

they are using the term to describe a significant amplification from what we are seeing right now. They are ringing a five-alarm fire bell to say: This is the moment to wake up.

Wake up, America. You are a democratic republic. You are supposed to be able to respond to the challenges that come before us. And we have a massive challenge: devastating consequences of carbon pollution. You must stop burning carbon. Find a path to change how we operate in transportation, how we operate in generating electricity. Address this issue. Hold every hearing, summon every scientist, ring every bell, and get to work. That is what these two reports are saying to us.

So, colleagues, if you are sitting here asleep at the switch, you are not doing your job. If you are sitting here advocating for the fossil fuel industry, you are worse than not doing your job—you are helping to damage the land across this great Nation for all Americans. So wake up and get to work.

This isn't a Democratic issue or a Republican issue, a blue county or red county. In fact, the biggest impacts are felt in our red counties, where the foundation of the economy is farming, fishing, and forestry, and every one of those is being impacted by this effect. So we, as representatives in our democratic Republic, with our "We the People" Constitution—it is our job to operate for the people, not for the powerful, not for the privileged.

I will be introducing a resolution that recognizes and accepts the findings of these reports, acknowledges the expertise from 91 scientists in 41 countries and 300 scientists in 13 Federal agencies, the combined efforts of these two reports that say that we are in trouble and we must act, and we must act in partnership with the world.

We need to act here. We need to say to Trudeau of Canada: You want to be a climate leader. You claim you are a climate leader. Why are you tripling the size of the pipeline that serves the tar sands?

We need to say to the leadership of Australia: Your outback is on fire during your winter. Your coral reefs are dying. The Great Barrier Reef has died in the last 10 years. Why are you doubling down on coal?

We need to say to Japan: Don't base your energy future on liquefied natural gas, which is simply another fossil fuel strategy.

We need to say to Germany: Why do you want this gas pipeline from Russia as a foundation for your energy future?

Let's all be in this together because if any nation acts by itself, we can't change the course—the big course, the big picture—of the damage carbon pollution is doing. We have to work together. That means we now pivot and say: Let's recognize that renewable energy is now the cheapest energy. It is less expensive to generate a kilowatt hour of electricity from renewable energy, from solar wind, than it is from fossil fuels. Let's not just realize that

carbon is doing all this damage; let's also recognize that the strongest economy will be built on the cheapest energy, which is renewable energy. So we have every reason to act.

Let's remember that we were founded as a "we the people" vision, and let's honor that vision.

#### SENATE RESOLUTION 709—CONDEMNING RUSSIA'S PROVOCATIVE ACTIONS IN THE KERCH STRAIT AGAINST THE UKRAINIAN NAVY

Mr. JOHNSON (for himself, Mr. MURPHY, Mr. BARRASSO, Mrs. SHAHEEN, Mr. PORTMAN, Mr. RUBIO, Mr. MARKEY, Mr. COTTON, and Mr. MORAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

##### S. RES. 709

Whereas, on November 24, 2018, Ukraine commemorated the 85th anniversary of the Ukrainian Famine of 1932–1933, known as the Holodomor, in which millions of Ukrainians perished under Soviet policies designed to break Ukrainian resistance to Soviet communist rule and forced collectivization;

Whereas, on November 25, 2018, Russian Federation military forces fired on three Ukrainian Navy vessels attempting to transit the Kerch Strait between the Black Sea and the Sea of Azov;

Whereas the three Ukrainian ships were seized by Russian Federation forces, and Ukrainian government officials stated that at least six of the 24 captured Ukrainian sailors were wounded in the incident;

Whereas the Russian Federation's seizure of the Ukrainian vessels is a blatant violation of its commitments under international law and a 2003 Agreement between the Russian Federation and Ukraine on cooperation in the use of the sea of Azov and the strait of Kerch;

Whereas, on May 15, 2018, the Government of the Russian Federation completed construction of a road and rail bridge over the Kerch Strait, connecting Russia with Crimea in Ukraine, and has systematically harassed Ukrainian and international shipping transiting between the Black Sea and the Sea of Azov;

Whereas, in March 2014, Russian Federation forces invaded and occupied Ukraine's Crimean peninsula, in full contravention of the Russian Federation's commitments under the United Nations Charter and the Helsinki Final Act condemning the threat or use of force as means of altering international borders;

Whereas the Government of the Russian Federation has increased considerably its military presence in occupied Crimea since 2014, including increasing military personnel to an estimated 28,000–29,000, adding six new submarines and three frigates to the Black Seas Fleet, and deploying S-400 long-range air defense battalions;

Whereas the Government of the Russian Federation continues its efforts to destabilize eastern Ukraine, bears responsibility for the ongoing conflict that has cost the lives of over 10,000 Ukrainians, and recently orchestrated illegitimate leadership elections in the Luhansk and Donetsk regions;

