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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky.

### PRAYER

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

Let us pray.

Eternal Father, we rejoice in Your strength. In spite of gathering storm clouds, our confidence in Your love sustains us. Be merciful to our Nation, for You are our hope.

Lord, provide our lawmakers today with the music of Your wisdom, that they may bring hope out of despair and joy out of sadness. Increase their faith, hope, and love, that they may receive Your promises.

Teach us all to celebrate, even in the darkness, because You are the God who saves us.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,

Washington, DC, December 12, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAND PAUL, a Senator

from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. PAUL thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### BUSINESS BEFORE THE SENATE

Mr. McCONNELL. Mr. President, the end of the year is fast approaching. There are a number of important items left on the Senate's agenda and little time to address them. We will clear more of the President's well-qualified executive branch and judicial nominees from the calendar. We will consider updated legislation supported by the administration to address criminal justice. We need to pass an agreement to fill the remaining gaps in appropriations, including critical funding for securing our borders.

Fortunately, the Senate took a major step yesterday by passing the farm bill. We got that much closer to delivering a big shot in the arm to farmers in rural communities across our country.

Along with providing certainty to agricultural communities, I am especially proud that the legislation will open a new door for farmers in Kentucky and around the country to explore the full potential of industrial hemp. This is the culmination of a lot of work by a number of us here in Washington, but really the victory is for the growers, processors, manufacturers, and consumers who stand to benefit from this growing marketplace.

American hemp has a long and distinguished history. Some of this very body's notable figures, including Thomas Jefferson and Henry Clay, are

believed to have grown it. During World War II, the Federal Government even encouraged hemp production to support the war effort. Unfortunately, because of hemp's illicit cousin, marijuana, the Federal Government subsequently banned it altogether for generations.

In 2013, Kentucky agricultural leaders showed me hemp's incredible potential for the Blue Grass State. We decided it was time to let America's farmers show everyone what hemp could do.

First, I included experimental pilot programs for States like Kentucky in the 2014 farm bill, and the results have been undeniable. Hemp has quickly become a booming success. Its uses range from food and pharmaceuticals to home insulation and automobile parts. Enthusiastic farmers quickly applied to plant the crop in their fields, entrepreneurs opened businesses selling hemp-based products, and consumers got to enjoy a whole new set of goods featuring American-made hemp. In my home State alone, farmers grew in excess of 3,200 acres of hemp in 2017. This year, the number of acres more than doubled. Estimates show that, once legalized, sales from hemp will soon surpass \$1 billion.

Watching this remarkable success, we knew it was time to take the next step. I introduced legislation to finally and fully legalize hemp. Working with agricultural leaders and law enforcement in Kentucky and here in Washington, we built support.

As a member of the Agriculture Committee, I was proud that the legislation was included in the Senate's version of the farm bill. I was proud to serve personally on the conference committee to ensure that the language stayed in place. Yesterday, the Senate passed the conference report. The House will pass it as early as later today, and this provision and the rest of the farm bill will be on its way to President Trump's desk to become law.

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



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What exactly will this legislation do? The farm bill we passed yesterday both legalizes hemp as an agricultural commodity and removes it from the controlled substances list. It gives States the opportunity to be the primary overseers of hemp production. It also allows hemp researchers to apply for competitive Federal grants from the U.S. Department of Agriculture and made hemp eligible for crop insurance.

Together, these features will encourage new opportunities for struggling farmers and their families—new products for use in construction, healthcare, and manufacturing, and new jobs in a broad range of fields.

I have been honored to gain many partners throughout this process. Here in the Senate, thanks to the leading Democratic cosponsor of our original bill, Senator WYDEN, and to my Kentucky colleague, Senator PAUL. Congressman JAMIE COMER has championed hemp for years and sponsored our legislation in the House. In Kentucky, Commissioner Ryan Quarles has been a longtime ally of this crop's bright future in our Commonwealth.

I look forward to the House passing our farm bill soon and sending it to President Trump for his signature. I would be happy to loan him my hemp pen for the occasion.

#### PRIVACY REFORM

Mr. McCONNELL. Mr. President, on an entirely different matter, later today the Senate will vote on an attempt by some of our Democratic colleagues to undoe a pro-privacy reform that Secretary Mnuchin and the Treasury Department implemented just a few months ago.

As I discussed yesterday, there is neither any valid accounting reason nor a disclosure reason why the IRS needs access to the donor lists of the kinds of tax-exempt, nonprofit organizations in question. The Treasury Department has said that "the IRS simply does not need tax returns with donor names and addresses to do its job in this area."

In a climate that is increasingly hostile to certain kinds of political expression and open debate, the last thing Washington needs to do is to chill the exercise of free speech and add to the sense of intimidation. The Senate should take a stand for America's privacy and the First Amendment and reject this misguided resolution.

#### YEMEN

Mr. McCONNELL. Mr. President, later on, the Senate may consider a resolution by the junior Senators from Utah and Vermont that pertains to the situation in Yemen. In effect, these Members want to end the limited American assistance to the Saudi-led coalition that is supporting the U.N.-recognized government in the civil war in Yemen.

I will oppose the motion to proceed to the Sanders-Lee resolution and

would urge Members to join me in voting against it. Members on both sides have legitimate concerns about the war in Yemen, about the U.S. interests tangled up in this conflict, and especially about the horrible plight of Yemeni citizens who are caught in the crossfire. And where Saudi Arabia is concerned, I think every single Member of this body shares grave concerns about the murder of Khashoggi and wants accountability. We also want to preserve a 70-year partnership between the United States and Saudi Arabia, and we want to ensure that it continues to serve American interests and stabilizes a dangerous and critical region.

This is the backdrop for today's debate: challenging circumstances that require the Senate to act with prudence and precision. But the Sanders-Lee resolution is neither precise enough nor prudent enough.

For one thing, I do not believe the resolution should be privileged under the War Powers Act. The United States is not involved in combat. It is not dropping ordnance. It is no longer even providing air-to-air refueling. As I have stated previously, even if these activities continued, it is a far cry to equate them with "hostilities." Regardless, the practice has already stopped.

If the Senate wants to pick a constitutional fight with the executive branch over war powers, I would advise my colleagues to pick a better case.

Second, their resolution is an inappropriate vehicle. There are more careful ways the Senate could express its concern about the conflict in Yemen or our partnership with Saudi Arabia without taking such a blunt instrument to the policy in this area. Indeed, this resolution would threaten other support the United States is providing that is designed to improve coalition targeting and limit civilian casualties.

Finally, from the Senate's perspective, considering a War Powers Act resolution has the potential to present a lengthy, messy process when our calendar is already packed more than full with other important business to complete for the American people.

This resolution's shortcomings do not mean the Senate must do nothing. There is a better option at hand. Legislation introduced by Chairman CORKER does a good job capturing bipartisan concerns about both the war in Yemen and the behavior of our Saudi partners more broadly without triggering an extended debate over war powers while we hasten to finish all our other work. I have cosponsored his legislation. It is a superior road to the outcome that most Senators want. So I urge every Member to vote against considering the Sanders-Lee resolution later today and join me in supporting Chairman CORKER's responsible alternative.

#### TRIBUTE TO ORRIN HATCH

Mr. McCONNELL. Mr. President, on a completely different matter, it is my bittersweet job this morning to pay

tribute to a historic Senate career that will conclude at the end of this Congress.

Senator ORRIN HATCH has faithfully represented the people of Utah in this body for the last 42 years. That makes him the dean of our Republican conference and, of course, President pro tempore of the Senate. It also makes him the longest serving Republican Senator in our Nation's history. So ORRIN's longevity alone would have guaranteed him a place among the giants of the Senate. As he joked a couple of weeks ago, one of the most memorable experiences from his early Senate tenure was the confirmation process for Justice Joseph Story back in 1811. Apparently it was quite the scene, ORRIN tells us.

Seriously, though, the most impressive thing about ORRIN HATCH is not the historic length of his tenure here but how completely filled with accomplishments that time has been.

But let's back up for a moment. It wasn't always obvious that our friend would become a star U.S. Senator. At one point, it looked like another kind of stardom might be more probable. And I am not just talking about the successful law practice he set aside to run for office. We all know about ORRIN's musical talents and his contributions to the recording industry. I am told that just a few years before ORRIN's first campaign in 1976, the lawyer and family man was moonlighting as band manager for a groundbreaking Mormon folk group called The Free Agency. Well, it is fortunate for all of us that this free agent felt called to bring his talents here to Washington.

There is a famous story from that first campaign back in 1976. Think about this. ORRIN had no political experience—a stranger to running for office. But he had this sense that public service was his mission. Perhaps he was thinking of his beloved big brother Jesse, who gave his life in World War II when ORRIN was just 10.

He started asking around: Did his friends and family think he had a shot at a Senate seat? Few liked his chances in the primary and even fewer against the three-term incumbent. But the worst reaction of all came from his beloved wife Elaine.

The story goes that when ORRIN filed his papers to run, she cried for 3 straight days. I am not sure whether that was unhappiness at the prospect of an east coast life they hadn't planned for or a fairly accurate assessment of his chances at that point.

But ORRIN beat the odds. With the help of a big endorsement from a former California Governor named Ronald Reagan, this young, conservative upstart pulled off the upset.

Actually, there is a little secret surrounding this endorsement. Few people know this, but I am sorry to say that ORRIN was actually the Gipper's second choice. You see, our friend was so unknown back then that Reagan's first telegram offered a ringing endorsement

of someone called “Warren Hatch.” Happily, the error was quickly corrected. ORRIN earned Utah’s trust and found his way right here to this Chamber.

Some of his new Senate peers thought their new colleague should lay low and keep quiet about his principles. They had no idea what they were in for.

This Pittsburgh-born son of a metal lather was actually ready for action. Remember, ORRIN was once an amateur boxer. So he came to the Senate ready to brawl. In his very first term, he decided he had to take down this far-left labor reform law that would have hurt free enterprise and future prosperity. So he took on a couple of heavyweights—Robert Byrd, George Meany, and the whole machinery of Big Labor.

So this freshman became the public face and private backbone of the opposition. It was an epic showdown. ORRIN worked 18-hour days. He taught his whole staff how to draft amendments. He gave pep talks to his ragtag, bipartisan band of brothers—Dick Lugar, Howard Baker, and Fritz Hollings, from across the aisle—trying to keep everyone in the boat. And it worked. It withstood six cloture votes, breaking the record for a single bill, and they won. American prosperity was kept safe from a big power grab by union bosses.

It only seems fitting, decades later, that the other end of ORRIN’s Senate tenure would also be marked by a major, hard-won, right-of-center accomplishment to help advance prosperity for all Americans.

ORRIN has chaired three of the Senate’s most distinguished and critical committees—the HELP Committee, Judiciary, and, most recently, Finance. In this Congress, as Finance chairman, he led the charge to deliver once-in-a-generation tax relief to middle-class American families and tax reform to American job creators. This meant more late night and more painstaking negotiations. Chairman HATCH had to thread the needle, attending carefully to his colleagues’ needs and keeping their eyes on the prize. Once again, he got it done.

So what about the decades in between these two bookmarks? First and foremost may be Senator HATCH’s special devotion to the Federal judiciary—to its essential role in our constitutional order, to its need for the highest quality personnel. Well, over his Senate tenure, ORRIN has participated in the confirmation of more than half of all of the article III judges who have served in the United States of America in our Nation’s history. Let me say that again. ORRIN has met with, studied up on, questioned, or at least voted on more than half of all of the Federal judges in American history. That includes all nine Members of the current Supreme Court.

When he supported a particular nominee, such as Justices Thomas,

Gorsuch, and Kavanaugh, ORRIN has been a leading champion of their cause, even in the face of unfair slights and smears. Even in cases when he has felt compelled to vote against nominees, he has treated them and the process itself with the respect and dignity that it is due.

The pile of ORRIN’s legislative victories is almost as high as that tower of distinguished judges, and many of them are defined by one signature thread that connects much of his proudest work, his care for and commitment to serve the most vulnerable members of our society—the State Children’s Health Insurance Program, the Americans with Disabilities Act, Hatch-Waxman for generic drugs, some of the earliest work on AIDS research, and even his very recent work to designate 6-1-1 as the National Suicide Prevention Lifeline.

So ORRIN has led a bit of a double life here in the Senate, and I mean that in the best possible way. He has been every bit the principled fighter, as advertised. He has led the charge often and hasn’t flinched from the big battles, but at the very same time, there was ORRIN, constantly working quietly behind the scenes and across the aisle to tick off victories for vulnerable Americans who could have easily been left behind.

One perfect illustration of this was ORRIN’s friendship with the late Ted Kennedy. For many of the years they spent here in the Senate, it seemed like they managed to rank among each other’s closest friends, top collaborators, and most consistent sparring partners—all at the same time.

But that is ORRIN. He loves to give and take. He loves to discuss and debate. His colleagues and staff can rely on him equally to sit down and talk at length if they see an issue differently than he does. He does not dismiss or overrule. He wants to learn, persuade, and to be persuaded. It is no wonder that ORRIN’s peers are so fond of him and his team is so loyal to him.

I am speaking especially of Ruthie Montoya, ORRIN’s scheduler for more than three decades—a member of the Senate family in her own right. But you can’t help but respect ORRIN because his own respect for this institution and the dignity of every individual he meets is so evident.

Utahns know this better than anyone. They know they can run into their senior Senator on the sidewalk or out shopping, and he will stop and listen carefully to their thoughts and concerns and life stories—maybe over a Costco hot dog—and he will take it all to heart.

How could this be surprising? This distinguished Statesman grew up modestly. His mother had her hands full raising seven children, and his father supported the family with his work as a metal lather. The hours were long and the work was hard, but the life lessons were invaluable.

ORRIN worked his way through college and law school. When his scholar-

ship didn’t prove quite enough to support a young family, he worked as a janitor and attendant and still graduated with honors. That education has carried ORRIN far, but not as far as something else he gained in college.

It was in one BYU classroom that providence did ORRIN a great favor, with an assist from alphabetical order. Because “Hatch, Orrin” came after “Hansen, Elaine,” he found himself seated next to this pretty young lady and struck up a conversation. That seating chart kicked off a blessed marriage of 60-plus years and counting.

Not every young husband would have left a successful law practice on the east coast and started over in Utah to be closer to his wife’s family. Not every wife and mother would tolerate—let alone encourage and support—half a lifetime of public service 2,000 miles from where they planned to call home.

That loving partnership has brought six children, 23 grandchildren, and 24 great-grandchildren. ORRIN has been known to refer to his brood as “the Hatchlings.”

So it is our hope that the Senate’s great loss upon ORRIN’s retirement will at least be this great family’s loving gain.

We are sad to bid farewell to our artist-in-residence and his platinum records, to this former all-star missionary and LDS bishop who still practices what he preached, to this living example of the American dream at its most extraordinary—the Pittsburgh fighter who climbed up from working poverty and became “The Gentleman of the Senate,” where he dedicated his work to strengthening that ladder for the generations that would follow.

ORRIN has been so generous to his colleagues, to this institution, and to the State and the Nation he has served. He has given us so much. He retires with great congratulations on a most distinguished career and our very warmest wishes for a peaceful and happy retirement.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. SCHUMER. First, Mr. President, let me add my words of fond farewell to the senior Senator of Utah. Back in the good old days, we worked on a whole lot of things together, when the place was a little less partisan—immigration, patents, and so many other things. He was a fine legislator and a fine craftsman. I wish him and his entire large, beautiful family the best.

I also note that Leader MCCONNELL talked about the good bipartisan work we have created in the farm bill, something good for his State and something he has cared about for a long time. I hope the leader—and I will talk more about this later—will use the same bipartisan spirit and help us to deal with the appropriations bills that are still awaiting our agreement.

## GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, let me talk a little bit about yesterday afternoon. Yesterday, Leader PELOSI and I met with President Trump about funding the government past next week. We gave the President two options to keep the government open. The first option: Pass the six bipartisan appropriations bills and a 1-year CR for the Department of Homeland Security only. And, if they don't like that one, a 1-year CR for the rest of government.

We told the President that both of these options would pass both Chambers. It was his choice to either accept one of those two options or shut the government down. Yesterday, unfortunately, it was clear that the President is clinging to his position of billions of dollars for an unnecessary, ineffective, border wall. President Trump will soon realize that his position will not result in a wall but will result in a Trump shutdown, and he seems to relish the idea, amazingly enough.

The President has called for a shutdown at least 20 times since he came to office. You can add at least five or six more times to that number from our meeting. Here is a direct quote from President Trump yesterday: "If we don't get what we want, one way or the other . . . I [President Trump] will shut down the government. . . ."

President Trump said:

I am proud to shut down the government. . . . [so] I will take the mantle. I will be the one to shut it down. I'm not going to blame you [meaning Democrats] for it. . . . I will take the mantle of shutting it down.

It was astounding that any President, even this one, would say that. No President should ever say that he or she would be proud to shut the government down. No President should so glibly use the American Government and the millions of workers who work so hard as a bargaining chip, but that is where President Trump is headed.

President Trump made clear that he will hold parts of the government hostage for a petty campaign pledge to fire up his base. That is all it is. He never researched the wall. He talked about it on the campaign and he said: Oh, Mexico will pay for it. If President Trump holds to this position—that unless he gets his wall, he will shut down the government—who will suffer needlessly? The American people.

Of course, Leader PELOSI and I had to spend much of the meeting trying to untie the knots in logic the President was tying himself in. President Trump started by bragging about how great border security is going under his watch. That, by the way, is with no wall. If it were truly the case as the President said, that border security is better than it has ever been, what is wrong with another year of the same funding? If things are going so great, why does he have to threaten to shut down the government for his \$5 billion wall? It makes no sense. None of it is based on fact.

Mr. President, there is no wall.

Mr. President, Mexico has not agreed to pay for it. None of that is true, and it is difficult—if nearly impossible—to negotiate with a President in front of the press who peddles such blatant and dangerous falsehoods.

Because Leader PELOSI and I simply didn't go along with him, President Trump threw a temper tantrum and promised to shut down the government unless he got what he wanted. Evidently, the Trump temper tantrum continued even after the meeting, with news reports saying he threw papers around the White House in frustration.

Why did he continue? Because someone finally spoke truth to power. Someone finally contradicted him when he throws around blatant falsehoods on such a regular basis. The President is so used to obsequious advisers who fail to dispel his false and made-up facts that he lives in a cocoon of his own mistruth. Leader PELOSI and I had to tell him, no, Mr. President, that is not true. We had to puncture that cocoon, and he threw a temper tantrum because of it.

It is unfortunate that we have arrived at this point. The President's advisers should have been telling the President the truth all along. Unfortunately, too many of my Republican colleagues in the Senate and in the House seem too afraid to tell the President when he is wrong, even though they know he is wrong. They find it easier to throw up their hands and wait for someone else to solve the problem or capitulate and agree with the President.

At the moment, Senator MCCONNELL, the majority leader of this body and my friend, is staying as far away as he can from the year-end spending fight. We didn't hear a peep about it today. Leader MCCONNELL says he doesn't want a shutdown, but he refuses to engage with the President to tell him what is transparently obvious to everyone else: There will be no additional money for the wall. We need to pass a continuing resolution for DHS or for all the remaining Agencies to keep the government open.

Leader MCCONNELL has an obligation as majority leader, and that is to help persuade President Trump to take one of the two options we offered. The idea that Senator MCCONNELL has nothing to do with appropriations as majority leader of the Senate, who still is on that committee, does not withstand the slightest scrutiny.

If, unfortunately, the President refuses to compromise, Leader MCCONNELL will not be able to avoid this issue. In the unfortunate event that President Trump causes a shutdown, the Democratic House will come into power January 3 and pass one of our two options to fund the government, and then it will fall right back in Leader MCCONNELL's lap.

My view is—for whatever it is worth to him—it is better to solve this now because the leader is going to be stuck with it 2 weeks from now, after an un-

fortunate government shutdown caused by his President, if he doesn't act now.

If I were a Republican, I would get involved right now and help pull the President back from the brink. Democrats have given him two reasonable options. We made it crystal clear that Democrats are for keeping the government open. We have no demands beyond that, only the President does.

If President Trump wants to continue his temper tantrum ahead of the holidays and cause a shutdown, it is now so clear it is solely on his back. We hope the President chooses one of the reasonable options we gave him yesterday, and we hope the country can avoid a Trump shutdown.

I yield the floor.

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. COTTON). Under the previous order, leadership time is reserved.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE DEPARTMENT OF THE TREASURY TO RETURNS BY EXEMPT ORGANIZATIONS AND RETURNS BY CERTAIN NON-EXEMPT ORGANIZATIONS

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 64, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 64) providing for congressional disapproval under chapter 8 title 5, United States Code, of the rule submitted by the Department of the Treasury relating to "Returns by Exempt Organizations and Returns by Certain Non-Exempt Organizations."

The PRESIDING OFFICER. The assistant Democratic leader.

## CONGRESSIONAL REVIEW ACT

Mr. DURBIN. Mr. President, today, the Senate is voting on a resolution of disapproval that would rescind a dangerous decision made by the Treasury Department and restore a vital tool in the fight against illegal spending in U.S. elections.

In July, the Treasury decided to reverse decades of precedent and eliminate a requirement that certain tax-exempt organizations must report the identities of their major donors to the Internal Revenue Service as part of their annual returns.

Why is this important? Because the 501(c)(4) "social welfare organizations" and 501(c)(6) business leagues that now are no longer required to disclose their donors to the IRS are the very same groups that have poured nearly one billion dollars of dark money into U.S. elections since 2010.

Dark money makes it nearly impossible for the public to find the true sources behind the shady attack ads and political campaigns that these organizations fund. But by at least requiring these groups to disclose their major donors to the IRS, the rule ensured that the government could monitor the groups' compliance with campaign finance laws, such as the ban on foreign contributions. Now that this enforcement tool has been lost, it will be much easier for foreign powers to illegally funnel money into our elections through dark money organizations.

At a time when we know the U.S. remains under threat of foreign interference in our elections, why would we make it harder for the IRS, law enforcement, and our nation's intelligence organizations to monitor the movement of money in our political system? The answer is clear—we shouldn't. The Senate must act to rescind Treasury's misguided decision and restore an essential tool in the fight against illegal money in politics and ward off the threat of foreign funds influencing U.S. elections.

I am proud to join Senators TESTER and WYDEN in support of this resolution and urge my colleagues to cast their vote in support of today's CRA.

TRIBUTE TO BILL NELSON

Mr. President, I would like to enter into the RECORD a tribute to my colleague and friend BILL NELSON of Florida.

BILL is leaving the Senate after an amazing career. We served together on the House for 8 years, 17 years in the Senate—a quarter of a century working together. He is an extraordinary man who has represented the State of Florida so well, served as one of the few congressional astronauts in 1986 when he was on the Space Shuttle *Columbia*.

He is a courageous, hard-working man. With his wife Grace by his side, they have done so many good things. They went to Haiti together, and I respect his commitment to public service and his commitment to the people of Florida.

Senator NELSON and I go back a long ways. We served together in the House for 8 years—and 17 years in this Senate. A quarter-century together in the arena. I remember then-Congressman BILL NELSON made the gutsy decision to fly in space aboard NASA's Space Shuttle *Columbia* in January 1986.

To give you an idea of how much courage that took, consider this: That was the last shuttle mission before the Space Shuttle *Challenger* disaster.

A number of people who have flown in space talk about something they call "the overview effect"—a shift in perspective that occurs when you see the Earth hanging like a tiny, fragile ball in the black void of space. From the heavens, there are no boundaries, and you see that all of us on this planet are part of the same whole.

I think that seeing the Earth from that perspective would make anyone a better Senator. It may explain why

BILL NELSON has always been so willing to reach out to other Senators—including our friends on the other side of the aisle—to solve problems for the people of Florida and for our Nation. He knows that our common humanity is bigger than our differences of opinion.

Senator NELSON displayed a different kind of courage in the Senate. He voted for the economic stimulus package that helped pull America and the world back from the brink of a Second Great Depression. He voted to create the Affordable Care Act—a vote that was politically risky, but has saved lives.

NASA and America's manned space program has had no greater champion—save possibly John Glenn himself.

BILL NELSON has been a champion for: Working families; economic fairness; and good schools and affordable college education.

He has fought for: Clean oceans; safe and sustainable energy; reasonable, responsible action to prevent climate chaos; and for scientific integrity.

He has given most of his adult life to public service. He is a reasonable man in an unreasonable time. I will miss his courage in our caucus and in this Senate. I wish my old friend all the best as he begins the next chapters in his remarkable life. He will be missed.

BORDER SECURITY

Mr. President, let me also say at this moment that we are debating the question of border security.

Yesterday, the Commissioner of Customs and Border Protection appeared before the Senate Judiciary Committee. Mr. McAleenan, who has been the Commissioner, is a professional. I respect the fact that he has a world of experience.

When he came to my office last year, I said to him: If I gave you a blank check for border security to make us safer in the United States, what would you buy?

He said: More technology, more people.

You will note that he didn't say a wall because he knows, as we do, that a wall is a 19th century answer to a 21st century challenge. We can make America safer, and should, with a secure border, using technology and personnel—well trained. This notion that we need to build a \$5 billion wall came up yesterday during the course of the hearing.

I noted the fact that for the first time in my life, it was being reported publicly that the life expectancy of Americans has gone down. You wonder why, in this great, progressive, prosperous Nation, it is the case. It is because of the drug epidemic—an epidemic which has been fueled by opioids and heroin and fentanyl. Some 40,000 or more Americans lose their life annually to this epidemic—more than we lose in traffic accidents, for example.

When you look at the source of the narcotics, you find the most deadly chemical, fentanyl, is coming into the United States over our borders, where

it is then mixed with other chemicals and sold to those on the street, ultimately leading to their death.

My question to Customs and Border Protection was: What more can we do to stop the flow of fentanyl into the United States from China, through Mexico, and other places? What I heard from Mr. McAleenan was not encouraging because it says to me he knows what can be done, and yet he doesn't have the resources to address it.

Let me be specific. He told me last year there is something called a Z Portal. This is a scanning device which can literally scan railroad cars, trucks, and cars coming into the United States to see if they detect anything suspicious—whether it is narcotics or contraband or guns or individuals hidden away.

Currently, almost 100 percent of the railroad cars go through the scanning before they come into the United States, but fewer than one out of five other vehicles are scanned. I asked Mr. McAleenan, if we are going to put more money into border security, wouldn't we put money into these Z Portals; wouldn't you ask for more money to fund this technology? He said he would, and he wanted to.

I asked him how much it would cost to really make sure we have border protection to stop these deadly narcotics from coming into the United States. His answer was \$300 million. Put that next to the President's outrageous demands for \$5 billion for a wall that all of us agree—at least most agree—is an ineffective and wasteful expenditure of taxpayers' money.

The President may think he made some campaign pledge that he has to keep come hell or high water, but that pledge also included a promise that Mexico was going to pay for this wall. Now the President wants us to pay for this wall. That is \$5 billion for his campaign promise instead of \$300 million to keep America safe from more narcotics flowing across our borders. That, to me, is a ridiculous option that the President is demanding.

If we want a safe border, if we want to stop this drug epidemic which is killing so many people, let us put the technology in place which will keep us safer. That technology is not a wall from sea to shining sea that the President demands.

SAUDI WAR POWERS BILL

Mr. President, regardless of who is serving in the White House—a Democrat or Republican—I have long felt the Constitution is very clear. The American people—through Congress, and through Congress alone—have the constitutional responsibility to declare war.

Whether I was holding President Bush in the Iraq war or President Obama in our interventions in Syria or Libya to this standard, it really came down to the same basic principle. The Constitution is clear. Article I section 8 states: "The Congress shall have the power . . . to declare War."

What we are doing later today is a debate over the future of the U.S. involvement in the war in Yemen. It is long overdue and deeply important.

It occurs as we are entering the 18th year of the war in Afghanistan. That is an incredible fact. I was on the Senate floor and voted some 18 years ago, after the 9/11 occurrence, to go after those responsible for killing 3,000 innocent Americans and who were believed to be in Afghanistan at the time. I voted with a clear conscience, understanding no one can strike the United States and kill innocent people without being held accountable.

I had no idea when I cast that vote that beyond Osama Bin Laden, we would continue using that authorization against terrorism 18 years later to prolong the longest war in the history of the United States—the war in Afghanistan.

I don't believe anyone who voted, as I did, in 2001, for that authorization of force could have imagined that 18 years later we would still be engaged in a war in Afghanistan or that the authorization would be stretched beyond credibility to approve the U.S. military action in multiple countries around the world, which brings us to the war in question today.

The disastrous and bloody Saudi-led war in Yemen is supported by the United States. Does anyone here remember voting to authorize U.S. military involvement in that war? Of course not. Did anyone who voted for the 2001 AUMF, authorization for the use of military force dealing with al-Qaida, believe we were including the Saudi-led quagmire in Yemen, a quagmire led by a reckless, young Saudi Crown Prince who I believe had direct knowledge of the brutal murder of journalist and U.S. resident Jamal Khashoggi?

Not only was this war never authorized by the elected representatives of the American people, it is a humanitarian disaster. An estimated 85,000 children have already died of malnutrition in this war, and in a country of 28 million, nearly half are facing famine because of a war that was initiated by the Saudis and supported by the United States.

Look at this heartbreaking photo. This is the photo of a 7-year-old, young Yemeni girl, named Amal Hussain. This photo was taken and featured in the New York Times in November. This young girl died shortly after this photo was taken.

"My heart is broken," her mother said.

I know this is a difficult photo to display in the U.S. Senate, but I believe it is necessary. It shows the consequences of this war and the failure of Congress to speak out clearly to this administration and take the actions necessary to stop our involvement in this war and humanitarian disaster in Yemen. The malnutrition and innocent suffering that you see in this photo cannot be ignored.

On Sunday, some may have read the New York Times columnist Nick Kristof's devastating piece "Your Tax Dollars Help Starve Children" about his recent and courageous trip to Yemen. Mr. Kristof writes about girls like Amal and notes how we typically think of war casualties as being men who have had their legs blown off. Yet, in Yemen, he writes, the most common war casualties are children who are dying of starvation and that in the conference room in Riyadh, Saudi Arabia, and here in Washington, officials, simply, don't fathom the human toll of their policies. Maybe some think that this war in Yemen is justified, that Iranian influence and the Houthis in Yemen are credible threats to U.S. security interests.

Ultimately, this is not about the merits of any such fight. It is not about soldier against soldier or combat against combat. It is about the innocent bystanders who are dying by the thousands. It is also not any way to vindicate the Houthis' troubling role in the horrible Yemeni civil war or their likely support from Iran. I don't try to do that, and I won't. It is about our constitutional duty and responsibility to debate and vote to participate in this war or in any war.

Our Founding Fathers were wise and knew that the decision to send someone's son or daughter into war must not be made by a King or a supreme executive, but in our case, it is by the United States, by the elected Representatives of the people. Just think of how many battles in human history—how many deaths, how much blood and destruction—have occurred to satisfy vanity or the narrow interests of a despot or an unelected ruler.

Our Constitution makes it clear that we are different. The American people are given the voice and the responsibility to decide if their sons or daughters will participate in the war, and they do it through the U.S. Congress, including this very organization, body, in which I serve. We have utterly failed as the U.S. Senate in this responsibility.

So we are long overdue to have this debate, which is coming up today or tomorrow, and a vote, which will ultimately reflect whether we should continue with the war in Yemen. I will be voting against that war. I believe we have to put an end to this humanitarian disaster, and the American people, especially those in Illinois, have sent me here to Congress to express that clearly.

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

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

#### CONGRESSIONAL REVIEW ACT

Mr. WYDEN. Mr. President, the Senate is now opening the crucial debate on our proposal to throw out the Trump pro-dark money campaign rule under the Congressional Review Act.

At the outset, I thank my colleague Senator TESTER for his leadership on the issue of bringing sunshine to American elections.

The fact is the State of Montana is the poster child of campaign finance reform—a textbook case of the sort of transparency and accountability that American elections need to all be about, and no Senator embodies that tradition more than Montana's own JON TESTER.

If you know anything about the history of the State and the Montana Copper Kings, you know why Montanans and JON TESTER always lead this fight. That is why I am so glad, as the ranking Democrat on the Finance Committee, to be able to partner with him on this critical issue. The Trump administration's dark money rule makes it easier for foreigners and special interests to corrupt and interfere in our elections. Senator TESTER and I have filed this Congressional Review Act proposal because we want to make it harder.

I believe deeply that when you are facing down secret money that is shifting between shadowy groups that want to buy our elections, sunlight is the best disinfectant. If you are concerned about foreign actors who are hostile to our country and who are illegally funding candidates who will do their bidding, sunlight is the best disinfectant. If you are worried about anonymous political insiders who have deep pockets that are tightening their grips on Washington, DC, sunlight is the best disinfectant. I hope, today, we will prove that sunlight should not be a partisan proposition.

Yet the rule change the Trump administration pushed through this summer is not about sunlight; it is all about darkness. It is about secrecy. It is about giving the well-connected even more of a say in how American Government works. You can see that pretty clearly just by going back to the day the rule was announced. That alone shows how out of whack these policies are, how wrongheaded they are.

On July 16, 2018, a Monday morning, the American people woke up to the news of the arrest of an accused Russian spy in Washington, named Maria Butina. She had come to our country years earlier and had set out to infiltrate conservative organizations, especially the NRA. She cultivated relationships with political insiders. She worked to organize back channel lines of communication for the benefit of the Russian Federation, and she set up a shell company in North Dakota with a very prominent NRA political operative. For months, her lawyer claimed she was nothing more than a typical college kid who was enjoying life in the Nation's Capital.

It has been a few years since I have been in college, but I don't know of many students at Portland State or Southern Oregon who cross State lines to set up shell companies and organize lines of communication with the Kremlin. Most college kids in Oregon are too busy being college kids to infiltrate conservative political circles on behalf of a hostile foreign power.

Hours after the vast majority of the American public heard Maria Butina's name for the first time, the Trump administration dropped its dark money bombshell. It announced a new policy that is going to let even more untraceable dark money from foreigners and special interests find its way into—infiltrate—our elections. For those like Maria Butina who want to secretly, furtively, invade and twist and corrupt our democracy, the Trump administration, just this summer, made it a lot easier.

Shadowy political spending groups used to be required under tax law to disclose the identities of their major donors. After this rule was adopted, they didn't have to disclose their donors at all. Federal investigators are going to be blind to bad actors who use dark money groups to do their bidding. Even if the Internal Revenue Service and State tax authorities suspect a particular spending group is guilty of wrongdoing, they will not know who provided the cash.

Since this is a tax policy change, it falls under the jurisdiction of the Finance Committee, where we do a lot of work on issues that deal with tax exemptions. Let's make one thing clear. There was no debate on this issue in the Finance Committee, and it received no debate on the Senate floor. The American people had no opportunity to comment on the rule change, which would be typical if you are talking about a major change in a regulation. So we are going to unpack that this morning.

I am going to start by just spending a minute or 2 on some of the arguments I have heard from some who might not be inclined to support it.

First, there has been an argument that disclosing these major donors is a violation of privacy. The Presiding Officer and I serve together on the Select Committee on Intelligence, and I think anybody who has followed that work knows that I am a real privacy hawk and don't take a backseat to anybody in terms of privacy rights. Yet allowing foreigners and megawealthy corporations to buy elections in secret is not a matter of privacy policy; it is a proposition that is anti-democratic. Furthermore, I will point out that the group that is making the case for the privacy argument online is, in fact, a dark money group.

Second, since the announcement, the Trump administration has tried to downplay the significance of the new rule. The Deputy Secretary of Treasury told the Finance Committee that cutting off disclosure was all about work-

ing to "further efficient tax administration." That sounds, to me, like dry Washington lingo for "enforcing the pro-sunshine law is a pain, so why would anybody bother?" Others, simply, claim it will have no real consequence.

I have two responses to that one.

First, if the dark money rule change is not any big deal, then why did the Trump administration work so hard to block Congress from challenging it? It kept the rule change off the official books for as long as it could because it was hoping to run out the clock on our oversight. This is real gamesmanship in order to make sure the American people don't find out about how there would be less sunlight with respect to big political donations.

Second, the argument that cutting off disclosure will not have harmful consequences is another one that has been trotted out in opposition to our reform.

If the existing rule requiring disclosure of major dark money donors to the IRS wasn't casting enough sunshine, that is not a reason to bring on total secrecy. That is not a reason for bringing on darkness. It is a reason to say you want to be on the side of more sunshine.

A number of our colleagues on the Finance Committee—Senator MCCASKILL and Senator WHITEHOUSE, who is a champion of disclosure—are all in favor of more sunshine. To me, this argument, as well, just doesn't stand up. We think that making as much public information public ought to be the policy of our land.

One thing that is clear to me from my conversations this election season is that voters do not want more secret spending for more anonymous wealthy donors and foreigners leading to more political ads.

It is not possible to escape all of these ads on television. Short of pitching a tent and camping out in the woods until the second week of November, you can't get away from it. People hear all of these charged-up political ads, but much of the time they have no way of determining who is behind them. You get to the end of the ad, and a voice says that it was paid for by an oddly named group that you have probably never heard of, something like "Americans United for Patriotic Priorities" or "Grandparents for This and That." Maybe the group is called "Families for Stuff." That is the kind of nonsense that is offered up in terms of disclosure that I, Senator TESTER, Senator WHITEHOUSE, and others who have been in this fight think is ridiculous.

