekend on American soil. In just a short time span, on Saturday a number of innocent people became the targets of attacks in Manhattan, New Jersey, and Minnesota. In Manhattan, as we know, a bomb went off in the Chelsea neighborhood, injuring almost 30 people. Thanks to a very alert citizen, a second device—found just a few blocks away—was dismantled and did not cause any additional damages. If that hadn’t happened, obviously many more casualties would have been likely.

In neighboring New Jersey, a bomb exploded near the site of a charity race to benefit marines and their families. More bombs were found in a backpack near a train station in Elizabeth, NJ.

As we have seen in the news in Minnesota, also on Saturday, it was reported that a man with a knife began attacking innocent passersby in a mall. He stabbed nine people.

The day after the attack, the Islamic State, or ISIS, took credit. A news outlet associated with the terrorist army called the jihadist a “soldier of the Islamic State.”

Thank goodness no lives were lost in that attack. In every case, law enforcement authorities and first responders acted swiftly in order to minimize the damage. But the point is that we are living in dangerous and tumultuous times. Just last week we celebrated the 15th anniversary of the September 11 attacks on our country. I shouldn't use the word “celebrated.” We actually memorialized those terrible attacks that took the lives of about 3,000 Americans.

This week we find ourselves trying to make some sense of the violence carried out last weekend. The only rational thing for us to do here at home is to remain vigilant. As the Department of Homeland Security likes to say, if you see something, say something.

Situational awareness is always important for public safety, but we could do a lot more than just equipping the American people with a slogan that allows them to maintain situational awareness. In Congress, we need to make sure we provide all the tools necessary to our military, to our law enforcement, and to our first responders to protect the men and women whom we represent—the American people. That means we need to consider legislation that supports the victims of terrorism and their families as well. While I am not suggesting this is going to be a deterrent to terrorist attacks, just maybe it will provide some measure of justice to the families who have lost loved ones as a result of terrorist attacks on American soil.

Yesterday I talked about one small piece of that effort, the Justice Against Sponsors of Terrorism Act. This is one way we could do that and help these family members find some measure of closure and justice.

Simply, what it would do is to extend existing law that has been on the books since the late 1970s that would allow these families to hold foreign governments—that have helped finance and facilitated attacks on American soil—accountable in our courts of law.

In just a few minutes, I will have the chance to meet with several of the families of the victims of 9/11. I have to tell you that these men and women have been a remarkable example of courage and resilience for all of us. They want and they deserve a path to justice.

I hope the President stops holding up Congress from voting to override the veto he promised on this legislation.

Better yet, I would hope the President would reconsider his stated intention to veto the Justice Against Sponsors of Terrorism Act. It makes no mention of any particular country. It doesn't decide the merits of the lawsuit that will be brought. All it does is give these families access to a court of law where they can make their case if they can.

The President said he is going to veto it, but my question is this: What is he waiting for? It has been on his desk since about a week ago.

Why is he making these families wait even longer for justice? If he is going to veto it, he should do it—to stop making everybody wait on his timeline.

I hope that when the President does veto this legislation—if he is determined to do that—we will quickly vote to override. I am confident we will, given the fact that this legislation passed by unanimous consent in the Senate and was supported by all Members of the House of Representatives.

Another way we could help guard against homegrown extremism in our country is by better equipping our law enforcement personnel to track down and ultimately detain potential terrorists to stop the acts of terror before they occur—not just after they occur—and conducting an investigation and holding the person responsible accountable. Wouldn't it be great and better if we could actually stop these attacks before they occur? One way we could do that is by fixing the current gap in our laws for what is called the electronic communications and transactions records. That is a mouthful. Basically, what that would do is allow the FBI to use national security letters, which they can already do in a terrorism investigation, to access not just financial, not just phone records but also computer metadata—not content but just the Internet protocol addresses on computers in terrorist investigations—in order to put together the pieces to be able to make the case to stop terrorist attacks in the first place.

As I have said before—and I will say again—we expect our law enforcement personnel to prevent these attacks by connecting the dots. But before you can connect the dots, you have to collect dots, and that is what this important tool would help to do.

In today's Internet age, our law enforcement personnel need these tools to fight terrorists, plain and simple. Our friend, the senior Senator from Arizona, Mr. McCAIN, has been a great leader on this issue. I hope this Chamber acts on this and other similar legislation before an attack occurs, not after.

Fundamentally, at the root of the problem with the Islamic State operating in the Middle East in Syria, Iraq, and in a number of other countries, is that our President—the Commander in Chief of our military—doesn't have a strategy to combat and defeat this threat.

We let them establish a de facto state in the heart of the Middle East by pre-

cipitously withdrawing our military personnel from Iraq and leaving a vacuum. We should have learned what happens from the horrible lesson of 9/11 and Al Qaeda when we create power vacuums in the Middle East. Ultimately, this will provide a place for the terrorists to train, organize, and ultimately find a way to attack us here at home. When they can't physically come here, what they do is they radicalize people on the Internet, encouraging them to kill Americans here in place.