Whereas section 1234 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1659) authorizes the Secretary of Defense, in coordination with the Secretary of State, to provide appropriate security assistance to the Ukrainian Armed Forces; and

Whereas, on July 25, 2018, Secretary of State Michael Pompeo issued the Crimea Declaration, cementing United States non-recognition of Russian sovereignty over Crimea and calling upon Russia to uphold its commitments under international law regarding the territorial integrity of other states: Now, therefore, be it

*Resolved*, That the Senate—

(1) strongly condemns the provocative actions of the Government of the Russian Federation in the Kerch Strait against the Ukrainian navy;

(2) calls upon the Government of Russia to immediately release all Ukrainian crew members and vessels and to cease its harassment of Ukrainian and international shipping transiting the Kerch Strait;

(3) stresses that the behavior of the Government of the Russian Federation is destabilizing for the entire region and invites further escalations;

(4) urges members of the international community to unite in opposition to the actions of the Government of the Russian Federation in the Kerch Strait, as they infringe upon fundamental principles of international law affecting all nations;

(5) welcomes and affirms Secretary of State Pompeo's Crimea Declaration announcing United States policy to never recognize Russia's attempted annexation of Crimea;

(6) reaffirms the unwavering support of the people and the Government of the United States for the people of Ukraine and Ukraine's territorial integrity; and

(7) calls upon the President and the entire Administration to implement an all-of-government approach to forcefully express opposition to the Russian Federation's November 25, 2018, attack on Ukrainian forces at every opportunity.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4063. Mr. MCCONNELL (for Mr. ISAKSON) proposed an amendment to the bill H.R. 3946, to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.

SA 4064. Mr. MCCONNELL (for Mr. ISAKSON) proposed an amendment to the bill H.R. 3946, *supra*.

SA 4065. Mr. MCCONNELL (for Ms. BALDWIN) proposed an amendment to the resolution S. Res. 424, honoring the 25th anniversary of the National Guard Youth Challenge Program.

SA 4066. Mr. MCCONNELL (for Mr. MENENDEZ) proposed an amendment to the bill H.R. 1918, to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 4063.** Mr. MCCONNELL (for Mr. ISAKSON) proposed an amendment to the bill H.R. 3946, to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC, STATESBORO, GEORGIA.**

The Department of Veterans Affairs community-based outpatient clinic in

Statesboro, Georgia, shall after the date of the enactment of this Act be known and designated as the “Ray Hendrix Department of Veterans Affairs Clinic” or the “Ray Hendrix VA Clinic”. Any reference to such clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Ray Hendrix Department of Veterans Affairs Clinic.

**SA 4064.** Mr. McCONNELL (for Mr. ISAKSON) proposed an amendment to the bill H.R. 3946, to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic; as follows:

Amend the title so as to read: “An Act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.”.

**SA 4065.** Mr. McCONNELL (for Ms. BALDWIN) proposed an amendment to the resolution S. Res. 424, honoring the 25th anniversary of the National Guard Youth Challenge Program; as follows:

In the seventh whereas clause of the preamble, strike “10,000” and insert “11,000”.

In the eighth whereas clause of the preamble, strike “40” and insert “39”.

In the ninth whereas clause of the preamble, strike “160,000” and insert “165,000”.

In the tenth whereas clause of the preamble, strike “110,000” and insert “116,000”.

**SA 4066.** Mr. McCONNELL (for Mr. MENENDEZ) proposed an amendment to the bill H.R. 1918, to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Nicaragua Human Rights and Anticorruption Act of 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Sense of Congress on advancing a negotiated solution to Nicaragua’s crisis.
- Sec. 3. Statement of policy.
- Sec. 4. Restrictions on international financial institutions relating to Nicaragua.
- Sec. 5. Imposition of targeted sanctions with respect to Nicaragua.
- Sec. 6. Annual certification and waiver.
- Sec. 7. Report on human rights violations and corruption in Nicaragua.
- Sec. 8. Civil society engagement strategy.
- Sec. 9. Reform of Western Hemisphere Drug Policy Commission.
- Sec. 10. Termination.
- Sec. 11. Definitions.

**SEC. 2. SENSE OF CONGRESS ON ADVANCING A NEGOTIATED SOLUTION TO NICARAGUA’S CRISIS.**

It is the sense of Congress that—

(1) credible negotiations between the Government of Nicaragua and representatives of Nicaragua’s civil society, student movement, private sector, and political opposition, mediated by the Catholic Church in Nicaragua, represent the best opportunity to reach a peaceful solution to the current political crisis that includes—

(A) a commitment to hold early elections that meet democratic standards and permit credible international electoral observation;

(B) the cessation of the violence perpetrated against civilians by the National Police of Nicaragua and by armed groups supported by the Government of Nicaragua; and

(C) independent investigations into the killings of protesters; and

(2) negotiations between the Government of Nicaragua and representatives of Nicaragua’s civil society, student movement, private sector, and political opposition, mediated by the Catholic Church in Nicaragua, have not resulted in an agreement as of the date of the enactment of this Act because the Government of Nicaragua has failed to credibly participate in the process.