By the way, there are real-life examples that actually demonstrate my point. Some will remember Don Blankenship, whose mining company broke safety laws and lost 29 employees in the worst mine explosion in decades. A couple of years ago, he wanted, more or less, to buy a seat on the West Virginia Supreme Court. So he set up a po-

litical spending group called "And For The Sake Of The Kids." Then he dropped a mountain of cash on the election, and his preferred candidate won. Let me repeat that in case anybody didn't get the essence of what he was up to. An energy baron, a leader in the fight for more dirty energy started a political spending group to protect his dirty energy interests, and he actually named it "And For The Sake Of The Kids."

The dark money rule change—what the Trump administration worked so hard to get, what they worked so hard to hide from oversight—feeds right into what I have shown is a system of malignant, secretive politics that our people have had a belly full of. It gets to the heart of a larger problem. Across the country, our right to vote, our elections, and our democracy are under assault.

Here are a few examples of what that means. Since the Citizens United decision, the amount of outside money spent by shadowy groups on our elections has gone into the stratosphere. Congressional districts are gerrymandered to such an extreme that millions of Democratic voters are, in effect, denied equal representation. In Wisconsin, Democrats got 54 percent of the vote, but only 37 percent of the seats in the legislature.

Republicans ignore the advice of Trump intelligence experts ringing the alarm bells over election security, and they ignore the cyber security experts who have clearly stated that paper ballots and risk limiting audits are the key—the best way—to defend attacks on our voting system.

Tens of millions of Americans cast their votes on insecure, hackable machines produced by companies that buy off election officials and evade oversight by the Congress. The Trump administration and his allies have invented a fake crisis of voter fraud out of thin air, and they have used it as a pretext to purge millions of voters from the rolls and discourage Americans from casting a ballot.

State officials have targeted communities of people of color, shutting down polling places where they live and restricting opportunities to vote early or as an absentee.

In the last few days, Americans have learned more and more about what happened in one district in North Carolina, where Republican Party operatives schemed to confiscate and destroy mail-in ballots, likely belonging to Democratic voters, if you read the press reports that are coming out daily.

In some States where Democrats have won elections—look at Wisconsin and North Carolina—outgoing Republican lawmakers have sabotaged the powers of incoming Governors, in defiance of the voters who elected them.

Trump's dark money policy—the idea that it is OK to have more dark, secret money in politics—reinforces the corruption that I have just described. It

concentrates power in the hands of special interests that can afford to cut a big check and buy the election results they want. It takes power away from individuals, away from moms and dads who vote to give their kids a brighter future, away from seniors who vote to protect Medicare and Social Security, and away from young people who are saying it is long past time to fight the devastation of climate change and the rising cost of education.

Having more disclosure and more sunshine in elections traditionally has been bipartisan, and I hope the resolution Senator TESTER and I are offering will also be bipartisan. All we have to do is have an outbreak of the legacy of the late John McCain.

A few years ago, I introduced a bipartisan disclosure bill with my friend and colleague Senator MURKOWSKI. Big bipartisan majorities passed campaign finance legislation in the 1970s. That is what Senator TESTER and I believe the Congress ought to get back to. Throwing out the Trump dark money rule seems to us to be a good first step.

This is an opportunity, today, to vote for sunshine in our elections, to say that sunshine is, again, the best disinfectant. There is none other like it for corruption in our elections. I am hopeful that, once again, this idea of transparency, disclosure, and accountability will be bipartisan in the Senate when we vote a little bit after noon today.

I will close by way of saying that I come from a State where citizens have insisted on open government. I have had more than 900 open-to-all townhall meetings, and the reason why people want them is because they see that as a path to accountability, and they don't want politics driven by just campaign donations and big money. They certainly don't want it to be dark money.

We are going to know a little bit more about Maria Butina here in the next day or so, but, again, when you have college students setting up shell companies thousands of miles away from going to college, that ought to be a wake-up call that the Trump dark money rule makes it more likely and that we will have more of those shell companies in the days ahead.

When we vote at 12:15, I urge my colleagues to support Senator TESTER's and my resolution, with the support of many colleagues, like Senator WHITEHOUSE, who has been a champion on these disclosure issues. I urge my colleagues on both sides of the aisle to remember that these issues have always been about bipartisanship and to join us in voting for our proposal that we will vote on shortly after noon.

I yield the floor to Senator WHITEHOUSE and thank him for all his work on these issues over the years.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am honored to join the senior Senator from Oregon in support of this important resolution.

As I think everybody on this floor has observed, there is a rot in our American democracy, and there is a shadow over the Halls of Congress. The rot is dark money, and the shadow is special interest influence empowered by that dark money.

A lot of this goes back to the extraordinarily misguided decision of the U.S. Supreme Court—or, I should say, five Republican appointees to the U.S. Supreme Court—in Citizens United, which took the astonishing position that the integrity of our elections should receive a value of zero in their calculus and their solicitude should be exclusively for the wealthiest forces that bring their power to bear on American democracy, because, after all, if what you are doing is unleashing the power of special interests to spend millions of dollars, by definition, you are only powering up the group that has millions of dollars to spend and a reason to spend it.

That is, perhaps, the segment of the American population entitled to the least solicitude in our great American debate. Yet it was the exclusive interest of the five Republican appointees on the Court. It was an evil balancing of priorities but, sadly, part of a long tradition—going back to the Bellotti decision—of Republican appointees to the Supreme Court expanding the role and influence of corporations and special interests.

In their foolishness, the five Republican judges who gave us the Citizens United decision claimed that the spending they unleashed was going to be transparent—not so.

Mr. President, I ask unanimous consent to append to my remarks at the end with an article pointing out that secret political spending in elections in the United States of America is on track to hit a \$1 billion milestone.

Not only is the secret spending a menace, but once you allow unlimited spending—particularly, if you allow unlimited secret spending—there is another dark problem, which is that if you are a big special interest that is able to spend unlimited money, and perhaps secret unlimited money against a candidate, what else have you been given the power to do? You have been given the power to go to that candidate and say: We are coming after you unless you do what I tell you.

It opens threats and promises that are always going to be secret. So even were there not these evil channels for dark money to pollute and influence our democracy, Citizens United would still be misguided with respect to the darkness of the threats and promises that it empowered.

Of course, when you remove accountability for the advertising and the sleazy campaigns that this supports, you get a lot more negative advertising. That is why one of the consequences of all of this has been described as a tsunami of slime.

Whether you want to rid dark money channels, whether you want to dimin-

ish secret threats, or whether you want to combat the tsunami of slime, there is every reason to take a stand against what has become of our democracy. If you think this is just an academic pursuit, take a look at the climate change dispute.

In 2007, 2008, and 2009, when I was a new Senator, we did bipartisan work on climate change every one of those years. We had bipartisan hearings. We had bipartisan bills. I think we had four of them in the Senate.

Along comes Citizens United in January of 2010. From that moment forward, bipartisanship was dead because the fossil fuel industry that asked for the Citizens United decision and that got the Citizens United decision from the five Republican appointees was instantly ready to bring that new power to bear. They went to the Republican Party, and they said: Anybody who crosses us on climate is dead. They took representatives like Bob Inglis and put him out of his job to demonstrate their seriousness.

From that moment, from the day the Citizens United decision was announced, there has not been a serious piece of climate legislation that any Republican has been willing to sign onto.

If you doubt the effects of dark money, take a look at where we are on climate change. In this weird way, the pollution of our democracy is directly connected to the pollution of our atmosphere and oceans.

And, of course, once you open a channel for a dark money influence—an American dark money influence; ExxonMobil, the Koch brothers, Big Pharma, you name it—when you open a dark money channel for that influence to wreak its power, you can't control who comes through it. Dark is dark. And there is every reason now to believe that foreigners are taking advantage of our dark money channels to exert influence in our elections.

I ask unanimous consent to have printed in the RECORD at the end of my remarks an op-ed in Politico entitled "Foreign Dark Money is Threatening American Democracy," written by former Vice President Biden.

Today's Congressional Review Act measure is a small step. It won't provide much public disclosure; it will only require that companies and entities that are using these dark money channels continue to report to the IRS. So there is not going to be an enormous difference made here, but there is an enormous difference in which side this body will choose to be on in this vote today on Senator TESTER's resolution. It is a very simple and a very stark choice. We can choose, one by one. Each one of us will make this choice today. We can choose to be on the side of dark money. We can choose to decide to be on the side of special interest influence, we can choose to decide to be on the side of whispered threats—I will tell you that dark money and special interest influence



and whispered threats have a disgraceful force in this building right now, thanks to Citizens United and the dark money channels that it empowered—or we can choose to be on the side of America as a city on a hill. Why do we call America a city on a hill? Because everyone can see it. And a city on a hill does not do its business through the dark money sewers that run under the city; it does its business in the plain marketplace and open spaces of that city, and that is what we should be for.

I ask unanimous consent to have printed in the RECORD a report on this issue by a terrific bipartisan group, called “Issue One,” as a third appendix to my remarks.

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

[From MarketWatch, Nov. 26, 2018]

SECRET POLITICAL SPENDING ON TRACK TO REACH \$1 BILLION MILESTONE

(By Victor Reklaitis)

So-called dark money, which came into being after a Supreme Court ruling, soon may reach a ten-digit milestone.

That term refers to election-related spending by groups that don't disclose their donors. This type of political outlay remains far from becoming dominant, but it keeps spooking researchers, lawmakers and activists, as it nears a big round number.

“We see dark money flowing into this process from both liberal and conservative sources, and in 2020 we will be reaching this milestone where \$1 billion will have been spent by dark-money groups since Citizens United,” said Michael Beckel, manager of research, investigations and policy analysis at Issue One.

He was referring to the 2010 Supreme Court ruling in *Citizens United v. Federal Election Commission* that struck down a ban on political spending by corporations. Beckel, whose nonprofit organization aims to reduce the role of money in politics, was speaking at a recent event focused on dark money.

FAR FROM THE BIGGEST SOURCE OF FUNDS

Getting to \$1 billion shouldn't be a big stretch, given the current estimates for how much has been spent in the shadows. More than \$800 million has been shelled out to date since the court decision eight years ago, according to Anna Massoglia, a researcher at the Center for Responsive Politics, who also spoke at the event.

While it would be significant to have dark-money groups hit \$1 billion in spending since 2010, that amount is far below what's spent in just one election cycle by all groups. The 2018 midterm races, for example, sparked an estimated \$5.2 billion in outlays alone, mostly by Democratic and Republican candidates, rather than dark-money groups or other outside organizations.

The \$800 million spent to date by groups that don't disclose their donors in the past eight years represents about 18% of all political spending by outside groups during that period, said Massoglia from the Center for Responsive Politics, a campaign-finance watchdog.

Dark money's rise has been rapid, but it's hard to predict if it eventually could make up 100% of all outside spending, Massoglia told MarketWatch. She noted some organizations want to publicize their spending, rather than hide it: “There are advantages to doing that, in terms of getting credit for what you're spending on.”

THE TROUBLE WITH DARK MONEY

Dark money is a growing problem for candidates and voters, according to Issue One Executive Director Meredith McGehee.

“Talking to members of Congress—whether they be Republican, Democrat or independent—one thing they all fear is dark money, because it's money that they have a hard time anticipating, responding to, understanding,” she said.

“And it's really a big question for the American people, because when you don't know where the money is coming from, it's hard to do what the Supreme Court said you should be able to do as an American citizen—and that is to judge the message partly by who the messenger is.”

Other campaign-finance activists have said secret money encourages corruption and threatens democracy.

On the other side of the issue, former commissioner for the Federal Election Commission Brad Smith, known for opposing campaign-finance regulations, once wrote that dark money is “a term used not to enlighten, but to scare Americans into approving of sweeping new laws, invading privacy in ways never before seen in American politics.” Supporters of anonymity in politics have noted Thomas Paine's famous “Common Sense” pamphlet was published anonymously in 1776. They also have said that throughout history anonymous political speech has been attacked by entrenched powers but has helped challengers, and they've stressed that disclosures can chill speech and lead to the harassment of donors.

THE BIG SPENDERS AND KEY VEHICLES

The U.S. Chamber of Commerce has been the biggest spender of dark money with an estimated \$130 million paid out, according to Issue One's recent “Dark Money Illuminated” report. It's followed by Crossroads GPS, which is tied to Republican operative Karl Rove and has spent about \$110 million, and Americans for Prosperity, which is funded by conservative billionaire industrialists Charles and David Koch and has shelled out \$59 million. The Democratic-leaning spenders of dark money include Patriot Majority USA, with its \$18 million in outlays.

Issue One said it was able to reveal some dark-money through back-door methods such as analyzing tax returns, looking at lobbyists and labor unions' filings and examining other data sources.

There are three main vehicles for putting such money in play, according to Issue One. They are “social welfare” groups organized under Section 501(c)(4) of the tax code, trade associations established under Section 501(c)(6), and limited liability companies.

The U.S. Chamber of Commerce, which lobbies for big business in Washington, didn't respond to a question about whether it agreed with Issue One's \$130 million figure. “As a 501(c)(6) organization, the chamber complies with all applicable lobbying disclosure laws as we advocate for policies that grow the economy and create jobs,” the trade association said in a statement.

AN FEC CREATION THAT LOOKS SET TO STAY ALIVE

After the Supreme Court opened the door for corporate spending in elections, the FEC said existing disclosure laws weren't a good fit for this new category of outlays, said Advav Noti, an attorney with the Campaign Legal Center, an ethics and campaign-finance watchdog. The regulatory agency then created a new disclosure rule that was “extremely narrow” and led to dark money's rise, he said.

“Although it gets conflated with Citizens United pretty frequently, it's not a creation of the Supreme Court,” Noti said at the Nov.

14 event. “Dark money is a creation of the FEC.”

You don't need judges to overturn Citizens United to end secret political spending, and you don't need Congress to make a move, he added. You just need action by the FEC, but that is “simply not going to happen, at least not as the FEC is currently constituted,” said Noti, who worked as an FEC attorney for a decade. He doesn't sound upbeat about seeing an imminent end to dark money.

“The courts may intervene at some point. Congress may intervene at some point. Otherwise we'll see what the FEC does,” Noti said.

The U.S. Supreme Court in September let stand a lower court's ruling that required dark-money groups to reveal some secret donors, but then new guidance in October from the FEC was viewed as limiting that development's impact.

FEC Chairwoman Caroline C. Hunter and Commissioner Matthew S. Petersen, both Republicans, blasted the lower court's ruling in a joint statement, saying it had ordered a new expenditure reporting regime just two months before the midterm election and caused confusion. Commissioner Ellen Weintraub, a Democrat, had praised the judicial actions as “a real victory for transparency,” but then after the October guidance described the overall progress on the matter as “not as broad as some people had hoped.” Hunter, Petersen and Weintraub didn't respond to requests for comment.

This report was first published on Nov. 20, 2018.

[From POLITICO, Nov. 27, 2018]

FOREIGN DARK MONEY IS THREATENING AMERICAN DEMOCRACY

(By Joseph Biden and Michael Carpenter)

Here's how to put a stop to it.

Whatever Special Counsel Robert Mueller's investigation ends up revealing about Russia's efforts to subvert our democracy, one thing is already clear from the media attention this topic has received: America's democratic institutions are highly vulnerable to foreign influence.

Foreign powers use three basic tools to interfere in democratic politics: cyber operations, disinformation and dark money. Thanks in part to Mueller's indictments of members of Russia's military intelligence agency (GRU) and the St. Petersburg troll farm known as the Internet Research Agency, we have begun to address election-related cyber attacks and foreign disinformation. But when it comes to foreign dark money—money from unknown foreign sources—we remain woefully unprepared.

The lack of transparency in our campaign finance system combined with extensive foreign money laundering creates a significant vulnerability for our democracy. We don't know how much illicit money enters the United States from abroad or how much dark money enters American political campaigns, but in 2015, the Treasury Department estimated that \$300 billion is laundered through the U.S. every year. If even a small fraction of that ends up in our political campaigns, it constitutes an unacceptable national security risk.

While foreign funding of campaigns is prohibited by federal statute, the body that enforces campaign finance laws—the Federal Election Commission (FEC)—lacks both teeth and resources. Sophisticated adversaries like Russia and China know how to bypass the ban on foreign funding by exploiting loopholes in the system and using layers of proxies to mask their activities, making it difficult for the FEC, the FBI, and the Treasury Department's Financial Crimes Enforcement Network to follow the money.

One of the key loopholes is the ability of so-called super PACs to accept money from U.S. subsidiaries of foreign corporations. And while super PACs are required to file financial disclosure reports, non-profit 501(c) organizations (for example, the National Rifle Association or the U.S. Chamber of Commerce) are not. So if a foreign entity transfers money to a 501(c), that organization can in turn contribute funds to a super PAC without disclosing the foreign origin of the money.

The last time Congress took on dark money was after 9/11, in the Patriot Act, when we made it illegal for banks to be “willfully blind” to money laundering and requiring them to verify their customers’ identities. But the lack of any requirement to disclose the beneficial (i.e. “true”) ownership of limited liability companies (LLCs) makes it easy for foreign entities to establish shell companies in the United States. These shell companies can then contribute to a 501(c), invest in real estate or channel money directly to a super PAC. Fortunately, there are steps we can take to secure our system and shine a light on these murky transactions.

In August, two dozen state attorneys general asked Congress to pass legislation to disclose the beneficial owners of LLCs. A federal solution to this issue is necessary because individual states compete for incorporation revenue and therefore have little incentive to reform on their own. In Nevada, for example, the process of registering a company has been described as “easier than getting a library card.” A federal requirement to disclose the true owners and controlling interests of LLCs would allow law enforcement to scrutinize the “ghost corporations” that pop up overnight in states like Nevada or Delaware—and that could be used to funnel dark money into our politics.

Real estate deals are also susceptible to foreign money laundering because they are largely exempt from the “know your customer” rules that apply to the banking industry. This allows foreign entities to use shell companies to park their wealth in the United States or to channel that money to U.S. political interests (for example, by purchasing real estate at above-market prices). Implementing more comprehensive disclosure requirements in high-end real estate and prohibiting all-cash sales above certain thresholds would help create transparency in this sector.

The fact that we don’t know exactly how much foreign dark money is being channeled into U.S. politics is precisely why we need to reduce our vulnerabilities. There is ample evidence of dark money penetrating other democracies, and no reason to believe we are immune from this risk. In 2004, for example, Lithuania’s president was impeached after the media disclosed that a Russian oligarch who contributed to his campaign later received Lithuanian citizenship. Just this past January, in Montenegro, a local politician was charged with laundering Russian funds to support a pro-Russian political party. In Australia, an intelligence report leaked in 2017 exposed pervasive Chinese financial influence in the country’s domestic politics. Similar allegations recently surfaced in New Zealand.

As we take on the threats posed by cyber attacks and disinformation from foreign actors, we can’t ignore the threat posed by foreign dark money. With a new Congress about to be sworn in, there’s an opportunity to finally end the permissive environment for foreign dark money in this country. Campaign finance reform is certainly a necessary part of the solution, but so too is disclosure of beneficial ownership and greater transparency in real estate transactions. As mat-

ters of national security, these are issues that should be of interest to both Democrats and Republicans who want to reduce our vulnerability to foreign corrupt influence.

[From Issue One]

#### DARK MONEY ILLUMINATED

Today many—if not all—politicians live in fear that opaque dark money groups will launch 11th-hour smear campaigns against them. If you listen closely, many members of Congress continuously fundraise precisely to prevent this doomsday scenario, leading some of them to even leave office rather than try to out-raise the deep-pocketed donors attempting to control their electoral fates.

Dark money groups hold enormous sway over what issues are, and are not, debated in Congress and on the campaign trail. But the donors behind these groups rarely discuss their motivations for bankrolling these efforts, leaving the public in the dark about who funds these increasingly prominent and potent organizations.

Unfortunately, Supreme Court Justice Anthony Kennedy was either ill-advised or misinformed when he—while writing the majority opinion in the Supreme Court’s *Citizens United v. Federal Election Commission* case—assumed that any new corporate spending in politics unleashed by the decision would be wholly independent of candidates and promptly disclosed on the Internet. In that ruling, Justice Kennedy wrote that “a campaign finance system that pairs corporate independent expenditures with effective disclosure has not existed before today.”

But let’s be clear: It still does not exist today.

Issue One’s new “Dark Money Illuminated” project—a year-long, deep-dive analysis into the forces at play in the post-*Citizens United* political world, which is accompanied by a first-of-its-kind database of dark money donors—chronicles just how difficult it remains to effectively ascertain information about the true sources behind the deluge of political dark money that *Citizens United* ushered in, even for campaign finance experts. The project also offers constitutional, bipartisan solutions to bring additional accountability to the political advertisements from dark money groups that are increasingly bombarding citizens across the country.

#### AN EXPLOSION OF POLITICAL DARK MONEY

Dark money groups are influential in part because they aim to define candidates and issues before, during and after an election. Thus, even if their preferred candidates lose, the issues that define the election are aligned more closely with the labor unions, corporations, mega-donors and other special interests bankrolling these secretive groups.

According to the Center for Responsive Politics, dark money groups reported spending more than \$800 million on campaign-related activities to the FEC between January 2010 and December 2016 (the last full election cycle). What is less known is that this surge of opaque spending has been incredibly concentrated: Issue One’s new analysis shows that the top 15 dark money groups accounted for three-fourths of this spending—more than \$600 million.

The U.S. Chamber of Commerce—the nation’s largest lobbying organization for businesses—alone has spent approximately \$130 million on political advertisements since *Citizens United*. That’s about \$1 of every \$6 spent on political ads by dark money groups between 2010 and 2016.

Other major dark money players in this top 15 list—each of which reported spending at least \$10 million on political activities to

the FEC since January of 2010 and all of which are profiled on Issue One’s website—include:

Americans for Prosperity, the flagship politically active nonprofit of the billionaire industrialists Charles and David Koch;

Crossroads Grassroots Policy Strategies (Crossroads GPS), a Republican-aligned group associated with Karl Rove, a former advisor to President George W. Bush;

The League of Conservation Voters, an advocacy organization that works to elect pro-environment candidates who are typically Democrats;

The National Rifle Association, the nation’s top gun lobby and backer of politicians who champion the Second Amendment;

Patriot Majority USA, an organization led by political operatives with close ties to Democratic Sens. Harry Reid and Chuck Schumer; and

The Planned Parenthood Action Fund, an advocacy group working to elect politicians who support reproductive rights and to thwart anti-abortion politicians.

Informing and augmenting the profiles of these 15 major dark money groups is an exclusive, first-of-its-kind database created by Issue One that features information about the donors identified by obscure public records—and other little-known sources—who are funding these organizations.

In all, this new database contains nearly 1,200 transactions spanning more than eight years—and identifies approximately 400 unique donors who have collectively given more than \$760 million to these dark money groups in recent years.

Each record also contains a link to the primary source document for each transaction—constructed through painstaking research and fact-checking by the Issue One team, building off of work previously done by the Center for Responsive Politics, Center for Public Integrity, Center for Political Accountability and others.

#### HOW DID CITIZENS UNITED LEAD TO AN EXPLOSION OF POLITICAL DARK MONEY?

By a slim 5-4 margin, the Supreme Court held in *Citizens United* that corporations—including limited liability companies and certain nonprofit corporations—could bankroll overt political advertisements that called on people to vote for or against federal candidates.

While charities and foundations organized under Section 501(c)(3) of the U.S. tax code—the types of nonprofits to which you may make tax-deductible contributions—are still prohibited from engaging in electoral politics, the *Citizens United* ruling allowed certain other nonprofits—most notably 501(c)(4) “social welfare” organizations and 501(c)(6) trade associations—to spend heavily in elections.

Unlike political candidates, parties or political action committees, these nonprofits are generally not required to disclose their donors, meaning the public is frequently left in the dark about who is funding the ads that are trying to influence their votes.

#### DARK MONEY DONORS REVEALED

To paint as comprehensive a picture as possible about what interests have bankrolled the top 15 dark money groups since *Citizens United*, Issue One searched obscure public records for information that has essentially been hiding in plain sight.

To this end, Issue One reviewed FEC filings, tax returns, annual reports submitted by labor unions to the Department of Labor, documents submitted to Congress by registered lobbyists, corporate filings, press releases and other sources. (See Appendix 2: Methodology for a more detailed description.)

These methods frequently led Issue One to be able to identify transactions—and donors—that have never previously been associated with these dark money groups.

Here are some of the highlights of what we learned:

Companies and labor unions are among the donors identified by this research.

For instance, while the U.S. Chamber of Commerce does not publicly reveal its donors, Issue One found that nearly 100 blue-chip companies have voluntarily disclosed their own dues payments to the trade association. The Dow Chemical Co. alone has contributed about \$13.5 million to the U.S. Chamber of Commerce in recent years, while health insurer Aetna Inc. has contributed \$5.3 million and oil giant Chevron Corp. has contributed \$4.5 million.

Meanwhile, Issue One found that gun manufacturer Sturm, Ruger & Co., Inc. has contributed more than \$12 million in recent years to the National Rifle Association, while tobacco company Reynolds American Inc. has contributed substantial sums to three major dark money groups in recent years: \$275,000 to Americans for Tax Reform, \$61,000 to Americans for Prosperity and at least \$50,000 to the U.S. Chamber of Commerce.

At the same time, Issue One found that labor unions accounted for about \$1 of every \$8 raised between July 2009 and June 2017 by a dark money group known as the VoteVets Action Fund—which has touted itself as the “largest progressive organization of veterans in the United States.” In all, the VoteVets Action Fund raised more than \$5.6 million during this time from labor unions, with significant union donors including the American Federation of Government Employees, the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry and the American Federation of State, County and Municipal Employees (AFSCME).

Issue One’s analysis additionally revealed that more than two dozen of the nation’s largest trade associations have contributed to many of the top dark money groups in recent years. Some have even contributed to three, four or five of the top 15 dark money groups since Citizens United.

For instance, the American Petroleum Institute (API), the Motion Picture Association of America (MPAA) and Pharmaceutical Research and Manufacturers of America (PhRMA) each contributed to five of the top 15 dark money groups during the past eight years.

PhRMA alone, in recent years, has contributed \$12 million to the American Action Network—a dark money group launched in 2010 by former Sen. Norm Coleman (R-MN) and GOP fundraiser Fred Malek.

Another large donor identified on the other side of the ideological spectrum: The Susan Thompson Buffett Foundation, a private foundation that is primarily funded by billionaire investor Warren Buffett and that is named for his late wife. The Susan Thompson Buffett Foundation has contributed \$26 million to the Planned Parenthood Action Fund since 2012, earmarking these funds for “the charitable purpose of reproductive health advocacy.”

Mr. WHITEHOUSE. Mr. President, I yield the floor to the distinguished Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise today in support of overturning the Treasury Department’s rule that will allow even more dark money into our political process. This action by the

Trump administration allows groups to hide the identities of their donors. It allows big corporations and wealthy individuals to inappropriately influence elections by contributing to outside groups in secret. This amounts to unlimited corporate political spending, effectively silencing the voices of everyday voters.

Under this President, the Internal Revenue Service is looking out for wealthy donors rather than hard-working, middle-class voters.

I strongly support today’s action to overturn this rule. We need to reform our campaign finance system, improve disclosures and transparency, and restore the voice of the people in the democratic process.

Michigan voters deserve to know who is behind the money being spent in our elections. We must take steps to improve transparency and restore trust in our electoral system. Above all, we must ensure that every American has an equal say in our elections, regardless of their means. The right of every citizen to make their voice heard at the ballot box is the very foundation of our democracy. I will continue to fight to ensure that the voices of Michigan families aren’t being drowned out by big corporations or wealthy individuals with limitless resources who are trying to buy elections and the outcomes.

We should be working to bring transparency to our political system, not shielding special interest groups, big donors, and this administration’s political allies. I will support today’s IRS dark money rule CRA, and I urge my colleagues to join me in giving the power back to the American people.

I yield the floor to the distinguished Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I rise in strong support of the resolution sponsored by Senators TESTER and WYDEN to overturn the Treasury Department rule.

We have heard loud and clear from the American people that they are sick and tired of the hundreds of millions of dollars of special interest money going into our elections. They are especially sick and tired of all of the secret dark money going into our elections.

What do I mean by that? I mean when wealthy individuals can contribute to organizations and the American public has no idea who those individuals are, while those organizations go on to spend hundreds of millions of dollars to try to influence the votes of our fellow Americans.

We have all seen those commercials that come on TV that say they are sponsored by the Committee for a Better America, the Committee to Support Mom and Apple Pie, and the public wants to know and has a right to know who is spending all of that money to try to influence their votes.

The vehicle of choice for these shadowy, dark money organizations has been organizing their entities under section 501(c)(4) of the Internal Revenue Code.

We will soon—probably in January but early on—we will see a bill coming over to the Senate from the new Democratic majority in the House of Representatives because their No. 1 priority is electoral reform, including getting rid of secret money, making sure the public has that right to know who is bankrolling these entities.

What the Treasury Department did took us in the opposite direction. Currently, 501(c)(4) organizations have to report to the IRS the information about their donors, but currently the IRS keeps that information confidential. It does not share it with the public. We should share it with the public, and that is what the DISCLOSE Act that the House will pass will do.

What this Treasury rule does is it takes us in the opposite direction. It says to those 501(c)(4)s that they no longer even have to provide that information to the Treasury Department on a confidential basis. So it heads in the wrong direction. It is especially outrageous because it will take away one of the key tools the Treasury Department has to prevent foreign money from being spent in our elections, because right now that information is made available to the Department of the Treasury.

If you are a 501(c)(4), you have to confidentially report who is giving you money and how much. Now the Treasury Department says: We don’t want that information. We don’t want to see anything. We don’t want to know if foreign governments are putting money into 501(c)(4)s. We don’t want to know if the primary purpose of these funds is for electing or defeating candidates as opposed to social welfare—which is the requirement for a 501(c)(4) organization under our law.

I think a lot of people are wondering why it is that this administration—and now maybe the Senate—wants to actually cover up for those who want to spend their money secretly to try to elect or defeat candidates. One thing we know is that across the board, whether they are Republicans or Democrats or Independents, Americans believe—and I agree with them—that they have a right to know who is spending all of that money to try to influence their vote. So let’s pass this resolution to overturn the Treasury rule in defense of secret money, when we need more transparency and more accountability.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Utah.

FAREWELL TO THE SENATE

Mr. HATCH. Mr. President, for more than four decades, I have had the distinct privilege of serving in the United States Senate—what some have called the world’s greatest deliberative body. Speaking on the Senate floor, debating legislation in committee, corralling the support of our colleagues on compromise legislation—these are the moments I will miss. These are memories I will cherish forever.

To address this body is to experience a singular feeling—a sense that you are a part of something bigger than yourself, a minor character in the grand narrative that is America. No matter how often I come to speak at this lectern, I experience that feeling again and again.

But today, if I am being honest, I also feel sadness. Indeed, my heart is heavy because it aches for the times when we actually lived up to our reputation as the world's greatest deliberative body. It longs for the days in which Democrats and Republicans would meet on middle ground rather than retreat to partisan trenches.

Now, some may say I am waxing nostalgic—yearning, as old men often do, for some golden age that never existed. They would be wrong. The Senate I have described is not some fairy tale but the reality we once knew.

Having served as a Senator for nearly 42 years, I can tell you this particular thing: Things weren't always as they are now. I was here when this body was at its best. I was here when the regular order was the norm, when legislation was debated in committee, and when Members worked constructively with one another for the good of the country. I was here when we could say without any hint of irony that we were Members of the world's greatest deliberative body.

Times have changed. Over the last several years, I have witnessed the subversion of Senate rules, the abandonment of regular order, and the full-scale deterioration of the judicial confirmation process. Polarization has ossified. Gridlock is the new norm. And, like the humidity here, partisanship permeates everything we do.

On both the left and the right, the bar of decency has been set so low that jumping over it is no longer the objective. "Limbo" is the new name of the game. How low can you go? The answer, it seems, is always lower.

All the evidence points to an unsettling truth: The Senate as an institution is in crisis, or at least may be in crisis. The committee process lies in shambles, regular order is a relic of the past, and compromise—once the guiding credo of this great institution—is now synonymous with surrender.

Since I first came to the Senate in 1977, the culture of this place has shifted fundamentally—and not for the better, in my opinion. Here, there used to be a level of congeniality and kinship among colleagues that was hard to find anywhere else. In those days, I counted Democrats among my very best friends. One moment we would be locking horns on the Senate floor, and the next we would be breaking bread together over family dinner.

My unlikely friendship with the late Senator Ted Kennedy embodied the spirit of goodwill and collegiality that used to live and thrive here. Teddy and I were a case study in contradictions. He was a dyed-in-the-wool liberal Democrat. I was a resolute Republican. But

by choosing friendship over party loyalty, we were able to pass some of the most important and significant bipartisan achievements of modern times—from the Americans with Disabilities Act and the Religious Freedom Restoration Act to the Ryan White bill and the State Children's Health Insurance Program. These are very important bills, and we were able to work together even though we differed widely on politics.

Nine years after Teddy's passing, it is worth asking: Could a relationship like this even exist in today's Senate? Could two people with polar-opposite beliefs and from vastly different walks of life come together as often as Teddy and I did for the good of the country? Or are we too busy attacking each other to even consider friendship with the other side?

Many factors contribute to the current dysfunction, but if I were to identify the root of the crisis, it would be this: the loss of comity and genuine good feeling among Senate colleagues.

Comity is the cartilage of the Senate, the soft connective tissue that cushions impact between opposing joints, but in recent years, that cartilage has been ground to a nub, and I think most of us feel that. We have actually seen it happen. All movement has become bone-on-bone.

Our ideas grate against each other with increasing frequency and with nothing to absorb the friction. We hobble to get any bipartisan legislation to the Senate floor, much less to the President's desk. The pain is excruciating, and it is felt by the entire Nation.

We must remember that our dysfunction is not confined to the Capitol. It ripples far beyond these walls—to every State, to every town, and to every street corner in America. The Senate sets the tone of American civic life. We don't mirror the political culture as much as we make it. It is incumbent on us, then, to move the culture in a positive direction, keeping in mind that everything we do here has a trickle-down effect. If we are divided, then the Nation is divided. If we abandon civility, then our constituents will follow.

So to mend the Nation, we must first mend the Senate. We must restore the culture of comity, compromise, and mutual respect that used to exist here—and still does, in some respects. Both in our personal and public conduct, we must be the very change we want to see in the country. We must not be enemies but friends. Though passion may have strained, it must not break our bonds of affection.

"The mystic chords of memory will swell when again touched . . . by the better angels of our nature." These are not my words but the words of President Abraham Lincoln. They come from a heartfelt plea he made to the American people long ago on the eve of the Civil War. Lincoln's admonition is just as timely today as it was then. If

ever there were a time in our history to heed the better angels of our nature, I think it is now.

How can we answer Lincoln's call to our better angels? In the last year, I have devoted significant time and energy to answering that question. Today, I wish to put flesh on the bones of Lincoln's appeal.

Our challenge is to rise above the din and divisiveness of today's politics. It is to tune out the noise and tune into reason. It is to choose patience over impulse and fact over feeling. It is to reacquaint ourselves with wisdom by returning to core principles.

Today, allow me to offer a prescription for what ails us politically. Allow me to share just a few ideas that, when put into practice, could help us not only fix the Senate but put our Nation back on the right path.

Heeding our better angels begins with civility. While our politics have always been contentious, an underlying commitment to civility has been important and held together the tenuous marriage of right and left, but the steady disintegration of public discourse has weakened that marriage, calling into question the very viability of the American experiment.

As the partisan divide deepens, one thing becomes increasingly clear: We cannot continue on the current course. Unless we take meaningful steps to restore civility, the culture wars will push us ever closer to national divorce.

We would do well to remember that without civility, there is no civilization. Civility is the indispensable political norm—the protective law between order and chaos. But, more than once, that wall has been breached.

Consider recent events: the pipe bomb plot in the midterm election, the terrorist attack in Charlottesville last year, and the shooting at the congressional baseball practice before that. These are stark reminders that hateful rhetoric, if left to ferment, becomes violence.

Restoring civility requires that each of us speak responsibly. That means the President, that means Congress, and that means everyone listening today. We live in a media environment that favors outrage over reason and hyperbole over truth. The loudest voices, not the wisest ones, now dictate the terms of the public debate. For evidence, simply turn on the TV, but be sure to turn down the volume.

The media deserves some culpability in creating this environment by adopting outrage as a business model, but we are complicit when we use words to provoke rather than to persuade, to divide rather than to unite. We only make the problem worse when the object of our discourse becomes to belittle the other side—to own the libs, for example, or to disparage the deplorables. If you are looking to convert someone to your side, humiliating them is probably not the best place to start. Who among us would make friends with the same person who would make him a fool?

Put simply, pettiness is not a political strategy. It is the opposite of persuasion, which should be the ultimate aim of our dialogue. Our better angels call on us to persuade through gentle reason. They call on us to inspire and unite rather than to provoke and incite. In short, they call on us to embrace civility.

In addition to embracing civility, we must rediscover a forgotten virtue, one that lies at the heart of our Nation's founding—pluralism. Pluralism is the adhesive that holds together the great American mosaic. It is the idea that we can actually be united by our differences, not in spite of them.

In a pluralist society, we can be polar opposites in every respect yet still associate freely with one another. I can be White, conservative, and Christian, and my friend can be Black, progressive, and Muslim. We can be different but united precisely because we are united by our right to be different. That, in a nutshell, is pluralism.

Pluralism is the alchemy that makes, out of many, one possible. It is the means by which we have been able to weave together the disparate threads of a diverse society more successfully than any other nation on Earth. At the heart of pluralism is the understanding that our country was built not on a collection of common characteristics but on a common purpose.