President Obama has called the Islamic State the JV team. Well, how in the world can a JV team resist the most powerful military in the world—the United States military? That is because the President has tied the arm of our military behind its back and basically is fighting a war of containment—not a war where victory and defeat of our opponents is the objective. It really looks as if the President is trying to run out the clock for the remainder of his term without doing the hard work and the necessary work to implement a strategy to actually defeat this threat. Because the President didn't take ISIS and its affiliates seriously, we now see them export their dangerous ideology to our shores. We saw that again just recently last Saturday in Minnesota. We saw that in Orlando with a shooter who killed 49 people and injured 50 more, who declared allegiance to the leader of the Islamic State. Unfortunately, this joins the list of other ISIS-inspired attacks throughout the country, as I said, from Orlando to San Bernardino and now to Minnesota.

We simply cannot sit back and just let them do their deadly deeds. We must have a strategy. We have to implement that strategy, both abroad and here at home.

Unfortunately, the President is exercising extreme reluctance in terms of addressing the threat. We know his wait-and-see approach has not worked, and we continue to see the dangerous consequences here at home.

#### SYRIAN REFUGEES

Mr. President, there is another consequence to the President's failure to deal with this threat in the Middle East. This has to do with what Amnesty International has called the worst refugee crisis in over 70 years. What happens overseas doesn't necessarily stay overseas. America is the most generous country in the world when it comes to accepting refugees, when it comes to naturalizing people as American citizens who were born elsewhere. But the President has stated an intention to settle about 10,000 Syrian refugees in the United States just this year. He is conducting a conference today, Tuesday, where he will lead a summit on the need to take in additional Syrian refugees. He has now stated that his administration's goal is to raise the 10,000 limit of Syrian refugees to 110,000 Syrian refugees by next October.

Not to be outdone, Secretary Clinton has said she wants to have at least 65,000 additional Syrian refugees.

We all believe in being humanitarian and compassionate in dealing with the needs of refugees, but I would bet that every single one—or the overwhelming majority of these refugees—would rather live in place in the country of their birth than be displaced to a new and strange country as refugees.

We know the danger of improperly vetting refugees is a real threat to our safety and security here at home, but apparently the President is not paying any attention to that—calling now for an additional 100,000 Syrian refugees by next October. Sadly, about 5 million people have been displaced by the war in Syria.

We know that after the President said Bashar al-Assad would be held accountable after he crossed a red line, using chemical weapons against his own people, basically nothing happened. That emboldened Russia, our adversary, to get a toehold in Syria. It allowed them to ally with the country of Iran and terrorist groups such as Hezbollah to actually try to maintain Bashar al-Assad in office—something this President and his administration said shall not stand.

In Syria alone, nearly 5 million refugees have left that country. We know they have gone to bordering countries such as Turkey. I visited some of those refugee camps. They have been to Jordan. They are relocating in places such as northern Iraq, where the financial burden is shaking the very foundations of the regional government there. And we know that many of these refugees have made their way into Europe, causing instability there—a potential danger when refugees are not particularly well vetted to determine whether they bring with them a dangerous ideology which will be perhaps deadly to people living in those areas, places such as Germany and France, just to mention a couple.

This President seems to be absolutely blind to the consequences of his failure to have any effective strategy to deal with the Islamic State, whether it is abroad or here at home, or consequences he may not even tie to his failure to deal with this threat, such as the refugee crisis we have seen in Europe and elsewhere.

The answer to dealing with this evil is not just to accept more refugees, the answer is to have an effective strategy to provide no-fly and no-drive zones where Syrians can actually continue to live in Syria without fear of being murdered by either Bashar al-Assad and his allies, Iran and Russia, or Al Qaeda affiliates or the Islamic State. That would be a better answer, and I bet they would agree. Most of these refugees would rather live in the country of their birth rather than be displaced in the Middle East, Europe, or even the United States.

Unfortunately, under the leadership of this President, what we have seen is

one consequence after another. I hope the President will finally come up with a strategy to dismantle and defeat ISIS, but I am not holding my breath. And obviously his days as President of the United States are numbered.

There are, however, things we could do here in the Congress to draft solid legislation that will at least protect the American people here in our homeland by providing additional tools for our law enforcement personnel to collect the dots so they can connect the dots. It is not enough to just prosecute the guilty once people are murdered or injured by a terrorist attack; we need to make sure our law enforcement personnel—the FBI and others—have the tools they need to stop these attacks before they occur, if it is humanly possible to do so.

Mr. President, I ask unanimous consent to have printed in the RECORD a news article from today's Washington Examiner entitled "Days after attacks, Obama pitches more refugees."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Examiner, Sept. 20, 2016]

DAYS AFTER ATTACKS, OBAMA PITCHES MORE REFUGEES

(By Susan Crabtree)

President Obama on Tuesday will lead a special summit on the need to take in Syrian refugees, just days after weekend terrorist attacks that are raising more questions about whether the U.S. should be cracking down on immigration instead of opening the doors further.

Plans for Obama to lead the summit were months in the making, long before Ahmad Khan Rahami allegedly planted a pressure cooker bomb in New York that detonated, injuring 29 people. Rahami, a naturalized U.S. citizen born in Afghanistan, is also thought to be responsible for bombs discovered in New Jersey.

The incident puts real pressure on Obama to make the case for taking in thousands of additional refugees, in the face of calls from Donald Trump and other Republican critics who say it's time to tighten the rules, not ease them. Obama's critics say the timing couldn't be worse.

"The timing of the summit just reinforces the idea that we need to get a handle on our refugee program," Rep. Brian Babin, R-Texas, told the Washington Examiner. "There is a clear and present danger posed to our national security by these poorly vetted refugees that are pouring in, and the president continues to double down on his intentions to bring in more and more of the individuals from hot spots like Syria."

