



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, TUESDAY, JUNE 19, 2018

No. 102

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 Lord God, today give our lawmakers zeal with knowledge that they will order their priorities for Your glory. Remind them to strive to bring deliverance to captives, the recovery of sight to the morally blind, and freedom to the downtrodden. As our Senators make plans, give them faith to know that Your purposes will prevail. As they cultivate reverence for You, bless them with life, security, and peace. May they remember that You are able to do immeasurably, abundantly above all that they can ask or imagine according to Your power working in and through them.

We pray in Your strong 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 (Mrs. HYDE-SMITH). The majority leader is recognized.

ENERGY AND WATER APPROPRIATIONS BILL

Mr. McCONNELL. Madam President, one of the top goals for the Senate this year was to recover a regular appropriations process. It has been a long time since the system worked as intended.

The spending agreement we passed in March achieved several critical objectives. It broke the arbitrary limits on funding for our Armed Forces. It delivered the largest year-on-year increase in resources for our troops in more than a decade. It provided record levels of veterans funding, with increased oversight and modernization. It secured major resources for infrastructure improvements. It took steps to prevent school violence. It scaled up research, treatment, and prevention funding to fight opioid addiction. It was a product of bipartisan, bicameral negotiations with the White House.

But while the spending agreement achieved a lot, it wasn't anybody's best case scenario. No Senator on either side of the aisle was thrilled with the process, nor was the President, nor were the American people.

We all agreed that we owe Americans a more functional process for allocating their hard-earned money. So here in the Senate, we made it a top bipartisan priority to bring some regular order back into the process.

Led by Chairman SHELBY, Ranking Member LEAHY, and all the subcommittee leadership, our Appropriations Committee has engaged in precisely the kind of thorough, considered committee work that ought to define the appropriations process. Thanks to their hard work, the full Senate can now take up this package, which includes appropriations for Energy and Water Development, Military Construction and Veterans Affairs, and the legislative branch. We will be considering it on the floor this week.

Keeping families and communities safe, defending our Nation, and upgrading our economic foundation, the Energy and Water components in this legislation address each of these national priorities. For example, they provide for critical improvements in the safety, security, and readiness of our Nation's nuclear arsenal. Today, as the Nation enters a period of renewed glob-

al competition among great powers, it is vital that we maintain a robust and well-maintained nuclear deterrent. This legislation puts forward the funds to continue safeguarding our stockpile and prepare the Nation for existing and future nuclear threats.

It also includes record funding for the Department of Energy's Office of Science for research into subjects like new energy technologies and advanced computing. There are also funds for fossil fuel research, particularly for coal carbon capture.

In addition to our energy future, the legislation bolsters infrastructure initiatives. It provides ample support for the future of America's water resources. It directs nearly \$7 billion to the Army Corps of Engineers for maintaining our ports and inland waterways, protecting our shores, and reducing the damage caused by flooding.

These funds will keep us on track to meet national priorities, but I can also testify to the impact this legislation will have on communities across the country, including in my home State of Kentucky. Earlier this year I asked Secretary Perry to take a visit with me to the Paducah Gaseous Diffusion Plant in western Kentucky. I was glad he took me up on the offer. At the plant, Secretary Perry noted that we "have a moral responsibility" to properly decommission the site. The legislation before us is an important step to fulfill that responsibility to the community and to the thousand-plus workers dedicated to environmental cleanup.

This legislation also provides funding for the Appalachian Regional Commission to help deliver infrastructure improvements to distressed counties in Kentucky and the region. It funds important civil works projects like the Olmsted Locks and Dam and the Kentucky Lock. These are critical to the free flow of commerce along Kentucky's 1,900-plus miles of inland waterways and the 13,000 maritime jobs they support.

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



Printed on recycled paper.

S4011

These are just a few examples from my State. The reality is that this legislation supplies needed support to communities all across our country.

Energy matters to all Americans. Water infrastructure matters to all Americans. I urge everyone to join me in supporting this bill.

TAX REFORM

Mr. McCONNELL. On another matter, Madam President, yesterday Gallup reported that the percentage of Americans who are satisfied with the way things are going in our country is as high as it has been since 2005. That is a nearly 13-year high. It is no wonder, with an ongoing economic expansion creating jobs across the Nation and our unemployment rate at its lowest level since the year 2000. Consumers are confident. Manufacturers are confident. Small businesses are optimistic.