When we approach political problems from a pluralist perspective, we recognize that the majority of our disagreements are not matters of good versus evil but good versus good. Pluralism acknowledges that there is more than one way to achieve the good life, if you will. Accordingly, it seeks to accommodate different conceptions of the good rather than pit them against each other.

The adversary of pluralism is zero-sum politics, which we embrace at our own peril. Zero-sum politics tempts us to view life through an absolutist prism, one that filters all nuance and recasts everything as an either-or fallacy. This distorted way of thinking renders every policy squabble as a Manichean struggle for the soul of the country. If the Republican tax bill passes, it will be Armageddon. If a Democrat takes the White House, it will be the end of America as we know it. It is funny how these prophecies never come to fruition.

Answering the call to our better angels requires us to reject zero-sum politics in favor of pluralism. It requires us to make room for nuance and to see our differences not as competing but as complementary.

Nowhere is the pluralist approach more needed than in the fraught relationship between religious liberty and LGBTQ rights. As my colleagues know, I have made religious liberty a priority of my public service. Of all the hundreds of pieces of legislation I have passed—and I have passed a lot during my 42 years in the Senate—the one

that I am most pleased with and the one that I hope will most define my legacy is the Religious Freedom Restoration Act. Religious liberty is a fundamental freedom. It deserves the very highest protection our country can provide.

At the same time, it is also important to take account of other interests as well, especially those of our LGBTQ brothers and sisters. We are in the process now of working out the relationship between religious liberty and the rights of LGBTQ individuals here in America. There are some who would treat this issue as a zero-sum game, who would make the religious community and LGBTQ advocates into adversaries. In my opinion, this is a mistake.

Pluralism shows us a better way. It shows us that protecting religious liberty and preserving the rights of LGBTQ individuals are not mutually exclusive. I believe we can find substantial common ground on these issues that will enable us to both safeguard the ability of religious individuals to live their faith and protect LGBTQ individuals from invidious discrimination. We must honor the rights of both believers and LGBTQ individuals. We must, in short, find a path forward that promotes fairness for all. My personal religious beliefs require that, and I surely want to live up to those beliefs.

In my home State, we were able to strike such a balance with the historic Utah compromise, a bipartisan anti-discrimination law that both strengthened religious freedoms and offered special protections to the LGBTQ community. No doubt we can replicate that same success on a Federal level. That is why, as one of my final acts as a U.S. Senator, I challenge my colleagues to find a way to compromise on this crucially important issue—a compromise that is true to our founding principles and that is fair to all Americans.

Our better angels invite us to walk the path of civility and to embrace the principles of pluralism. Above all, they call on us to strive for unity. Before President Lincoln beckoned us to our better angels, he warned that a nation divided against itself cannot stand. That warning is especially relevant in our time. Today, our house is as divided as at any time since the Civil War.

Each year, red and blue America drifts further apart. As progressives move to the coasts and conservatives retreat to the interior—to the center of the country—we are finding that a lot of difficulties have arisen, and they are not easy to solve. We increasingly sort ourselves by geography. We also sort ourselves by ideology, with media diets catered to quiet our cognitive dissonance and confirm our preconceived notions. It is a sad consequence of the Information Age that Americans can now live in the same city but inhabit completely different worlds.

Something has to give; the status quo cannot hold. These are, and should

always be, the United States of America. While that name has always been more aspirational than descriptive, it at least gives us an ideal to strive for.

To achieve the unity that is our namesake, we must reject the politics of division, starting with identity politics. Identity politics is nothing more than dressed-up tribalism. It is the deliberate and often unnatural segregation of people into categories for political gain. This practice conditions us to define ourselves and each other by the groups to which we belong—in other words, the things that divide us rather than unite us.

When institutionalized, identity politics causes us to lose sight of our shared values. In time, we come to see each other not as fellow Americans united by common purpose but as opposing members of increasingly narrow social subgroups, and thus begins the long descent into intersectional hell.

Our better angels call on us to resist identity politics by recommitting ourselves to the American idea, the idea that our immutable characteristics do not define us. It is the idea that all of us—regardless of color, class, or creed—are equal and that we can work together to build a more perfect union. When we heed this call, we can achieve unity, and ideas—not identity—can resume their rightful place in our public discourse.

This is the last request I will ever make from this lectern—that as a Senate and as a nation, we listen to our better angels; that we recommit ourselves to comity; that we restore civility to the public discourse; that we embrace wholeheartedly the principles of pluralism; and that we strive for unity by rejecting the rhetoric of division.

When we heed our better angels—when we harken to the voices of virtue native to our very nature—we can transcend our tribal instincts and preserve our democracy for future generations. That we may do so is my humble prayer.

Before I close, let my parting words be words of gratitude. There are countless people I personally need to thank, but first and foremost, I wish to thank the good people of Utah. Without you, I could have accomplished nothing. The landmark reforms that I have helped to pass in Congress have always been a joint effort, drafted by me under constant guidance from people like you. In that sense, the legislative legacy I leave behind is not mine but ours. That goes for my colleagues here as well.

Representing the Beehive State has been the privilege of a lifetime. Thank you for allowing me to do so for 42 years. That is a long time—the longest service of any Republican.

I likewise wish to thank my family—my dear wife Elaine and our six children, who have stood by me through thick and thin.

Of course, I wish to thank my congressional colleagues, especially Leader MCCONNELL and Speaker RYAN, and the countless other public servants, including my friends on the Democratic

side, as well, whom I have had the privilege of working with over the years. These are friendships I will treasure forever.

I also wish to thank my protective detail—the 20-plus men and women who have worked day and night to keep me safe over the years. These officers are like family to me.

As all of you know, a Senator is only as good as his staff, which is why I need to recognize mine today. My Finance Committee staff is unequalled. Led by Jeff Wrase, it has helped me accomplish things I never could have accomplished on my own.

In particular, I wish to thank my personal staff—the countless men and women who have served alongside me over the years. Because of you, I have been able to pass more bills into law than any legislator alive today. Thank you. I love you all.

Let me take a moment to recognize them personally. Thanks to my chief of staff, Matt Sandgren, I am ending this term on a crescendo of legislative activity, having introduced more bills this Congress than at any other time during my Senate service. In the last 2 years, we have also enacted a historic number of bills into law. My staff has not let up in the final stretch, not one bit. We have been a legislative powerhouse to the very end, and I have to thank Matt Sandgren for his efforts in that regard. I have had many chiefs of staff, and I have loved all of them, but I think I saved, maybe, the best for last.

My Utah staff has also played a critical role in my legislative success. A huge thank-you goes to Melanie Bowen, Sharon Garn, Annette Riley, Heather Barney, Sean Firth, Cloe Nixon, Jessa Reed, Ron Dean, Matt Hurst, Nathan Jackson, Courtney Brinkerhoff, and Emily Wilson.

Here in DC, a huge thank-you goes to Matt Jensen, James Williams, Matt Whitlock, Corey Messervy, Ruth Montoya, Celeste Gold, Sam Lyman, Chris Bates, Peter Carey, Brendan Chestnut, Kristin McLintock, Jacob Olidort, Ally Riding, Dianne Browning, Heather Campbell, Nick Clason, Jeff Finegan, Will Holloway, Rick James, Bailee Flitton, Abdul Kalumbi, Monique Laing, Karen LaMontagne, Keri Lyn Michalke, Romel Nicholas, Lauren Paulos, Jordan Roberts, Margo Robbins, and Samantha Ryals. This truly is the best staff on Capitol Hill, in my opinion.

Last, and perhaps most importantly, I wish to thank my Father in Heaven, who has allowed me to serve much longer than my detractors would have hoped. Each time I walk into this Chamber, I am humbled by the symbolic significance of it all. I am reminded of a passage of scripture, one of my favorites: For of him unto whom much is given, much is required. Truly, God has given me so much. In return, I have tried to give back as much as I could. I hope He will accept my best efforts.

Before I get even more sentimental, I note that this is a final floor speech, not a final goodbye. Three weeks from now, I will no longer hold office, but I will continue to hold a special place in my heart for all of you, for all of my colleagues. I look forward to continuing these special friendships even long after I have left the Senate.

I want to thank everybody in the Senate, all of the staff members, all of the law enforcement people, all of the people who have provided us with knowledge and ability. I want God to bless all of you.

May God bless the Senate, and may He bless the United States of America.

With that, I yield the floor.

(Applause, Senators rising.)

Thank you very much.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President and colleagues, we have so many waiting to speak about our friend Chairman HATCH that I am going to be very brief.

If you are to talk about the Chairman's record over the last 42 years, we would be here for months and months on end.

I wish to say, if you had told this body or the country in the winter of 2017 that you would pass in this Congress a bipartisan 10-year reauthorization of the Children's Health Insurance Program—we have plenty of Finance members here—you would have been charged with hallucinating. People would have said: No way; it couldn't possibly happen.

If you had said in the winter of 2017 that you were going to pass a major set of reforms on foster care—reforms that Marian Wright Edelman of the Children's Defense Fund has been dreaming about for decades—they would simply have said: That is impossible. It couldn't possibly happen. You are hallucinating.

Colleagues, listen to this. If you had said in the winter of 2017 that you were going to start a transformation of Medicare with over 50 million seniors—a transformation from a program that traditionally used to be about acute illness and now is largely about chronic illness: cancer, diabetes, heart disease, and stroke—if you had said in 2017 that you were going to transform Medicare to update the Medicare guarantee to help seniors, once again, they would have said: Impossible.

Colleagues, that has happened in this Congress because Chairman HATCH was willing to reach across the aisle, and now millions of kids, millions of seniors, and families from sea to shining sea for whom the foster care system didn't work are now going to be able to have a better path.

I am going to close my remarks—I know so many colleagues want to speak—by quoting Senator Kennedy. As you know, Senator Kennedy had a long friendship with ORRIN HATCH. In 1981, Chairman HATCH took the gavel of what was called the Senate Labor and Human Resources Committee. And I

am telling you—the chairman remembers this—Senator Kennedy and ORRIN HATCH got down right away to duking it out. They were duking it out over labor law and all kinds of things, but they began to develop a mutual respect. I am going to close by reading what Senator Kennedy said about ORRIN HATCH.

Senator Kennedy said: We are beyond the point where we let our differences get in the way of opportunities for progress. We have just learned it is a lot easier to work together than it is to fight each other.

Senator Kennedy said:

We have differences in terms of perhaps how we achieve the objectives, but I don't really feel that I have a difference with Orrin in terms of what the objectives ought to be. If you build upon that kind of understanding and respect, you get a lot of things done.

Colleagues, I am telling you, if you look at 2017 and 2018, for the millions of kids who will benefit from the 10-year Children's Health Insurance Program, the scores of families who are going to benefit from the foster care dreams Marian Wright Edelman has been dreaming about, and the millions of seniors who will benefit from updating the Medicare guarantee, that came about because Chairman HATCH looked at Senator Kennedy's words, and he has continued that tradition in the Finance Committee today. I just want him to know how much we appreciate that work.

It is going to matter, Mr. Chairman, for millions of people from sea to shining sea, and I thank you for the opportunity to pursue those opportunities with you.

I yield the floor, and I look forward to hearing from my colleagues.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, it is with mixed emotions that I stand today to honor my friend, my colleague, and my mentor, the senior Senator, the Senator from Utah, ORRIN HATCH.

This year marks the end of an outstanding 42-year tenure serving the people of Utah in the U.S. Senate. In that time, Senator HATCH has made an indelible mark on our State, on the U.S. Senate, and on this Nation.

People who follow Washington politics closely know, of course, what he has meant to this institution and also to his party, to his State, and to the Republic. But for those of us from Utah, ORRIN HATCH is more than just a prominent name in the news; he is a towering political figure, not only of his generation but also of the generations that have come along in his wake and that will follow.

Many Utahns can't remember a time before ORRIN HATCH was serving, leading, and speaking out for us in Washington. One of the great privileges of my young life was the opportunity to serve as his page when I was a teenager. He was then, as now, one of the leaders of the Senate—not only a political role model but a role model, period; outspoken but always thoughtful;

honest but always gentle; tough when he had to be and kind even when he didn't have to be.

One of my fondest memories of Senator HATCH was something that occurred a couple of years after I was his page. I was maybe 18 years old or so. I was in Salt Lake City attending the semiannual General Conference of the Church of Jesus Christ of Latter-day Saints in the tabernacle at Temple Square. I happened to be sitting with my family—with my parents and siblings—just a row behind Senator HATCH and his family.

Toward the end of the meeting, it was time for Senator HATCH to catch his plane to go back to Washington, where he was representing our State so faithfully. When he turned around and saw me there, he stopped, recognizing me. He took the cuff links right off of his shirt—they had the seal of the U.S. Senate on them—and he handed them to me as a gift. I felt like and was at that moment the luckiest kid in the world. I felt just like a rock star had handed me his guitar after a sold-out concert. That is how I felt at the conference that day.

Of course, ORRIN HATCH's career stretches back much further than that. In 1976, the political landscape of the United States was very different than it is today. We were plagued at that time with double-digit inflation, high interest rates, growing unemployment, and a diminishing military. America was still reeling from the war in Vietnam and from the Watergate scandal.

At the same time, Congress was rapidly expanding the Federal budget with little or no regard for the future debt it was racking up. Washington was governed by the belief that government was the answer to every problem and that ordinary Americans could not be trusted to make decisions by themselves.

It was in this environment that ORRIN HATCH, without any previous political experience, without having held previous political office or, according to experts, much chance of success, stepped up, and he stepped up in a very big way.

As he wrote in one of his memoirs, "I could not escape the powerful and persistent belief that my state and country were in serious trouble, headed down a dangerous and destructive path, and that if given a chance, I could make a difference. I felt it was my duty, my responsibility, to run and at least give voice to my concerns and my ideas for remedying what was wrong. It was my obligation to give the voters another choice."

So ORRIN—the son of a tradesman, who grew up during the Great Depression in a ramshackle house built from recycled lumber—did just that. He defied the pundits, and he took the plunge. From his first campaign in 1976, ORRIN understood that Utahns wanted the country to go in a different direction, and he was ready to offer his service and the full energy of his heart

and devotion to that noble cause. Against all odds and with a whole lot of work from ORRIN, from his family, and from his faithful band of supporters, HATCH beat the incumbent Democrat by a solid margin. Thus began his long and now famous career in the Senate and his many years of striving to serve the interests of Utah and the Nation. For more than four decades, ORRIN has not only been engaging in the great debates of his time, he has been leading them.

As I see it, the thread that runs through Senator HATCH's politics is trust—his trust in the American people, his trust in the Constitution of the United States, his trust in this great institution that is the U.S. Senate. That trust of consumers, producers, workers, and families is why he is such an effective advocate for the free enterprise economy. It is why he sponsored a balanced budget amendment to the U.S. Constitution some 17 times and whence his nickname "Mr. Balanced Budget" from Ronald Reagan originated.

In shepherding the historic tax reform law we passed last year, Senator HATCH adopted an inclusive, open-minded approach that succeeded specifically because he trusted his colleagues, because he invited them into the process and he allowed them to make their own mark on that legislation. He trusted his colleagues, and it worked.

His work in the 1980s helping to create the modern generic drug industry was based on the same principle—trusting the American people and the American economy to make good decisions for individuals, for families, and for their healthcare.

We all know the honors and accolades. They include President pro tempore and being a recipient of the Presidential Medal of Freedom. But ORRIN would be the first to tell you that the real legislative legacy he leaves behind is the work of a Senator who has sponsored more bills that have become law than any other lawmaker alive today. Look at the stamp he leaves on the Senate Judiciary Committee alone, for example. Not just landmark legislation like the Religious Freedom Restoration Act, which guarantees robust protections for all Americans to live, work, and worship according to their beliefs—this legislation itself leaves behind a solid, proud legacy, one that will last for generations. Just within the Senate Judiciary Committee alone, Senator HATCH has also been involved in the selection and confirmation of Federal judges not just in Utah but across the country, and every current member and many past members of the U.S. Supreme Court. That, too, is a legacy which will far outlast his time in the Senate still by many, many decades.

Yet, despite all the history ORRIN has made in Washington, his story is even more impressive. He has been a loving and devoted husband to his wife Elaine

for 61 years. Together, they have 6 children, 23 grandchildren, and 24 great-grandchildren. They are his proudest achievements, and he credits their love as his key to success.

Despite decades at the very pinnacle of American Government, ORRIN believes the most important years of his life were the two spent serving as a missionary in the Great Lakes Mission of the Church of Jesus Christ of Latter-day Saints.

As Senator HATCH mentioned in recent remarks, an article of our faith is that "if there is anything virtuous, lovely, or of good report or praiseworthy, we seek after these things." And this is, indeed, how ORRIN HATCH has lived his life and the way in which he has faithfully served God, family, his country, and his State.

Utah and the United States of America as a whole are better off for his service since he decided to run for the Senate all those years ago. I am grateful for all the time he has dedicated to the State of Utah and for the personal encouragement he has given me. And from the time that I was his page to the past years that I have also been his colleague in the U.S. Senate, it has been an honor to serve with him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I have bad news and good news. The bad news is that it was suggested to me that there is some type of a rule at a time like this where the senior person in the Chamber speaks next, and that is me. The good news is that it is short, and the reason is because I didn't really think about this until I came down here to watch Senator HATCH.

I remember so well that long before I was in the House—ORRIN, long before then—you were the guy I always listened to. You would get phone calls from some obscure State senator out in Oklahoma who was complimenting you. You might even remember one time when you and I put something together where we were going to balance the budget and pass an amendment that we knew would pass because we were going to confirm everything before we got it passed, and that was a brilliant idea that didn't work. Nevertheless, we talked quite often about things, and you were the one I looked up to.

The same thing happened. You had a way. When I was in the House, I would see you more than anyone else during the annual National Prayer Breakfast. You would be active on that from the Senate, and I would be from the House. So you kind of had a way of saying things differently, the things you have heard many times before that you don't realize you have been wrong on all the time. You did it a few minutes ago when you talked about Lincoln. You talked about "the House divided against itself" and drew that relationship to what is happening today.

You said it. When you talk, you are talking history, and it meant something different than anything I had ever seen. The Scripture you have quoted, "To whom much is given, much is expected," I didn't think about that.

I just want to tell you, you have been given a lot and a lot was expected and you surpassed all expectations.

I am going to wind up here with an experience I had a week ago today that was, I think, a violation of our rules, but I occasionally do that anyway. I remember my junior Senator, JAMES LANKFORD, who said something at the conclusion of your remarks a week ago. He said: I have been here 3 or 4 years, and I don't remember one time that I have seen ORRIN HATCH when he didn't encourage me and tell me I was a very special person, and I will always remember that.

When he said that, I began thinking. I have been here about 24 years, and I can't think of one time you haven't been encouraging and an encouraging voice. I would come to a conclusion that there is a reason for this. You reflect, as much as anyone I can think of, the civility and love of Jesus, and I can assure you, Jesus is very proud of you this morning. I love you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Thank you, Mr. President. This September, at the height of yet another contentious campaign season, Senator ORRIN HATCH authored an op-ed for Time magazine which we should all read. Its theme was reflected in the remarks he delivered today in his farewell address to the U.S. Senate and to our country.

With his combination of eloquence and straightforwardness that has enlightened this Chamber for more than four decades, our colleague from Utah called upon all Americans to embrace, as he put it, "the practice of true tolerance: respecting others' beliefs even, or perhaps especially, when they differ from our own."

Senator HATCH reminded us that our system of government, crafted by the Founders with great wisdom and understanding of human nature, only works when we recognize "that the majority of our political disagreements are not matters of good versus evil but good versus good," as he put it. He concluded his important essay with these words: "When we embrace these virtues fully, we can heal partisan divisions, reinvigorate the public discourse and begin to realize the full potential of American democracy."

To our friend and colleague ORRIN HATCH, those are not just words; rather, they have represented his guiding philosophy throughout his 42 years of service in the U.S. Senate. They are why he is such an admired statesman here in Washington, throughout our Nation, and around the world.

They are why he is one of the most effective legislators of modern times. As many of my colleagues have already

commented, Senator HATCH's record of having passed more legislation than any Senator alive today is one that demonstrates his commitment to bridging the partisan divides to achieve and advance the common good and to improve the lives of Americans.

I have known and admired ORRIN HATCH for nearly all of his time in the Senate. I was on the staff of Senator Bill Cohen, who joined the Senate in 1979, just 2 years after Senator HATCH. I saw from the start, as a staffer observing Senator HATCH, that this gentleman from Utah was brilliant, he was kind, and he was devoted to his duty to serve others. He truly is one who leads by example.

Senator HATCH has placed careful consideration and compromise above partisan politics, time and again. From the landmark legislation to create the State Children's Health Insurance Program, during my very first year in the Senate, to the recent tax reform law to strengthen our economy and grow jobs, I have had the great pleasure to work with this remarkable leader.

In fact, I remember my freshman year in the Senate when Senator HATCH came to see me in my office. He told me about his plan to expand health insurance for the unserved children of our country. He said he was authoring the bill with Ted Kennedy, and I thought, well, that is a surprising combination, but then I learned it was not; that he would work together with his colleagues on both sides of the aisle to accomplish the goals he set. He invited me to be one of the early cosponsors of that bill, and I was so flattered that this senior Member of the U.S. Senate would come to me, a mere freshman, and invite me to join in cosponsoring such legislation that has made such a difference for millions of American children.

In addition to his accomplishments as a legislator, Senator HATCH holds another record that is unsurpassed. In 32 of his 42 years in the Senate, he has been either the chairman or the ranking member of a major committee. He is held in very high esteem by his colleagues. The Presidential Medal of Freedom that he was awarded in November acknowledges the gratitude the American people have for his many contributions.

There is another side of Senator ORRIN HATCH. He is also a wonderfully talented musician and successful songwriter. The beautiful song he cowrote for the 2005 Presidential Inauguration, called "Heal the Land," includes this line that describes the mission to which he has devoted his life: "Keep us ever on the path of liberty."

Of all of his accomplishments, Senator HATCH is most proud of his family, as he mentioned today. He credits their love and support as the key to his success, and anyone who has met his wonderful wife Elaine will have to concede that Orrin has a point. His wife of more than 60 years, their 6 children, 23 grandchildren, and 24 great-grand-

children, by last count, have much to be proud of as well.

ORRIN HATCH has compiled an extraordinary record on issues ranging from tax reform, education, national defense, scientific research, criminal justice, and healthcare. In fact, it is difficult to think of an issue where he has not left his mark. He is a dedicated advocate of our Senate traditions and a fierce defender of our Constitution. His wide-ranging accomplishments are united by a commitment to always move our country forward.

ORRIN, our Nation is so grateful for your service, and I am so grateful for your wise counsel, mentorship, and friendship over the years. I offer my best wishes to you and to Elaine for many years to come.

Thank you.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, as this session of Congress draws to a close, it provides us with an opportunity to acknowledge and express our appreciation to those Members of the Senate who will be retiring in just a few weeks. One of those Senators who is retiring and whose leadership and institutional knowledge will be missed is my friend ORRIN HATCH of Utah.

I have known ORRIN since my first days 22 years ago in the Senate, and I much appreciated working with him over the years. His mentoring, his guidance, his love, and his sharing of his faith have made a tremendous difference to me.

He comes from a State that borders my own. We are neighbors. As a western Senator, he has an understanding of what is truly important to the people in our neck of the woods and has fought to make this country better during his time in the Senate.

Before I talk about his many accomplishments in public service, I want to acknowledge some of the other things about him that have also been mentioned, his life and role beyond the Senate.

So often it is easy to gloss over things that are important to Senators personally. Sometimes it is easy to forget the men and women we know have their lives that stretch beyond these Halls. ORRIN has been married to his wife Elaine for more than 60 years. He is a father of 6, grandfather of 23, and currently has 24 great-grandchildren. He is an author and a man of many talents. It has been mentioned that he is a talented composer and musician and has both a gold and platinum record from the Recording Industry Association of America. He has been instrumental in the musical world and has been awarded an honorary Grammy. He has been the main protector of copyrights.

ORRIN has dedicated his life to serving the people of Utah. He has always worked for the best interests of Utah, and that includes Americans nationwide.

He has served in the Senate since 1977 and since 2015 has been the President



pro tempore, where he can be seen presiding during the opening of the Senate for daily business probably more than any other President pro tempore of the Senate.

The numbers are in, and they are impressive. He has served under seven Presidents, been a part of both the minority and majority, and has served the people of Utah and the U.S. Senate for over 40 years. ORRIN has served in a variety of leadership roles and has helped America every step of the way. He has had the opportunity to serve as the chairman of three major Senate committees—the Health, Education, Labor, and Pensions Committee; the Judiciary Committee; and most recently, the Finance Committee while doing the tax bill. He has run for President. He has been considered as a potential nominee for the Supreme Court. He has played a role in confirming every Supreme Court Justice currently sitting on the bench. ORRIN is eminently qualified for so many positions, and America has been lucky to have his leadership through the years. The people of Utah, our Nation, and people of all faiths were fortunate to have him to rely on. ORRIN is a man of faith, one who defends others' right to worship in peace.

He has consistently fought to rein in the Federal Government. He has been a champion of responsible government spending and a leader of States' rights. He authored a constitutional amendment to balance the Federal budget that received 66 votes, just one short of what was needed to amend the Constitution. One of those votes was somebody who had just run for election and said that was the most important thing and no matter how many times it came up, he would be voting for it. He voted against it, and that was the one vote that was needed. Just by virtue of his legislative triumphs, he has helped to author some of the most consequential pieces of legislation in our time. Many have been mentioned.

He paved the way for the sale of generic drugs and helped advance innovation for patients with rare diseases. He has contributed to the protection of children's health and well-being as well as the rights of Americans with disabilities. I know one of his proudest accomplishments is passing the Religious Freedom Restoration Act, which protects individual Americans' right to exercise their religion. Most recently, he had the honor of having the Orrin G. Hatch-Bob Goodlatte Music Modernization Act named after him, which overhauled musical copyright law.

We both have a strong touch of the West in our hearts, which we express every day in what we do. That is why I wasn't surprised last year when ORRIN announced he would not be running for another term in the Senate. He said:

I've always been a fighter. I was an amateur boxer in my youth . . . but every good fighter knows when to hang up the gloves. . . . I look forward to spending more time with family, especially my sweet wife

Elaine, whose unwavering love and support made all of this possible.

ORRIN has been a great source of strength and a great support for our party, and he will be missed. My wife Diana joins me in sending our best wishes and appreciation to ORRIN and Elaine. We wish them all the best as they have time to spend with their children, grandchildren, and great-grandchildren. Together, they have been great examples of the importance of public service, and we wish them the best in whatever adventure they choose to pursue next.

ORRIN, it will be said that it was well done, good and faithful servant. Happy trails.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The majority whip.

Mr. CORNYN. Madam President, I have been sitting here listening to all of the accolades being given to our friend ORRIN HATCH, and I didn't hear a word I disagree with. As a matter of fact, rather than offering my prepared remarks, I ask unanimous consent that they be made part of the RECORD following my verbal remarks.

Let me just spend a couple of minutes talking about the ORRIN HATCH that I know. I first met ORRIN HATCH in 1990, when I was a candidate for the Texas Supreme Court. We had an event in Dallas, TX, and, lo and behold, who would be the star attraction? It certainly wasn't me. Who would be the star attraction of this event? It was Senator ORRIN HATCH, famous for his work on the Senate Judiciary Committee, having served there for virtually his entire career in the Senate. Of course, he lent tremendous gravitas to that event, which would otherwise have been forgotten, including by me, in a short time. But it was indicative to me of the importance that ORRIN has always placed on the independent Judiciary in our country, and we heard how many judicial nominations he has participated in and how many Supreme Court Justices whose confirmation proceedings he has participated in.

What I will always remember about ORRIN is his generosity, his kindness, and his faithfulness when it comes to the rule of law and the role of our independent Judiciary.

Recently, we had a debate in our conference at one of our lunches. ORRIN is so famous for encouraging, as we heard from the Senators from Oklahoma, Mr. INHOFE and Mr. LANKFORD. He is famous for being an encourager. I can't think of any one of us who hasn't had ORRIN HATCH come up to us at some point during the day and say: You are doing a great job. Keep it up.

Actually, the joke was that ORRIN has told so many of us that he loved us, that one of our colleagues said: Well, he told me he loves me most—hoping we would be jealous, I guess.

But the truth is, ORRIN has a heart as big as all the outdoors. At a time when people wonder about the future of our country and the character of the people

who serve our country and government, he is a shining example of exactly what should cause them to keep faith for the future of this country. As long as we have men and women of the character of ORRIN HATCH serving in the U.S. Government, we have nothing to worry about.

Let me just say to my friend ORRIN, thank you for being my friend. Thank you for being a great example for all of us to emulate. There is nothing more powerful in life than a good example, as ORRIN has helped us realize.

We wish you and Elaine and your family all the best. As the Scripture says: You fought the good fight, you finished the race, and you kept the faith. We love you for it.

Today, I have the difficult task of trying to sum up the work of a great Senator, a valued colleague, and a great friend.

While this is a familiar reality every other December, it doesn't make the task any easier—especially when it comes to saying farewell to Senator ORRIN HATCH. It is rare to find such a combination of wit and grace, humor and humility. But we find that in him, and the combination works. He is the American Dream personified, a shining example of where hard work and determination can get you in life.

ORRIN's story starts in Pittsburgh from humble beginnings with parents who worked for every cent they earned. Back then, in his words, he had to "fight for everything," and he meant that both literally and figuratively. After a bully shoved a young ORRIN on the playground, he went home, stuffed a duffel bag with sand, and hung it from a tree in his yard. He punched that bag for hours, and when it came time to stand up to another playground foe, he won.

As he and his wife Elaine built their young family, he built a home for them himself, converting an old chicken coop. Elaine counts their time there as some of her happiest memories.

It is this drive to succeed no matter what the circumstance that lit a fire in ORRIN and made him a star in the courtroom and later, in this chamber. ORRIN has served as a mentor to me and to so many others in Congress.

Our friendship goes back before my time in the Senate to when I was running for the Texas Supreme Court. ORRIN came to Texas to headline an event for me and the Chief Justice. It was an outsized act of kindness for someone of his stature in the U.S. Senate, and an act I have never forgotten.

We have continued that friendship and partnership on a wide range of issue areas, but often on one topic we find increasingly important for both our states: trade. I have been fortunate to benefit from ORRIN's leadership on the Senate Finance Committee as chair of the trade subcommittee, especially as we worked to pass Trade Promotion Authority. Although these trade agreements are complex, they are not faceless: they affect whether or not

an American family can put food on their table.

ORRIN recognized that TPA is an integral trade tool to ensure American workers and businesses get the best deal possible in pending trade agreements. And passing it was a true team effort.

Nearly everything I have done with Chairman HATCH on the Finance Committee has been to help American families, and that is something ORRIN keeps at the forefront of his mind with each vote we take in committee or here on the floor. It drove his work during our efforts on tax reform, his most historic achievement to date. He led the entire conference masterfully, providing steady guidance and keeping our goal of putting more money back in the pockets of hard working Americans in mind.

ORRIN has also served as the Chairman of the Judiciary and HELP Committees and has had over 800 bills signed into law—more than any living Senator. He has not let party lines stop him from getting things done. He joined with Senator Ted Kennedy on the Children's Health Insurance Program. He worked to lower the price of prescription drugs. He pushed the Americans with Disabilities Act over the finish line.

A lot of his ideas for legislation come from his deeply held convictions and his passions in life. A devout Mormon and believer that all Americans should be able to practice the religion of their choice, he worked across the aisle to pass the Religious Freedom Restoration Act.

His love of music led him to partner with fellow musician Senator LAMAR ALEXANDER on the Music Modernization Act, now law. It was the first sweeping update of our music copyright laws in 20 years, and it allows artists to get the royalties they are due.

ORRIN, a prolific songwriter, has had hits included in movies and his songs range from the serious, like a tribute to his brother Jesse who died in World War II, to the patriotic, like his ballad, "America Rocks!" Through all of his work, ORRIN has been driven by a belief that he would make a difference in the lives of Americans. It is this service mentality—guided by his strong faith—that continues to be an inspiration to us all.

Although he attributes his success to hard work, he also knows he has been given special talents by his Maker. ORRIN once said, "There's no question that God has helped me throughout my life, and I don't want to let him down." I believe our colleagues would join me in saying that ORRIN, you have not let him down.

I challenge my colleagues to outwork ORRIN HATCH. I am not sure it can be done, but we would be a better Chamber for it.

I think it is safe to say that my colleagues and I will miss the laughter and wisdom of this man, and we are be-

yond grateful for his countless contributions to this country, this institution, and to his beloved state over an outstanding career.

I want to thank him for his service and bid him farewell. Senator HATCH's legacy will live on through our work, we will make sure of it.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Madam President, I just had the honor of presiding over Senator HATCH's farewell address to the Senate and to the country. I think for everybody who saw this—whether it is our colleagues on the Senate floor or, hopefully, millions of Americans—in his speech, they saw and heard, not only in his remarks but in the remarks that have followed from Democrats and Republicans who have served with him for many years, why he is so revered in this body as a statesman and as an example for all of the Senate. You just heard the accolades: civility, class, competence, effectiveness, patriot, kind, statesman. We could go on and on here.

I want to thank him for his example. As an Alaska Senator, I also want to thank him for being such a great friend to Alaska, my State. In my 4 years in the Senate, as so many others have said, he was always encouraging me but always asking me: What can I do to help, Dan? What can I do to help Alaska?

ORRIN, I want to thank you so much for that encouragement, for your exceptional example to all of us, for your exceptional example to America, for your exceptional service not only to the people of Utah but to the entire Nation. It has been a great honor to serve with you, sir.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

#### CONGRESSIONAL REVIEW ACT

Mrs. SHAHEEN. Madam President, we will soon be voting in this Chamber on S. Res. 64, which is a Congressional Review Act resolution looking at a Treasury Department rule that I believe will promote dark money in politics.

Since the Supreme Court's decision in Citizens United, our political system has been flooded—absolutely flooded—with money from special interest groups. According to the Center for Responsive Politics, independent expenditures on campaigns went from \$203 million in 2010 to \$1.48 billion less than 10 years later, in 2016. So it went from \$203 million in 2010, after the Citizens United decision, to \$1.48 billion in 2016.

This massive influx of money into our elections undermines the confidence of the American people in our political system. It creates an environment that is ripe for corruption and inappropriate influence. It sows further disenchantment among the electorate and impacts participation in our democracy. It allows voters to believe that their votes are less important

than businesses with a bigger checkbook.

That is why it is so important that we ensure transparency and accountability in campaign financing through robust disclosure requirements and oversight.

Unfortunately, instead of making it easier to identify individuals and organizations who are funding campaigns, the Treasury Department has issued a rule that will increase the amount of dark money in the political process. That is money that comes in, and we have no idea where it comes from and who is behind it. This ill-advised rule change from the Treasury Department will eliminate the requirement that social welfare organizations, or 501(c)(4)s, and business leagues, or 501(c)(6)s, report donor information to the IRS. That basically gives a blank check for anyone to come in and spend any amount of money, and we are not going to know who it is or who is behind the money.

The change risks impeding law enforcement efforts to track money laundering in our political system, and it makes it more likely that foreign money will illegally influence our elections. Under this new rule, organizations that made over \$197 million in independent expenditures during the 2016 election cycle would now be totally exempt from disclosing who those donors were to the IRS.

The door will now be open to hundreds of millions more in dark money from secret groups with hidden agendas, trying to buy an election with money and influence. These dark money groups have increased in size and scope since the Citizens United decision, as they recognize the opportunity to influence elections with no accountability.

Malicious actors at home and abroad will likely exploit the increased secrecy in this process, and the proliferation of these dark money groups will further influence our political system.

This Congress has a duty to ensure the integrity and security of our electoral process. We have to eliminate dark money contributions as we do this. Dark money has a corrosive influence on our Democratic process because it erodes trust in our institutions, it distorts the motives of our elected representatives, and, perhaps most importantly, the American people have a right to know if the candidates they choose to represent them are supported by foreign groups and shady special interests.

For these reasons, I strongly support attempts to stop the Trump administration's misguided attempt to allow more dark money into our political process, and I urge my colleagues to support the resolution that will be coming up shortly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Madam President, I ask unanimous consent that I be allowed to complete my remarks and

Senator TESTER be recognized at the conclusion of my remarks for up to 5 minutes.

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

TRIBUTE TO ORRIN HATCH

Mr. JOHNSON. Madam President, before I begin addressing my opposition to the CRA, I want to spend a brief moment agreeing with all of the tributes and all of the accolades of Senator HATCH.

I wasn't able to get down here on the floor because I couldn't get down here in time—he started a little bit early—but I watched the entire speech from my office. It just showed the integrity, the patriotism, and the goodwill of this good man.

Like so many of my other colleagues, I don't know another Senator who offers more encouragement and more kind words to all of us than Senator HATCH. Again, I wish him and Elaine well in their retirement. I wish them the best.

God bless Senator HATCH for all of his faithful service.

CONGRESSIONAL REVIEW ACT

Madam President, I rise to discuss the Congressional Review Act challenge put forward by the senior Senators from Oregon and Montana.

The CRA has been proposed in response to guidance on a revenue procedure recently announced by the Internal Revenue Service. As chairman of the Homeland Security and Governmental Affairs Committee, I have written to the IRS twice asking them to take the very actions this CRA seeks to overturn.

Let me begin by reviewing some basic facts about the guidance—facts that are irrefutable, but facts that are apparently being ignored by those supporting this measure.

First, I want to make it clear that the guidance in question mirrors a proposal that was crafted under the Obama administration. While that proposal was never fully implemented, the fact that it was first proposed by the Obama administration proves its bipartisan nature.