Babin last week wrote a letter to Speaker Paul Ryan, R-Wis., urging him to include provisions in the continuing resolution to fund the government that would place a moratorium on refugees coming from terrorist hotbeds in Syria, the Middle East and North Africa. Thirty-seven House GOP colleagues signed onto the letter.

The Texas Republican said his effort to put a halt to the admission of the refugees is even more important after this weekend's terrorist attacks in New York, New Jersey and Minnesota.

"The people of the United States and of Western Europe are getting very weary about the politically correct pressure that is being brought to bear by Obama and the U.N.

to take in people," including those that top U.S. national security officials have said we "cannot properly vet."

FBI Director James Comey, Department of Homeland Security Director Jeh Johnson and Director of National Security James Clapper have each testified to Congress over the last year that they couldn't certify that every single refugee admitted into the United States was not a security threat.

Those officials have all testified before several congressional panels about the challenges and information gaps that exist when screening refugees and have emphasized that there is no risk-free process. Comey, however, specifically has said the State Department and other agencies have "dramatically" improved the process over the past few years, and over the past few months, when it comes to Syrian refugees.

Holding Obama's U.N. summit meeting just after the weekend terrorist bombings is also causing headaches for Hillary Clinton, who has called for increasing U.S. admissions of Syrian refugees to 65,000. Her opponent has taken full advantage.

Just hours after the Rahami was arrested, Trump blasted Clinton for supporting policies like the admission of Syrian refugees, which he said would allow radical Islamic groups to "continue their savagery and murder."

The Republican presidential nominee and other GOP critics have also assailed the Obama administration over a new Department of Homeland Security Inspector General report that said the agency mistakenly granted citizenship to at least 858 immigrants from countries deemed to pose security concerns to the U.S.

"We need to get smart and get tough fast so that this weekend's attacks do not become the new normal here as it has in Europe and other parts of the world," Trump said in a statement Monday.

Christian Whiton, a former senior State Department adviser in the George W. Bush administration, said Obama's and Clinton's insistence on pushing for the admission of more Syrian refugees is playing into Trump's hands in the final weeks of the election.

"If you look at polls—only 35 percent of Americans want Syrian refugees to come here—I think they instinctively know that these people cannot be vetted," Whiton said.

After the weekend's bombings and Obama's U.N. summit, he predicted that Clinton would have a very difficult time defending her push for more Syrian refugees on the campaign trail.

"Hillary is pathologically committed to bringing more refugees here, knowing full well that there will be Islamists and jihadists among them," he told the Examiner. "How can she possibly think the government can screen out those who adhere to radical Islam if she won't even name that threat?"

"The twin pillars of Hillary's worldview are globalism and multiculturalism," he said. "She's just too committed to this orthodoxy to accept that Americans don't want jihadists brought here by their own government."

Obama is scheduled to address the United Nations Tuesday with broad remarks about the state of U.S. foreign policy, which will undoubtedly include a call for more admissions of Syrian refugees into the U.S. and other countries around the world.

In the afternoon, he will host the Leaders Summit on Refugees and underscore the gravity of the refugee crisis in which more than 65 million have been displaced worldwide, the largest number since World War II, according to the White House.

From Syria alone, nearly 5 million refugees have left the war-torn country,

Samantha Power, the U.S. ambassador to the United Nations, told reporters late last week in previewing the summit.

"All of these individuals, every one of these numbers is a face and a person with a family," she said. "They are facing very uncertain futures and they're looking to the rest of the world and to the U.N., of course, for help."

Power said several countries, including the U.S., are going to be pledging more slots for the resettlement of refugees. "You're going to see a range of announcements by different world leaders," she said.

The U.S. under Obama's direction has admitted 10,000 Syrian refugees already this year, and will increase those commitments in the final months of his administration, with the goal of accepting 110,000 Syrian refugees by next October. But that figure will depend on the next president's views and policies.

Power also argued that the U.S. can admit the refugees while "ensuring our own security."

"As a country that's admitted 3.2 million refugees since the 1970s, we are more than capable of doing that and ensuring our own security, and the highest levels of security checks are in place for the refugee program," she told reporters.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Arkansas.

#### TRIBUTE TO JESS FORSTER

Mr. COTTON. Mr. President, today I would like to recognize Jess Forster of Little Rock as this week's Arkansan of the Week for her work as the K-8 director at eStem Public Charter Schools in Little Rock.

First, it is important to note that Jess received a record four nominations from different people in Arkansas to be the Arkansan of the Week—an early indication of the tremendous impact she has on the Little Rock community and the State of Arkansas.

Jess is in her second year as the kindergarten through eighth grade director at eStem, where she is known for her tireless dedication to her job and her positive attitude. For example, last year Jess handwrote 1,000 personalized, encouraging notes to students before State testing. The notes took weeks to finish, but Jess never abandoned the task. And to say her students were thrilled would be an understatement.

One of her colleagues wrote:

Since Jess has taken on the Director role, I have seen more positivity in the hallways not only with our teachers but with our students as well. I feel our school is one big family and community and Mrs. Forster is our mom.

Jess's positive attitude and dedication doesn't end with her students; her fellow faculty and staff members also benefit immensely from their relationships with her. Each Friday Jess recognizes eStem's teachers' hard work by personally distributing notes and snacks that usually align with the theme she has chosen. Her positive spirit is contagious for all those who know her.