As I have said many times, Washington doesn't deserve all the credit for this. The government does not create prosperity. American workers and job creators do. But public policy does set the stage. Bad policy can make job creation, wage growth, and capital investment much more difficult. Good policy can make these things easier. Take the historic tax reform that Republicans passed just last year.

In addition to immediate tax relief for middle-class families and small businesses, we also sought to improve our long-term foundation by making America a more attractive place to start a business, expand a business, and invest for the future. That is why tax reform allowed for full and immediate expensing of capital investments and made corporate rates more competitive. We are starting to see signs that businesses, large and small, are taking notice.

A few weeks ago, the Wall Street Journal reported that "U.S. companies are ramping up spending on their businesses at the fastest pace in years." One recent analysis projected that the S&P 500 businesses' spending on new factories, equipment, and other capital investments in the first quarter of 2018 would be nearly 25 percent more than they spent in the first quarter of just last year.

What about small business? Just a few weeks ago, a leading industry survey showed 62 percent of owners reporting recent capital outlays, on the heels of the most positive sales trends since 1995.

Major, business-changing equipment is being purchased. Ribbons are being cut on new facilities. The long-term foundations for a stronger economy are literally being poured. Republicans are proud that we helped make this happen. We are getting Washington out of the way so American prosperity can take flight.

ORDER FOR PRINTING—H.R. 5515

Mr. McCONNELL. Madam President, I ask unanimous consent that H.R. 5515, as amended, be printed as passed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The bill, H.R. 5515, as amended, as passed by the Senate is printed in today's RECORD under Morning Business.)

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ENERGY AND WATER, LEGISLATIVE BRANCH, AND MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2019

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 5895, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

Pending:

Shelby amendment No. 2910, in the nature of a substitute.

Alexander amendment No. 2911 (to amendment No. 2910), to make a technical correction.

The PRESIDING OFFICER. The Senator from Vermont.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

FORCED FAMILY SEPARATION

Mr. SCHUMER. Madam President, Members of both parties—and I believe the vast majority of Americans—remain concerned about the Trump administration's zero tolerance policy, which has resulted in thousands of families being separated at the border. Anyone who has seen the photos, heard the audio of small children, alone and afraid, crying out for their parents, cannot help but feel horror and disgust about what is going on. That is not America. That is not the America we know and love and the generations before us have known and loved.

Clearly, no one should be allowed into this country who doesn't meet the

legal requirements, but we have an adjudication process that in the past did not require the separation of parents from their children. The Trump administration has decided, of its own will and volition, to take a crueler, more callous, and indeed more expensive and time-consuming approach.

A bipartisan group of former U.S. attorneys wrote yesterday that "the Zero Tolerance policy is a radical departure from previous Justice Department policy, and that it is dangerous, expensive, and inconsistent with the values of the institution in which we served."

Yet President Trump acts as if his hands are tied, as if it is not up to him, as if somehow Congress and Democrats are to blame for a policy his administration instituted, defended, and many members of the administration continue to defend—most recently the Homeland Security Secretary.

The truth is that the Trump administration announced this new zero tolerance policy at the border in April. Even they hadn't done it before that, so they weren't required. The Trump administration decided to criminally prosecute every single illegal border case, instead of simply deporting them. That is what changed—Donald Trump, of his own volition, changing the policy into a much crueler one. He was supported by his whole administration—by much of his administration.

Chief of Staff Kelly called the policy "a tough deterrent." Secretary of Homeland Security Kirstjen Nielson has defended the policy, as have Attorney General Sessions, White House Advisor Stephen Miller, and several other members of the administration.

Last night on FOX News, Attorney General Sessions characterized the family separation policy as a deterrent. When President Trump tweets "CHANGE THE LAWS" and that his policy is the result of a law that "Democrats forced . . . upon our nation," he is ignoring reality; he is contradicting his own administration. As commentator after commentator—Democrat, Republican, liberal, conservative—has said: President Trump is simply not telling the truth, and in a cowardly way.

No law—no law—requires the separation of families at the border. That is just not true.

At the Republican convention, President Trump said about the problems of the Nation that "I alone can fix it." In the case of family separation, it is actually true.

Mr. President, you alone can fix it.

The President alone can fix this with a flick of a pen.

Mr. President, you should fix it. If you don't want to change this cruel policy, at least admit it is your decision. Blaming others falsely is cheap, easy, and dishonest—a cheap way out, unbecoming of any President.

President Trump, if you are truly ashamed of what is happening at the border, get your team together and undo this policy. If you don't want to