Essentially, the guidance makes clear that personal identifying information of donors for certain tax-exempt organizations does not need to be filed on a form with the IRS. However, these organizations will still be required to keep that donor information on file. Simply put, the guidance is merely a change in where the information is warehoused.

In the past, it was kept on a form at the IRS, as well as in the records of each organization. Now, it will only be kept in the records of each organization.

It is important to note that the officials in the Obama administration said that the reporting of such information is no longer necessary for the efficient administration of the internal revenue laws. I am not actually sure it ever was required.

The one change being implemented that differs from the Obama proposal is

that the IRS also included in its new guidance needed privacy protections in response to recent government leaks and breaches. In order to protect taxpayer privacy, under this new guidance, the donor information in question is prohibited from being made public by the government no matter where it is warehoused.

So let me summarize. The donor information in question is not used by the IRS for the efficient administration of the internal revenue laws, as was noted by the previous administration. The information is required to be kept on file and on the books of the organization and to be available to the IRS or law enforcement, if needed, which was also as proposed by the previous administration. Finally, the information, no matter where it is housed, shall not be made public by the government.

These are clear and concise reasons for a simple change that was made—and let me reemphasize this point—in order to protect taxpayer privacy. Unfortunately, such protection is necessary because, when the IRS required that donor information be reported on a form to the IRS, there had been numerous times during which the returns of tax-exempt organizations were inappropriately and possibly illegally disclosed, whether through administrative sloppiness, carelessness, breaches, or other potentially nefarious or partisan reasons.

The reason tax-exempt organizations' donors may wish to remain anonymous is best illustrated in the 1958 Supreme Court case of the NAACP v. Alabama. The State of Alabama was attempting to force the disclosure of the members of the NAACP. The concern those members had in having their names revealed should be obvious. Fortunately, the Supreme Court decided unanimously to protect the identities of the NAACP's members.

Today, tax-exempt organizations that span the political spectrum and the supporters of those organizations deserve the same consideration and protection as the NAACP had. They deserve to remain anonymous so that they cannot be targeted by their political opponents.

A similar threat does exist today from the compelled disclosure of donor information that is held by tax-exempt organizations, including 501(c)(4) social welfare groups. If information about donors to these groups becomes publicly available, the information could be used in a way that would chill future speech and association—a basic First Amendment right.

Donor information is also susceptible to abuse by the Federal Government itself. In one egregious example in 2010, the IRS sent 1.1 million pages of tax-exempt return information, including donor information in some cases, to the Justice Department for potential prosecutions relating to political speech. More recently, some States have sought to compel the disclosure of

donor information from schedule B. The disclosure of donor information has led to the harassment of donors in some very well-documented cases.

In a court brief that was filed in January of 2017 in *Americans for Prosperity Foundation v. Becerra*, the NAACP warned against States' compelling the disclosure of donor information:

Forcing an organization to release [organizational membership and/or donor lists] to the State not only divulges the First Amendment activities of individual members and donors, but may also deter such activities in the first place. Specifically, individuals may legitimately fear of any number of negative consequences from disclosure, including harassment by the public, adverse government action, and reprisals by a union or employer.

This potential harm exists across the political spectrum regardless of donors' ideological beliefs.

Needless to say, the Congressional Review Act challenge to the recent IRS guidance on where to house private donor information is troubling, and its motivation is highly suspect. For anyone who truly cares about privacy and ensuring that the Federal Government does not use the tax system as a political targeting machine, a vote against the Congressional Review Act challenge is the obvious choice. I urge my colleagues to vote no.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, before I start, I thank Senator HATCH for his decades of service to this body, and I wish him well in retirement.

This CR is about one thing—transparency, sunlight, and making sure people know what is going on with their government. I rise on behalf of the millions of Americans who are tired of seeing their democracy undermined by mega-donors as they hide in the shadows. As my friend from Maine said, it would be like going to a public meeting with a bag over your head. That is what this is about. Take the bag off. Take them out of the shadows.

Since the Supreme Court's ruling in 2010 in a case called *Citizens United*, we have had our democracy and our elections for sale. Over the past 8 years, billions of dollars have been spent to influence our elections. Nobody knows where this money comes from. It could be coming from foreign countries.

Just 3 years after the unpopular *Citizens United* decision, these wealthy families once again used the Supreme Court to chip away at our democracy with the *McCutcheon* ruling. A handful of our Nation's wealthiest families have used this court ruling to hide behind political action committees with stoic names so they can build pipelines of cash to push their own agendas.

While we are still tallying the totals from this past election 5 weeks ago, we know that dark money groups in 2016 spent \$1.4 billion in that single election.

If we don't take an aggressive approach, more dark money is going to

flood our elections. It is going to mislead voters and turn people away from our elections, our democracy, and, quite frankly, will put our democracy at risk.

This is a very important joint resolution, and it is not the first time we have been here. During the Gilded era of the Copper Kings, this Nation's wealthy openly exercised their power over our democracy. Once again, they tried to buy it. In fact, in my home State of Montana, Copper King William Clark's solicitation for bribes during his campaign for the U.S. Senate was so blatant that Mark Twain called him "as rotten a human being as can be found anywhere under the flag." Today, I am concerned that the days of the Copper Kings have returned and are being ushered in, in part, by policies from this administration.

Back in July, the Treasury Department and the IRS took an unprecedented step and eliminated the requirements for certain tax-exempt organizations to report to the IRS the identities of their major donors.

I will say one thing about the Senator from Wisconsin's remarks—the Obama administration's view on this was that it opposed it because it would constrain the IRS in enforcing its tax laws. This administration's policy through the Treasury, through the IRS, created another safe haven for this country's wealthiest donors to hide in the shadows while they pulled the levers of power in our democracy.

Just like ordinary Americans took control of our government at the end of the days of the Copper Kings, when Senate seats were openly for sale—they acted—we have to act today. Today's vote will overturn that rule and shed more light on the folks who are trying to buy our elections.

In my reelection campaign over the past 2 years, over \$40 million of outside money was spent to influence just 500,000 voters. We will never know who those folks were. These out-of-State fat cats didn't know the State of Montana; they just wanted to write the large checks to try to influence and buy our State, just like the Copper Kings did 100 years ago. I guarantee that a lot of those dollars came from the same dark money groups that are opposing this vote here today. They don't want to see this joint resolution pass because it undermines their efforts to anonymously influence our elections—once again, taking away from the transparency of our government.

In addition to these wealthy few who are trying to buy our elections, these dark money policies open the door to foreign contributions to House, Senate, and Presidential campaigns. Of course, it is illegal for a foreign national to contribute to our Federal candidates for office, but when you do not know who is contributing the money, how do we know that it is not the Russians or that it is not the Saudis or other nations that are infiltrating our elections? Our adversaries are always look-

ing for the weakest link to try to destroy our country and destroy our democracy. One of our weak links today is our broken campaign finance system.

It is time to pass this bill, shore up the election infrastructure, and take a step toward eliminating the ability of our enemies to choose leaders in Washington, DC.

I thank the senior Senator from Oregon for his leadership and for helping to force a vote on this important legislation. Senator WYDEN and more than 30 Members of this body cosigned our discharge petition, and 35 Members of this body cosponsored this joint resolution of disapproval under the Congressional Review Act to force today's vote.

The public needs to know where the Senators stand. Do they stand on the side of transparency and accountability, or do they side with the dark money special interests who flood our elections with television ads and our mailboxes with misleading ads? It is past time to wrestle our country back from the wealthy few who are fighting to drown out the voices of regular folks. I urge the support of this joint resolution of disapproval so as to help take our country back.

I will close with one thing, and then I will be quiet—and thank you for your tolerance. This is about transparency. Tell me one time when transparency has not been a good thing. It is the antiseptic for good government.

I yield the floor.

The PRESIDING OFFICER. The clerk will read the title of the joint resolution for the third time.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. WYDEN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER (Mr. ALEXANDER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 260 Leg.]

YEAS—50

Baldwin	Collins	Hassan
Bennet	Coons	Heinrich
Blumenthal	Cortez Masto	Heitkamp
Booker	Donnelly	Hirono
Brown	Duckworth	Jones
Cantwell	Durbin	Kaine
Cardin	Feinstein	King
Carper	Gillibrand	Klobuchar
Casey	Harris	Leahy

Manchin	Peters	Tester
Markey	Reed	Udall
McCaskill	Sanders	Van Hollen
Menendez	Schatz	Warner
Merkley	Schumer	Warren
Murphy	Shaheen	Whitehouse
Murray	Smith	Wyden
Nelson	Stabenow	

NAYS—49

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Capito	Hoeben	Rounds
Cassidy	Hyde-Smith	Rubio
Corker	Inhofe	Sasse
Cornyn	Isakson	Scott
Cotton	Johnson	Shelby
Crapo	Kennedy	Sullivan
Cruz	Kyl	Thune
Daines	Lankford	Toomey
Enzi	Lee	Wicker
Ernst	McConnell	Young
Fischer	Moran	
Flake	Murkowski	

NOT VOTING—1

Tillis

The joint resolution (S.J. Res. 64) was passed.

The PRESIDING OFFICER. The Senator from Iowa.

#### MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

#### TAX LEGISLATION

Mr. GRASSLEY. Mr. President, as the 115th Congress winds down, I would like to reflect on the enactment of the historic tax legislation, which passed last year, and what is ahead for us in the new year.

In December of 2017, Congress passed, and the President signed into law, the most comprehensive reforms to the Nation's tax laws in more than three decades.

For years, both sides of the aisle have talked about the need for tax reform that would provide tax simplification, tax fairness, and increase America's economic competitiveness. With the enactment of the law called the Tax Cuts and Jobs Act, we finally made all three of those goals a reality.

Significant simplification was achieved for individuals by nearly doubling the standard deduction. This means people will be able to pay less and avoid the tedious task of itemizing their taxes. Overall, roughly 90 percent of taxpayers will file their taxes by simply taking the standard deduction.

Moreover, thanks to a significantly higher alternative minimum tax, which we refer to as the AMT exemption, millions of middle-class taxpayers will no longer be faced with figuring out their tax liability two times: one time to calculate their regular tax liability and the second time to calculate their tax liability under the alternative minimum tax.

It also provided tax fairness by reducing taxes across every income group. In fact, middle-income families experienced the largest tax cut by percentage.

Additionally, the reforms made the Tax Code more progressive, with taxpayers earning more than \$1 million shouldering a larger share of the tax burden than they did under the previous law. In addition to nearly doubling the standard deduction, tax relief was targeted at middle-class families by doubling the child tax credit from \$1,000 to \$2,000 per child.

It also reduced the previous 15 percent tax bracket to 12 percent and the 25 percent tax bracket to 22 percent. As a result, a typical family of four earning \$59,000 a year will see a tax cut of more than \$1,600 in the year 2018.

A key motivation for tax reform was to boost economic growth and increase America's global competitiveness. America's Tax Code should favor American jobs, American workers, and American businesses. That means leveling the playing field so that we are not put at an economic disadvantage with other countries competing with us, so the Tax Cuts and Jobs Act brought the corporate and international tax systems into the 21st century. You can tell it is already working because other countries are looking at lowering their tax rates to compete with us.

Of course, what we did included lowering the corporate tax rate from 35 down to 21 percent. In one fell swoop, we went from a tax rate that was the highest in the developed world to below the world's average of 23 percent. How can you be competitive if you are a country at 35 percent and the average is 23 percent? This means global corporations will be more inclined to create jobs here, rather than in other countries.

We also modernized America's international tax system. We were one of the very last major countries to tax businesses on a worldwide basis. By moving toward a more territorial system, we freed up more than \$2 trillion for investment here at home that American companies were holding offshore.

These changes to the international tax rules don't just help U.S. companies that operate globally to compete in the worldwide marketplace, but they also help those companies grow their businesses here at home with more jobs, better wages, and increased investment.

Just as important, we worked to ensure that small businesses and pass-through entities received more equitable treatment compared to what a corporation gets. We have a new 20-percent qualified business deduction benefiting pass-through businesses of all sizes, down to the smallest family farmer or corner bakery. Enhanced expensing rules were included to help all businesses, spurring investments in new equipment and machinery.

Our efforts have contributed to a strong and growing economy. The unemployment rate is at a half-century low; wages are rising at the fastest rate in nearly a decade; and workers, employers, and small business owners are all very optimistic about the future—more optimistic than for a long, long time. America is working again.

As we look forward to a new year in 2019, with a new Congress and a new majority in the House, it is my hope that we can work in a bipartisan way to build upon this economic success I just described. I will be doing my part as the incoming chairman of the Senate Finance Committee, and I see plenty—plenty—of opportunity.

Unfortunately, I hear increasing calls from the incoming House majority pledging to erase the progress made with the tax cuts and tax reforms I have just outlined.

The proof of tax reform's success is in today's economy. It is obvious to most people that it is in the best shape it has been in for a long time. Why would we want to go backward—toward stagnation, pessimism, and, obviously, joblessness?

Of course, no major piece of legislation is perfect. To the extent that there are legitimate efforts to perfect the law, then I want people to know that I am all ears. But to the extent that these efforts would undermine the strength of the American economy for the sake of ideology—and that ideology would be hiking taxes and undoing important reforms to modernize the tax system and increase America's global competitiveness—then they will be met with stiff opposition from this Senator.

Instead of playing politics, we should be focused on examining how the law is affecting individuals, families, and businesses in our respective States and districts. Where necessary, we should work together to take action and ensure the law is fulfilling its full potential.

We should also work toward providing tax certainty for individuals and small businesses. This would include making permanent marginal tax rate cuts for individuals and families, making permanent the doubling of the child tax credit from \$1,000 to \$2,000, also making permanent the innovative 20 percent deduction for small businesses to provide the certainty that is needed to make investment and to encourage that investment and also to encourage hiring decisions and, lastly, the ability of businesses to recover the cost of investment in property and equipment faster.

I hope my colleagues in the House of Representatives join me in these efforts. I have yet to hear a good reason why we shouldn't make these and other tax relief measures permanent. It is the right thing to do for the economy, the right thing to do for job creation, and the right thing to do for wage growth.

I also wish to see us continue working on other important issues we start-

ed in this Congress. This includes improving retirement savings, bringing the IRS into the 21st century, protecting taxpayer rights, enhancing the competitiveness of U.S. businesses, and encouraging research, development, and innovation.

I also hope there will be plenty of opportunity to work on a bipartisan basis on tax issues involving everything from education to renewable and alternative energy, to consumer-directed healthcare options. I have heard a lot about the desire of the new House majority to engage in oversight of the current administration.

I will put my record of oversight up against anyone's record. However, I want my colleagues to know I do not intend to engage in political fishing expeditions. I think a person like me who has had an equal opportunity approach to oversight—treating Republican administrations the same as Democratic administrations—speaks for itself.

I will not go along with efforts to weaponize the authority of tax-writing committees to access tax returns for political purposes. Such an action would be unprecedented, but if Democrats are interested in doing non-partisan, good government oversight, count me in.

I hope they will join me in my efforts to hold the IRS accountable to the taxpayers; ensure the nonprofit sector is living up to the purposes of its tax-exempt status; that they will also help me stand up for tax whistleblowers who expose tax cheats; and track down, expose, and address tax shelters.

My hope is, in the new Congress, we will be able to work to address important tax matters in a bipartisan fashion. I am proud of my strong record of bipartisanship on the Finance and Judiciary Committees. I intend to continue my good working relationships with my colleagues across the aisle and hope to forge a few new ones, not only in the Senate but also with the new majority in the House of Representatives.

Senator WYDEN, who will be the ranking Democrat on the Finance Committee, and I have had a good working relationship on so many different issues over a long period of time, and I think we will be able to work together as well. We have already started communication along that line.

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

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

#### GOVERNMENT FUNDING

Mr. LEAHY. Mr. President, it occurs to me that if Americans had any doubt that President Trump is fixated on

wasting billions of tax dollars to wall off our 2,000-mile southern border, all they had to do was watch his jaw-dropping press conference yesterday in which he demanded another \$5 billion of America's hard-earned tax dollars for his political pet project, which, throughout his whole campaign, he gave his solemn word that Mexico would pay for.

I have been here during the terms of eight different Presidents. I have never heard the words I heard from our President yesterday. I never thought that any President, Republican or Democrat, would use them. When President Trump boasted that he would be proud to shut down the government if Congress does not bow to his spending demands, I had to play it back, watching it two or three times, making sure that is exactly what he said. He was very proud of it. I must say it is one of the most reckless statements I have ever heard uttered by a President of the United States of either party.

The President's job, like yours and mine—all of us—is to keep the Federal Government operating for the hundreds of millions of Americans who depend on government services every day, from our national parks, housing services for the elderly, the disabled, our veterans, and for assistance to our Nation's farmers. Just yesterday, we passed a bipartisan farm bill, and I praise Senator ROBERTS, a Republican, and Senator STABENOW, a Democrat. They came together and passed a bipartisan bill by an overwhelming margin.

A lot of work went into that to protect our farmers, but if the President shuts down the government, there is not going to be anybody in local USDA—U.S. Department of Agriculture—offices to answer questions from farmers about what that new law means for them, just as farmers are making their plans for next year's planting season. They cannot just turn it on and turn it off. They have to plan months in advance.

When I first came to the Senate 44 years ago, the idea of threatening to shut down the Federal Government as a negotiating tactic was unheard of. Now it seems we go through this every year, and neither party is blameless. But before President Trump, no one bragged about it. No one seemed to relish it. No one was foolish enough to call it good for the country, no matter what party they were from. No one treated shutting down the government as if it is some kind of reality show, some kind of game, without the slightest concern for the consequences for the American people and hundreds of thousands of Federal workers and their families over the holidays or for the huge amount of the taxpayers' money that would be wasted as a result.

President Trump's performance yesterday amounted to throwing a temper tantrum on national television. He is either oblivious to what he is doing, does not know what he is doing, or he simply does not care about the real

world consequences of a shutdown. Hundreds of thousands of Federal employees would be furloughed or working without pay 3 days before Christmas, and millions of Americans would be cut off from critical government services. Instead, the President eagerly offered to "take the mantle" for shutting down the government over his pet project—a wall, which we do not need.

What could be the driving fixation for building medieval wall along the southern border? Maybe he has actually begun to believe his own fearmongering and lies about migrants, asylees, and refugees. After years of demonizing and vilifying migrants to rally his most ardent supporters, perhaps his own demagoguery has finally gotten to him. Maybe he is actually believing the things he has been saying. Only that—a self-made, alternate reality in which vulnerable women and children have miraculously transformed into hordes of gang members and terrorists—could explain such an irrational obsession for a wasteful wall that does absolutely nothing to stop actual threats to our Nation's security. Only in an altered reality would one act as though teargassing little children in diapers makes sense.

The President may not be able to tell fact from fiction, but he may be purposely blurring the lines between them. But as vice chairman of the Senate Appropriations Committee, it is my duty to ensure that taxpayer dollars go toward solving problems we know to exist in fact. So let's talk about the facts. It is time for a reality check.

President Trump, justifying a litany of anti-immigrant policies, has repeatedly claimed that there is a crisis at our southern border with a "drastic surge" of undocumented migrants attempting to flood into our country. That is false.

The truth is that illegal border crossings are at historic lows. At the end of 2017, arrests of people attempting to enter the United States illegally dropped to the lowest level since 1971. Between 2000 and 2018, border apprehensions fell sharply, from roughly 1.6 million in fiscal year 2000 to approximately 400,000 in fiscal year 2018—a 75-percent drop. Now, we all agree that illegal immigration is a serious problem, and we should address it, but saying that we are experiencing a crisis-level surge of illegal crossings at the border is pure fiction. For the life of me, I cannot understand why the President would use pure fiction as a scare tactic.

There is not a true crisis to point to, so the President is manufacturing one. Ever the reality TV showman, he opted to focus America's attention on images and videos of a caravan of migrants marching toward our southern border. In the runup to the recent elections, pointing at vulnerable migrants while they were thousands of miles from our border, President Trump immediately began warning of an imminent "onslaught," "invaders," an "assault on our country," and a "national emer-

gency." Inconveniently for the President, these people were 1,000 miles from our border. Thousands of them are defenseless women and children. Most Americans just do not think of the word "invaders" when they see barefoot toddlers being pushed in strollers by their mothers. The sad reality is that many of these people are fleeing desperate situations in their home countries and are looking for sanctuary. They are not coming here to perpetuate violence; they are running away from violence.

They do not want violence. They are not coming here to bring violence; they are trying to escape violence—violence against their children, violence against their families.

When the pictures on TV actually began to be shown and were defying the President's narrative, he changed course. He began making the case that hidden among these families are stone-cold criminals and unknown Middle Easterners, as if anyone from the Middle East is inherently a danger to us. What is his proof? He has none.

In fact, to quote the President's own words about the composition of the migrant caravan: "There is no proof of anything."

Just yesterday, President Trump even claimed we needed the wall because we recently captured 10 terrorists over a "very short period of time." This statement had fact checkers, actually people within his own administration, scratching their heads because nobody knew what he was talking about.

A Homeland Security official claimed that President Trump was referring to a government statistic indicating that 10 people suspected of terrorist ties are prevented from entering the United States every day "by air, sea, or land." What a multibillion dollar wall along our southern border would do to prevent a suspected terrorist from flying into JFK Airport I cannot figure out, but President Trump does not seem to know or care about the difference.

The conservative Center for Immigration Studies issued a report last month, concluding that only 15 suspected terrorists have been apprehended at the U.S.-Mexico border since 2001, and a suspected terrorist includes anyone coming from a handful of specific countries, like Syria. It does not mean they are, in fact, terrorists or have any connection whatsoever to terrorists.

So President Trump's unsubstantiated vitriol against immigrants is matched only by his flamboyance about the wall. Despite his claims yesterday that wall construction is under budget, the largest component of fencing that Congress has funded, a 25-mile barrier in the Rio Grande Valley, has ballooned in cost from \$445 million to \$787 million. That pricetag for fencing is \$31.5 million per mile. We American taxpayers are paying for that. Despite the President's claims that additional wall funding is an urgent need, the

Trump administration has spent only 6 percent of the \$1.7 billion Congress has appropriated over the last 2 years to build or replace fencing on the southern border.

Facts matter, Mr. President. The \$5 billion he is clamoring for would be better spent on real homeland security, such as Coast Guard boats that can save lives, grants to nonprofit churches and synagogues to secure themselves against shootings like those in Pittsburgh and Sutherland Springs, more Customs personnel and technology to seize the fentanyl that is fueling our Nation's opioid epidemic and actually killing our citizens. Let's remember, fentanyl is mostly coming through our legal points of entry and our mail facilities, not between the ports where the President wants to build his wall.

Perhaps in President Trump's alternate reality—where illegal crossings are at historic highs, migrant caravans of hardened criminals are invading our country, and terrorists are slipping past our Border Patrol agents every day—the need for a giant, concrete wall seems like an urgent necessity. But if, like everybody here, you live in the real world, where the facts and statistics mean something, his obsession with building a wall is exposed for what it is—a desperate attempt to please his base and protect his ego and to make us forget that he gave his word. He gave his word. He gave his word that Mexico was going to pay for it. Now we know that was a flatout untruth.

As stewards of American taxpayers' hard-earned money, we have a responsibility not to throw away billions of dollars in a project that is built on a foundation of fact-free fearmongering. To be clear, this is not the way we appropriate money. This is certainly not the way we fund and run the U.S. Government. If the President wants to shut down the government because he cannot muster the votes to fund his wall, as he says he does, the American people will see that he cares more about his misguided campaign promises and misstatements than he does about doing his job—the job of making the government work for the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### FAREWELL TO THE SENATE

Mr. NELSON. Madam President, this is my farewell speech, and I thought it would do me well to think back to the very first speech I gave on the floor—my maiden speech.

My maiden speech was about a couple of months after my first time being sworn in. I had waited back then—this is 18 years ago. It was appropriate for freshmen Senators to wait a while, don't speak up right away. So I waited 2 or 3 months until it felt like it was the appropriate time, and I remember there was nobody out here. It was an empty Chamber. I picked a topic of the day. I think we were trying to balance the budget at the time—something that 18 years later we are still trying to do.

Then, in the course of the speech, I mentioned that it was my maiden speech. Nobody was out here except the Presiding Officer. All of a sudden, those doors swung open, and right then and there, in strides Senator Robert Byrd. I was standing at a desk over there on the other side, and Senator Byrd's seat was either here or here. So I finished my speech and he said: Will the Senator from Florida yield?

I said: Of course, I will yield.

Senator Byrd, for 30 minutes, gave an oration on the history of maiden speeches in the Senate. So you can imagine, nothing I said was memorable, but it was certainly memorable to this Senator that all of a sudden I would be treated to the corporate knowledge from one of the lions of the Senate in looking back on the history of this body.

I wanted you to know I am a Florida boy. My family came to Florida from Denmark in 1829. So many people come to Florida from the Northeast. Well, my great-great-grandfather was a sailor—a teenager on a sailing ship—and he ended up in New York in a barroom brawl. He was frightened that he was going to be arrested, so he ran to hide. He ran down to the wharf. He hid in a ship, and the ship cast off for Port St. Joe, FL, in 1829. So you see, my family came to Florida from New York also.

Five generations—on the other side of the family, I have a deed signed by Woodrow Wilson in 1917 to my grandparents after they had worked the land for the required 4 years. Under the Homestead Act, the government would deed you 160 acres of land. It is the act that pushed the frontier so much farther into the hinterlands, and we especially think of it westward, but that was also southward.

That 160 acres of land is, today, in the north end of the space shuttle runway at the Kennedy Space Center. I cannot imagine, in that 4-year period, my grandparents swatting mosquitos and fending off alligators and rattlesnakes, scratching out a living they could survive on out of the hard earth of the land. Yet that is the hardy stock from which this Senator comes.

Grace and I have been overwhelmed by the outpouring of support. I stand before you today, and I don't think anyone could have been more blessed. It is not easy when you take your leave from the people you love and the work you love, and it causes a time of intense reflection.

So I reflected back to the time in late 1985 and a series of events over the course of the next few weeks. It was a tense time in the first launch attempt of the 24th flight of the space shuttle. We went down to T-minus 8 seconds. I had braced my body for the ignition of the main engines at T-minus 6.6, and all of a sudden I heard them calling over the intercom: We stopped the count. We are recycling.

That launch was scrubbed that day. There was an indication by a sensor that a gimbaling motor on the thrusters of the solid rocket boosters was malfunctioning. Had that been the case, 9 seconds later, we would not be going straight up. We would have been cartwheeled.

So we were let off for Christmas, came back into quarantine in the latter part of December, and tried the next launch attempt, only to go down to 31 seconds, and the count stopped. An alert supervisor on the consoles of the launch center had noticed the locks line was getting too cold. They checked, and a mistaken override of the computer had occurred and 18,000 pounds of liquid oxygen had been drained. Had we launched 31 seconds later, we would not have had enough fuel to get to orbit, and it would have taken the greatest ability of our commander, Navy Captain—now retired—Robert Gibson, to land a fully loaded spacecraft on a short runway at Dakar, Senegal, or Moron, Spain.

So we tried the third time. This time, the count was called off for some external reason. Each of these times, we were in the spacecraft strapped in, ready to go. At this point, I think the weather was not cooperating over in Africa and Spain. You have to have clear skies there in case you get into that transatlantic abort. So it was called off.

Well, that night, when they drained the tanks, they found that a temperature probe on the ground support equipment had flowed through the oxygen line and flowed into the vehicle and was stuck in a prevalve right next to one of the three main engines. Had we launched that morning—in this case, the third try—we would have gotten to orbit, it would have been time for the main engine cut off, and one of the three engines would not have cut off. It would have blown the rear end of the orbiter apart.

A few days later—it was a Friday—we tried for the fourth time. This time we are in the middle of a driving Florida rainstorm. We ran from the crew van to the launch tower to get into the elevator and out of the pouring rain. We were strapped in, ready to go, waiting for a hole to punch through. Now, the rainstorm had turned into a driving Florida lightning storm, and we were sitting on top of all that liquid hydrogen. They finally called off the launch the fourth try.

The fifth try was a Sunday morning. It was a beautiful day. We launched into an almost flawless 6-day mission,

only to return to Earth, and 10 days later, the *Challenger* launched and blew up high in the Florida sky, under circumstances of cold weather that almost exactly duplicated the first launch attempt back on December 19.

Intense reflection. Why was I spared? Now, upon intense reflection, I think I am beginning to see because it has been the great honor of my life to serve our country and the people of Florida—first in the Army, then in the State legislature, then in the Congress, then a State treasurer, and now, 18 years as Senator.

I have tried to serve our country admirably and with integrity because I believe a public office is a public trust. Through this journey, I have been so fortunate to have experienced so many neat corners of this country that all of us here love.

I have seen the Sun shine through the pine trees, the oaks, and the orange groves of Florida. I have hunted alligators and pythons in the Everglades. I have jogged the sands of just about every Florida beach from Pensacola to the Keys.

Of course, I strapped into a rocket, weighing 4½ million pounds, to launch to the heavens and see our planet from a way that very few others have. You have heard me talk about that as I describe our environment and how beautiful this planet is from the window of a spacecraft.

Of course, these experiences in this country—the American people, every one of us and our fellow citizens, the teachers, the soldiers, the factory workers, the moms, the dads, the students, the farmers, those are the ones who have inspired me to dedicate a life to public service. Those folks have been my strength as they are often your strength. It is the American people who have kept me going for the past 46 years of public service.

While I have experienced the highs and lows of serving in the Senate, it is often the small, unnoticed steps toward progress that have made this journey worthwhile. I am most happy with some of the work that has been done to help individuals. I want to mention just a few.

To Christine Levinson and her family, we have worked tirelessly to bring Bob Levinson home. I have come to this floor for 11 years and said that if Iran does not have Bob, they know where to find him. It is our responsibility to see that Bob—a man who served this country in the FBI for 30 years—is finally reunited with his wife and seven children and grandchildren.

In another example, it has been a pleasure to work with Rochelle Hamm, of Jacksonville, and with the families of the 33 crew members of the *El Faro* who perished at sea when their cargo ship sank while they sailed into the path of a hurricane in 2015. As a result of that terrible tragedy, we were able to enact into law key maritime safety reforms, including requiring ocean-going vessels to be outfitted with dis-

stress beacons and equipment to locate lost seafarers.

There are many ways to get things done around here. Sometimes it requires taking the bully pulpit and confronting people to correct an injustice. You will notice, as I said, that these are often little things that people don't notice.

Take the case of Bob "Peach Head" Mitchell, of Tampa, who was a part of the Negro leagues of baseball. For years, he fought to get Major League Baseball to provide compensation to former Negro leagues ballplayers, who were excluded from the majors because of their race. Yet they were some of the best players.

When Jackie Robinson integrated the majors in 1947, the rest of the majors were not integrated until 1959. All of those Negro leagues players had still been playing and had never gotten the compensation. It took 3 years of cajoling and haranguing to get the Major League Baseball Commissioner to do the right thing and give the elderly former ballplayers their due.

Sam Snow also comes to mind, who, for most of his life, had paid a terrible price for the injustice done when the Army had wrongfully convicted him and 27 other Black soldiers who had participated in a 1944 riot in Seattle that had resulted in the lynching of an Italian prisoner of war. Some decades later, when the Army had finally admitted its mistake, it had refused to give those soldiers compensation for their lost pay and for the time they had spent in prison. Once I heard about it, I kept on the Army until it paid the veterans their back pay plus interest.

We all deal in legislation. As for the business of legislation, think about some of the things that we wrote.

We in Florida wrote legislation to protect Florida's beaches, our tourism-driven economy, and our wildlife from the dangers of offshore oil drilling. We, the Democratic caucus, passed groundbreaking legislation that medically insured 22 million Americans in this country. In my State, it was over 1.7 million people. We ensured that they had healthcare and health insurance. Interestingly, because of our protecting preexisting conditions coverage, just in the State of Florida alone, 8 million people who have preexisting conditions are protected because of the law. It also eliminated the lifetime caps on coverage.

You know the fights that we have had ever since we started that day on the Finance Committee. It was after the dog days of August, when you couldn't have a townhall meeting in 2009 because of the disruptions. In September, we on the Finance Committee wrote that bill. It took every member of the Democratic caucus—60 strong then—to be able to pass it. Now millions and millions of people have health insurance who have never had it before, and untold millions more who have preexisting conditions are protected.

We wrote the blueprint that has reinvented our space program and brought new space companies and high-paying jobs to our country and to Florida. In our lifetime, we are going to see humankind set foot on other celestial bodies besides the Moon—legislation that could not have been passed without there having been a bipartisan effort.

We fought to help folks get the resources they needed to recover in the aftermath of the major hurricanes that savaged people's lives and property. We worked to make higher education more affordable by capping interest rates on student loans. We also secured billions of dollars in funding for projects all over America to preserve the environment and to help restore—and it is restoring—Florida's environmental treasure, the Everglades. The list goes on and on.

The setbacks temper the successes in that we have seen constant attempts to disenfranchise voters and to make it more difficult for all Americans to have their voices heard at the ballot box. Then, of course, the Court's 2010 decision opened the floodgates and allowed the wealthiest Americans to spend unlimited amounts of money to influence our elections and corrupt our democracy.

Also, what in the world has happened to civility and to humility in our Nation's public discourse? Where are our servant leaders who seek to serve instead of to be served?

So we still have much work to do. We need now, more than ever, to focus on building the kind of relationships here in Washington that can solve the great problems that our Nation faces. I caution our colleagues and caution those who will join this body to resist the pulls of partisan acrimony and the forces that seek to divide us. Tribalism is our problem, and if not corrected, it is going to take our country down.

I know I am just another Senator who is saying what a lot of Senators who are departing are saying. We all here remember—right over at that desk there—John McCain, in one of his last Senate addresses during which he could stand, saying the same thing.

Some of my fondest memories in the Senate have been with those who have sat on the other side of that center aisle. Because of this, I know that while Republicans and Democrats may disagree on policy, we have a lot to unify us in our values and principles that we share. My parting words are that there is no greater challenge for this Senate than to have the moral courage to choose country over party or over power, to choose justice for all instead of justice for the few, and to give others respect instead of condemnation.

Those of us who are fortunate enough to serve in this Senate are also confronted daily by a set of obligations that we have when we take on this title of U.S. Senator.

We have an obligation to the people of this Nation to do everything in our



power to uphold the country's democratic institutions and to insist that the truth guide our public discussions even if doing so comes at the cost of short-term political loss. As Senators, we have been uniquely given the responsibility to provide advice and consent to the executive branch, and we must take this charge seriously and with independence from another branch. We must uphold the rule of law. In doing so, we must affirm that no one person is above the law.

There are a great many challenges that our country faces. I call upon all of you who serve in this Senate to act with moral courage when these obligations come calling in the future.

As I depart, I am putting my trust in you. I trust you to work on behalf of the countless numbers who do not have a voice in this Chamber. I count on you to give a voice to our brothers and sisters in Puerto Rico, who are long overdue for representation. I trust you will fight to make healthcare more accessible and more cost-effective, keep rigs off of our coasts, and make higher education more affordable for everyone. I trust you will work to protect our environment from pollution and will continue the restoration of our Everglades. Above all, I trust you will act with integrity in uniting Americans for the common wheel.

For the people of America, you in this Senate must be a beacon of light at a time when it seems that darkness is increasingly gathering in our politics. You must remember that your voices and your actions will help to shape the future. You have the power to make our discourse more civil and to create change.

To our staff, both in the office and the Commerce Committee, you all are like family. You are like family to Grace and me, and I am grateful for the work you do day in and day out for the people of Florida. You are all hard-working. You are dedicated. You are loyal public servants. None of what we do around here would be possible were it not for each of you.

Madam President, I ask unanimous consent that a list of all staffers who have been a part of our Senate family over these 18 years be printed in the RECORD.

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

U.S. SEN. BILL NELSON PAST AND PRESENT  
STAFF, FELLOWS & DETAILEES

Scott Aaronson, Alphanso Adams, Todd Adams, Meeran Ahn, Susie Ahn, Elizabeth Ahrens, Amy Akiyama, Stacey Albert, Sasha Albohm, Ihab Al-Dammagh, Artem Alekseev, Katherine Alexander, Amir Al-Kourainy, Kerry Allen, Jaime Allentuck, Amela Alomerovic, Sherry Alstatt, Melissa Alvarado, Digna Alvarez, Shahra Anderson.

Michael Anthony, Martine Apodaca, Barbara Arthur, Hazeen Ashby, Jill Ashton, Sheri Atkins, Rebecca Autrey, Yvonne Baker, Disha Banik, Jacqueline Bannister, Michael Barbanera, Devon Barnhart, Jacob Barr, Matt Barranca, Jason Barrett, Michelle Barth, Peter Batty, Georges Bauer, Sean Beaudet, Anna Beecher.

DaMara Belson, Matthew Benham, Jeffery Benson, Kathleen Benway, Nicole Berckes, Lauren Berger, Owen Berger, Katherine Bergh, Hernan Betancourt, Jed Bhuta, LaWanda Billingslea, Renae Black, Danny Blum, Shawn Bone, Elizabeth Borders, Alex Borkholder, John Branscome, Lisa Brett, Jonathan Brill, Abbey Brown.

Alea Brown, Alicia Brown, Angela Brown, Celeste Brown, Ryan Brown, Ken Brummel-Smith, Kevin Brumback, Tiffany Bryant, Andrea Buck, Scott Bunce, Joy Burke, Douglas Bush, Philip Bye, Edly Calderon, Carrie Callaghan, Douglas Campbell, Lesley Campos, Christopher Caple, Catherine Carabine, Marie Carr.