Another of Jess's colleagues said:

At one of her first meetings with the faculty, she discussed values and the importance they have in our daily lives—whether

they be at the workplace or at home. One of the values we all picked was family.

This is a value Jess definitely believes in, and it shows. Under her leadership, eStem restated its mission and vision statement to the motto "Above & Beyond: It's what WE do." Jess believes this phrase sets higher expectations for eStem and better reflects the school's positive community atmosphere.

Of all the nice things said about Jess in her nominations, I felt this description was a fitting conclusion:

Jess has had a huge impact on the eStem community, which reaches across the entirety of central Arkansas. She is a dedicated educational leader, wife and mother. I believe she should be recognized for such an outstanding performance. I cannot think of a more deserving person to be acknowledged as Arkansan of the week.

I agree, and I am proud to recognize Jess Forster as this week's Arkansan of the Week for her outstanding work as the K-8 director at eStem schools in Little Rock.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### PRESIDENT OBAMA'S LEGACY

Mr. THUNE. Mr. President, the end of a Presidential administration is often a time for taking stock. In the coming months, pundits and reporters will spend a lot of time discussing President Obama's legacy. Perhaps the real measure of the President's legacy, I would argue, is how the American people are feeling at the end of his administration. Americans aren't feeling too good. After 8 years of the Obama economy and President Obama's foreign policy, two-thirds of Americans think our Nation is on the wrong track, more than half think we are less safe than we were before September 11, and 67 percent rate our economy as "not so good" or "poor"—two-thirds of Americans. It is disappointing, but it is not surprising.

On the foreign policy front, here is where we stand after 8 years of the Obama administration: Terrorism is spreading. The Middle East is more hostile and dangerous. Iran is counting pallets of ransom money and in a better position to develop a nuclear weapon. North Korea is defiantly testing nuclear weapons. Russia is more aggressive. China is more aggressive. I could go on and on.

On the domestic front, 8 years of the Obama economy has left American families struggling. While the recession technically ended 7 years ago, our economy has never really rebounded. Recoveries are usually a period of robust growth. Three to four percent or more is common in a recovery. The

Obama recovery, however, has averaged a tepid 2.1-percent growth. In fact, the Obama recovery is the worst recovery in 60 years, and things are actually going downhill. During the first half of 2016, the economy grew at a rate of less than 1 percent.

Historically, sailors refer to the area around the Equator, where their ships could become trapped for weeks, as the doldrums. Well, that is pretty much where our economy is now—it is in the doldrums, stuck, unmoving. Our economy has barely grown at all this year, and the long-term forecast is bleak. In fact, the nonpartisan Congressional Budget Office is estimating that our economy will grow at less than 2 percent for the next 10 years. What do those numbers mean? Sluggish economic growth means fewer jobs, lower incomes, and fewer opportunities.

We can see the effect of the sluggish Obama economy in job creation and unemployment numbers. While the unemployment rate has decreased from its recession-level highs, part of that has been driven by individuals dropping out of the workforce. The challenge of finding a job in the Obama economy has led many individuals to simply give up looking for work altogether. Millions have dropped out of the workforce, and we now have a labor force participation rate that is near a 30-year low. If the labor force participation rate were the same today as it was when President Obama took office, the current unemployment rate would be 9.1 percent. Let me repeat that because I think it is important when we talk about all these different percentages, particularly with regard to unemployment. If the labor force participation rate were the same today as it was when President Obama took office, the current unemployment rate would be 9.1 percent. That is how many people have completely dropped out of the labor force. That is how many people are no longer participating in our economy.

On the job-creation front, the Obama recovery has again lagged far behind other recoveries. So far this year, job creation has averaged just 182,000 jobs per month—far below where it should be in a strong economy. For the Obama recovery to match the job creation of other post-1960 recoveries, job creation would have to soar to 1.37 million jobs a month for the rest of the Obama Presidency, or more than seven times the number of jobs we are currently adding.

With numbers like these, it is no surprise that two-thirds of the American people rate the Obama economy as "not so good" or "poor."

Americans are tired. For the past 8 years, good jobs and opportunities have been few and far between. And that is not all Americans have had to contend with. They have also had to contend with the steep cost of health care. The

President's health care law was supposed to make health care more affordable. We were told premiums for families would drop. We were told Americans would have the freedom to keep their doctor and choose affordable plans that fit their needs. Well, the reality has been pretty much the opposite. To illustrate, I would like to read a brief article that appeared a few days ago in CNN Money. The title of the article is "Health care costs rise by most in 32 years."

Health care costs rose sharply in August. Prices for medicine, doctor appointments and health insurance rose the most last month since 1984. The price increases come amid a broader debate about climbing health care costs and high premiums for Obamacare coverage.

A recent report by Kaiser/LET Employer Health Benefits forecasts that the average family health care plan will cost \$18,142, up 3.4% from 2015. That's faster than wage growth in America.

Medical care costs altogether rose 1% just in August from July, according to the Consumer Price Index, a report on price inflation from the U.S. Labor Department.

Premiums on the Obamacare exchanges are expected to rise by double-digits this year.

Some health insurers, such as Aetna, have recently announced they would pull out of the Obamacare exchanges, saying ObamaCare patients have turned out to be sicker and costlier than expected.