**SEC. 3. STATEMENT OF POLICY.**

It is the policy of the United States to support—

(1) the rule of law and an independent judiciary and electoral council in Nicaragua;

(2) democratic governance in Nicaragua;

(3) free and fair elections overseen by credible domestic and international observers in Nicaragua; and

(4) anti-corruption and transparency efforts in Nicaragua.

**SEC. 4. RESTRICTIONS ON INTERNATIONAL FINANCIAL INSTITUTIONS RELATING TO NICARAGUA.**

(a) **RESTRICTIONS.**—The Secretary of the Treasury shall—

(1) instruct the United States Executive Director at each international financial institution of the World Bank Group to use the voice, vote, and influence of the United States to oppose the extension by the International Finance Corporation of any loan or financial or technical assistance to the Government of Nicaragua for a project in Nicaragua;

(2) instruct the United States Executive Director of the Inter-American Development Bank to use the voice, vote, and influence of the United States to oppose the extension by the Bank of any loan or financial or technical assistance to the Government of Nicaragua for a project in Nicaragua; and

(3) instruct the United States Executive Director of each other international financial institution, including the International Monetary Fund, to work with other key donor countries to develop a coherent policy approach to future engagements with and lending to the Government of Nicaragua, in a manner that will advance human rights, including the full restoration of the rights guaranteed to the people of Nicaragua through the commitments made by the Government of Nicaragua as a signatory of the International Covenant on Civil and Political Rights.

(b) **EXCEPTIONS FOR BASIC HUMAN NEEDS AND DEMOCRACY PROMOTION.**—The restrictions under paragraphs (1) and (2) of subsection (a) shall not apply with respect to any loan or financial or technical assistance provided to address basic human needs or to promote democracy in Nicaragua.

(c) **BRIEFING BY THE SECRETARY OF THE TREASURY.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall brief the appropriate congressional committees on the effectiveness of international financial institutions in enforcing applicable program safeguards in Nicaragua.

**SEC. 5. IMPOSITION OF TARGETED SANCTIONS WITH RESPECT TO NICARAGUA.**

(a) **IN GENERAL.**—The President shall impose the sanctions described in subsection (c) with respect to any foreign person, including any current or former official of the Government of Nicaragua or any person acting on

behalf of that Government, that the President determines—

(1) to be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have knowingly participated in, directly or indirectly, any activity described in subsection (b);

(2) to be a leader of—

(A) an entity that has, or whose members have, engaged in any activity described in subsection (b); or

(B) an entity whose property and interests in property are blocked under subsection (c)(1)(A) as a result of activities related to the tenure of the leader;

(3) to have knowingly materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of—

(A) an activity described in subsection (b); or

(B) a person whose property and interests in property are blocked under subsection (c)(1)(A); or

(4) to be owned or controlled by, or to have knowingly acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked under subsection (c)(1)(A).

(b) **ACTIVITIES DESCRIBED.**—An activity described in this subsection is any of the following in or in relation to Nicaragua on or after April 18, 2018:

(1) Significant acts of violence or conduct that constitutes a serious abuse or violation of human rights against persons associated with the protests in Nicaragua that began on April 18, 2018.

(2) Significant actions or policies that undermine democratic processes or institutions.

(3) Acts of significant corruption by or on behalf of the Government of Nicaragua or a current or former official of the Government of Nicaragua, including—

(A) the expropriation of private or public assets for personal gain or political purposes;

(B) corruption related to government contracts;

(C) bribery; or

(D) the facilitation or transfer of the proceeds of corruption.

(4) The arrest or prosecution of a person, including an individual or media outlet disseminating information to the public, primarily because of the legitimate exercise by such person of the freedom of speech, assembly, or the press.