Jessie Caudill, Jonathan Caverley, Kassandra Cerveny, Amanda Chadwick, Cheryl Chadwick, Richard Duane Chambers, Tom Chapman, Amanda Cherrin, Michael Chesnut, Courtney Chiles, Mary Chiles, Aurelia Chis, Myron Chivis, Taylor Christy, Courtney Christian, Randy Clarke, Sally Cluthe, Andrew Coates, Danielle Cohen, Rodrick Coleman.

Seth Collins, Julia Colvin, Mary Conklin Callow, James Connell, Peter Contostavlos, Jonathan Cooper, William Couch, Alec Coutroulis, Ana Cruz, Karen Cully, Michael Cully, Nicholas Cummings, Patricia Curran, Amin Cyntje, Roy Dalton, Paul Dampousse, Julie Dashiell, Holly Davenport, Joseph Davenport, Sherry Davich.

William Davich, Nona Dawson, Christopher Day, Edward Dean, Alison DeBose, Frank DeToma, Binita Devkota, Patrick DiBattista, Michael Dodson, Rachael Dollar, Ellen Doneski, Taylor Downs, Amy Drummond, Amanda Dugan, Martee Duhaney, Kate Dumouchel, Kirstin Dunham, Thomas Dunn, Shaun Easley, Casey Elbare.

Joel Eskovitz, Alexander Fabiszewski, Ryan Farris, Jeffrey Fatora, Monica Fernandez, Amanda Figueroa, Brandon Fisher, Stephen Fitzmaurice, Clare Flannery, John Flynn, Laura Forero, Janet Forlini, Erika Frantz, Melissa Fritsch, Mary Fritz, Scott Fuhrman, Erica Fuller, Christian Tamotsu Fjeld, Robert Gatehouse, Denton Gibson.

Celia Gisleson, David Gittess, Treon Glenn, Laura Glickman, Gregory Goddard, Ruben Goddard Jr., Laila Goharion, Adam Goldberg, Jonathan Goldman, Sara Gonzalez-Rothi, Ioana Gorecki, Jasmine Govan, Arta Greene, Ryan Grindler, Alexandra Grosswald, Jessica Gruse, Mary Guenther, Brendan Guess, Philip Guire, Bryan Gully.

Peggy Gustave, LeAnna Gutierrez, Jessica Hafer, Daniel Hague, Kimberly Hall, Shawn Hall, Patrick Hanley, Christine Hanson, Michael Hardaway, Katherine Hardeman, Jonathan Hardy, Courtnie Harris, Marcia Harris, Bryan Harrison, Caitlin Hart, Erin Hatch Neal, Nathanael Hauptkorn, Cathy Haverstock, Hilary Haycock, Alexia Heathcock.

Michael Henry, Lauren Herold, Mary Hester, Neal Higgins, Gretchen Hitchner, Andrew Holik, Tamara Holliday, Mary Tyler Holmes, Maria Honeycutt, Jason Hopkins, Aysha House, Felipe Hoyos, Robert Hubbard, Sharon Hudson-Dean, Andrea Hughes, Meghan Hunt, William Hupp, Dan Hurd, Eisele Ibarra, Jenny Jacobs.

Kalilah Jamall, Amy Jasperson, Naveed Jazayeri, Deborah Johann, William Johnston, Charlie Joughin, Madeline Joyce, Katy Kale, Erik Kamrath, Brandon Kaufman, Kelly Keefe, Matt Kelly, Ryan Kent, Christina Kilgo, Grace Kim, Oliver Kim, Elizabeth King, Jena Kingery, Sheril Kirshenbaum, Kenneth Kirtson.

Sarah Kleinman, Rachel Kline, Jesse Knapp, Harry Knight, Dolly Kobernat, Nancy Koepke, Mark Kopelman, Rhoda Krause, Pamela Krauss, Jessica Lamb, Rebecca Lange, Matt Lawrence, Willowstine Lawson,

Christopher Leacock, Carissa Lewis, Jeffrey Lewis, Julia Lee, Alexandra Lehson, Reginal Leichty, Jason Lemons.

Maria Lewis, Melissa Lewis, Andrew Lievens, Stephen Liles, Lauren Linsmayer, Kim Lipsky, Cynthia Lodge, Sue Loftin, Christopher Long, Juan Lopez, Kimberly Luckey, Robert Luke, Maureen Luna-Long, Greta Lundeberg, Anthony Lynn, Patricia Lynn, Doug MacIvor, Joshua Maddock, Peder Magee, Jillian Maggard.

Christina Mahoney, Keenan Mahoney, Corey Malmgren, Carlos Mancero, Josh Manning, Josiah Manzo, Arthur Maples, Lisa Marshall, Tom Marvit, John Maskornick, Ryan Matthews, Derek Mattioli, Connor Mautner, Leandra McComas, Ryan McCormick, Elena McCullough, Cornelius McFadden, Meredith McFadden, Carla McGarvey, Diana McGee.

Michelle McGovern, Jacqueline McGuinness, Candise McKeiver, Tyrik McKeiver, Daniel McLaughlin, Kenneth Meadows, Taleen Mekhdjavakian, Kathryn Melcher, Sydney Mengel, Jonathan Merlis, Stephanie Mickle, Deborah Miller, Helen Miller, Connie Mirrop, Anum Mirza, David Mitchell, Jack Mitchell, Pete Mitchell, Matthew Montgomery, Anne Morgan.

Patrice Morgan, Brenda-Lea Morrison, Carissa Moss, Lydia Mount, Colin Mueller, Joanelle Mulrain, Erin Strother Murray, Jonathan Murray, Courtney Mursell, Dorkina Myrick, Nadia Naviwala, Constantinos Nicolaidis, Beth Nielson, Sheila Nix, Brian No, Anna Normand, Mathew Nosanchuk, Mary O'Bannon, Clint Odom, Ryan Orgera.

Gilberto Osorio, Madeline Otto, Danny Pang, Steven Parker, Loren Parra, Kandi Parsons, Jeremy Parsons, Sydney Paul, Michael Pedersen, Brittany Penberthy, Christos Perez, Grace Pettus, Theresa Pezzeminti, Ingrid Piedrahita, Yariv Pierce, Hayley Pierre, Macline Pierre, Christian Pierre-Canel, Katherine Platt, Laura Ponto.

Karlee Popken, Sandeep Prasanna, Lizy Price, Matthew Price, Don Pride, Rachel Pryor, Samantha Purcell-Musgrave, Jean Quillo, Susan Perez Quinn, Shannon Rainey, Kaitlin Ramirez, Marcia Randolph, Matthew Rankin, Dawn Ratliff Ebony Reddick, Ilka Regino, Blair Reinerman, Timothy Rennie, Alexandra Riley, Jose Rincon.

Jessica Ritter, Samuel Ritzman, Valeria Rivadeneira, Charmaine Robinson, Kimberly Robinson, Laura Rodriguez, Maritza Rodriguez, Josie Rodriguez, Emily Rogers, Jason Rosenbaum, Anna Marie Ross, Katherine Ross, Kathleen Rubinger, Charles Runfola III, Nicholas Russell, Jessica Russo, Timothy Ryder, Benjamin Sack, Joshua Samek, Sheron Samuels.

David Sanchez, Sara Sanders, Edda Santiago, Jeff Scarpello, Eugene Schlesinger, Grant Schnell, Michael Seely, Robert Seibert, Seth Seifman, Kelda Senior, Lea Shanley, Daniel Shapiro, Ben Sharpe, Lauren Sher, Kim Silverman, Karri Simpson, Rozann Skozen, Mara Sloan, Stacey Smith, Tiffany Smith.

Julia Snouck-Hurgronje, Christopher Snow, Nathaniel Sobel, Tristan Sola, Jennifer Solomon, Joseph Sophie, Connor Sorenson, Luis Soria, Jaime Soto, Michael Sozan, Robert Spasovski, Sue Speer, Maria Speiser, Stephen Steinhilber, Tim Standaert, Marin Stein, William Stein, Sean Stewart, Caroline Stonecipher, Christine Stowe.

Maria Stratienco, Brenda Strickland, Jennifer Suarez, William Sutey, Mohsin Syed, Charles Teague, Mary Templeton, Caroline Tess, Usha Tewari, Matthew Thomas, Petrina Thomas, Chris Thompson, Kareen Thompson, Kathryn Thorp, Kyle Thorp, Vanessa Thorrington, Monica Thurmond, Alexandre Tiersky, Alicia Tighe, Abigail Tinsley.

Bradley Torppey, Rebekah Torres, Joseph Towey, Wilson Trawick, David Troha, Yennie Tse, Mark Tucker, Alexander Tureman, Aprill Turner, Mayra Uribe, Maya Vaidya, Jackie Valladares, Mark Van Arnam, Jr., Mark Van Arnam, William Vaughan, Emilio Vazquez, Rupa Venkatesh, Darren Vierday, Pedro Villa, Patricia Wagner.

Carlie Waibel, Clarey Walker, Candace Walls, Dorothy Walsh, Mary Walsh, Alyssa Wang, Annie Wang, Kimberley Warden, Heather Wells, Shawn Whiteside, Laurence Wildgoose, Anthony Williams, Grant Williams, Matthew Williams, Michael Williamson, Kelsey Wilson, Desiree Wineland, Colleen Winstanley, Jennie Witherspoon, Joanne Woerner, Simone Wood, Brent Woolfork, Sue Wright, Muneera Zaineldeen.

Mr. NELSON. To my wife Grace and my children Bill and Nan Ellen, I am so grateful for the support you have provided throughout the years. The journey has been a joy.

I leave this Senate today filled with hope for the future and the fondest memories of my fellowship with great friends here, but I admit, it is hard to leave the friends and the work I love. I intend to keep fighting for all I have talked about in this short, final speech, and I intend to keep fighting for Florida.

When it comes down to it, I am just a country boy who has loved serving my State and our country for all of my life. It has been an incredible honor.

I yield the floor.

(Applause, Senators rising.)

THE PRESIDING OFFICER. The Senator from Florida.

#### TRIBUTE TO BILL NELSON

Mr. RUBIO. Madam President, we have just heard the words of the senior Senator from my State, and I wanted to just take a moment because it reminded me of a truism that came to mind as I heard him speak and as I reflected back on our almost 8 years of service here together.

Political divisions have existed in our country since its very beginning. What has changed is, there was a time not so long ago when Americans knew each other; when Americans had political differences, but they also served on the PTA board together; when we disagreed about whom to vote for, but we coached each other's kids in Little League or we were members of the same church and worshiped together or we lived side by side as neighbors.

When all you know about someone is whom they voted for or what their political positions are, it is easy to dislike them, but when you know them as a fellow parent, as a neighbor, as your children's coach, as someone you live side by side with, then you know them as a person. It is a lot easier to dislike a political opponent than it is to dislike the whole person.

I raise that point with you because I am very proud of the relationship, the working relationship, we have had in our 8 years here together. One of the things that made that possible is that

I knew BILL NELSON as a person. If all I knew about him was that he and I did not always vote the same way on every issue—that is what most people know about us who serve here. That is one of the challenges we so often face. The men and women we represent in our representative parties and in our representative political leanings usually only know about our colleagues in the 3 minutes they may see us in a television interview, but we get to know each other as people. We get to know each other outside of politics.

I knew BILL NELSON, and I know BILL NELSON, as a person and as a man. I am an enormous admirer of his knowledge of Florida. He knows every nook and cranny of the State. He might not remember this, but we were together on a Coast Guard aircraft after one of our storms, and as we overflowed the State from above, he was pointing out and identifying down at the street level every corner of the geography of the State. I remember thinking: I have been in Florida politics for awhile. I know the State fairly well, but he knew it down to the street level. So to try to keep pace, I went back and opened up the Atlas and tried to replicate 25, 30 years of State service to try to at least be in the same neighborhood as he is in his knowledge of our State. It is incredibly impressive. It wasn't something he memorized by looking at a book. It was because he had been to all of these places at some point during his time of service to our State.

I would say that certainly in the last quarter century, there has been no greater champion not just for Florida's space industry but for the space program; not just for NASA but for all of it, for the belief that great nations do great things; that they explore the heavens. There has been no greater champion for it.

His leaving the Senate will be a tremendous loss and will require all of us to work harder to ensure that America remains a nation active and engaged in space.

Above all else, I knew him—and know him—as a good man. I emphasize the word “man” because I think oftentimes in our modern culture we have developed a warped sense of what it truly takes to be a strong and good person.

We live in an era in which we celebrate pride and arrogance, but I have learned, through the example of watching him up close, that BILL NELSON is a man with the kind of humility that our common faith tries to instill in us.

He is a man that, at a time when it is so easy to be indifferent to the suffering of others, in his service here, has been a man of compassion.

He told you just a handful of stories. There are so many more real human beings with whom he has stayed engaged in cases involving them, without cameras, without press, without bumper stickers, without documentaries, or any sort of recognition that so often people seek in the political process.

We live in a time where being crude and abrasive is celebrated as strength, while decency is oftentimes ridiculed as weakness. BILL NELSON has been an example of decency. I cannot recall a single time in our 8 years of service together in which he did anything to harm me, embarrass me, or in any way create unnecessary conflict—in fact, any conflict—on a personal level. In fact, I would say the worst thing he ever did to me was he once, in front of an audience, accused me of being a moderate.

It goes further than that. Our staffs would travel together across the State. Sometimes people would be shocked by it. They would gasp when my regional director and his regional director would share a ride to wind up at an event together, as if somehow Republicans and Democrats are supposed to be allergic to each other, when, in fact, in the end, no matter how we view our politics, we are all going to be in this Nation for the rest of our lives, so we better figure out a way to work together on the issues that will impact us all.

I will greatly miss the opportunity to continue to serve with him. I know his service to our Nation and our State is not finished. I know he will find new endeavors. I know this simply because he is not one who is going to sit back and rest and reflect. He is going to keep working. I am excited to see what God's plans are for the rest of his years. I believe there will be many more because, despite the differences in our dates of birth—I am not saying he is old; I am saying he is older than I am—he could probably still beat me—in a pullup contest or a pushup contest. This is actually not an exaggeration. It is true, which is why I have never challenged him to one. I will greatly miss working with him in the Senate, but I look forward to working with him beyond it.

I will say this, and I think this is no exaggeration. When the history of Florida politics is written, the name BILL NELSON will be among the giants of Florida's political history, for few who have ever served at any level have done more for a longer period in the service of the people of the Sunshine State than the senior Senator who, moments ago, bid his farewell to a place and a Chamber where he has done so much good for our State, for our Nation, and for the world.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise to honor our friend BILL NELSON.

As a member of the Commerce Committee, I have been able to see firsthand his leadership, and I have learned a lot from him.

I think we all heard his heartfelt remarks about what he loves. He loves his service. He loves Grace up there and his family. He loves his staff, and he loves everything about the State of Florida.

Service for him was, of course, service in the Army, service as an astronaut, service in the State government, service in Congress, and service in the U.S. Senate.

I first met BILL in Minnesota. I am not sure he remembers this, but I do because he was one of the first Senators I met other than a Minnesota Senator. He came to help my good friend Paul Wellstone. I remember what struck me immediately about him was how kind he was and how warm he was.

Part of that, of course, was the warmth he was bringing from Florida. Maybe you wouldn't think our States have a lot in common, but what you might not know is that there are entire beaches in Florida filled with Minnesotans in the winter months, perhaps even entire towns—but at this point, he had come to our State.

It was no surprise, then, when I first was elected and we got to Washington, that BILL and Grace were so welcoming to our family. They got me involved in the Prayer Breakfast, which has meant a lot to me through my years in the Senate. It has been such a comfort. I have gotten to know so many people, really, because of their encouragement.

I have gotten to know BILL's leadership firsthand, as I mentioned, on the Commerce Committee. I was talking to his staff about all of the things we did on that committee. I see Senator McCASKILL here who also served with us and Senator THUNE, the chairman.

I remember when BILL took on lead in toys. We both did that together. I remember him taking on all kinds of consumer issues, time and again—the 9-1-1 system, fraud and abuse—taking on the issues that matter to people in their daily lives. Then the bigger things—modernizing our space program, our aviation policies, responding to disasters, and climate change. I remember once he said: "I have seen the blue brilliance of the Earth from the edge of the heavens and I will fight on to save this planet."

What I will most remember BILL by is his incredible marriage to Grace at a time when it is not easy to be in the Senate and make sure you keep your relationship strong. Grace, of course, was in leadership in her own way in the Senate's spouse club. When I was down there a few months ago, Grace told this really nice story, when we were in Jacksonville, about how my daughter had played piano at Grace's encouragement. They had the spouse event, and they smartly decided to have kids of Senators perform.

I remember it a different way. I remember the kids who were performing were, of course, their own daughter, Nan Ellen, who is a beautiful singer and sings "God Bless America" at major stadiums; I remember Trent Lott's son, who is a professional country western singer, performing; and then I remember that my husband had raised his hand and volunteered that our 13-year-old daughter would play

piano, when she is not even that good at it.

We got to the event. All of the Senators are there, and Grace is just smiling like we are about to see Liberace perform. Abigail was sitting there with her music with little Post-it notes on them. Harry Reid calls her up and says: The next to perform is Abigail Bessler. She has been playing piano since she was 6 years old. I wanted to say: But she only practices a half an hour a week.

She gets up there, pounds it out, stands up, and says: Now I am going to play a song that I made up.

I am like: No.

And she played this song, and it actually wasn't that bad.

The first one there to greet her was Grace. Grace said: That was so beautiful, Abigail. Perhaps tomorrow at the luncheon, you will just want to play the second song.

Grace was so sweet to her and to our family and to really all of the spouses and everyone she worked with.

So I think when we think of BILL, we also think of Grace. It has been my honor to work with both of them and to respect both of them. As Senator RUBIO said, we know there are many great things ahead.

Thank you, BILL. Thank you, Grace.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Madam President, I rise today to thank and honor our colleague and ranking member of the Committee on Commerce, Science, and Transportation, Senator BILL NELSON.

As has been mentioned by some of our colleagues, BILL NELSON has served the people of Florida and our Nation with distinction in a career spanning more than four decades.

I have been honored to have BILL NELSON as a colleague from my first day in the Senate and for the last 4 years as a partner in an especially successful working relationship on the Commerce Committee. Over this time, we fostered a can-do spirit with committee colleagues and drove nearly 100 committee legislative accomplishments. Together, we worked on policy for our Nation's future in technology, aviation, ocean management, surface transportation, scientific research, space, and many other areas.

Senator NELSON exhibited an especially extraordinary passion for prioritizing safety, the future of manned spaceflight, and an unshakeable belief that powerful companies should be held to account when consumers aren't treated fairly.

Certainly in the instances when we used the authorities of our committee to demand answers about cyber security failures, troubling privacy violations, and the scourge of illegal robocalling, I always knew that Senator NELSON had my back. We are both passionate about serving the people of our respective States.

I won't soon forget my visit with BILL to the Everglades, where he—

clearly in his element—introduced me to some alligators and some unwelcome python squatters, which nonetheless love Florida too. I still have a photo holding on to one of those big snakes. It makes our rattlesnakes in South Dakota look small by comparison.

Certainly in the instances when we used the authorities of our committee to demand answers about all of these other important issues, we worked closely together.

I was pleased to not only join him in Florida but also to welcome him to South Dakota to see some of the issues that are important in our State. On a very, very cold October day, I had the privilege of showing Senator NELSON Mount Rushmore. I remember that as we walked up there, the wind was blowing—as it typically does in South Dakota—about 30 or 40 miles an hour, and the wind chills were very, very cold. I know that as someone who spends a lot of his time in the great State of Florida, where many of my constituents, like those of Senator KLOBUCHAR's, spend their winters, it probably felt especially cold to him. But we had a chance to go underground and look at some of the tunnels of the old Homestake gold mine that are now host to the National Science Foundation's Deep Underground Science and Engineering Laboratory. I remember thinking at the time that Senator NELSON is the only Senator in Senate office who has been in space, so he has been thousands and thousands of miles in space, and now he has been 5,000 feet underground, too, and there aren't many people who can say that.

BILL's work in the Senate and on the Commerce Committee has left a legacy. I also want to acknowledge his outstanding staff team who have supported his efforts. He mentioned them. My staff had the opportunity to work closely with his staff, and they are the very best and true professionals in every sense of the word. I am grateful for the work we have been able to do together.

As your colleague from Florida, Senator RUBIO, pointed out, as you not only leave this place but continue your life in Florida, you will continue to impact that State in the profound way you have so much in the past.

I just want to wish Senator NELSON and his wife Grace all the best as they head to more long, sunny days in their beloved home State of Florida.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I rise today to recognize my distinguished colleague and friend, Senator BILL NELSON. He has represented the people of Florida in the U.S. Senate for 18 years now.

Today it may seem that there is very little that unites people of different parties in this Congress. It may seem a strange notion to say good things about your political rivals and opponents. But this is America. I think the

day will never come where men and women of honest hearts and good faith cannot come together and find common goals worth fighting for together.

BILL and I have served together on the Senate Armed Services Committee and on the Senate Commerce Committee, but the principal area where BILL and I have had the privilege of working closely together concerns space. BILL and I have worked hand in hand promoting and protecting America's program of space exploration and supporting the critical institutions in the State of Texas, the State of Florida, and throughout the country that have made our country a world leader in space. It has been a truly bipartisan partnership. Both BILL and I believe that America is and should be going forward the leader in space, that we have a responsibility, and that there are great and glorious things to accomplish for mankind through space exploration. In this time of bitter, partisan division, of nasty personal rivalries, we have been able to see truly bipartisan cooperation.

We worked together hand in hand on the 2015 commercial space bill, passed into law and signed into law by President Obama. We worked hand in hand on the NASA Authorization Act of 2017. We worked hand in hand and passed that into law, signed into law by President Trump. There are very few major, substantive areas that have major legislation, one signed by Obama and one signed by Trump. I think that is a reflection of the bipartisan cooperation we have seen.

We worked hand in hand on the Space Frontier Act, and we are working together to extend the operation of the International Space Station to 2030. That accomplishment, that cooperation is good for America, and it is good for our leadership in space.

I have to say that I am still jealous that, unlike Senator NELSON, I haven't been on an actual trip to space for a hands-on experience, but I suppose anything can happen.

BILL, I promise you, our work will continue. America's leadership in space will continue. We will persevere and constantly show those who say it can't be done that there is still the will to drive, to explore, to create, to learn, and to search the unknown for answers.

BILL, you are right—I believe that in our lifetime, a human being will step foot on the surface of Mars and that the first boot that lands on the red planet will be the American boot of an American astronaut planting the flag of the United States of America.

There is still a will in our Nation to tame the stars and behold the wonders of creation even closer. I will say that spirit of exploration also inspires generations of little boys and little girls who look to the skies and wonder, what if? We cannot limit our gaze on the Earth below us; it isn't in our nature.

I will say finally, in addition to his commitment to space leadership—and I would note that in addition to BILL's

bipartisan cooperation, his team worked hand in hand with my team, both committed to passing meaningful, important legislation, to finding compromises that would make it not just through the Senate but through the House and be signed into law, and the members of his staff were skilled and dedicated partners in producing those results.

But I will tell you, beyond that, on a very personal level, BILL is a good man. Just a moment ago, when I congratulated him on his farewell speech, he chuckled and said: I may be one of the only people who have taken you to dinner. And you know, that is right.

I remember back in 2013—my first year in this body—it was a tumultuous time. We were in the midst of battles where more than a few bare-knuckle punches were being thrown all around. Right in the midst of that, BILL said: Ted, why don't you come out and have dinner with Grace and me. The two of them took me to dinner, and we had a delightful, relaxing, engaging dinner. We didn't debate big policy; we simply talked as three human beings privileged to have the chance to serve our country. It was a gesture of friendship.

We all know that Harry Truman famously said: If you want a friend in politics, buy a dog. That has not been the approach BILL NELSON has taken to politics. He extended a hand of friendship, and that blossomed into cooperation, and it blossomed into accomplishments together for the United States and for the States of Florida and Texas.

BILL, it has been a privilege to work with you, and I look forward to continuing to work with you in the years ahead in your next chapter. It is an honor to serve with you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

#### DIRECTING THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES IN THE REPUBLIC OF YEMEN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS

Mr. SANDERS. Madam President, I move to proceed to S.J. Res. 54.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

Mr. SANDERS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 39, as follows:

[Rollcall Vote No. 261 Leg.]

#### YEAS—60

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Paul
Booker	Heinrich	Peters
Brown	Heitkamp	Reed
Cantwell	Hirono	Risch
Cardin	Jones	Sanders
Carper	Kaine	Schatz
Casey	King	Schumer
Cassidy	Klobuchar	Shaheen
Collins	Leahy	Smith
Coons	Lee	Stabenow
Cortez Masto	Manchin	Tester
Crapo	Markey	Udall
Daines	McCaskill	Van Hollen
Donnelly	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Moran	Whitehouse
Feinstein	Murkowski	Wyden
Flake	Murphy	Young

#### NAYS—39

Alexander	Gardner	McConnell
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Roberts
Burr	Heller	Rounds
Capito	Hoeben	Rubio
Corker	Hyde-Smith	Sasse
Cornyn	Inhofe	Scott
Cotton	Isakson	Shelby
Cruz	Johnson	Sullivan
Enzi	Kennedy	Thune
Ernst	Kyl	Toomey
Fischer	Lankford	Wicker

#### NOT VOTING—1

Tillis

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 54) to direct the removal of the United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I believe there are problems with the law governing the consideration of these types of resolutions. One of biggest is the consideration of amendments. I have a series of parliamentary inquiries that I think will help clarify the problems with the statute.

Parliamentary inquiry: Does this statute provide any guidelines for the consideration of amendments on this resolution?

The PRESIDING OFFICER. No, it does not. The statute does not set forth the text to be used in the joint resolution, and this statute uses the expedited procedures from the Arms Export Control Act, a statute which does not allow amendments, so there are no parameters for the consideration of amendments built into the language.

Mr. MCCONNELL. I believe that most times the Senate uses expedited procedures, we have either a germaneness requirement for amendments or they cannot be amended. Can the Chair expound on what some of those are and what that concept means in the Senate?

The PRESIDING OFFICER. Generally speaking, when the Senate considers a measure under statutory expedited procedures, like the Budget Act, the Congressional Review Act, the Trade Act, or the Arms Control Act—or

even under the Cloture Rule—there are guardrails for the consideration of the measure and for amendments thereto. There are statutes and rules with prescribed text, limits on debate time, jurisdictional fences, filing deadlines, and germaneness requirements or a complete prohibition on amendments. Often, there are points of order and waivers written into the structure as well. The Senate trades its normal procedure of unfettered debate and amendment and the need for 60 votes to end debate and consideration for a more predictable, structured, and streamlined process of consideration and a majority threshold vote.

Mr. McCONNELL. In the opinion of the Chair, is a statute with no end point for consideration and no restrictions on text or amendments consistent with the other expedited procedures which the Senate often uses?

The PRESIDING OFFICER. No. The construct is inconsistent with the concepts embodied in other expedited processes—even those that are themselves flawed—and the opportunity for abuse of this process is limitless.

Mr. McCONNELL. I agree with the Chair, and I think the Senate should speak to this issue.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I think it is important when using expedited procedures, especially on matters of national security such as this, the Senate limit consideration to the matter at hand. Therefore, I raise a point of order that amendments offered under 50 U.S.C. 1546(a) must be germane to the underlying joint resolution to which they are offered.

The PRESIDING OFFICER. The laws governing the consideration of this type of resolution do not prescribe what type of amendments can be considered. The Senate has not previously considered this question; therefore, the Chair submits the question to the Senate for its decision. Shall amendments offered under 50 U.S.C. 1546(a) be germane to the underlying joint resolution to which they are offered?

The question is debatable for 1 hour.

Mr. CORKER. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I just wanted clarification. Was it section 1546 or 1446?

You are right. OK.

I yield the floor.

The PRESIDING OFFICER. Without objection, all time is yielded.

The question is, Shall amendments offered under 50 U.S.C. 1546(a) be germane to the underlying joint resolution to which they are offered?

Mr. McCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 3, as follows:

[Rollcall Vote No. 262 Leg.]

YEAS—96

Alexander	Gardner	Murphy
Baldwin	Gillibrand	Murray
Barrasso	Graham	Nelson
Bennet	Grassley	Perdue
Blumenthal	Harris	Peters
Blunt	Hassan	Portman
Booker	Hatch	Reed
Boozman	Heinrich	Risch
Brown	Heitkamp	Roberts
Burr	Heller	Rounds
Cantwell	Hirono	Rubio
Capito	Hoeven	Sanders
Cardin	Hyde-Smith	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Cassidy	Johnson	Scott
Collins	Jones	Shaheen
Coons	Kaine	Shelby
Corker	Kennedy	Smith
Cornyn	King	Stabenow
Cortez Masto	Klobuchar	Sullivan
Cotton	Kyl	Tester
Crapo	Lankford	Thune
Daines	Leahy	Toomey
Donnelly	Manchin	Udall
Duckworth	Markey	Van Hollen
Durbin	McCaskill	Warner
Enzi	McConnell	Warren
Ernst	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Moran	Wyden
Flake	Murkowski	Young

NAYS—3

Cruz

Lee

Paul

NOT VOTING—1

Tillis

The point of order is taken.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to use an oversized floor display.

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

#### YEMEN WAR POWERS RESOLUTION

Mr. SANDERS. Mr. President, I come to the floor to talk about one of the great humanitarian crises facing our planet, and that is the horrific war in Yemen.

In March of 2015, under the leadership of Muhammad bin Salman, who was then the Saudi Defense Minister and is now, of course, the Crown Prince, Saudi Arabia and the United Arab Emirates intervened in Yemen's ongoing civil war. As a result of the Saudi-UAE intervention, Yemen is now experiencing the worst humanitarian disaster in the world.

According to the United Nations, Yemen is at risk of the most severe famine in more than 100 years, with some 14 million people facing starvation. In one of the poorest countries on Earth, as a result of this terrible war, according to the Save the Children organization, some 85,000 Yemeni children have already starved to death over the last several years, and millions more face starvation if the war continues.

Further, Yemen is currently experiencing the worst cholera outbreak in

the world, with there being as many as 10,000 new cases each week, according to the World Health Organization. This is a disease that is spread by infected water that causes severe diarrhea and dehydration and will only accelerate the death rate. The cholera outbreak has occurred because Saudi bombs have destroyed Yemen's water infrastructure and because people there are no longer able to access clean water.

Last week, New York Times columnist Nicholas Kristof wrote an article, which I urge all Members to read, that describes his recent visit to Yemen.

I ask unanimous consent to have printed in the RECORD the New York Times article, "Your Tax Dollars Help Starve Children."

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

[From the New York Times, Dec. 7, 2018]

OPINION—YOUR TAX DOLLARS HELP STARVE CHILDREN

(By Nicholas Kristof)

ADEN, Yemen.—He is an 8-year-old boy who is starving and has limbs like sticks, but Yaqoob Walid doesn't cry or complain. He gazes stolidly ahead, tuning out everything, for in late stages of starvation the human body focuses every calorie simply on keeping the organs functioning.

Yaqoob arrived unconscious at Al Sadaqa Hospital here, weighing just over 30 pounds. He has suffered complications, and doctors say that it is unclear he will survive and that if he does he may suffer permanent brain damage.

Some 85,000 children may have already died here in Yemen, and 12 million more people may be on the brink of starvation, casualties in part of the three-year-old American-backed Saudi war in Yemen. United Nations officials and aid experts warn that this could become the worst famine the world has seen in a generation.

"The risk of a major catastrophe is very high," Mark Lowcock, the United Nations humanitarian chief, told me. "In the worst case, what we have in Yemen now has the potential to be worse than anything any professional in this field has seen during their working lives."

Both the Obama and Trump administrations have supported the Saudi war in Yemen with a military partnership, arms sales, intelligence sharing and until recently air-to-air refueling. The United States is thus complicit in what some human rights experts believe are war crimes.

The bottom line: Our tax dollars are going to starve children.

I fell in love with Yemen's beauty and friendliness on my first visit, in 2002, but this enchanting country is now in convulsions. When people hear an airplane today in much of Yemen, they flinch and wonder if they are about to be bombed, and I had interviews interrupted by automatic weapons fire overhead.

After witnessing the human toll and interviewing officials on both sides, including the president of the Houthi rebels who control much of Yemen, I find the American and Saudi role in this conflict to be unconscionable. The Houthis are repressive and untrustworthy, but this is not a reason to bomb and starve Yemeni children.

What is most infuriating is that the hunger is caused not by drought or extreme weather, but by cynical and failed policies in Riyadh and Washington. The starvation does

not seem to be an accidental byproduct of war, but rather a weapon in it. Saudi Arabia and the United Arab Emirates, backed by the United States, are trying to inflict pain to gain leverage over and destabilize the Houthi rebels. The reason: The Houthis are allied with Iran.

The governments of Saudi Arabia and the United States don't want you to see pictures like Yaqoob's or reflect on the suffering in Yemen. The Saudis impose a partial blockade on Houthi areas, banning commercial flights and barring journalists from special United Nations planes there. I've been trying for more than two years to get through the Saudi blockade, and I finally was able to by tagging onto Lowcock's United Nations delegation.

After a major famine, there is always soul-searching about how the world could have allowed this to happen. What's needed this time is not soul-searching a few years from now, but action today to end the war and prevent a cataclysm.

The problem in Yemen is not so much a shortage of food as it is an economic collapse—GDP has fallen in half since the war started—that has left people unable to afford food.

Yaqoob was especially vulnerable. He is the second of eight children in a poor household with a father who has mental health problems and can't work steadily. Moreover, the father, like many Yemenis, chews qat—a narcotic leaf that is very widely used in Yemen and offers an easy high. This consumes about \$1 a day, reducing the budget available for food. The family sold some land to pay for Yaqoob's care, so its situation is now even more precarious.

A few rooms down from Yaqoob was Fawaz Abdullah, 18 months old, his skin mottled and discolored with sores. Fawaz is so malnourished that he has never been able to walk or say more than "Ma" or "Ba."

Fawaz's mother, Ruqaya Saleh, explained that life fell apart after her home in the port city of Hudaydah was destroyed by a bomb (probably an American one, as many are). Her family fled to Aden, and her husband is struggling to find occasional work as a day laborer.

"I used to be able to buy whatever I wanted, including meat and fish," she told me. Since fleeing, she said, war-induced poverty has meant that she hasn't been able to buy a single fish or egg—and that is why Fawaz suffers severe protein deficiency.

"They asked me to buy milk for Fawaz, but we can't afford it now," she said.

We think of war casualties as men with their legs blown off. But in Yemen the most common war casualties are children like Fawaz who suffer malnutrition.

Some will die. Even the survivors may suffer lifelong brain damage. A majority of Yemen children are now believed to be physically stunted from malnutrition (46 percent were stunted even before the war), and physical stunting is frequently accompanied by diminished brain development.

"These children are the future of Yemen," Dr. Aida Hussein, a nutrition specialist, told me, looking at Fawaz. "He will be stunted. How will he do in school?"

The war and lack of health care facilities have also led to outbreaks of deadly diseases like diphtheria and cholera. Half of the country's clinics and hospitals are closed.

In the capital, Sana, I met a child who was suffering both malnutrition and cholera. The boy was Saddam Hussein (he was named for the Iraqi leader), eight years old, and the parents repeat the mantra I hear from everyone: Life is much worse now because of the war.

"We don't know what we will eat tomorrow," Saddam's mother told me.

Yemen began to disintegrate in the aftermath of the Arab Spring, and then the Houthis, a traditional clan in the north, swept down on Sana and seized much of the country. The Houthis follow Zaydi Islam, which is related to the Shiite branch dominant in Iran, and the Saudis and some Americans see them as Iranian stooges.

In some ways, the Houthis have been successful. They have imposed order and crushed Al Qaeda and the Islamic State in the parts of Yemen they control, and in Sana I felt secure and didn't fear kidnapping.

However, the Houthis operate a police state and are hostile to uncovered women, gays and anyone bold enough to criticize them. They recruit child soldiers from the age of about 12 (the Saudi- and American-backed forces wait until boys are about 15), interfere with food aid, and have engaged in torture and attacks on civilians.

Still, the civilian loss of life has overwhelmingly been caused not by the Houthis but by Saudi Arabia, the United Arab Emirates and America, through both bombings and starvation. It's ridiculous for the Trump administration to be exploring naming the Houthis a terrorist organization. And while the Houthis are allies of Iran, I think the Saudis exaggerate when they suggest that the Houthis are Iranian pawns.

The foreign minister on the Houthi side is Hisham Sharaf Abdalla, a congenial American-educated official.

"I love the U.S.," Mr. Sharaf told me. "We look to the U.S. as the only force that can stop this war."

Peace talks are now beginning in Sweden—few people expect them to solve the crisis soon—and he insisted that his side was eager to reach a peace deal and improve relations with America.

After our conversation, he brought me over to his desk and showed me his assault rifle and two handguns. "When I was in the U.S., I was a member of the N.R.A.," he told me. "I would like to have an N.R.A. chapter in Yemen."

Mr. Sharaf talks a good game but is not himself a Houthi, just an ally, so I wondered if he was a figurehead trotted out to impress foreigners. Later I interviewed a man whose power is unquestioned: Muhammad Ali al-Houthi, the president of the Supreme Revolutionary Committee. As his name signifies, he is a member of the Houthi clan.

An aide picked me up and ferried me to him, for President Houthi changes locations daily to avoid being bombed by the Saudis.