Overall, workers are paying more for deductibles. Over half of U.S. workers with single coverage health insurance plans pay a deductible of \$1,000 or more, up from 31% of workers in 2011.

And the health care price increases come as inflation overall continues to be low. Consumer prices altogether rose 1.1% in August compared to a year ago.

All those statistics come from that CNN Money piece. So let's just recap what they were describing.

Prices for medicine, doctors, and health insurance are way up. The price of the average family health plan is growing faster than wages. ObamaCare premiums are soaring; individuals are facing double-digit premium increases. Deductibles are up. Insurers are pulling out of health care exchanges, reducing Americans' choices. And health care costs are growing faster than inflation. In other words, they are taking an even greater share of Americans' budgets. That is where we are after 6-plus years of the "Affordable" Care Act.

I have said before that if we wanted to coin a phrase to describe Obama's Presidency, it might be the "Presidency of diminished expectations." It is the Presidency in which Americans started to doubt the cornerstone of the American dream that their children will have a better life than they do. It is the Presidency in which we were asked to start looking at weak economic growth as somehow being the new normal. And it is the Presidency in which we were asked to look at a future of soaring costs and limited choices as the new standard for health care.

We don't need to resign ourselves to these diminished expectations. After all, the weakness of the Obama recov-

ery is not a chance or a coincidence; it is the natural consequence of the President's policies. Instead of freeing up our economy to grow, the President has weighted it down with tax hikes, spending increases, and burdensome regulations.

Over the past 8 years, the Obama administration has enacted more than 600 new major regulations, totaling \$743 billion or, to put it in perspective, \$2,300 per American. While some government regulations are necessary, every administration has to remember that regulations have consequences. The more resources individuals and businesses spend complying with government regulations, the less they have available to focus on the growth and innovation that drive our economy and create new opportunities for American workers.

Unfortunately, the Obama administration has chosen to prioritize burdensome government mandates instead of freeing up individuals and businesses to innovate. We don't have to continue that way. We can repeal burdensome regulations. We can stop overspending. We can reform our Tax Code to lift the burden on job creators and on families.

The weak economic growth of the past 8 years does not have to be the new normal. Americans don't have to resign themselves to a future of crippling health care bills either. ObamaCare had good intentions, but it has turned out to be a disaster.

If we repeal this failed law, we can start over and pass real health care reform, the kind that will actually drive down costs and provide increased access to care. Republicans are excited to work with a new President to move beyond the economic failures of the past 8 years. We have ideas to grow our economy, promote job growth, and increase opportunities for American families. Hard-working Americans deserve more than the diminished expectations of the Obama Presidency. Republicans firmly believe that a better future is possible. We are ready to get to work to get there.

#### ATTACKS IN NEW YORK, NEW JERSEY, AND MINNESOTA

Mr. President, before I close, I want to address the bombings and attempted bombings in New York and New Jersey this weekend, as well as the knife attack at a shopping mall in Minnesota.

My prayers are with the 29 victims in Manhattan, the 10 victims in St. Cloud, and the two wounded officers in New Jersey. My prayers are also with the families of the injured and the communities whose sense of community has been rattled. I am grateful to local, State, and Federal law enforcement personnel for their efforts to apprehend the suspect and, more importantly, prevent further injury or even death.

I am also grateful for the off-duty officer who stopped the assailant in St. Cloud. In these times of heightened threats, the service of our law enforcement officers is critical. The investigations into all of these attacks are ongo-

ing, but they are being viewed as potential acts of terrorism.

ISIS has claimed responsibility for the attack in Minnesota, and investigators are seeking a definitive connection, such as a declaration on social media, as we saw in the San Bernardino shooting. I am hopeful that our intelligence communities can quickly piece together the motives and possible terror links of these attacks. Doing so may lead to intelligence that could prevent future attacks and provide insight on how to better counter terror networks and prevent domestic recruitment.

This weekend's attacks underscore just how high the stakes really are. The threat of terrorism continues to grow, fueled by instability in the Middle East—instability that has been fueled by the absence of U.S. leadership.

Part of the reason we are facing ISIS today is that the President chose to prematurely withdraw our troops from Iraq. This left a gaping hole in Iraq's security, and ISIS quickly took advantage. Despite the trail of bloodshed that ISIS has left in its wake, the Obama administration continues to downplay the threat this organization poses.

Unfortunately, the consequences of downplaying this threat could haunt us for generations to come. Senate Republicans will continue to do what we can in Congress to restore America's leadership and strengthen our country's security. We will continue pushing for the resources our military needs to defeat ISIS abroad. We will continue pursuing policies that would strengthen our borders so we know who is coming in and out of our country. We will continue supporting policies that give our intelligence and security agencies the tools they need to protect our homeland.

The committee I chair—the Commerce Committee—is looking at legislation right now to strengthen security on our Nation's highways and railways. In addition to the airport security package we enacted earlier this year as part of the FAA bill, this bill will help keep families safe as they travel around our country. I am hopeful the Senate will take up this legislation in the near future.

Finally, I look forward to working with my colleagues to advance essential defense legislation like the National Defense Authorization Act and Defense appropriations, which will help undo the foreign policy failures of the Obama administration.