(c) **SANCTIONS DESCRIBED.**—

(1) **IN GENERAL.**—The sanctions described in this subsection are the following:

(A) **ASSET BLOCKING.**—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) **EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.**—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of a measure imposed pursuant to paragraph (1)(A) or any regulation,

license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(4) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(d) IMPLEMENTATION; REGULATORY AUTHORITY.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

#### SEC. 6. ANNUAL CERTIFICATION AND WAIVER.

(a) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report certifying whether the Government of Nicaragua is taking effective steps—

(1) to strengthen the rule of law and democratic governance, including the independence of the judicial system and electoral council;

(2) to combat corruption, including by investigating and prosecuting cases of public corruption;

(3) to protect civil and political rights, including the rights of freedom of the press, speech, and association, for all people of Nicaragua, including political opposition parties, journalists, trade unionists, human rights defenders, indigenous peoples, and other civil society activists;

(4) to investigate and hold accountable officials of the Government of Nicaragua and other persons responsible for the killings of individuals associated with the protests in Nicaragua that began on April 18, 2018; and

(5) to hold free and fair elections overseen by credible domestic and international observers

(b) WAIVER.—

(1) TEMPORARY GENERAL WAIVER.—If the Secretary certifies to the appropriate congressional committees under subsection (a) that the Government of Nicaragua is taking effective steps as described in that subsection, the President may waive the application of the restrictions under section 4 and sanctions under section 5 for a period of not more than one year beginning on the date of the certification.

(2) NATIONAL INTEREST WAIVER.—The President may waive the application of the restrictions under section 4 and sanctions under section 5 if the President—

(A) determines that such a waiver is in the national interest of the United States; and

(B) submits to the appropriate congressional committees a notice of and justification for the waiver.

(3) SENSE OF CONGRESS.—It is the sense of Congress that the President should exercise the waiver authority provided under paragraph (1) if the Secretary of State certifies under subsection (a) that the Government of Nicaragua is taking effective steps as described in that subsection.

(c) CONSULTATION.—In preparing a certification required by subsection (a), the Secretary shall consult with the appropriate congressional committees.

(d) ANNUAL BRIEFING.—The Secretary shall annually brief the appropriate congressional committees on whether the Government of Nicaragua is taking effective steps as described in subsection (a).

#### SEC. 7. REPORT ON HUMAN RIGHTS VIOLATIONS AND CORRUPTION IN NICARAGUA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, acting through the Assistant Secretary of State for Intelligence and Research, and in coordination with the Secretary of the Treasury and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on—

(1) the involvement of senior officials of the Government of Nicaragua, including members of the Supreme Electoral Council, the National Assembly, and the judicial system, in human rights violations, acts of significant corruption, and money laundering; and

(2) persons that transfer, or facilitate the transfer of, goods or technologies for use in or with respect to Nicaragua, that are used by the Government of Nicaragua to commit serious human rights violations against the people of Nicaragua.

(b) FORM.—The report required by subsection (a) may be classified.

#### SEC. 8. CIVIL SOCIETY ENGAGEMENT STRATEGY.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on a strategy—

(1) for engaging relevant elements of civil society in Nicaragua, including independent media, human rights, and anti-corruption organizations, to strengthen rule of law and increase accountability for human rights abuses and corruption in Nicaragua; and

(2) setting forth measures to support the protection of human rights and anti-corruption advocates in Nicaragua.

#### SEC. 9. REFORM OF WESTERN HEMISPHERE DRUG POLICY COMMISSION.

Section 603(f)(1) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323; 130 Stat. 1938) is amended by striking “Not later than 60 days after the date of the enactment of this Act, the Commission shall hold an initial meeting to develop and implement” and inserting “At the initial meeting of the Commission, the Commission shall develop and implement”.

#### SEC. 10. TERMINATION.

The provisions of this Act (other than section 9) shall terminate on December 31, 2023.

#### SEC. 11. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(2) GOOD.—The term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(3) PERSON.—The term “person” means an individual or entity.

(4) UNITED STATES PERSON.—The term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity), or any person in the United States.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 9:30 a.m., to conduct a hearing.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 10 a.m., to conduct a hearing on the following nominations: Rita Baranwal, of Pennsylvania, to be an Assistant Secretary of Energy (Nuclear Energy), Bernard L. McNamee, of Virginia, to be a Member of the Federal Energy Regulatory Commission, and Raymond David Vela, of Texas, to be Director of the National Park Service, Department of the Interior.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 2:30 p.m., to conduct a closed hearing.

##### SUBCOMMITTEE ON SEAPOWERS

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 2:30 p.m., to conduct a hearing.

##### SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, INSURANCE, AND DATA SECURITY

The Subcommittee on Communication, Technology, Innovation, and The Internet of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, November 27, 2018, at 2:30 p.m., to conduct a hearing entitled “Oversight of the Federal Trade Commission.”

##### SUBCOMMITTEE ON MULTILATERAL, INTERNATIONAL DEVELOPMENT, MULTILATERAL INSTITUTIONS, AND INTERNATIONAL ECONOMIC, ENERGY, AND ENVIRONMENTAL POLICY

The Subcommittee on Multilateral, International Development, Multilateral Institutions, and International Economic, Energy, and Environmental