President Houthi, a large, confident man with a traditional dagger at his belly, was friendly to me but also suspicious of the United States and full of conspiracy theories. He suggested that Washington was secretly arming Al Qaeda and that the United States was calling the shots for Saudi Arabia in Yemen, at the behest of Israel.

Still, he said that he wanted peace and that although the Houthis have fired missiles at Saudi Arabia, his side would pose no threat to Saudi Arabia if the Saudis would only end their assault on Yemen.

"There's no need for enmity with the United States," he told me in Arabic, and that seemed a message he wanted me to convey to Washington and the American people.

I asked President Houthi about the sarkha, the group's slogan: "God is great! Death to America! Death to Israel! Curses on the Jews! Victory to Islam!" That didn't seem so friendly, I said.

"It's nothing against the American people," he replied. "It's directed toward the system."

When I asked about Saudi and American suggestions that the Houthis are Iranian pawns, he laughed.

"That's just propaganda," he said. "I ask you: Have you ever seen one Iranian in

Yemen? Do we speak Farsi?" This was all a trick, he said, analogous to the allegations of weapons of mass destruction used to justify war with Iraq.

While the Houthis are called "rebels," they clearly rule their territory. In contrast, the Saudi- and American-backed "internationally recognized government" of Yemen is a shell that controls almost no territory—hence it is based in Riyadh. The "president" of this exile government, Abdu Rabbu Mansour Hadi, is said to be gravely ill, and when he is gone it will be even more difficult to sustain the fiction that this is a real government.

More broadly, I don't see any hint of a Saudi or American strategy. There's little sign that bombing and starvation will actually dislodge the Houthis, while the Saudi military action and resulting chaos has benefited the Yemeni branches of Al Qaeda and the Islamic State. In that sense, America's conduct in Yemen has hurt our own national security.

In one sign of the ineffectiveness of the Western-backed government, the hunger is now as severe in its areas as in the rebel-held north. I saw worse starvation in Aden, the lovely seaside city in the south that is nominally run by the internationally recognized government, than in Houthi-controlled Sana.

And while I felt reasonably secure in Houthi-controlled areas, I was perpetually nervous in Aden. Abductions and murders occur regularly there, and my guesthouse offered not a mint on the pillow, but a bullet-proof vest; at night, sleep was interrupted by nearby fighting among unknown gunmen.

What limited order exists in Aden is provided by soldiers from the United Arab Emirates and allied militias, and I worry that the U.A.E. is getting fed up with the war and may pull them out without alternative arrangements for security. If that happens, Aden may soon plunge into Somalia-like chaos.

Mohamed Zemam, the governor of the central bank, believes that there are ways to shore up the economy and prevent starvation. But he cautions that the risk of another Somalia is real, and he estimates that there may be two million Yemenis in one fighting force or another.

"What they have is the way of the gun," he said. "If we don't solve that, we will have problems for 100 years."

Another danger is that the Saudi coalition will press ahead so that fighting closes the port of Hudaydah, through which most food and fuel come.

I stopped in Saudi Arabia to speak to senior officials there about Yemen, and we had some tough exchanges. I showed them photos on my phone of starving children, and they said that this was unfortunate and undesired. "We are not devils," one said indignantly. They insisted that they would welcome peace—but that they must confront the Houthis.

"The most important thing for us is national security," the Saudi ambassador to Yemen, Mohammed Al-Jabir, told me. Dr. Abdullah Al Rabeeah, an adviser to the royal court and director of a fund that provides aid to Yemen, told me that Saudis don't want to see hunger in Yemen but added: "We will continue to do what it takes to fight terrorism. It's not an easy decision."

Saudi and U.A.E. officials note that they provide an enormous amount of humanitarian aid to Yemen. This is true, and it mitigates the suffering there. But it's difficult to give the Saudis much credit for relieving the suffering of a country that they are bombing and starving.

To avert a catastrophe in Yemen, the world needs to provide more humanitarian aid. But above all, the war has to end.

"You're not going to solve this long-term until the war is ended," said David Beasley, the executive director of the World Food Program. "It's a man-made problem, and it needs a man-made solution."

That solution will entail strong American backing for a difficult United Nations-backed peace process involving Yemeni factions and outsiders, aiming for a measure of power sharing. This diplomatic process requires engaging the Houthis, not just bombing them. It also means a cease-fire and pressure on all sides to ensure humanitarian access and the passage of food and fuel. The best leverage America has to make the Saudis part of the solution is to suspend arms sales to Riyadh so long as the Saudis continue the war.

In conference rooms in Riyadh and Washington, officials simply don't fathom the human toll of their policies.

In a makeshift camp for displaced people in Aden, I met a couple who lost two daughters—Bayan, 11, and Bonyan, 8—in a bombing in a crowded market.

"I heard the bomb and I went running after them," the dad, Ahmed Abdullah, told me with an ache in his voice. "They were dead. One had her skull burst open, and the other had no arms or legs left."

He told me that the family then fled, and he married off a 15-year-old daughter so that someone else would be responsible for feeding her. This is common: The share of girls married by age 18 has increased from 50 percent before the war to two-thirds today, according to Unicef.

Another son died of fever when the family could not afford to take the boy to a hospital. There are several other children, and none of them are going to school any more; a 10-year-old daughter, Baraa, who is next in line to be married, couldn't tell me what seven plus eight equals.

A bit hesitantly, I told Ahmed that I thought that my country, America, had probably provided the bomb that had killed his daughters. He was not angry, just resigned.

"I am not an educated person," he told me earnestly. "I am a simple parent." And then he offered more wisdom than I heard from the sophisticated policy architects in America and Saudi Arabia: "My message is that I want the war to stop."

Mr. SANDERS. Let me just take this opportunity to quote some of what he said in that December 7 New York Times article:

Some 85,000 children may have already died here in Yemen, and 12 million more people may be on the brink of starvation, casualties in part of the three-year-old American-backed Saudi war in Yemen. United Nations officials and aid experts warn that this could become the worst famine the world has seen in a generation.

"The risk of a major catastrophe is very high," Mark Lowcock, the United Nations humanitarian chief, told me. "In the worst case, what we have in Yemen now has the potential to be worse than anything any professional in this field has seen during their working lives."

Nicholas Kristof continues:

What is most infuriating is that the hunger is caused not by drought or extreme weather, but by cynical and failed policies in Riyadh and Washington. The starvation does not seem to be an accidental byproduct of war, but rather a weapon in it. Saudi Arabia and the United Arab Emirates, backed by the United States, are trying to inflict pain to gain leverage over and destabilize the Houthi

rebels. The reason: The Houthis are allied with Iran.

He continues:

The problem in Yemen is not so much a shortage of food as it is an economic collapse—GDP has fallen in half since the war started—that has left people unable to afford food.

Kristof continues, and I want you to hear this:

We think of war casualties as men with their legs blown off. But in Yemen the most common war casualties are children like Fawaz who suffer malnutrition.

He continues:

Some will die. Even the survivors may suffer lifelong brain damage. A majority of Yemen children are now believed to be physically stunted from malnutrition.

Let me repeat that:

A majority of Yemen children are now believed to be physically stunted from malnutrition (46 percent were stunted even before the war), and physical stunting is frequently accompanied by diminished brain development.

"These children are the future of Yemen," Dr. Aida Hussein, a nutrition specialist, told me, looking at Fawaz. "He will be stunted. How will he do in school?"

The war and lack of health care facilities have also led to outbreaks of deadly diseases like diphtheria and cholera. Half of the country's clinics and hospitals are closed.

That was written by Nick Kristof of the New York Times.

The fact of the matter is that the United States, with very little media attention, has been Saudi Arabia's partner in this horrific war. We have been providing the bombs the Saudi-led coalition has been using, refueling their planes before they drop those bombs, and assisting with intelligence.

In too many cases, our weapons are being used to kill civilians. In August, it was an American-made bomb that obliterated a schoolbus full of young boys, killing dozens and wounding many others. A CNN report found evidence that American weapons have been used in a string of such deadly attacks on civilians since the war began.

According to the independent monitoring group, Yemen Data Project, between 2015 and March 2018, more than 30 percent of the Saudi-led coalition's targets have been nonmilitary.

A few weeks ago, I met with several brave human rights activists from Yemen in my office. They had come to urge Congress to put a stop to this war. They told me, clearly, when Yemenis see "Made in USA" on the bombs that are killing them, it tells them the USA is responsible for this war, and that is the sad truth.

The bottom line is, the United States should not be supporting a catastrophic war led by a despotic regime with a dangerous and irresponsible military policy.

Some have suggested that Congress moving to withdraw support from this war would undermine U.N. efforts to reach a peace agreement, but I would argue that the exact opposite is true. It

is the promise of unconditional U.S. support for the Saudis that have undermined the efforts toward peace. We have evidence for this.

Just yesterday, we received news that U.N. Special Envoy Martin Griffiths made a breakthrough agreement for the exchange in that war of some 15,000 prisoners—a significant development. This is an important step in building the necessary trust for a broader peace agreement.

A piece published today in TRT World observes: "[T]here seems to be a firmer willingness to reach an agreement than in previous talks, as the Yemeni government realises that the international pressure on its backer, Saudi Arabia, is growing."

So our effort to move this resolution forward may have already made a positive impact. I thank all of my 18 co-sponsors and all of the many civil society organizations—progressive and conservative—who have worked so hard to raise awareness of this horrific conflict.

Above and beyond the humanitarian crisis, this war has been a disaster for our national security and for the security of the region. The administration defends our engagement in Yemen by overstating Iranian support for the Houthi rebels. Let me be clear. Iran's support for Houthis is of serious concern for me, and I believe for all of us, but the fact is, the relationship between Iran and the Houthis has only been strengthened with the intensification of the war. This war is creating the very problem the Trump administration claims it wants to solve.

Further, the war is also undermining the broader effort against violent extremists. A 2016 State Department report found the conflict has helped al-Qaida and ISIS "deepen their inroads across much of the country." This war, as I see it, is both a humanitarian and a strategic disaster.

Further—and I think it is important to state what everybody knows, although we don't talk about it terribly often—Saudi Arabia is a despotic regime, controlled by one family, the Saud family, one of the wealthiest and most powerful families on Earth.

In a 2017 report by the Cato Institute—a conservative think tank—Saudi Arabia was ranked 149th out of 159 countries for freedom and human rights. For decades, the Saudis have funded schools, mosques, and preachers who promote an extreme form of Islam known as Wahhabism.

In Saudi Arabia today, women are not treated as second-class citizens; they are treated as third-class citizens. Women still need, in the year 2018, the permission of a male guardian to go to school or to get a job. They have to follow a strict dress code and can be stoned to death for adultery or flogged for spending time in the company of a man who is not their relative.

Earlier this year, Saudi activist, Loujain al-Hathloul, a leader in the fight for women's rights in Saudi Arabia, was kidnapped from Abu Dhabi and

forced to return to the country. She is currently being held without charges. The same is true of many other Saudi political activists.

Human Rights Watch recently reported that imprisoned women activists have been subjected to torture, including electric shocks, and other forms of physical and sexual assault.

Further, as every Member of the Senate knows or should know, there is now overwhelming evidence that Saudi Crown Prince Muhammad bin Salman was responsible for the brutal murder of Jamal Khashoggi, a Saudi dissident who lived in the United States. He was a columnist for the Washington Post. He made the mistake of going into the Saudi consulate in Turkey and never came out alive. We believe his body was dismembered, and nobody knows where it is.

Unbelievably, President Trump continues—despite the overwhelming evidence of the Crown Prince's involvement in the murder of a man living in the United States, a Saudi dissident journalist—to proclaim his love and affection for the Crown Prince and the Saudi regime, but that is not how, in my view, the American people feel.

For too many years, American men and women in our military have put their lives on the line in the never-ending struggle for democracy and human rights, and we cannot and must not turn their struggles, their sacrifices aside in order to follow the military adventurism of a despotic regime. That is not what this country is supposed to be about.

Finally, an issue that has long been a concern to many of us—conservatives and progressives—is that this war has not been authorized by Congress and is therefore unconstitutional. Article I of the Constitution clearly states it is Congress, not the President, that has the power to send our men and women into war—Congress, not the President.

The Framers of our Constitution, the Founders of this country, gave the power to declare war to Congress—the branch most accountable to the people—not to the President, who is often isolated from the reality of what is taking place in our communities.

The truth is—and Democratic and Republican Presidents are responsible, and Democratic and Republican Congresses are responsible—that for many years, Congress has not exercised its constitutional responsibility over whether our young men and women go off to war.

I think there is growing sentiment all over this country from Republicans, from Democrats, from Independents, from progressives, and from conservatives that right now, Congress cannot continue to abdicate its constitutional responsibility.

I believe we have become far too comfortable with the United States engaging in military interventions all over the world. We have now been in Afghanistan for over 17 years—the longest war in American history. Our

troops are now in Syria under what I believe are questionable authorities. The time is long overdue for Congress to reassert its constitutional role in determining when and where our country goes to war.

If you want to vote for a war, vote for a war. If you want to vote against a war, vote against a war, but we as a Congress have to accept our constitutional responsibility; that it is ours, not the Presidents of the United States.

This resolution provides that opportunity. It finally says that in this one war in Yemen—that terrible, horrific war—that Congress is prepared to act, and I hope very much that all of us will seize this opportunity.

For the sake of starving children in Yemen; for the sake of what this country stands for in terms of democracy and human rights and not following the leadership of a despotic, authoritarian regime; for the sake of the U.S. Constitution and the fact that it is Congress and not the President who has the authority to make war; for all of these reasons and more, I ask strong support for this important resolution.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I want to thank the Senator for most of the comments he made. I think they were made very eloquently. I share many of the same concerns the Senator has.

I voted to cause this to come out of committee because I felt this discussion on the Senate floor needed to take place.

The Senator from Vermont knows I have concerns about using this vehicle to do it, but by causing this debate to take place, many of the concerns the Senator has expressed will be expressed by others, and I agree with many of those.

Saudi Arabia has not conducted this war in a manner, in my opinion, that takes into account the great harm that is taking place with civilians. I agree with that 100 percent.

I am more than nonplussed over the fact that I believe—and I have sat in a very detailed—very detailed—intelligence review of what happened with the journalist at the consulate in Turkey, and I absolutely believe that if the Crown Prince came before a jury in the United States of America, he would be convicted guilty in under 30 minutes. I absolutely believe he directed it; I believe he monitored it; and I believe he is responsible for it.

I have had concerns about using this vehicle, and I have concerns about what this may mean as we set a precedent about refueling and intelligence activities being considered hostilities. I am concerned about that.

I think the Senator knows we have operations throughout Northern Africa, where we are working with other governments on intelligence to counter terrorism. We are doing refueling activities in Northern Africa now, and it

concerns me—he knows I have concerns—that if we use this vehicle, then we may have 30 or 40 instances where this vehicle might be used to do something that really should not be dealt with by the War Powers Act.

I will say, the strong passage of the germaneness issue we just dispensed with helps. It helps a great deal. So now, in the future, if this particular vehicle is utilized, we now know we have set the precedent that only germane issues can be brought up.

I did have concerns—and we have now solved those—that other issues might be brought up and all of a sudden, the leaders would lose control of the floor. I would like to see Members have more votes. I agree with that. But I think we have now narrowed this in a very appropriate way.

The Senator and I have discussed a resolution that is separate and apart from this. I have agreed with Senators on the other side of the aisle that I will not introduce that resolution until this issue has been dispensed with. I do hope we will have a unanimous vote on it to strongly condemn the Crown Prince of Saudi Arabia for the actions he has taken relative to killing the journalist—who was a resident of the United States and has children living here—in the consulate in Turkey. That is a separate issue that I hope we will take up almost immediately after we dispense with this.

I want to thank the Senator for his concern. I share many of those concerns. We have some legal concerns right now about using this vehicle, and the Senator knows that. I am concerned about where this goes down the road. We will have some amendments we will deal with over the next day or so that may clear that up to a degree.

I just want to say to him that even though we have legal concerns about this particular process, I thank him for his concern for the citizens there, for his admonishment, for his demarching of a Crown Prince in Saudi Arabia who I believe is out of control, doing things on top of killing journalists—blockading Qatar without even thinking, arresting a Prime Minister in Lebanon—things that no one would think would be appropriate for international norms.

I know we will have other speakers coming to the floor. We may disagree on process, but many of the issues the Senator has brought up today I agree with wholeheartedly.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise today to discuss S.J. Res. 54, a pointed statement from the U.S. Senate that the status quo in Yemen is not tenable, that we will not stand idly by as the President lends our country's name to the calamitous military forays of another nation, and that our security partners across the world do not have a blank check.

To my knowledge, this is the first time the Senate has considered a joint



resolution under this provision, which is directly derived from the Wars Powers Resolution. This is an important step to reasserting Congress's role in authorizing the use of force. I was proud to see a strong show of support for the procedural vote to move this resolution forward, and I hope my colleagues on both sides of the aisle continue to embrace that moral fortitude.

I am also pleased to support Senator YOUNG's amendment to this resolution, which I understand Senator SANDERS also supports. This language would clarify that refueling operations definitively constitute U.S. support for hostilities in this context, and I know he has been very focused on this issue of Yemen and a critical voice in the Senate on this crisis.

Some may have been holding out hope that the administration would show a good-faith effort to hold the Saudi coalition accountable for its actions in Yemen or to hold the Saudi Government and the Crown Prince accountable for all of their actions. Well, we haven't seen that leadership. On the contrary, I believe that, in spite of concrete evidence, the Trump administration is intent on doing nothing to hold the Saudi Government or the Crown Prince responsible for their actions.

As we debate a path forward to address the tragic humanitarian crisis in Yemen and to hold the Saudi coalition and the Houthi combatants accountable for their actions, children in Yemen continue to starve, people continue to die, and more reports about gruesome torture of detainees continue to emerge. Sadly, we don't actually know the extent of the devastation. Some humanitarian organizations on the ground estimate that as many as 50,000 people have died, with more than 14 million on the brink of starvation. Save the Children recently posited that as many as 130 children are dying each and every day.

We may not know the exact numbers, but we know enough to know that the conflict in Yemen has produced the world's worst humanitarian crisis. The Saudi coalition must take responsibility for its actions, and, likewise, the Houthis and their Iranian backers also bear the burden of this tragedy.

The United States can take concerted and strategic diplomatic steps to ensure that our involvement—any involvement—promotes a net positive outcome for regional stability, for our own security interests, and for the Yemeni people. We can invest in the U.N.-led talks in Sweden. We can wholeheartedly promote diplomacy as a path forward to solve this conflict, which our own defense and diplomatic leaders concede has no military solution.

But let's be clear. This resolution is very important, and I wholeheartedly support it. I have worked so that it can be preserved with only germane amendments. But the resolution itself will not stop the war in Yemen, nor will it somehow stop the immense human suf-

fering, nor put an end to human rights violations.

What this resolution does do, however, is send a strong message to the Saudis about U.S. global leadership. It is a message that says the United States will not stand by as countries—even those with which we have important security relationships—flagrantly violate international norms.

The United States must assert moral leadership on the global stage. We must proudly embrace the immutable fact that our strongest relationships are those rooted in shared values, such as respect for human life, respect for basic democratic freedoms, respect for international institutions and norms that we have shaped to promote a safer and more prosperous future.

When we fail to call out egregious offenses—the slaughter of innocent civilians, the murder of American resident and journalist Jamal Khashoggi, the effective kidnapping of heads of state, just to name a few—we contribute to the steady erosion of fundamental freedoms and values that have driven us to a position of global strength.

This resolution is a clear message that if the President of the United States will not stand up in defense of our values, we in the U.S. Senate will. When this President selectively condemns some violations one day and then inexplicably ignores them and condones them another day, the Congress will act as an effective check and balance. As a coequal branch of government, we will defend American values, and we will work to promote our long-term security interests.

At the end of the day, the Saudi Government must take responsibility for its actions, for this ugly war does not serve Saudi Arabia's own long-term interests.

Achieving a path toward stability and prosperity demands that the Saudi Government hold itself to a higher standard. It must treat its citizens with dignity and respect. It must engage its partners in the region in responsible efforts to protect its borders from ever-growing Iranian threats. Shortsighted, capricious actions will not serve Saudi Arabia's long-term interests.

Yes, the United States has an important relationship with Saudi Arabia. But we must also be true to our own long-term interests, and that means we cannot sit idly by, waiting for the Crown Prince and the Saudi Government to act. It should be clear to everyone in this body that the resolution we are considering today is just one part of this effort.

I am proud to have worked across party lines with Senators YOUNG, REED, GRAHAM, and others in introducing the comprehensive Saudi Arabia Accountability and Yemen Act. This bill calls for a limited suspension of offensive weapons sales to Saudi Arabia, prohibits U.S. refueling of Saudi coalition aircraft engaged in Yemen, sanctions persons blocking humanitarian

access in Yemen, sanctions persons supporting the Houthis in Yemen, mandates Global Magnitsky sanctions on persons responsible for the death of American resident Jamal Khashoggi.

Unfortunately, we have not been able to get to this legislation in the timeframe that we have, but let me be clear. We will continue to work at it, and we do not want to see a weak substitute that degrades the intent of tangible action from the Senate.

I hope, after we get through this important vote on this resolution, at the end of the day—whether it be in this Congress or the next—that the only thing we do with reference to Jamal Khashoggi is not simply an expression of our outrage. We need to do something far more than that if we are going to send a global message. The time for waiting and posturing is over.

This administration has made abundantly and disappointingly clear that it will not act unless we force it to. President Trump has made clear over and over again that the only way he takes the high road is if he is dragged up to it, kicking and screaming. Taking their cue, the Saudis at this moment see no incentive to change their behavior. It is time for the Senate to act. It is time to stand up for the very values that define us as a nation.

The passage of the Sanders-Lee resolution should signal to the world that the U.S. Senate should hold Saudi Arabia accountable—including the royal family. We will continue to demand that we consider additional measures to make clear what we stand for as a nation.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank the Senator from New Jersey for his concern about this issue. I voted to dispense with this out of the committee. I have concerns about the particular legal issues that are being created here, but I wanted this debate to take place on the floor.

I thank him for his concerns about the way the Crown Prince of Saudi Arabia is conducting himself, about the war itself, and how ham-handed the Saudis and others have been, having shown so little concern for the citizens who live in Yemen. So I appreciate his efforts.

I know we are very unlikely to come to an agreement on the bill he has offered, and I can understand why he would rather start the next year with a bill that he feels is stronger. I have some operational concerns, but I like the thrust of it very much.

I understand that, knowing we are not going to come to a conclusion this year, he would rather start this next Congress with the strongest message and bill that he can put forth. But I do want to thank him for offering it. I hope that—again, with some operational concerns worked out from my perspective—it comes along. I hope the thrust of it comes along.

So I thank him for that, and I thank him for his concern for the people of Yemen. I thank him, in particular, for his tremendous disdain for what the Crown Prince has done relative to the journalist.

The Senator is right that expressing outrage in itself is not enough; I agree with that 100 percent. I do hope that once this is done, so we don't confuse that with what is happening here on this particular message, if you will, that is taking place—he is right that it is not going to change policy. The only thing that will change policy is a refined Menendez-Young bill that will be dealt with next year. But I do hope we will have the ability, after this is over, after this is dispensed with tomorrow—I hope we can speak to that outrage. I think it helps us. As it relates to the second Magnitsky letter that we sent, I think it helps reinforce the fact that we hold him accountable, and I think there could be some good there.

I also think, as it relates to Saudi Arabia, a strong admonishment of the Crown Prince—I think they care about that a whole lot more than we might think.

So I wish the Senator well as we move ahead with the other piece. I would like to see some changes. I will not be here to make those happen, but I thank him for the thrust. I appreciate the message that is being put forth now. I do hope that, collectively, before we leave here this year, we can admonish strongly what we believe the Crown Prince has been involved in, and that is the murder of a journalist.

Mr. MENENDEZ. If my friend the distinguished chairman of the committee will yield for a moment, let me just say first that I appreciate his good intentions and commitment to having a process in which the Sanders-Lee resolution could move forward. To keep it within a germane sphere, I know that was one of the things the Senator said very early on, which I embrace, and I am glad for his leadership in that regard. I think passing this will be important, and I urge all of our colleagues to vote for it.

I look forward to when he presents the resolution he has talked about with reference to the Crown Prince. I do think that if he brings that forward, it is likely something I will support because I think it is important to make it very clear that you cannot kill with impunity just because you are our ally and that human rights and democracy are still values that we—at least in the U.S. Senate—believe are an integral part of our foreign policy. Countries that observe human rights and democracy and share our deepest values at the end of the day are our most reliable allies and are less likely to drag us into conflicts in other places. So I look forward to that debate and discussion when the distinguished Senator offers that.

But I will reiterate—and I appreciate the Senator's somewhat endorsement with some reservations. It is critical—

I know Senator YOUNG is standing; I will cease in a moment—that we need to do more—even though I will probably embrace what the Senator is doing—than just say we are outraged that the Crown Prince of Saudi Arabia is complicit in the killing of Jamal Khashoggi.

There is a long list of things the Crown Prince has already done beyond that, some of which I mentioned in my remarks. But at the end of the day, if all we do is express our outrage, then anybody in the world, any leader in the world, any country we have a relationship with could say: Well, they will publicly slap us on the wrist, but that will be the total consequence.

If that is the total consequence, then at the end of the day, people will act with impunity. When they do that, we go down a dangerous path, not just for those who live in those countries and may be subjected to those types of indiscriminate executions and other gross violations of human rights; we send a global message that is a downward spiral. That is what I and some of my colleagues I am going to join briefly to talk about—we intend to pursue this in the next Congress—want to see happen. I appreciate that the Senator supports that sentiment, and I look forward to continuing to work with him until the very end of this session.

Mr. CORKER. Mr. President, before yielding to Senator YOUNG so he can make his amendment pending, I just want to follow up and say—look, I do want to go on record and say that I support the provisions of the Senator's bill that block for a period of time offensive weaponry sales to Saudi Arabia. I support that. I also support provisions of the bill that sanction people who are blocking humanitarian aid for the people there.

The Senator and his staff know we have some operational issues, and I know those are going to get worked out. I know that the way to start legislation and get it to where we really want it to be is to start out strongly. I know the Senator knows he is not going to pass it this year, and if I were the Senator from New Jersey, I would go about it exactly the way he is going about it.

So I do appreciate the thrust, and I do hope we pass those into law with some of the other provisions so that there is a price to pay for what has taken place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

AMENDMENT NO. 4080

Mr. YOUNG. Mr. President, I call up my amendment No. 4080.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Indiana [Mr. YOUNG] proposes an amendment numbered 4080.

The amendment is as follows:

AMENDMENT NO. 4080

(Purpose: To clarify that this resolution prohibits United States Armed Forces from refueling non-United States aircraft conducting missions as part of the ongoing civil war in Yemen)

On page 4, line 21, add after the period at the end the following: "For purposes of this resolution, in this section, the term 'hostilities' includes in-flight refueling of non-United States aircraft conducting missions as part of the ongoing civil war in Yemen."

Mr. YOUNG. Mr. President, I rise today to urge my colleagues to support amendment No. 4080 to S.J. Res. 54. I introduced this amendment this morning, and I am proud to report that Senators Shaheen, Collins, and Coons are now cosponsoring this important bipartisan amendment.

Amendment No. 4080 would amend S.J. Res. 54 by simply defining the term "hostilities" to include "in-flight refueling of non-United States aircraft conducting missions as part of the ongoing civil war in Yemen." In other words, this amendment would prevent the resumption of U.S. air refueling of Saudi coalition aircraft in Yemen—those very aircraft that, in too many instances, have been responsible for indiscriminate bombing and violations of international human rights law. That is all this amendment would accomplish. It does not define the term "hostilities" more broadly for the War Powers Resolution or in any other instance.

Before discussing the amendment in more detail, allow me to zoom out for a moment and explain how I see the broader picture related to Saudi Arabia and Yemen.

The civil war in Yemen, as so many now know, is an unmitigated national security and humanitarian disaster. The longer the civil war continues, the more influential Iran and various terrorist groups will become in Yemen. Meanwhile, approximately 14 million people are on the verge of famine, and it is getting worse by the day.

Famine and the indiscriminate targeting of civilians by the Saudi-led coalition will only push more Yemenis toward Iran and toward its proxies, giving terrorists increasing opportunities to threaten Americans, our partners, and our interests. So it is essential to America's national security interests, as well as our humanitarian principles, that the administration use all available leverage to end the civil war in Yemen without delay.

The only way to end this civil war and make significant and durable progress on the humanitarian crisis is through an inclusive political process. Everyone agrees on this. It is positive that the parties to the conflict are talking in Sweden as part of the U.N. envoy-led peace process. We want that process to succeed. I know the administration supports these talks, and I commend them for the encouragement of these talks. There are many potential pitfalls in the peace process, though, so we have to do all we can to support this effort here in Congress.

Since March of 2017, I sought to underscore the importance of the humanitarian crisis in Yemen and to provide this administration leverage that it can use to pressure the Saudis to support an urgent and good-faith effort to end the civil war and to stop using food as a weapon of war.

In that effort, I have used every available tool at my disposal as a member of the Senate Foreign Relations Committee. That has included, for example, a resolution that was passed by the Senate, legislation passed into law, subcommittee hearings, letters, and even a hold on the nomination of our former Secretary of State's top lawyer at the Department of State. That was before the administration understood, as they do now, the importance of having a negotiated political settlement between all the parties.

But as I have provided additional leverage to the administration over a period of time, we have to acknowledge that the civil war has continued, the world's worst humanitarian crisis has deteriorated further, Iran's influence has only increased, and the Saudi Crown Prince has, unfortunately, been left with the impression that he can get away with almost anything, including murder.

To be clear, with or without amendment No. 4080, S.J. Res. 54 may never become law. Even in that case, I believe adoption of amendment No. 4080 today would send an even stronger message at a critical moment to our Saudi partners that we expect them to do everything in their power to end this civil war.

Some may argue that no additional pressure is needed. I have heard that argument. I reject that argument, and here is why. On October 30, Secretaries Pompeo and Mattis called for a cease-fire in Yemen within 30 days. Those 30 days—for those who are checking your calendar—came and went on November 29. Yet the Saudi coalition has continued airstrikes.

I have a hard time believing that if Secretary Mattis picked up the phone and told Riyadh to knock off the airstrikes in Yemen, the Saudis would ignore him. If that call hasn't occurred, there may be a problem. If it has and the Saudis have ignored that demand, then, that may be a problem. Either way, we may have a big problem on our hands.

It is not in our national security interest to sit idly by as the Saudis ignore the clear demands of our Secretaries of Defense and State, especially when we are members of the coalition. Our taxpayers are funding these military exercises that are exacerbating the worst humanitarian crisis in generations and that are destabilizing a country where Iran, al Qaida, and ISIS have a foothold.

Let's support our Secretaries of State and Defense. Let's support them in their efforts. Let's give this administration yet more leverage vis-a-vis the Saudis.

The number of innocent people confronting famine is growing by the day. Innocent people are being bombed. Iran and terror groups are benefiting from the status quo. The Saudis have ignored our Secretaries' call for a cease-fire. My question to my colleagues here on Capitol Hill who are still undecided about how they might vote with respect to this amendment that I am bringing up is this: What are we going to do about it? What are you going to do about it today, because you have an opportunity to do something about it?

I will say that today, even if this resolution does not become law, we can take an important step and send the right message to Riyadh. There is no doubt that the Houthis have engaged in absolutely abhorrent behavior in Yemen, and, then, it takes two sides to negotiate.

We don't have much leverage over the Houthis. We have significant leverage over the Saudis, and we must utilize it. If S.J. Res. 54 does become law, my amendment would ensure that it accomplishes its stated purpose with respect to air refueling.

Some may continue to argue that the United States is not engaged in hostilities in Yemen. It is a war. Our taxpayers are providing funding. There is intelligence support and logistical support and refueling of aircraft carrying bombs, but some will argue that we are not engaged in hostilities in Yemen. In other words, this Senate joint resolution, absent my amendment, risks leaving the status quo in place in Yemen. With my amendment, the legislation would ensure that the administration cannot resume refueling of Saudi aircraft conducting missions related to this civil war.

To those principled colleagues—and there are a number of principled colleagues on this issue—who are conversant on the issue and have been studying it for a great deal of time, I have great respect for them. I know there is at least one who is concerned about any precedents we may be creating relating to the War Powers Resolution or other situations. Let me be clear. My amendment explicitly says this definition for hostilities only applies to this resolution we are considering today and only to this case.

I will also reiterate that my amendment would not restrict U.S. refueling on our own aircraft and would not restrict refueling of other aircraft for missions focused on al-Qaida and associated forces. We have it covered. Either way, Senators looking to send the right message today to the Saudis and those looking to change the situation in Yemen should support amendment No. 4080.

For a very quick word on the War Powers Resolution—the underlying resolution—here again, principled and serious people are on both sides of the War Powers Resolution debate, and I see merits on both sides of that argument. The President is indeed the Commander in Chief. That said, the Found-

ers also establish clear article I constitutional war powers and responsibilities for Congress.

For me, today, in this situation, and only with respect to Yemen, I believe a reasonable reading of the Constitution leaves plenty of room for a "yes" vote on this resolution. Our humanitarian principles and national security interests require it. With that, I urge my colleagues to support amendment No. 4080 and to support passage of the underlying resolution and send a message to Riyadh.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, through the Presiding Officer I wish to ask the Senator from Indiana, what you are saying is that you are doing everything you possibly can do to ensure that if your amendment passes, never in the future will your amendment be relied upon to say if we are refueling, that means we are involved in hostilities; is that correct?

Mr. YOUNG. I thank the chairman for the clarification so that I can further clarify for the record that this amendment only applies for purposes of this resolution and in the section I offered it.

Let's say in Mali, for example, that our country in the future were involved with refueling operations of our partner or our ally's aircraft. This wouldn't apply. This would establish absolutely no precedent.

We have had national security legal counsel look at this. We have taken a belt-and-suspenders approach. No reasonable reading of this could construe this to establish any legal precedent that ought to cause concern for anyone concerned.

Mr. CORKER. Mr. President, I ask again the Senator: For those of us, many in this body, including the Senator from Indiana, who worry that the mere refueling that may take place in Mali, where maybe we are supporting French troops, or the refueling in other places—the mere refueling in another country, the mere refueling itself—you are saying that by voting for your amendment, you have no intention of ever creating a precedent that another Senator could use the War Powers Act simply because of refueling taking place; is that your intention?

Mr. YOUNG. My intention is to only address the situation in Yemen, and that is precisely what this amendment does—nothing more, nothing less.

Back to the example of Mali and French aircraft, there would be absolutely no application of this amendment to that conflict, to the refueling of those aircraft or to our own aircraft. That is why we have doubled up on clarifying precautionary language, so that no one could conceivably construe that in any legal analysis that makes any level of common sense or legal sense, because the two don't always seem to be consistent. But we have had attorneys look at this, and it applies narrowly only to this context.

I will entertain any more questions, but I feel as though I am restating this. It is a very important matter. So I am glad the Chairman gave me an opportunity to answer it.

Mr. CORKER. Mr. President, I appreciate the Senator from Indiana answering those questions. Today, we are, as you know, establishing precedent on a number of things. No. 1, we overwhelmingly decided that if the War Powers Resolution is used in this matter, only germane amendments can be put forth. I think that was a big step forward as it relates to this type of debate and in using the War Powers Resolution as it is being used.

I did want to get the Senate record to be very clear that the Senator from Indiana, should his amendment pass, was in no way trying to create a scenario where if we are refueling someplace, that automatically means we are involved in hostilities. What he is trying to do is address this specific issue.

Since we have been able to have this in the RECORD and since, hopefully, future Senates will rely upon the RECORD to look at what is taking place today, I want to thank the Senator for his amendment and tell him that I plan to support it.

Mr. YOUNG. I thank the Chairman.

The PRESIDING OFFICER. Who yields time?

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, this has been the center of a lot of discussion, and it is a little confusing. I think there are a lot of things that everyone in here agrees with, but how we are going to express ourselves has to come down to all possibilities of the options that are there.

I want to start off by saying that I oppose the Sanders-Lee provision. I think the resolution would have us find that since March of 2015, members of the U.S. Armed Forces have been introduced into hostilities in Yemen between the Saudi-led coalition and Houthis, including providing to the Saudi-led coalition aerial targeting assistance, intelligence sharing, and midflight aerial refueling.

If enacted, Lee-Sanders could ultimately pull all U.S. support from the Saudi-led coalition in Yemen. The Sanders-Lee resolution is, I think, fundamentally flawed because it presumes we are engaged in military action in Yemen. We are not. We are not engaged in military action in Yemen.

There has been a lot of discussion about refueling. I don't see any stretch of the definition that would say that falls into that category. The truth is that with the exception of the defense strike in October 2016, the U.S. Armed Forces are not engaged in direct military action in Yemen.

The limited military support and intelligence sharing being provided by the United States to the Saudi-led coalition does not involve the introduction of U.S. Forces into hostilities, nor is the U.S. involvement in hostilities imminent given the circumstances at hand.

U.S. forces in support of the coalition do not currently command, coordinate, accompany, or participate in the movement of Saudi coalition forces in the counter-Houthi operations.

As of November 11 of this year, the U.S. Armed Forces ceased refueling support. That is no longer an issue. Even if it were an issue, this is not one that would constitute the category we have been talking about.

As for the Saudi coalition, the counter-Houthi operations in Yemen, even if the refueling support we were providing were going on today, it would not constitute involvement in hostilities. For that reason, I do oppose it.