For too long, Senate Democrats have put politics ahead of funding our military. Democrats have filibustered the Defense appropriations bill no fewer than six times during this Congress alone. I am hopeful we will soon be able to put politics aside and fund our men and women in uniform. They serve in harm's way every day. The least we can do is give them the resources they need to carry out their jobs.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. BOOKER. Mr. President, I rise today to speak about the judicial nominations that are currently pending before the Senate and the fact that we have a very serious vacancy crisis in the United States. We have a challenge based upon the unwillingness of the majority to put on the floor a number of judges who are pending and have been pending for many months.

This is a serious problem, and it is causing problems in States all around the country. We have critical challenges in performing our role of helping the judiciary—that independent branch of government—to function.

I would be wrong not to mention Judge Merrick Garland's nomination to the Supreme Court, which has now been pending before the Senate for 7 months. This is the longest period in U.S. history that a Supreme Court nominee has been pending not only for an up-or-down vote but also pending to have hearings on the qualifications of this judge. This judge would absolutely bring great qualifications. In fact, nobody has had more Federal judicial experience. Yet we refuse to move forward, to go through a process that is spelled out in the Constitution in the sense that we are supposed to make sure that the judicial branch has a full complement of judges.

For 7 months now, the Supreme Court has not been functioning as was intended by the Constitution. The Supreme Court is missing a Justice, and because of that vacancy, cases have resulted in 4-to-4 tie votes. As a result of those 4-to-4 decisions, we lack a national precedent in cases that could guide lower courts, bringing resolutions that are necessary for ordinary Americans who go before our justice system seeking justice as was intended in the Constitution. It is challenging in providing certainty to businesses. It is challenging in providing the regular course of many Americans' lives.

The Supreme Court's next term begins in just 2 weeks. It seems that we will be out in recess, but they again will be trying to do the business intended of the Court. I do not believe there is any justifiable reason that this distinguished body should not confirm Justice Garland or frankly even go through the process of having hearings and ultimately a vote.

The Supreme Court was intended to have nine Justices. We are not doing our job. Justice Garland would not be the first to be confirmed in the month of September and not the first to be confirmed during a Presidential election. In fact, a total of 13 Supreme Court Justices have been confirmed in the month of September, including Chief Justice Roberts, William Rehnquist, Antonin Scalia, and Sandra Day O'Connor.

This inaction of ours is putting the Supreme Court at a disadvantage. The

disadvantage is not to the Supreme Court; it is actually ours as the American people. Across the country, though, we know that Federal judges at other levels of the judiciary are facing a real crisis. They are overworked and are understaffed because of a judicial vacancy crisis.

We now face 90 judicial vacancies in our courts across the country, and 34 of them have actually been declared judicial emergencies. This is not a subjective declaration; this is an objective declaration. Right now, in the United States of America, there are 34 judicial emergencies.

In contrast to previous administrations, by the end of September, 2008, in the last year of the Bush administration, Democrats had reduced those vacancies—not where we are right now with 90 judicial vacancies—all the way down to 34.

In addition to Judge Garland's Supreme Court nomination, 30 nominations are currently pending on the Senate Executive Calendar, all except two of whom were voted out of committee by unanimous vote in a bipartisan manner. This includes 20 district court nominees that were put forth in bipartisan spirit.

There are nominees pending on the Executive Calendar from States including Tennessee, New Jersey, New York, California, Rhode Island, Pennsylvania, Hawaii, Utah, Massachusetts, Maryland, Oklahoma, Wisconsin, Louisiana, Indiana, North Dakota, South Carolina, and Idaho. These are red States and blue States and purple States. These are our States here in our country.

I believe it is time to act on people who are well-qualified. I believe it is time for us to act on people who have bipartisan support—names that have come with recommendations by Republicans and Democrats, two of whom were approved by voice vote and all of whom, except for two, were approved by voice vote.

Two weeks ago, I joined with several of my colleagues all of whom came to the Senate floor to ask for consent for the Senate to begin voting on nominees pending on the Senate Executive Calendar. Senators have the right to vote yes or no on those nominees, but we believe they should be at least brought to the Senate floor for a vote.

In rejecting our requests, Senate Republicans made the counteroffer for the Senate to vote on a package of nominees. At that time they were skipping over the next two in line. I know there has been more discussion about that, but the reality is, I cannot support skipping one of the longest standing judicial nominees, Judge Julien Neals in New Jersey, where there is now a judicial emergency, where the people who are suffering—I don't know what their political backgrounds are, but these are business people, these are citizens who are now facing unbelievably long waits as a result of these judicial emergencies.

Nominations are from red and blue States. This is a time when we should act in a way that belies the partisan rancor that is so often associated with this body. By voting on these nominees, the Senate would follow the regular order, something many of us are calling for, regardless of who is in power on the Senate floor. We should be moving on the longest pending nominees on the floor.

Mr. President, I rise today to make a request, to humbly ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359, 362, 363, 364, 459, 460, and 461; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, the Senator from New Jersey and I had a similar exchange a couple of weeks ago. As I pointed out then, the Senate has treated President Obama fairly with respect to his judicial nominations.

As of now, the Senate has already confirmed 329 of President Obama's judicial nominees. That is more judicial nominees confirmed than President Bush had during all of his 8 years. I will be objecting shortly, but we have been entering into agreements to process additional nominees on a bipartisan basis. Our Democratic colleagues objected to the last proposal I made a couple of weeks ago, but I am prepared to offer another one. My proposal includes many of the nominees who were included in the proposal from the junior Senator from New Jersey. It would include a judicial nominee from Tennessee, two nominations from Pennsylvania, and a Utah nomination.