I don't know which of these resolutions is actually going to be on the floor for a vote and in what order they would be on the floor, but the resolution that has been put together by Senator CORKER and our leader I think is the best solution to the problem we are confronted with now.

Like many of my colleagues, I was deeply disturbed by the killing of the Saudi journalist Jamal Khashoggi at Saudi Arabia's consulate in Istanbul in October. I deplore everything in conjunction with that. While it may not be a smoking gun as such, I believe that Saudi Arabia's leadership is responsible for Mr. Khashoggi's death.

Those responsible are going to have to be held accountable, and we must condemn this terrible and unaccepted event. That is clearly what the resolution says.

The resolution also acknowledges the Trump administration's important decision to sanction 17 Saudis for their roles in Mr. Khashoggi's murder.

At the same time, Saudi Arabia is an important Middle Eastern partner. Its stability is vital to the security of our regional allies and our partners, including Israel, and Saudi Arabia is essential to countering Iran. We all know that. We know how tenuous things are in that part of the world. We don't have that many friends. We can't afford to lose any of them.

While we must be frank with our partners and let them know when they have done, in our opinion, something wrong, we must be cautious and avoid steps that would damage a strategic relationship that goes back over half a century. For this reason, I am hoping that the resolution will be introduced, in which case I will be supporting the resolution the leader and Senator CORKER have introduced. It criticizes the Saudi Government for its recent behavior and encourages it to get on the right path—the right path to redouble its reform efforts, the right path to respect the rights of its citizens, and the right path to work toward a peaceful resolution in Yemen.

You know, I don't like any of the choices we have. This is clearly the best choice that is out there.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I come to the floor today to join many of my colleagues in support of passage of the underlying resolution. I was pleased to be one of the original cosponsors, along with the Presiding Officer and Senator SANDERS, amongst many others.

This is clearly not the first time I have been to the floor to talk about the crisis inside Yemen and the broader crisis with respect to our relationship with Saudi Arabia that has grown worse and worse, especially in the last several months.

I want to thank Senator MENENDEZ and Senator CORKER for taking this incredibly seriously, especially since the death of Jamal Khashoggi, who was a resident of the United States here, ostensibly under our protection. I am hopeful that we will get another big bipartisan vote when this comes up for final passage.

I want to reiterate some of the reasons I think this is incredibly important.

First, let me state what I hope is obvious even for those of us who have been critics of Saudi Arabia.

Saudi Arabia is a very important ally of the United States. It is an important partner for stability in the region. We continue to engage in an important counterterrorism, intelligence-sharing relationship with Saudi Arabia. They have helped us track down some very bad people. We have helped them track down some very bad people. Sunni extremists—separate and aside from the argument as to where that movement gets some of its seed funding—are out to get the Saudi regime, just as they are out to get the United States.

Second, it is important to note something that we take for granted in the region—this now long-term detente that has existed between the Gulf States and Israel, which did not used to be something you could rely on. In fact, one of the most serious foreign policy debates this Senate ever had was on the sale of AWACS to Saudi Arabia back in the 1980s. The objection then was that by empowering Saudi Arabia, you were hurting Israel and Israeli security. No one would make that argument today because Saudi Arabia has been a good partner in trying to figure out a way to calm the tensions in the region and, of course, provide some balance in the region, with the Iranian regime on the other side continuing to this day to use inflammatory and dangerous rhetoric about the future of Israel.

So this is an important partnership, and I have no interest in blowing it up. I have no interest in walking away from it. But you are not obligated to follow your friend into every misadventure they propose. When your buddy jumps into a pool of man-eating sharks, you don't have to jump with him. There is a point at which you say enough is enough. I came to this floor 3 years ago and suggested that time had already come.

Muhammad bin Salman, who is the Crown Prince, who is the effective leader of the country, has steered the foreign policy of Saudi Arabia off the rails. Folks seem to have noticed when he started rounding up his political opponents and killing one of them in a consulate in Turkey, but this has been ongoing. Look back to the kidnapping of the Lebanese Prime Minister, the blockade of Qatar without any heads-up to the United States, the wholesale imprisonment of hundreds of his family members until there was a payoff, the size of which was big enough to let some of them out.

This is a foreign policy that is no longer in the best interests of the United States and cannot be papered over by a handful of domestic policy reforms that are, in fact, intended to try to distract us from the aggressive nature of the Saudis' foreign policy in the region.

Of course, the worst example of their regional behavior going off the rails is Yemen. And I don't want to restate the case here; I think Senator SANDERS did a great job of it.

I have stood here before with posters of malnourished children with distended bellies. Some 85,000 of them have died from malnutrition or disease. The world's worst ever outbreak of cholera is happening right now as we speak. Ten thousand Yemenis have died from warfare, from bombings, or from siege campaigns. About two-thirds to three-quarters of those were as a result of the Saudi side of the civil war, but let's make clear that there are some really bad actors on the Houthi side as well. Part of the reason the humanitarian aid can't get to where it is needs to get to is because the Houthis are stopping it from getting into the areas they control today. So the Saudis bear the majority of the responsibility for the humanitarian nightmare, but there is enough to be spread around.

I am appreciative that many of my colleagues are willing to stand up for this resolution today to end the war in Yemen. I wish that it weren't because of the death of one journalist, because there have been tens of thousands who have died inside Yemen, and their lives are just as important and just as worthwhile as Jamal Khashoggi's life was, as tragic as that was. But there is a connection between the two, which is why I have actually argued that this resolution is in some way, shape, or form a response to the death of Jamal Khashoggi, for those who are primarily concerned with that atrocity. Here is how I link the two:

What the Saudis did for 2 weeks was lie to us, right? In the most bald-faced way possible. They told us that Jamal Khashoggi had left the consulate, that he had gotten out of there alive, that they didn't know what happened, when of course they knew the entire time that they had killed him, that they had murdered him, that they had dismembered his body. We now know that the Crown Prince had multiple con-

tacts all throughout the day with the team of operatives who did it. Yet they thought we were so dumb or so weak—or some combination of the two—that they could just lie to us about it.

That was an eye-opener for a lot of people here who were long-term supporters of the Saudi relationship because they knew that we had trouble. They knew that sometimes our interests didn't align, but they thought that the most important thing allies did with each other was tell the truth, especially when the truth was so easy to discover outside of your bilateral relationship. Then, all of a sudden, the Saudis lied to us for 2 weeks—for 2 weeks—and then finally came around to telling the truth because everybody knew that they weren't.

That made a lot of people here think, well, wait a second—maybe the Saudis haven't been telling us the truth about what they have been doing inside Yemen.

A lot of my friends have been supporting the bombing campaign in Yemen. Why? Because the Saudis said: We are hitting these civilians by accident. Those water treatment plants that have been blowing up—we didn't mean to hit them. That cholera treatment facility inside the humanitarian compound—that was just a bomb that went into the wrong place, or, we thought there were some bad guys in it. It didn't turn out that there were.

It turns out the Saudis weren't telling us the truth about what they were doing in Yemen. They were hitting civilian targets on purpose. They did have an intentional campaign of trying to create misery. I am not saying that every single one of those schoolbuses or those hospitals or those churches or weddings was an attempt to kill civilians and civilians only, but we have been in that targeting center long enough to know—to know—that they have known for a long time what they have been doing: hitting a lot of people who have nothing to do with the attacks against Saudi Arabia.

Maybe if the Saudis were willing to lie to us about what happened to Jamal Khashoggi, they haven't been straight with us as to what is happening inside Yemen, because if the United States is being used to intentionally hit civilians, then we are complicit in war crimes. And I hate to tell my colleagues that is essentially what the United Nations found in their most recent report on the Saudi bombing campaign. They were careful about their words, but they came to the conclusion that it was likely that the Saudi conduct inside Yemen would amount to war crimes under international law.

If it is likely that our ally is perpetuating war crimes in Yemen, then we cannot be a part of that. The United States cannot be part of a bombing campaign that may be—probably is—intentionally making life miserable for the people inside of that country.

So I would argue that this resolution is an appropriate response if you are

only concerned about Jamal Khashoggi because it is a way to make clear that if you lie to the United States, there are consequences. It is also a way to say to the Crown Prince: We are not going to be partners with you in your most important foreign policy endeavor—the war inside Yemen—if you are not being straight with us about this or other matters.

If you care just about what happened to that journalist, this is still an important vote for you to cast. And I get it that some people have issues with the mechanism by which we get here, the War Powers Resolution. I understand that it is new, that it hasn't been tested before. But I believe this is the right moment to have this debate and to have this vote.

I am hoping that we are going to come to a conclusion here as quickly as we can in which we maintain bipartisan consensus. I just joined several of my colleagues upstairs to express our desire—this isn't the beginning and the end of our debate about what to do with Saudi Arabia moving forward. I support Senator MENENDEZ and Senator YOUNG's legislation to take some additional steps to halt arms sales. I support imposing sanctions on the individuals who are responsible for this crime. But I would also hope that all of us take a little bit of time over the holidays to really think about how we reset this relationship in the region and how we send a signal to the world that there is no relationship in which we are the junior partner—certainly not with Saudi Arabia.

If Saudi Arabia can push us around like they have over the course of the last several years and in particular the last several months, that sends a signal to lots of other countries that they can do the same thing—that they can murder U.S. residents and suffer almost no consequences; that they can bomb civilians with our munitions and suffer no consequences.

This is not just a message about the Saudi relationship; this is a message about how the United States is going to interact with lots of other junior partners around the world as well. Saudi Arabia needs us a lot more than we need them, and we need to remind folks of that over and over again.

Spare me this nonsense that they are going to go start buying Russian jets or Chinese military hardware. If you think those countries can protect you better than the United States, take a chance. You think the Saudis are really going to stop selling oil to the United States? You think they are going to walk away from their primary bread winner just because we say that we don't want to be engaged in this particular military campaign? I am willing to take that chance.

We are the major partner in this relationship, and it is time that we start acting like it. If this administration isn't going to act like it, then this Congress has to act like it. As Senator GRAHAM said, sometimes Congress has

to go its own way. Sometimes Congress has to reorient American foreign policy when an administration will not.

With respect to this bilateral relationship, with respect to this egregious, unconscionable military operation inside Yemen, it is time for Congress to step up and right something that today is very, very wrong.

I appreciate all of the great work that Senator SANDERS and Senator LEE have done as partners in this, and I thank the chairman and ranking member for helping guide us through this debate as painlessly as possible. I look forward to coming to the floor again before final passage and look forward to another big bipartisan vote at the end of this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Thank you, Mr. President.

I take this time to support the passage of S.J. Res. 54. I commend my colleagues who have brought this resolution forward. The impact of this resolution would be to end the U.S. military engagement in Yemen, and I believe that military engagement should end for several reasons.

First, let me comment on what others have already pointed out, and that is that the humanitarian crisis in Yemen is one of the worst, if not the worst, in the world. That is saying a lot because there are a lot of areas around the world where we are seeing humanitarian challenges.

In Yemen today, 10,000 people have been killed due to the war, and 22 million-plus—75 percent of the population in Yemen—are at grave risk today. It is estimated that there are 400,000 children under the age of 5 who are at the risk of starvation due to hunger and malnutrition, and 85,000 children have died, according to Save the Children, from starvation.

The U.S. military engagement has really not assisted in ending this humanitarian crisis. There are 1 million people with cholera and 8.4 million people on the verge of famine. For a long time, we have been, focused on the Port of Hodeidah, saying that it had to be opened in order to be able to deliver humanitarian assistance. I think many of us thought that because of our military involvement in Yemen, at a minimum, we could get the port open. We find we are not able to have safe routes for the delivery of humanitarian assistance, so through our military we have not been able to impact the horrible tragedies that are taking place because of this humanitarian disaster.

Secondly, I think most experts will tell us there is no military solution to the war that is taking place in Yemen that dates back to 2014. The warring sides are not going to end as a result of the military. It is going to take diplomacy, and our military involvement has not assisted in a diplomatic answer. We have not made the progress I think many of us would have expected.

So, yes, I do believe America needs to be engaged in Yemen, just not from our military. Let's do an all-out press on diplomacy and bring the parties to the peace table and end this horrible conflict.

Yes, make no mistake about it, the Houthis are not nice people. I understand that, but we are not going to win this by our military. So let's concentrate on diplomacy. I think many have pointed out that, yes, we have been in this region since the attack on our country on September 11. Nothing in this resolution would affect our ability to fight against al-Qaida and its associated forces.

The resolution specifically exempts—specifically exempts—from the withdrawal of American military our campaign against al-Qaida and associated forces.

There is also no question that since the Saudis have engaged in this conflict, there have been many violations of human rights. Yes, we are facilitating and helping. I am not saying we are committing, but we are certainly part of the Saudi effort. We are supposedly helping them with targeting. That means giving them intelligence information to minimize civilian casualties. I am certain the American military is helping in that regard, but the bottom line is, we are told that 61 percent of casualties are due to coalition strikes. There is tremendous civilian loss as a result of this campaign, and the United States is one of the honest brokers in trying to minimize that. We have not been successful through the use of our military.

The use of our military has never been authorized by Congress. Now, this is a debate we have had many times. I know the distinguished chairman of the Senate Foreign Relations Committee has been part of that debate and has wanted us to come to grips with a congressional authorization for military use in Yemen. I applaud the chairman. I am very proud to be on that committee. I think if it were left up to our committee, we may have been able to agree on a resolution, but it was clear we couldn't get it through the Senate, couldn't get it through the Congress. That was clear. I am not saying we are culpable for not passing authorization, but we have not passed authorization, and there is no authorization for the use of military force in Yemen, despite the fact that article I, section 8, clause 11 of the Constitution of the United States gives the Congress the sole power to declare war.

We are responsible for the military, and if you can't get that authorization, there should at least be a presumption that we shouldn't be using our military. If you can't get the support of Congress—if the President, Commander in Chief, can't get the support of Congress for the use of force, there should not be a sustained use. We know about emergency situations. We expect it of the Commander in Chief. This is not an emergency situation. This is a situa-

tion where there should be an authorization for the use of force if we are to remain. I don't believe we should remain.

We have had our disagreements with the President on the use of force. Congress passed the War Powers Act in 1973. The President didn't like it. We passed it anyway. We believe the President should not only notify but respect the will of Congress's power under article I to declare war and authorize our military presence.

Section 5(c) gives the power to Congress to pass a joint resolution to remove our troops where there has been no authorization. So what is being done today—the resolution that is before us—is the vehicle that we determined to be the appropriate way to remove our troops from unauthorized war. Therefore, it is an appropriate action by the Congress—probably the only action we can take in order to end the war in Yemen with U.S. participation.

I want to make a comment about the relationship between the United States and the Saudis. I heard many of my colleagues talk about it. I think it is a very important relationship. I think the Saudis are a strategic partner of the United States. I had many opportunities to visit with the Saudis. I know about a lot of the things they are doing, but make no mistake about it, that relationship is important to the United States, but it is very important to the Saudis. It is more than just our military support for a war in Yemen. It has a lot to do with security issues generally. It has to do with intelligence sharing. It has to do with economics.

Our relationship should always be wrapped in our values. Our foreign policy should always be based upon our values as Americans, and our values in regard to what is happening in this war in Yemen tell us we should not be participating in it.

I haven't even mentioned the tragic death of Jamal Khashoggi. When taking a look at what happened there and the involvement of the royal family and the Crown Prince, that clearly cannot go unchallenged. Human rights violations and the military campaign, all of that cries out for the United States not to be engaged in the military aspects of what is happening in Yemen, and the passage of S.J. Res. 54 will, in fact, make that a reality, and I urge our colleagues to support that resolution.

TIME MAGAZINE'S PERSON OF THE YEAR

Mr. President, it is a related subject.

I am going to talk about TIME magazine for their selection of their Person of the Year, the "Guardians and the War on Truth." I say it is related because Jamal Khashoggi is one of the figures that is on the cover of TIME magazine as one of the guardians.

In making their selection, TIME magazine wrote: "For taking great risks in pursuit of greater truths, for the imperfect but essential quest for

facts that are central to civil discourse, for speaking up and for speaking out, the Guardians” are the Person of the Year.

TIME magazine wrote:

As we looked at the choices, it became clear that the manipulation and abuse of truth is really the common thread in so many of this year’s major stories . . . this ought to be a time when democracy leaps forward, an informed citizenry being essential to self-government. Instead, it’s in retreat. And the story of this assault on truth is, somewhat paradoxically, one of the hardest to tell.

TIME magazine wrote in this week’s issue:

In Annapolis, Md., staff of the Capital, a newspaper published by Capital Gazette Communications, which traces its history of telling readers about the events in Maryland to before the American Revolution, press on without the five colleagues gunned down in their newsroom on June 28. Still intact, indeed strengthened after the mass shooting, are the bonds of trust and community that for national news outlets have been eroded on strikingly partisan lines, never more than this year.

“I can tell you this,” declared Chase Cook, a reporter for the Capital Gazette [on that fateful day]. “We are putting out a damn paper tomorrow.” Cook’s promise . . . came just a few hours after five of his colleagues were killed. The man charged with their murders had been obsessed with the paper since it wrote about his harassment of a high school classmate—part of its routine coverage of local legal proceedings. He made the office a crime scene. To put the damn paper out, staffers set up laptops in the bed of a pickup in a parking garage across the street.

When the next edition arrived—on schedule—the opinion page was blank but for the names of the dead. Gerald Fischman. Rob Hiaasen. John McNamara. Rebecca Smith. Wendi Winters. Beneath their names was . . . written with a goose quill: “Tomorrow this page will return to its steady purpose of offering our readers informed opinions about the world around them, that they might be better citizens.”

I must tell you I am very proud of what the Capital Gazette has done. They continued through very difficult times with the quality reporting and opinion pages they have been known for, for a long time—a real treasured institution in our State’s capital.

One of the four TIME magazine covers includes the journalists of the Capital Gazette, the Annapolis, MD, newspaper where five employees were murdered by a gunman last June.

I spoke about this shooting on the Senate floor last June, and the Senate unanimously adopted S. Res. 575, which I authored and which was cosponsored by all Members of the Senate. This Senate resolution commemorates the lives, careers, and service of five victims of the Capital Gazette shooting in Annapolis, MD; honors the survivors of the attack and the families of the victims and pledges to continue support for their recovery; thanks law enforcement officers and other emergency first responders for their heroic actions; and reaffirms the commitment of the Senate to defending the First Amendment of the Constitution of the United States.

Wendi Winters was among the five Capital Gazette employees killed in the June 28 shooting. According to eyewitness accounts from survivors, Wendi armed herself with the closest weapons at hand—her trash and recycling bins—and charged the shooter, shouting for him to stop. It is believed Wendi’s actions distracted the shooter enough to enable several of her coworkers to escape.

We think of violence against reporters as something that happens in other countries, in war zones and the like, but not here, not in the United States of America. All around the world, reporters work to gather facts, ask questions, and report the news in the spirit of free, open, and transparent societies and governments that all people deserve. Too often, reporters are harassed, jailed, and even killed simply because of the nature of their work, which often exposes cronyism and corruption.

Jason Rezaian, a reporter with the Washington Post who was falsely imprisoned in Iran for doing his job as a journalist, had this to say earlier this year. He talks about the attack I referenced earlier in Annapolis.

Mostly I have covered attacks on the media taking place on the other side of the world, usually in countries where the flow of information is restricted or conditions are such that a sense of desperation or political or tribal affiliation can compel individuals to take heinous action. . . . Writing about a deadly attack that happened less than 30 miles away, in an idyllic town that I recently visited with relatives from overseas, is a new experience for me. And I have to say that I don’t relish the task.

We Americans have certain rights and responsibilities granted to us through the Constitution, which established the rule of law in this country. Freedom of the press is one of those most basic rights, and it is central to the First Amendment of the Constitution: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press.” This precious freedom has often been under attack, figuratively speaking, since our Nation’s founding.

Today, attacks on the American media have become more frequent and more literal, spurred on by dangerous rhetoric that has created an “open season” on harassing the media for doing its job—asking the questions that need to be asked, investigating the stories that need to be uncovered, and bringing needed transparency to the halls of power, whether they are in Annapolis, Washington, DC, or elsewhere.

Then-candidate and now-President Trump’s rhetoric—calling the media “a stain on America” and “the enemy of the American people”—certainly has caused damage. At the Veterans of Foreign Wars, the President said to the audience that they are “not to believe” what they see and hear. The President of the United States told a crowd of veterans:

Stick with us. Don’t believe the crap you see from these people, the fake news. . . . What you’re seeing and what you’re reading is not what’s happening.

That is the President of the United States saying those comments—again, demeaning the press and the importance of the free press.

Why is the President doing this? Earlier this year, CBS “60 Minutes” correspondent Leslie Stahl, an icon in the news business, shared comments from President Trump from an interview she did with him soon after the 2016 election win. Stahl recalled that she said to Donald Trump about his attacks on the media:

Why are you doing this? You’re doing it over and over. It’s boring and it’s time to end that.

The candidate’s response was straightforward and shocking. He said:

You know why I do it? I do it to discredit you all and demean you all so that when you write negative stories about me no one will believe you.

Let that sink in for a moment. A man who was about to assume the position of President of the United States explicitly acknowledged he was purposefully working to diminish the integrity of the free press.

After the Capitol Gazette shooting, Donald Trump said: “Journalists, like all Americans, should be free from the fear of being violently attacked while doing their job.” But how do we interpret his sincerity when, more frequently, he is calling the media “fake news” or “totally unhinged” and telling the people of America that reporters are truly bad people?

Donald Trump’s constant dismissal needs to end. He needs to accept that one of the press’s most important roles is to speak truth to power—truth to power, including to the President of the United States.

Here at home, we are left to wonder whether Donald Trump is more inclined to agree with Russian President Vladimir Putin’s view of the press—where journalists are routinely jailed and physically attacked—than with Thomas Jefferson, who famously said: “Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.”

Journalists, like all Americans, should be free from the fear of being violently attacked while doing their job—both figuratively and literally. The right of journalists to report the news is nothing less than the right of all of us to know. Media freedom and media pluralism are essential for the expression of, or ensuring respect for, other fundamental freedoms and safeguarding democracy, the rule of law, and a system of checks and balances.

Every one of us in this body—Democrats and Republicans—has sworn an oath to support and defend the Constitution of the United States. As leaders of this great Nation, we have a responsibility to defend the rights of our

citizens, including the freedom of press.

Yesterday, *TIME* magazine featured three covers in addition to the *Capital Gazette*. One is Jamal Khashoggi, the *Washington Post* contributor who was killed at the Saudi Arabian Consulate in Istanbul in October. I would note that this is the first time that a *TIME* Person of the Year is a deceased person.

The United States of America must stand up for justice and human rights at home and abroad. I agree that Saudi Arabia is a strong ally in a variety of important areas, but that should only strengthen their understanding of America's commitment to the rule of law, and we as a Nation cannot sanction extrajudicial killings. America's national security is harmed, not helped, when dictators and strongmen believe they can get away with such heinous actions as the killing of journalist Jamal Khashoggi.

Congress must act to demand accountability for those responsible for Jamal Khashoggi's murder and to send the right signal to the world that America will continue to be a beacon of justice and defender of human rights.

Another cover features Wa Lone and Kyaw Soe Oo, two Reuters journalists who were arrested 1 year ago in Myanmar while working on stories about the killings of the Rohingya Muslims. These journalists remain behind bars, but their wives were photographed for the cover. From this floor, I stood in solidarity with these Reuters reporters who were detained in Burma for shining a light on the horrific abuses that occur in the Rakhine State.

I have stood in solidarity with Ethiopian journalists and bloggers who are routinely arrested for criticizing the Ethiopian Government and exposing human rights abuses in that country. I have talked frequently about China, a country that engages in routine censorship and online blocking, harassment, reprisals, and detention of journalists, visa delays, and denials for journalists.

Another *TIME* cover shows Maria Ressa, the chief executive of the Philippine news website, *Rappler*, who was indicted on tax evasion charges by President Duterte's administration as part of a crackdown on free speech and dissent.

According to the Committee to Protect Journalists, an independent, non-profit organization that promotes press freedom worldwide, more than 600 journalists and media workers have been killed in the last 10 years while doing their job.

Of the member States of the Organization for Security and Co-operation in Europe, Russia remains the deadliest country for journalists.

Turkey is the largest jailer of journalists in the world, and scores of media outlets have been closed since the attempted coup there. The heavy-

handed measures used against media freedom in Turkey, both before and during the recent elections, illustrates the lengths to which the government went to control the information available to voters. It also serves as a reminder of the essential role of a pluralistic media for free and fair elections.

I have also worked on many other countries that have infringed upon the freedom of press in my role on the Senate Foreign Relations Committee as a ranking Democrat on the Helsinki Commission. I could give you examples of what we have done in Malta, what we have done in Slovakia, what we have done in Belarus—and the list goes on and on.

I therefore ask the Trump administration and my colleagues in the Senate to redouble their efforts to protect the freedom of the press, both at home and abroad. We must lead by example as the very foundational legitimacy of a democratic republic is at stake.

America's leadership is essential to protect the freedom of the press—an essential institution for a democratic state. We must lead by first setting an example by our commitment to the freedom of press here at home. We must demand that freedom of the press be a priority in our global affairs, recognizing it is important to our national security.

*TIME* magazine got it right by naming the "Guardians and the War on Truth" as persons of the year.

I yield the floor.

THE PRESIDING OFFICER (Mr. BARASSO). The Senator from Utah.

#### YEMEN WAR POWERS RESOLUTION

Mr. LEE. Mr. President, the Senate is currently considering S.J. Res. 54. I am proud to be a cosponsor of this legislation—lead cosponsor, along with my distinguished colleague from Vermont, Senator SANDERS. He and I, along with Senator MURPHY and a number of other Members of this body, have engaged in this bipartisan effort, in a concerted endeavor to make sure that the separation of powers among our three branches of government is respected.

There is perhaps no more morally significant decision made in government than the decision to go to war. Whenever we take an action as a government that puts American treasure and, especially, American blood on the line, we have a sacred responsibility to evaluate and carefully weigh the relative risks and advantages of acting and the relative risks and advantages of not acting.

To make sure that kind of analysis takes place, the Founding Fathers wisely put this power squarely within the branch of government most accountable to the people at the most regular intervals—the Congress. This was a big distinction from our former National Government, based in London, where the chief executive—the King—had the power to commit troops to war without going to Parliament.

Alexander Hamilton explained this principle in *Federalist* No. 69. He ex-

plained that it was no accident that this power was put in the hands of Congress. To be sure, the power Congress has to declare war means more than simply to state something in the abstract. It is something that has to happen before we put American blood and treasure on the line.

It is something that should never happen in the absence of some type of dire emergency—some set of exigent circumstances in which the President must protect the United States of America from an imminent attack. It needs to be declared by Congress.

This isn't a mere formality; this is the only thing that guarantees that this is a government of the people, by the people, and for the people. It is the only thing guaranteeing that we will actually have a debate about the relative merits of the conflict in question. There are a number of reasons why.

In addition to the fact that there is an obvious economic expense associated with war, there is a tremendous human cost associated with war on our side, on the side of those among whom we might be fighting, and on the side of those against whom we might be fighting.

This particular conflict in Yemen provides one of many examples of the moral perilousness associated with war, of the many moral questions brought about as a result of war. We are involved in a conflict half a world away. We are involved in providing targeting assistance, midair refueling, reconnaissance, and surveillance. We are involved in this conflict as cobelligerents.

As we are involved in that, we are responsible in one way or another not only for the American lives that might one day be directly implicated in this conflict—more than they are today because we know how wars go; we know how they tend to spread. We know that once we put the good name of the United States of America on the line, we are understandably reluctant to walk away from it because of what that might say to the rest of the world.

But in order to make it legitimate, in order to make that decision authentic, in order to make it sustainable, it has to be done in the appropriate way, which means it first has to go to Congress.

Many of my colleagues will argue—in fact some of them have argued just within the last few minutes—that we are somehow not involved in a war in Yemen. My distinguished friend and colleague, the Senator from Oklahoma, came to the floor a little while ago, and he said that we are not engaged in direct military action in Yemen.

Let's peel that back for a minute. Let's figure out what that means. I am not sure what the distinction between direct and indirect is here. Maybe in a very technical sense—or under a definition of warfare or military action that has long since been rendered outdated—we are not involved in that, but



we are involved in a war. We are belligerents. The minute we start identifying targets or, as Secretary James Mattis put it about a year ago, in December 2017, the minute we are involved in the decisions involving making sure that they know the right stuff to hit, that is involvement in a war, and that is pretty direct. The minute we send up U.S. military aircraft to provide midair refueling assistance for Saudi jets en route to bombing missions, to combat missions on the ground in Yemen, that is our direct involvement in war.

Now, if you don't agree with me, ask any one of our armed services personnel who is involved in this effort. I would imagine that he or she would beg to differ. I would imagine that the parents, the children, the family members, the loved ones of these brave men and women who have been involved in this effort would beg to differ when told that we are not involved in a war in Yemen.

In any event, regardless of how you define war, regardless of what significance you might attach to direct versus indirect military involvement in a civil war half a world away, it still triggers the constitutional requirement that Congress and not merely the President decide that we are going to get involved in this war.

Look, I understand that there are some competing powers in the Constitution. It was set up deliberately that way. There is some arguable gray area between, on the one hand, the outer limits of the President's Executive authority as the Commander in Chief of the Armed Forces and, on the other hand, the power enjoyed exclusively by Congress to declare war. Because there is some gray area, some matters on which people of reasonable minds might disagree as to where a war begins, Congress, several decades ago, adopted the War Powers Act in an effort to try to delineate the respective powers of these branches. Congress decided, among other things, that it would be significant any time we got involved in hostilities.

Many of my colleagues will argue and many of them have argued on this very day, in fact, that we are not involved in hostilities in Yemen and therefore the War Powers Act is not triggered. Yes, there are a couple of problems with that argument.

One, it is just categorically untrue for the reasons I mentioned a minute ago. We are helping them get to the bombing sites. We are telling them what to bomb, what to hit, what to take out. That is rather direct involvement in war.

Increasingly these days, our wars are high-tech. Very often, our wars involve cyber activities. They involve reconnaissance, surveillance, target selection, midair refueling. It is hard—in many cases, impossible—to fight a war without those things. That is what war is.

Many of my colleagues, in arguing that we are not involved in hostilities,

rely on a memorandum that is internal within the executive branch of the U.S. Government that was issued in 1976 that provides a very narrow, unreasonably slim definition of the word “hostilities.” It defines “hostilities” in a way that might have been relevant, that might have been accurate, perhaps, in the mid-19th century, but we no longer live in a world in which you have a war as understood by two competing countries that are lined up on opposite sides of a battlefield and engaged in direct exchanges of fire, one against another, at relatively short range. War encompasses a lot more than that. War certainly encompasses midair refueling, target selection, surveillance, and reconnaissance of the sort we are undertaking in Yemen.

Moreover, separate and apart from this very narrow, unreasonably slim definition of “hostilities” as determined by this internal executive branch document from 1976 that contains the outdated definition, we ourselves, under the War Powers Act, don't have to technically be involved in hostilities. It is triggered so long as we ourselves are sufficiently involved with the armed forces of another nation when those armed forces of another nation are themselves involved in hostilities. I am speaking, of course, in reference to the War Powers Act's provisions codified at 50 USC 1547(c).

For our purposes here, it is important to keep in mind what that provision reads: “For purposes of this chapter [under the War Powers Act], the term ‘introduction of United States Armed Forces’ includes the assignment of members of such Armed Forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent threat that such forces will become engaged, in hostilities.”

In what sense, on what level, on what planet are we not involved in the commanding, in the coordination, in the participation, in the movement of or in the accompaniment of the armed forces of the Kingdom of Saudi Arabia and the Kingdom of Saudi Arabia-led coalition in the civil war in Yemen? I challenge anyone to explain that to me—how it is that we are not involved in the way described by 50 USC 1547(c). We are. Because we are under this power-sharing agreement that was reached in the War Powers Act that has been in place over the last four or five decades, we need to follow those procedures. It is one of the reminders we have that we need to respect the separation of powers.

We first brought up this resolution—or one like it—earlier this year. It was about 8 or 9 months ago. At the time we brought it up and got it to the Senate floor, we utilized a privilege status accorded to resolutions like these in order to secure a vote on the Senate floor to try to bring this bill out of

committee. At the time, sadly, we received only 44 votes to get it out of committee. That was not enough.

Fast-forward a few months to the week before last when we voted on it again. It was, actually, the same vote, and it resulted in 63 Members of this body supporting the idea of advancing it out of committee.

Then, today, we moved to the consideration of this bill, and we got, if I am not mistaken, about 60 votes for that. I am thrilled, I am ecstatic that we had that result, and I look forward to my colleagues passing S.J. Res. 54 in the coming days. I urge my colleagues to vote for it. I suggest, however, that it would have been even better had we done it sooner.

What, you might ask, changed? What changed between when we voted for this a few months ago and we fell short of the votes we needed and when we brought it up the week before last to discharge it out of committee and then voted today to move to the bill? Well, a number of things have happened.

First, the war in Yemen has continued. We have had a whole lot of people killed in Yemen as a result of this civil war. We have had a whole lot more people in Yemen die as a result of causes related to that war. There has been starvation. There have been all kinds of atrocities that have accompanied that war.

Now, I know—this is war, and war inevitably involves atrocities. War inevitably leads to some people dying as a result of a direct kinetic attack, and it almost inevitably leads to other people dying as a result of starvation or their being subjected to other violent acts or tragic outcomes. I get it. That is what war does. That is precisely why it is unconstitutional and morally bankrupt for us to get involved in a war without the people's elected representatives in Congress voting to do so, without our having the ability to debate it, to discuss it, and to vote affirmatively to put our brave young men and women in harm's way to engage in that war.

What else changed in addition to the fact that this war has gone on and on with a lot of death and suffering and misery by a whole lot of innocent people?

We have also seen that when we pulled back the mask a little bit, when we pulled back the curtains and looked into exactly who we were fighting for and why we were fighting, the people, understandably, got a little freaked out. The death, the murder of a journalist got a lot of people's attention.

I completely agree with the comments that have been made by several of my colleagues that every life is sacred, that every human soul has inestimable worth in the eyes of God and should be respected by each and every one of us. It is therefore sad that it has had to take this long for us to care about it. It shouldn't be the case that we had to wait for a journalist to be murdered for us to care about this unconstitutional, unjustified, and, I believe, immoral war.

Regardless of how we got here, we are here. The murder of Mr. Khashoggi caused us to think long and hard—with good reason—about the fact that we have gone somewhat blindly into war, first under a Democratic President and then under a Republican President, where it has been continued, following, somewhat blindly, the leadership of the Kingdom of Saudi Arabia.

The fact that the Crown Prince of Saudi Arabia has been implicated in the murder of Mr. Khashoggi has caused a lot of people to stop and say: Wait a minute. Maybe this doesn't make sense. Wait a minute. Perhaps this is a regime that we ought not be supporting or at least, at a minimum, regardless of the fact that we may have some interest, some reason to be allied with the Kingdom of Saudi Arabia in some ways, maybe—just maybe—this is enough of a reason for us not to be fighting a war on behalf of the Kingdom of Saudi Arabia. We know this to be true.

Those of us who serve in this body or who serve down the hall in the U.S. House of Representatives know something very significant, which is that if we went to almost any one of our constituents in any part of the country and asked them “Why should we, the United States of America—the greatest military power, the greatest republic, arguably, the greatest civilization the world has ever known—be putting American blood and treasure on the line to fight as cobelligerents in a civil war half a world away in Yemen?” we know that 99 times out of 100—perhaps 999 times out of 1,000—that it would not result in a confident answer. We know that it would result in an answer full of uncertainty, ambiguity, grave concern, and well-justified fear for the fact that we are involved in somebody else's civil war—in a civil war in which we have no business fighting, in a civil war in which we have blindly followed the Kingdom of Saudi Arabia into conflict.

This is our decision to make. That war results in bloodshed and the shedding of blood that will be on our hands if we fail to exercise our constitutional prerogatives under a system of government in which we have taken an oath to uphold, protect, and defend the Constitution of the United States. I hope and expect that we will do our duty. I hope and expect that we will respect the lives of those who put their lives on the line to protect us.

I urge my colleagues, with all the emotion and all the compassion I am capable of summoning, to vote for and pass S.J. Res. 54.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise to condemn the Saudi military campaign in Yemen, which is causing the worst humanitarian crisis since World War II.

Tens of thousands of young children have already died of starvation, and millions more in Yemen remain threat-

ened by famine and disease. Yemen is experiencing the worst cholera outbreak in history with there being over 1 million cases. In recent months, the crisis has accelerated and grown at a rate of 10,000 cases each and every week.

The air campaign in Yemen, led by Saudi Arabia, is now in its third year, and every day, it makes the humanitarian crisis in Yemen worse. Bombs dropped by Saudi Arabia are killing women and children, destroying roads and bridges, disabling electricity and water services, and leveling schools, hospitals, and mosques.

Meanwhile, the Government of the Kingdom of Saudi Arabia and Crown Prince Muhammad bin Salman stand credibly accused of ordering the murder of a U.S. resident journalist known for his critique of the regime.

Currently, we are debating a resolution that directs the President to remove the U.S. military from hostilities in Yemen and end our Nation's unauthorized participation in this conflict.

I am proud to be a cosponsor of S.J. Res. 54. I voted to bring it to the floor because the United States should not be providing aerial refueling to Saudi jets bombing Yemen indiscriminately.

The U.S. Senate should pass this resolution and send a clear message that our military will not prolong and will not worsen a humanitarian tragedy led by an increasingly brutal regime.