I ask unanimous consent that the Senate proceed to executive session to consider individually the following nominations at a time to be determined by the majority leader in consultation with the Democratic leader: Calendar Nos. 359, 460, 461, and 569; that there be 30 minutes for debate only on each nomination equally divided in the usual form; that upon the use or yielding back of time on the respective nomination, the Senate proceed to vote without intervening action or debate on the nomination, with no other business in order.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. BOOKER. Mr. President, reserving the right to object, I have not been in the Senate that long, but when I came to the Senate, there were just



months left when the Democrats were in the majority. I am sure, as the pendulum swings back and forth, I will be in the majority again and I may have a chance to show true to what I am about to say, but I cannot imagine that I would support what I see going on right now if the Democrats were in the majority.

When I read the Constitution, it makes no claim to political parties or tit for tat or that we should have one President who gets a certain number of nominations versus another President getting another number of nominations. Should we add up the number of Republican Presidents over the last century and Democratic Presidents over the last century and somehow compare the number of judges? That was not the intention of the Constitution.

There is a branch of government independent of ours that we are strangling right now through our inaction. Any objective understanding of the functioning of the American Government should clearly demonstrate that one branch should not strangle the operations of another, undermining what is clearly in the best interests of the people. This is not a partisan tit for tat—Bush had this many, Obama had this many; this is about the fact that we have a proliferation of judicial emergencies and that our very economy is being undermined because businesses can't get a fair hearing before the judicial branch. It actually is written clearly, the idea of having a justice system that works in a timely fashion. This seems to be an affront to what the purpose of this body is as spelled out in the Constitution.

I can't go with a partisan tit for tat—that is just not in my blood—on an issue that has been so fundamentally spelled out in the Constitution. We are measuring how many Bush had versus how many Obama had. Clearly, there are so many more vacancies that happened to come through the course under the Obama administration—90 vacancies versus what we had in the Bush administration, which was significantly less.

It would be one thing if these nominations were clearly partisan, but these nominations are coming from red States and blue States. They are coming from Republican Senators—recommendations to the President, mind you—and Democratic Senators.

If we are going to indulge in a partisan analysis of this, the unanimous consent request offered by the Republican leader is for States that are red and purple States.

I represent New Jersey. I have the longest—or second longest—pending judge on the floor, a qualified judge with an incredible history of service and sacrifice to country and community. This is a judge who happens to be African American in a State that urgently needs diversity on the bench as well.

I heard a lot of talk when I first got here—and again, I am new—about how

important regular order is. Why are we skipping judges and not going through the regular order?

I have tremendous respect for the majority leader and the pressures he faces on a daily basis, but this I cannot understand. When I read the Constitution, I cannot understand why this body is strangling the functioning of the other body and why my State is dealing with this judicial emergency, unnecessarily so. When I came here, I was instructed on what to do, and I have been following regular order to fill this seat in New Jersey, so I respectfully object to the majority leader's request for unanimous consent.

The PRESIDING OFFICER. Objection has been heard to the modification.

Is there objection to the original request?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. BOOKER. Mr. President, as I said earlier, Julien Neals is someone whom I was proud to recommend to President Obama. Julien Neals is right there with the next jurist, Edward Stanton from Tennessee. They are well-qualified jurists who are the only two African Americans on the long list of the next 15. Both of these men have demonstrated skill, earned distinction, and they have incredible legal careers.

Right now, the second longest nomination pending on the floor is Judge Neals, who was first nominated over a year ago—in fact, 19 months ago. He has been nominated to fill what is now a judicial emergency, as I stated, which means more specifically that the caseload is extraordinarily high, that other good public servants in our State are doing their best to keep up but cannot, and the course of justice is being perverted.

The people of New Jersey deserve better from us as a body, and this seat should be filled. It is an act of simple justice. It is an act of mercy at this point.

A hearing was held on his nomination in September of 2015, and his nomination was passed out of committee in November of 2015. Since that time, Judge Neals' nomination has been sidelined by this body.

Judge Neals has incredibly strong qualifications, and more than that, this is a man I know. I know his family. I have seen up close and personal the sacrifices he has made. It is no surprise that the American Bar Association Standing Committee on the Federal Judiciary has unanimously rated Judge Neals as "well qualified" to the district court. He received the highest possible ranking.

Judge Neals has extensive legal experience, a distinguished judicial career, an unwavering commitment to justice, as well as private sector experience. As an attorney, Judge Neals worked in public service, which is where I knew him, but before that in a distinguished

private practice. He has most recently been a county councilman in Bergen County. I know a county executive there who raves about him but understands the higher calling and aspirations he has to be a federal district court judge.

Judge Neals has an impressive breadth of judicial experience. He graduated from Morehouse College and Emory University School of Law. He started his career as a law clerk on the New Jersey Superior Court. Later, he served as the chief judge of the Newark Municipal Court. That is how I got to know him.

Judge Neals also has an unwavering commitment to justice and a balanced view. He is a moderate man. At a time when our Nation is working to address so many complicated issues, I believe we need this man on the bench. I believe he would make all of us proud—not Republicans or Democrats but Americans. Judge Neals understands issues. He understands scholarship. He has demonstrated his worth, his aptitude, and his thoughtfulness. This is the kind of guy I think all of us would want on the bench. There is no credible reason why we are not moving forward besides partisanship. I just can't see it.

So I rise again to ask unanimous consent that the Senate proceed to executive session to consider the following nominations.

Regular order would mean that we would go to these two judges who happen to be qualified African Americans, and regular order would bring us to these longstanding men who have been sitting on the sidelines now for well over a year.

I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 359 and 362; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BOOKER. Mr. President, I am grateful for the time. I am hoping that in the intervening hours and days we are here in Washington, DC, we can give some attention to this profound obligation we have of keeping the functioning of the three branches of government and perhaps solve this impasse.

Thank you. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NATIONAL DAY OF REMEMBRANCE FOR MURDER VICTIMS

Mr. CASEY. Mr. President, I rise to commemorate the National Day of Remembrance for Murder Victims which occurs in just a few days on September 25.

In 2007, the Congress passed the resolution designating the National Day of Remembrance and affirming two central truths. First, the murder of a loved one is an exceptionally difficult and devastating experience for that family, and, second, that support services are very important in helping victims' friends and families as they cope with the grief and loss.

Today in Washington we have family members who can attest to the devastation of losing a loved one. They are mothers, grandmothers, sisters, and other parts of the family, each of whom have lost a loved one to violence.

They have come together to form, in this case, a Philadelphia-based violence prevention group called Mothers In Charge. I cannot imagine the pain they suffer, but the sad truth is, their ranks grow every day in our country, where about 16,000 people are murdered each year, including over 600 just in Pennsylvania, according to the Centers for Disease Control and Prevention. Around two-thirds of these murders are committed with firearms.

These families know all the statistics, but the loved ones they lost aren't statistics, they are people and members of their family, and we need to remember that.

I came to the floor last week to talk about a particularly violent day in 1 city, Philadelphia, PA, in which 10 people were shot in 1 day and 5 were killed. Over the weekend, 5 more were killed and 14 wounded—just this past weekend. Two of those wounded were police officers who were targeted during a shooting rampage in Philadelphia that left another five wounded at that location.

The families and friends of the victims, like those who are with us in Washington today, will never be the same because they lost someone unique and special, someone who was the subject of their love and attention, someone whose future they invested in, believed in, and dreamed about until it was stolen away.

The resolution I referred to earlier, designating the National Day of Remembrance for Murder Victims, which passed the Senate in 2007, reminds us of our obligation to recognize the loss these families live with every single day.

The great recording artist Bruce Springsteen, after September 11, wrote a number of songs that referred to that horrific day and how the country was dealing with it. One song he wrote was

called "You're Missing." I will not go through the lyrics, but the refrain was just that, "you're missing." At one point in the song he says:

You're missing when I turn out the lights  
You're missing when I close my eyes—

And then he says—  
You're missing when I see the sunrise.

That is the only way I can understand what these families have gone through. That person is missing from their lives every moment of every day, no matter where they are, whether they are falling asleep or waking up or leading their lives. So we have an obligation to remember those they lost and remember those who are in fact missing from the lives of those we think about today.

The second part of this resolution credits the support services that help grieving families. Facing pain and loss, families often need lots of help, whether that is counseling or crisis intervention or legal assistance or other services. This is also something the Philadelphia-based group Mothers In Charge know something about. These mothers took their pain and turned it into a force for good. They advocated for those affected by violence, and they provided counseling and grief support for those victims' families. They also work proactively to prevent violence by intervening with at-risk young people and working with elected officials and community leaders to create safer neighborhoods.

Today, as we commemorate the National Day of Remembrance for Murder Victims, we also express deep gratitude for the critically important work Mothers In Charge and their allied organizations are doing to prevent future tragedies.

As we commemorate the National Day of Remembrance, we must also talk about the types of weapons that took so many lives in the first place and that take more lives every day, firearms. About two-thirds of those 16,000 annual murders are committed using firearms. Tragically, the executive director of Mothers In Charge, Dorothy Johnson Speight, who joins us here today in Washington, knows something about this. Dorothy's son was shot and killed in a dispute over a parking space—a senseless murder of a good and innocent soul. There is no weapon as widely available and as dangerously lethal as a gun, of course, and if Dorothy's work has taught us anything, it is that when tragic murders occur, they are not occasions for grief alone but also a call to action.

That is why I will continue to advocate for commonsense gun reform—from expanding background checks to banning military-style weapons and large-capacity magazines, to the passing of legislation to close loopholes that allow suspected terrorists and violent hate criminals to acquire firearms. All of these measures will make us safer. As Dorothy has often said, gun violence is a public health crisis

with more than 33,000 people killed by the pull of a trigger each year in the United States of America. If we are to do our duty on behalf of our constituents, on behalf of hard-working members of Mothers In Charge and the countless others who have lost a loved one to gun violence as we approach the National Day of Remembrance, we must act to make our communities safer.

Thank you, Mr. President, and 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. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the motion to invoke cloture on the motion to proceed to H.R. 5325 ripen at 5:15 p.m. today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 39

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 11:15 a.m. on Wednesday, September 21, Senator PAUL or his designee be recognized to offer a motion to discharge S.J. Res. 39; that there be up to 3 hours of debate, equally divided between the proponents and the opponents, with Senator PAUL controlling 30 minutes of the proponents' time and Senator MURPHY controlling 15 minutes of the proponents' time; and that following the use or yielding back of that time, the Senate vote in relation to the motion to discharge.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Vermont.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 3359 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.