This is also why I voted against arms sales of additional air-to-ground munitions to Saudi Arabia. More arms sales and more military support for Saudi Arabia are not how we are going to end this crisis. We need meaningful, diplomatic, and political solutions to alleviate human suffering in Yemen.

This is an issue that is deeply personal to me and many Michiganders. I am proud to represent a vibrant and dynamic Yemeni community in Michigan, and I share their heartbreak over the tragic situation impacting innocent Yemenis.

Our Nation must show real leadership and take action to ensure that food, water, medicine, and all necessary humanitarian supplies are made available to those who so desperately need them.

I urge all of my colleagues to join me in supporting S.J. Res. 54.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

TRIBUTE TO AARON MURPHY

Mr. TESTER. Mr. President, I am going to change pace a little bit here. I want to talk about a couple of people on my staff who are going to move on to greener pastures, you might say, and I want to acknowledge them.

First of all, I want to acknowledge a man who has always been there for me when I have needed him. Day or night, hell or high water, yes, even during the first few weeks of his fatherhood, my chief of staff, Aaron Murphy, has given himself to Montana and to this Nation.

For years, he and his wife Patience and their children Mira and Wes have

dedicated nights and weekends to ensuring that our State remains the best place to live and raise a family.

Dating back to my first U.S. Senate campaign in 2006, Aaron has been an integral part in shaping my message, crafting my political policy, and ensuring that every word matters. He takes the job seriously, but he never loses the ability to laugh at himself—the mark of a true leader.

One 4th of July, he tasked his communications team to write a statement honoring Independence Day. My team wrote:

We can't be consumed by our petty differences anymore. We will be united in our common interests.

Aaron was appalled by the hyperbole, and he began editing the statement, only to find out that his team had pranked him by copying and pasting lines from the Hollywood blockbuster movie “Independence Day.”

Aaron's no-nonsense style has kept us focused on what really matters, and that is the people. His ability to see the big picture and the end goal is one of his greatest gifts.

His work ethic is second to none. He is the first person in the office in the morning, and he is the last one out at night. He is rooted in his desire to create opportunity for the next generation, and his passion drives him to excel every day—never settling for second best.

He has worked as my press secretary, as my communications director, and now he wraps up his time as my chief of staff.

I want to tell him, on behalf of my entire family and team Tester: Thank you for your service.

Aaron has been at my side through three grueling elections and countless national media appearances.

I remember the first time I met this man. He was working at a local TV station. I was informed by my then-communications director that we had this guy who wanted to work for my campaign. At the time, I said to Matt McKenna: Why would he want to work for me? He has a good job.

Matt responded: Maybe he actually thinks you can win this election.

That is exactly what Aaron Murphy believes. He believes in the future of this country. He believes in the future of Montana.

There was another time, before the 2012 election, when Aaron was driving to my farm. He took the wrong road, and he ended up stuck in the mud. He buried the car up to the frame, and, fortunately, he found a spot where his cell phone worked and got ahold of me. I went out with the tractor and pulled him out of the mud. I was laughing at the time, making fun of his inability to navigate a muddy road, but Aaron saw an opportunity. He later told that story to a national reporter, who used it in a story to show that I hadn't lost my roots.

Thanks for getting stuck in the mud, Aaron.

Here is the thing about Aaron Murphy. He sees things differently. He has the ability to connect with people and drive an agenda that matters to everyday Americans. He is genuinely creative, full of passion, and good for a terrible pun or a dad joke.

Aaron, on behalf of my family, on behalf of the entire staff—both here in DC and in State—I want to thank you for your hard work, your service, your dedication, and your willingness to come back to the political fray and help me for the last 2 years.

Thank you very much.

TRIBUTE TO DAYNA SWANSON

Mr. President, I also want to talk about my State director, who is also leaving for greener pastures. I guess that is what happens when you get re-elected.

My State director's name is Dayna Swanson. She is an incredible woman. She is a leader, wise counsel, and friend. Anybody who knows Dayna knows she is a package of dynamite.

A few years back, Dayna wanted to get an old pickup. She looked around, and she found an old pickup. She found a 1949 Chevrolet pickup that had a pretty, fresh, green paint job. In fact, it was a paint job that also included part of the chrome bumper painted green. It looked good to Dayna, and she bought it. Needless to say, it probably needed a little work. When you went around the corner, the doors would fly open, and sometimes it would start, and sometimes it wouldn't.

I figured, what the heck. It is an old pickup. It is a great parade vehicle. We had a homecoming parade coming up in Missoula, so I asked Dayna if we could use her new 1949 pickup in the parade. We were in the parade with the vehicle and, as usual—it is what you would think—it overheated, the hose blew, and before we knew it, the Lieutenant Governor was pushing the rig down the road with me driving it, which was kind of nice.

That is Dayna. She is not afraid to take a risk. She inherited these traits from two marvelous people, her parents, Butch and Kathy.

Dayna and I come from different parts of the State of Montana, but we still have some things in common. I come from North Central Montana, where agriculture is the business. It is done there, and we dig in the Earth to make a living. She comes from just east of the Continental Divide, where hard-working miners dig in the Earth to find minerals and, consequently, are able to put food on their table.

Her Anaconda roots—her Irish roots—define her, as evidenced by her love of Jameson Whiskey, but it is her heart that makes her so special.

Dayna has compassionately lead my Montana team in the State, guiding them through difficult times, overcoming government bureaucracy, and putting some big wins on the board for the State she loves—Montana.

When a Montanan walks into one of my offices, regardless of what the prob-

lem is, Dayna goes to work to make sure the problem is solved. Dayna's team bends over backward to get them the help they deserve.

Her leadership skills literally save lives. When I first got elected 12 years ago, Dayna designed our constituent casework process. She knew that my No. 1 goal would be to help the people of Montana, and every day since then, she has committed her heart and soul to that mission.

She has ushered Cabinet Secretaries across the State, showing them what rural America looks like. She has worked with county commissioners, State legislators, and everyday Montanans to ensure that Montana remains the last best place.

She has flown in the dead of winter with me when it has been so cold you couldn't see the ground, and when you did land, you could see that the wings of the plane were covered with ice.

For 12 years, she has been my eyes and ears on the ground in Montana. We have spent hundreds of hours together—windshield time—from places like Wibaux to Libby and all along the way. We have shared countless laughs and have worked to make the State a better place.

While her time in my office comes to a close, I know there are great opportunities on the horizon for Dayna and her partner Denise, who just took over as superintendent of schools in the Seattle school system. She will be heading out to Seattle, where she will make Seattle a better place, just as she has made Montana a better place.

In Dayna Swanson's particular case, on behalf of my wife, the entire Tester team, and the people of Montana, I say: Thank you for a job well done.

With that, I yield the floor.

Mr. MENENDEZ. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ZIMBABWE

Mr. FLAKE. Mr. President, last week I chaired a hearing in the Senate Foreign Relations Committee Subcommittee on Africa and Global Health that focused on Zimbabwe.

As a young man, I fell in love with the continent of Africa and, specifically, with the country of Zimbabwe, where I served part of my Mormon mission. The year was 1983, and the country had recently gained its independence. A man by the name of Robert Mugabe was serving as Prime Minister at the time. I don't think anyone could have predicted back then that Mugabe would serve as leader of Zimbabwe until November of 2017, nor could anyone have imagined the damage that he would do to this beautiful country.

Jubilation erupted in the streets of Harare in November of 2017 when

Zimbabweans heard the news that Mugabe had been ousted by his own party and forced to retire. The people of Zimbabwe burst into spontaneous celebration, hoping that with Mugabe finally removed from power, the country might begin to move forward after nearly 40 years of his reign.

I had the opportunity to visit Zimbabwe in February of 2016, where I led a delegation to southern Africa. Mugabe's misrule of the country was certainly evident at that time. The devastation had taken its toll on the capital city of Harare. Yet, somehow, the people of Zimbabwe were so capable, so resilient, and had persevered and were looking to a brighter future.

I was able at that time to reconnect with friends whom I hadn't seen for 30 years, including one of my missionary companions, Peter Chaya, who despite severe physical disability brought on by polio as a child, managed to raise four children and contribute a great deal to his church, to his community, and to his country.

Zimbabwe's greatest potential has always been its people, and it is time for the government to take steps to ensure that this potential can finally be realized.

I want to work with Zimbabwe to make this happen, and that is why I introduced the Zimbabwe Democracy and Economic Recovery Amendment Act, along with Senator COONS, last March. Senator COONS has been a valued partner in efforts to bring better governance to Zimbabwe, and I am sure that we can play a constructive role.

The ZDERA Amendment Act, signed into law in August, reiterates that in order for sanctions on Zimbabwe to be lifted, the government must restore the rule of law, it must hold free and fair elections, and it must demonstrate a sincere commitment to land reform, but—and this is different from the prior statute—our changes send a signal to the Government of Zimbabwe, to the opposition, and to the Zimbabwean people that the United States is interested in improving the state of our bilateral relationship, including in the areas of trade and investment.

The bill asks that the government of Zimbabwe take concrete, tangible steps toward good governance and the enactment of economic reforms. It asks that all statutes inconsistent with Zimbabwe's 2013 Constitution are either replaced or amended to bring them in line with that Constitution. Finally, it underlines the need for a robust civil society that is allowed to function freely and without government interference.

The conditions outlined in the ZDERA Amendment Act are reasonable and will not take too long to achieve. I urge President Mnangagwa to move ahead and repeal troublesome statutes and engage in meaningful economic reform along the lines of what Finance Minister Ncube has already recommended.

I remain concerned that a lack of momentum for reforming Zimbabwe

will squander the opportunity presented by the former President's ouster. We can't expect Zimbabwe to flip a switch and reverse nearly four decades of misrule in a few months' time, but we should expect more urgency to reform the economy and to expand the political space for the opposition.

There is no more outward sign that Zimbabwe has yet to turn the page than the government leveling charges against opposition figures like Tendai Biti and others. There is no purpose served by going after one's political opponents, especially in the wake of a contested election.

The new government of Zimbabwe bears much of the responsibility for forging a positive path forward, but the opposition party needs to play a constructive role there as well. The leader of the Movement for Democratic Change, Nelson Chamisa, is young and capable. He has a long career ahead of him. It would be to his benefit and to the benefit of all Zimbabweans to recognize the legitimacy of the new government and to help create an inclusive process moving ahead.

As in any democracy, Zimbabwe needs a loyal opposition in the form of an opposition party or parties to hold the government accountable within the framework of the rule of law. There will be new elections to contest and more chances to make the case to voters. Now is the time to unify the country.

During this past few months, I have thought often about my friends, like Peter Chaya and others in Zimbabwe, whom I know deserve far better from their government than they have received in the past four decades. They deserve a government that represents them, a government that provides an environment that allows them to follow their dreams and to realize the dreams of their children.

Zimbabwe deserves a government worthy of its people, and I encourage my colleagues to look for ways to engage constructively with Zimbabwe's new government moving ahead. The new ZDERA presents a good, worthy framework.

By next month, my role will change, but I will remain involved, and I will still be committed to a strong partnership between the United States and Zimbabwe.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Alaska.

S.J. RES. 54

Mr. SULLIVAN. Mr. President, we have been debating for quite some time on the Senate floor the Yemen war powers resolution introduced by my colleagues Senator SANDERS and Senator LEE, which would cut off support for the Saudi-led war in Yemen—support that began under President Obama.

Surrounding this vote today, many of my colleagues on both sides of the aisle have expressed extreme frustration with the Saudi Crown Prince, Muham-

mad bin Salman, especially regarding the death of Jamal Khashoggi, an American-based Saudi journalist murdered in Turkey. I have a lot of respect for the Senators weighing in, making their arguments all day today, including Senators YOUNG, LEE, CORKER, PAUL, GRAHAM, MURPHY, MENENDEZ, and CARDIN—many. We do need to understand what happened, what our intelligence and our government have surrounding this death. I am glad the CIA Director came to the Hill to brief Members. But this debate has taken something of a much more complex turn.

Certainly, the heinous murderers need to be held accountable. There is no doubt about that. But what we have been discussing, and what is really being implicated here on the floor—which hasn't really been talked about too much—is the broader issue of U.S. or American presence in the region, not just regarding the current conflict in Yemen but also our broader strategic relationship with Saudi Arabia and our national security interests in the region.

My colleagues are justified in their frustration—no doubt I share it as well—with the Saudis, with what is happening, but removing American leadership and oversight from this conflict through this resolution is not the way we should go about addressing this issue. We are trying to execute a policy that both reflects America's values and our national security interests. That is what is being debated here today. We need to send a strong message to the Saudis, but that message cannot undercut our own national security or those of our allies. The message cannot strengthen what clearly is the biggest threat in the region; that is, Iran, the largest state sponsor of terrorism, which almost nobody on the Senate floor has been talking about over the last several weeks. I intend to.

Today's vote has meant different things to different Senators. I have watched and listened to floor speeches. I have participated in debates with my colleagues within the Republican Conference and when all the Senators have met when we were briefed by administration officials.

I thought I would try to unpack a little bit of some of these different arguments as I have seen them and provide my views.

Generally, this debate is focused in three different areas: One, about the constitutional authority—the War Powers Act—that we have actually been undertaking these kind of operations with the Saudis in Yemen. The other is limiting and ending U.S. assistance to Saudi operations—U.S. military assistance—in Yemen. Finally, some Senators have been focused on downgrading the U.S. relationship with the Saudis because of what has been happening both in Yemen and with the Khashoggi murder.

First, let me talk about the constitutional arguments on the War Powers

Act; that the Trump administration needs congressional authority, either pursuant to the War Powers Act or, more important, pursuant to article II of the U.S. Constitution, to conduct military operations in support of Saudi Arabia's military goals in Yemen.

Senator LEE has done a great job of pressing this issue. There are many issues on which I agree with Senator LEE of Utah. He is clearly one of this body's most knowledgeable and passionate Members in safeguarding constitutional prerogatives, but in this case, I simply disagree with him and the other Senators whose views I view as way too restrictive on the Commander in Chief's ability to utilize our military.

If we set the precedent that even an operation such as the refueling of aircraft of allied countries, not even occurring in a war zone, needs congressional authority either through the War Powers Act or article II, we would severely limit the executive branch's ability to direct international crises and safeguard our global national security interests. I believe the notion that refueling allied aircraft constitutes hostilities would be an unworkable precedent and is a stretch of the term.

I have also been skeptical of Senate attempts to vote to remove Presidential authority on our military operations once those operations have begun. For example, we had a debate on military operations and the authority of our military to operate in Afghanistan, which I believe sends the wrong message to our troops. It is a precedent that once hostilities begin, we don't have the backs of our forces. I think that is also a dangerous precedent.

That is not to say this is not an important debate. It is certainly an important debate. Other Members such as Senator Kaine have talked about the importance of the issue of military authority, but with regard to this discussion, I think it is too limiting.

Let me talk about the second major issue involved that most Senators have been focused on: whether to vote to affirmatively end U.S. military assistance to Saudi Arabia and their actions in Yemen and whether and how, in doing so, it will help end the humanitarian disaster going on there.

I compliment Senator YOUNG and Senator MURPHY, who have been making the case passionately on this topic with much expertise. Clearly, they and this body have been focused on two goals: We all want a peaceful resolution to the conflict in Yemen, and we all want an end to the humanitarian disaster in Yemen.

The reason I voted against the resolution today is because I do not believe that either of these goals will be made easier or advanced by less American involvement in the conflict. To the contrary, if the United States no longer has the ability to help guide the Saudis militarily in Yemen, I believe these

two important goals—ending the humanitarian crisis and bringing a peaceful resolution—will actually be harder to reach.

That is not just my view; that was the view of Secretary Mattis and Secretary Pompeo when they came to brief all 100 Senators 2 weeks ago. In particular, Secretary Mattis knows the region and certainly knows about how hostilities end and begin in the region.

The basis of their arguments—with which I agree—was, first, there is no doubt the Saudis have prosecuted the war badly, but both the Obama administration's Department of Defense and the Trump administration's Department of Defense have worked hard to minimize casualties.

Does anyone actually believe the situation in Yemen will improve without U.S. assistance and guidance? The question almost answers itself. Having our military involved has helped the Saudis improve their coordination and improve their targeting to minimize civilian casualties. Having our military involved has helped the Saudis manage disagreements between them and their Gulf coalition partners. These partners also play an important role in helping to bring an end to this war.

Having our military involved has also helped provide critical leverage as we move into the hopeful peace negotiations underway in Sweden as we speak. Yemen's Government and the Houthi rebels have evidently agreed to a prisoner swap, which could include thousands of prisoners and could be the beginning of a diplomatic breakthrough.

I had the opportunity to talk with Secretaries Mattis and Pompeo this weekend. Both said this would be exactly the wrong time, at a key diplomatic moment, to have the United States limit and end its military assistance to Saudi Arabia.

I know sometimes people don't like to think this way, but military strength and leverage is often critical—critical to successful diplomatic negotiations. For the first time, there is promise—promise in negotiations in Sweden. All of us want that to succeed. However, I believe we undermine our chances of success in these diplomatic efforts if Congress forces the United States to end military assistance to the Saudis.

We also have an even more direct and real national security interest in the region. Yemen is an important front in the war on terror: It is the home to al-Qaida in the Arabian Peninsula, AQAP. They have attempted multiple times to directly attack our homeland. They were responsible for the attack on the USS *Cole* that killed 17 sailors and severely wounded 39 others, and they were responsible for the 2015 massacre at Charlie Hebdo's offices in Paris. Limiting our military involvement in Yemen could pose significant risk with regard to AQAP that I believe would be unacceptable for the American people.

The third line of argument we have seen on the floor and many have been

discussing goes much broader than just the relationship between our military involvement in Yemen and really implicates the entire U.S.-Saudi strategic relationship. It is the desire of a number of my colleagues to use this debate and the despicable Khashoggi murder as an opportunity to fully downgrade this decades-old strategic relationship.

The Saudis are difficult partners, no doubt. They have been for decades. Last week, when I was presiding, Senator RUBIO gave an excellent speech saying that he believed the Saudis are testing the limits of their relationship with the United States and that we should look to draw some hard lines and recalibrate elements of our relationship while demanding improvements in other areas. I agreed with much of Senator RUBIO's speech, including his conclusion, like mine, that we should not be cutting off our military assistance to the Saudis in Yemen because it would do much more harm than good.

Nevertheless, some Senators have argued for much more downgrading of the U.S. relationship with Saudi Arabia. In fact, so much of this has been exclusively focused on the Saudis, with no other reference to any other country in the Middle East, that it seems this debate on the floor has been in a vacuum, but as we know, there are a lot more countries in the region, including the world's biggest sponsor of state terrorism, Iran, which nobody is talking about. We should be talking about them because, in fact, the war in Yemen began when Tehran-backed Houthi rebels seized power in 2015. Again, there is not a lot of discussion about how it began.

Tehran is trying to establish a Hezbollah-like entity on the Arabian Peninsula in Yemen, including increased capabilities to target cities in Saudi Arabia with ballistic missiles supplied by Iran. This is all part of Iran's broader strategy in the region to encircle our traditional allies—whether Saudi Arabia, Gulf Arab States, and of course Israel—with proxy fighters throughout Syria, Lebanon, Yemen, and close relationships in Iraq. Yet no one in this debate seems to want to talk about Iran. I thought I would do so for a minute.

Let's talk about the humanitarian crisis in Yemen. U.S. humanitarian aid has totaled almost \$697 million in the past 14 months. Yes, Saudi Arabia could do a much better job, but they have invested well over \$1 billion to try to end the suffering. Iran—the country which started the war, the country nobody on the Senate floor is talking about—not a dime to relieve the suffering. Sure, they have supplied weapons and ballistic missiles in the tens of millions of dollars but nothing to relieve the suffering.

If we cut off U.S. military assistance to Riyadh and Yemen, you had better believe the one capital in the Middle East that will be cheering the loudest is Tehran—again, the world's largest

state sponsor of terrorism. Such an action would further embolden Iran and no doubt embolden its proxies, while at the same time our allies, including Israel, would feel less secure.

As this debate has carried on in the Senate, with no one talking about the largest state sponsor of terrorism, I have found it very troubling because the lens through which we need to view security in the Middle East is through Iran. Although we have dissatisfaction and frustration with some of our allies, we must remember the most significant and serious threat in the Middle East continues to be Iran.

There has been a lot of focus on the horrible death of Mr. Khashoggi. Any death is horrible, but let me talk about some other deaths.

In the Middle East, in Iraq, we have had over 500 American military members killed and almost 2,000 wounded by improvised explosive devices supplied to Iraqi Shia militias by the Iranians. Let me say that again: Over 2,000 Americans killed and wounded by the largest state sponsor of terrorism. Yet nobody seems to talk about that. Yes, one death of an American journalist is horrible. Over 2,000 American dead and wounded is really horrible. Where was the outrage about those deaths? Where was the outrage about those murders? Where were the editorials about those murders of American citizens? The previous administration wasn't focused on those because they were focused on the Iran nuclear deal.

All I am saying is, in this debate, nobody is talking about the real enemy of the United States—the Iranians, who are watching this debate and smiling because no one is talking about them. So I thought it was important to come down and say: Some of us are. Some of us know you are behind the war in Yemen. Some of us know you continually say you want to wipe Israel off the face of the Earth. Some of us know the Iran deal only emboldened you.

What we need to keep in mind is, yes, we have difficult partners. No doubt the Saudis are difficult. They are not perfect by any sense of the word.

But this is a difficult region, and these are difficult issues, and if we think we can debate Yemen and our help there without talking about the Saudis and the Iranians, who started the war and are trying to circle our different allies, including Israel, and think somehow that this debate is not emboldening them more, I think we are misguided.

I voted against this resolution because I still think it is important to keep in mind that the lens through which we need to assess our security interests and those of our allies in the Middle East is through what helps or undermines Iran. I am concerned that this resolution can help them, and that is not good for the United States, it is not good for the war in Yemen, it is not good for the humanitarian catastrophe in Yemen, and it is certainly not good for all allies like Israel.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I want to begin by thanking a number of my colleagues who have contributed so much to bringing us to this point on S.J. Res. 54. I have been very pleased and honored to work with them in co-sponsoring these measures in the past—most recently in March and now today—to end all U.S. involvement in the Saudi-led war in Yemen that is killing innocent civilians and murdering children and committing, arguably, war crimes.

The United States should have no complicity in these actions that betray our values and our national interest, so this resolution would direct the removal of all U.S. Armed Forces from hostilities.

There are many to thank—Senators SANDERS and LEE, Senator MENENDEZ, and my colleague from Connecticut, Senator MURPHY—but I want to thank some people who have not been mentioned during this proceeding.

Before Yemen and before the killing of Khashoggi—that is, before the civil war in Yemen and the Saudi involvement in it and before the brutal, heinous killing of the American journalist Jamal Khashoggi—there was 9/11. The victims and loved ones of those victims are remembered by me. They are friends. They are heroes. They have fought relentlessly to hold the Government of Saudi Arabia accountable for its culpability—not yet proven in court, but they are seeking to hold the monarchy accountable for its possible involvement.

They have been largely absent from the discussion on this floor, but they are the original champions of holding the Saudis responsible for any and all possible involvement in supporting the 9/11 attack on our Nation. Make no mistake—their loved ones were victims, but it was an attack on our Nation, on the Twin Towers, on our Defense Department, on a plane that was forced to crash in Pennsylvania.

I am pleased that the U.S. Senate is pursuing justice for Jamal Khashoggi. He was a journalist, an opinion writer for an American newspaper with two young children who are U.S. citizens.

The United States has a moral obligation to end support for a government that engages in this kind of heinous, murderous action. There is intelligence that points directly to the highest levels of the Saudi monarchy—namely to the Crown Prince, Muhammad bin Salman.

The United States ought to end its support for the humanitarian crisis caused by the Saudi-led war in Yemen. Make no mistake—it was and is a Saudi-led attack, and the Kingdom is responsible for it, but this monarchy was doing bad things and engaged in bad behavior well before the Yemen civil war and Khashoggi's tragic death. The Saudis have a long record of violating human rights and international

norms. They have funded extremism that led to the rise of terrorism. They may well have provided financial support and even training for the Saudis who went to the United States and thereafter enabled and led and participated in the attack on this Nation.

We should never forget the survivors and the loved ones of 9/11. We should never overlook the Saudi role in that horrific attack. We should never relent in supporting those 9/11 families.

Fortunately, we have made progress in holding Saudi Arabia accountable for its culpability in 9/11. In 2016, this Congress unanimously passed the Justice Against Sponsors of Terrorism Act—JASTA—to allow terrorist victims their day in court, their fair opportunity to hold accountable state sponsors of terrorism, including the Saudi Arabian Government. This September, the Senate unanimously passed my resolution to release all classified documents related to the 9/11 attack. These documents are absolutely essential to giving those families their day in court because they are the evidence that is needed to establish the link the United States has—intelligence dating from those days now seemingly long ago—that inculpates the Saudis.

We must support the continued investigation into 9/11 by our law enforcement and intelligence agencies, and we must support those 9/11 families to ensure that the facts are made public and that the necessary individuals, entities, and governments are held accountable.

The families of victims who perished on that horrific day deserve answers about those events and circumstances surrounding the terrorist attack. We know their pain and grief are very much with them. We should respect their loss and honor it with action.

We should recognize those heroes like Brett Eagleson of Connecticut and the families of Connecticut and New York and New Jersey and all around the country—and so many are from our area of New York, Connecticut, and New Jersey—who continue to demand justice and have done so year after year—well before this resolution came before us.

I say to my colleagues today, we need to keep our resolve alive and well to never forget, never yield to hopelessness, never allow our support for these 9/11 families to diminish, never cease our quest for justice in the name of Brett Eagleson's dad and his family and every family who still suffers the pain and grief from 9/11.

Given the role of the Saudi Government in perpetrating the 9/11 attacks, the brutal murder of Jamal Khashoggi, and the Saudi-inflicted humanitarian crisis, this reevaluation of the U.S. relationship with Saudi Arabia is long overdue.

The Saudi-led war has consisted of an aggressive campaign as brutal as the murder of Jamal Khashoggi, indiscriminately killing civilians and

Houthis alike. Day after day, the humanitarian crisis of famine, cholera, other medical afflictions, and simple trauma to those children trying to grow up in the midst of exploding bombs continues to get worse. The United Nations warns that 14 million Yemenis could face starvation—14 million—14 million innocent people facing starvation.

Diplomatic efforts, in coordination with the United Nations and European allies, are vital to establish a peace framework and ensure civilian access to humanitarian aid.

In the absence of meaningful action from the United States, the humanitarian crisis in Yemen will only worsen. Regional instability will be exacerbated. America's standing in the global community will be further undercut and enduringly diminished.

In March of this year, I led a letter to the Department of Defense with my colleague Senator JACK REED of Rhode Island, along with many of our colleagues on the Senate Armed Services Committee, stating our concern regarding U.S. support for Saudi military operations against the Houthis in Yemen and asking about the DOD's involvement, apparently without appropriate notification of Congress, and its agreements to provide refueling support to the Saudis and the Saudi coalition partners. We were concerned that the DOD had not appropriately documented reimbursements for aerial refueling support provided by the United States.

Eight months later—just days ago—the Department of Defense responded to our letter and admitted that it has failed to appropriately notify Congress of its support agreements; it has failed to adequately charge Saudi Arabia and the United Arab Emirates for fuel and refueling assistance. That admission 8 months after our inquiry is a damning indictment. These errors in accounting mean that the United States was directly funding the Saudi war in Yemen. It has been doing it since March of 2015.

In November, the administration announced an end to U.S. aerial refueling support for Saudi military operations in Yemen, but we still must determine whether the Department of Defense was incompetent or disingenuous—or both—in failing to charge the Saudis and Emiratis for previous refueling assistance. We need accountability, a full explanation from the Department of Defense.

The Department will be seeking reimbursement for its refueling support, but I will continue to demand and conduct oversight to get to the bottom of this apparent negligence. I have made the DOD aware of my concerns, and I will evaluate whether an inspector general investigation is necessary to determine the extent to which U.S. taxpayer funds—potentially millions and tens of millions of dollars—were used to fund the Saudi war and used to fund it without the legally required acknowledgment and approval from the Congress of the United States.

Very simply, the United States should not be funding this war. We should not be supporting this war. We should not be providing intelligence or logistics support. We should not be complicit in the indiscriminate targeting of civilians in Yemen, the murder of children, the famine and humanitarian crisis that are ongoing right now. That is why today we should pass this resolution.

It is all the more important today, as well, that the Senate take a stand, given the Trump family ties to the Saudis and the President's habit of undermining the intelligence community. In the absence of leadership from the President, Congress must reassert its constitutional responsibility to authorize the use of U.S. military support.

We must take action to uphold the Constitution, as well as American values and interests. Intelligence assessments indicate with high certainty that members of the Saudi royal family, including the Crown Prince MBS, ordered and orchestrated the murder of Jamal Khashoggi. But both President Trump and his son-in-law Jared Kushner have undermined these findings and tried to stifle the intelligence community conclusions. They have undermined not only these conclusions but more broadly the intelligence community itself.

President Trump has debased and dishonored brave intelligence professionals by demeaning their fact-based conclusions as "feelings." President Trump has falsely claimed that "we may never know all the facts surrounding the murder of Mr. Jamal Khashoggi."

His Secretary of State and Secretary of Defense, unfortunately, have further demeaned those findings by saying that there is no direct evidence or there is no smoking gun. The fact is that there is powerful and compelling evidence.

We know from public statements of my colleagues coming from briefings by the intelligence community, and we recently learned that the White House Middle East adviser—I should put "adviser" in quotes—Jared Kushner offered advice to his close friend Muhammad Bin Salman about how to "weather the storm" during the warranted backlash of Saudi Arabia after the murder of Jamal Khashoggi. Rather than ensuring accountability, Jared Kushner is inexplicably offering support.

There is also stunning evidence that the Saudi Government lobbyists reserved blocks of rooms at the Trump hotel in Washington, paying for an estimated 500 nights in the luxury hotel just 3 months after President Trump was elected, bringing veterans to Washington to lobby against JASTA, the bill I mentioned earlier—the bill that enables the 9/11 victims to have their day in court, the bill that upholds American interests and American values and American people.

The effort of the Saudi Government to bring those veterans to Washington

and fund their stays in the Trump hotel was a despicable irony and insult to America, but it yielded the Trump Organization \$270,000 and millions of dollars, by the President's own acknowledgment—indeed, his boasting—go to the Trump organization from condos, apartments, and offices rented or bought in New York, Chicago, and Washington, DC, to say nothing of deals that may be contemplated by the Trump Organization now or after Donald Trump leaves office. These kinds of payments and benefits directly implicate the emoluments clause of the Constitution. They are part of the reason that I have enlisted almost 200 of my colleagues in the U.S. Congress in a lawsuit called *Blumenthal v. Trump*, and I believe this lawsuit, which claims that the President violated the chief anti-corruption provision of the U.S. Constitution, will shed even more light on those payments and benefits from Saudi Arabia and other countries around the world. These friendships and conflicts of interest demonstrate the very flawed and likely corrupt basis for the Trump administration's foreign policy with Saudi Arabia.

American credibility is at stake. We must end all U.S. involvement in the Saudi war. We must sanction the top levels of the Saudi monarchy under relevant statutes like the Global Magnitsky Act. We must ensure that the President removes U.S. forces from any hostilities against the Yemeni people.

There are countless reasons to vote for this resolution. I call on my colleagues to support it and to make sure that U.S. support for this unacceptable conflict in Saudi—the aggression and attacks by Saudi Arabia on innocent civilians—is ended now.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, under our Constitution, we have article I, which addresses the powers of Congress, and article II, the powers of the Presidency. Our Founders were so concerned that the President would take us into war without justification that they made sure to explicitly place the power to go to war with Congress—with the House and Senate.

But here we are, debating the issue of how the President took us into war in Yemen as a facilitator of Saudi Arabia, providing intelligence, providing advice, refueling planes, providing armaments. It is time for us to take a powerful and clear stand and change this and end this.

Here is what has been going on. For multiple years now, Saudi Arabia has been bombing the civilian infrastructure of Yemen, indiscriminately slaughtering civilians, destroying schools and hospitals and neighborhoods and water systems. What is the result of destroying the water systems? The largest outbreak of cholera in the history of humankind. We now have

well over 100 children under the age of 5 dying of hunger and starvation each day. We are told by the experts that 8 to 14 million people are at risk of starvation, but many are already starving, and not just children under 5—the whole spectrum of society.

We have been directly involved in ways that, in my mind, violate the War Powers Act by directly facilitating the movement of armaments and assisting Saudi Arabia in this assault, and this assault must end. We have to send a strong message, and we can do that through this vote we are facing ahead of us. That is one piece of the conversation regarding Saudi Arabia.

The other piece is that the Saudi Government has assassinated an American resident—an American resident who is also an American newspaper columnist. What do we have as a response? We have the weakest possible response from President Trump, with President Trump saying that we don't know what happened. The Saudi Crown Prince may have been involved; he might not have been involved. Who will ever know?

We need a strong watchdog for American values. We need the President to stand up to Saudi Arabia. We don't need to hear that we are going to be weak in the face of an assassination of an American resident because they happen to buy armaments from the United States. Yet that is what we are hearing from President Trump—weakness, selling out American values because they buy some American products.

What more trouble can we invite around the world if we don't stand up for human rights and we don't stand up for our residents and we don't stand up for our journalists, all tied in together here?

Let's be forceful in how we vote on this resolution. Let's send a strong message.

This challenge of the President in ignoring the article I powers in our Constitution, in which the power to be involved in war is vested in this body, Congress, is not the only problem we have. We also have core corruption of our Constitution in the form of gerrymandering and voter suppression and dark money, all of which erode the fundamental vision, the vision in our Constitution of a "we the people" government, one that serves as President Lincoln so eloquently said, to operate "of the people, by the people, for the people." Instead, we have the government operating of, by, and for the powerful in this country—the 1 percent in this country.

It certainly wasn't done in 2017 with a tax bill that took \$1.5 trillion—or call it \$2 trillion, if you include the interest on the \$1.5 trillion—out of our Federal Treasury and gave it to the very richest Americans. Boy, that is not a "we the people" action.

We didn't invest in healthcare. We didn't invest in education. We need apprenticeship programs. We need technical education. We need better public

schools. We need affordable colleges. We didn't invest in education. We didn't make our healthcare system more affordable. We didn't take on the drug companies. We didn't proceed to invest in the challenge of unaffordable housing. We didn't invest in infrastructure and create living-wage jobs. Those are the four foundations of a thriving family—healthcare, housing, education, and living-wage jobs. We ignored all of that and had the government of the powerful giving \$1.5 trillion or \$2 trillion, if we include the interest, to the richest Americans—government by and for the powerful.

Voter suppression is a key strategy in this. What did President Reagan have to say about that? President Reagan said: "For this Nation to remain true to its principles, we cannot allow any American's vote to be denied, diluted or defiled."

Now, there is a statement by a man who understood that voting is the foundation of our democratic republic—a core right of Americans—and he believed we needed to stand up and make sure that core value remains fully intact. But so often in our Nation we have seen those who wield power for the powerful proceed to deny or dilute or defile the power to vote, particularly in poor communities, particularly in communities of color.

We have seen everything. We have seen poll taxes. We have seen literacy tests. We have seen post-Civil War good character tests. We have seen the use of felony charges to make it impossible for African Americans to vote in the South. We have seen voter intimidation, and we have seen it sometimes through racist dog whistling and political postcards. We have a long history of these types of actions to deny, dilute, and defile the power to vote.

I would like to say there is something of our past that we saw with the 1965 Voting Rights Act, but that act was struck down by the Supreme Court. We are seeing all kinds of forms of voter suppression emerge in 2016 and 2018.

In 2018, thousands of Native Americans in North Dakota living on Tribal reserves and using their P.O. boxes for their mail address were kept from casting a ballot because of a law that came into effect in 2018. It said you can't vote without a conventional address—the North Dakota "conventional address" effort to dilute or deny or obstruct the power to vote.

In Georgia, the then-secretary of State, Brian Kemp, who was himself running for Governor, attempted to block 53,000 Georgians from voting—70 percent of whom were African-American voters—because of minor differences in the wording of the way they filled out their registration form. If the name wasn't exactly identical or had some other slight variation, he was sitting on those voting registration cards—the "identical name" gambit from Georgia.

In Ohio, a county elections board proceeded on the orders of Secretary of

State Jon Husted to purge thousands of Ohioans from the voting rolls. If you are not on the voting rolls, you can't vote when the election comes. Again, who were disproportionately affected? African Americans—the Ohio voting roll purge strategy of voter suppression.

What did we see in North Carolina? Thanks to a law passed by the Republican State legislature, nearly 20 percent of North Carolina's early voting locations were closed, forcing voters to travel longer or wait in long election-day lines to cast their vote. I will give you one guess on who was impacted the most. Who was this target aimed at? Well, it was aimed at African-American voters—the long line strategy from North Carolina and Kansas, as well.

In Kansas, the county clerk in Dodge City, citing construction, moved the only polling place in a town that is 60 percent Hispanic from a spot downtown to an arena built for rodeo and farming shows outside the city limits. This was a location that had no sidewalk and is separated from the rest of the city by train tracks, making it as difficult as possible for voters to get there. It was targeted at a Hispanic community.

We saw voting suppression aimed at college students, too. In Iowa, the legislature passed a bill to cut 11 days off early voting this year in order to make it harder to vote. It also had a tricky little deal on an ID requirement, which will not now go into effect until next year, but it created a great deal of confusion about this year because it made people think they weren't eligible to vote because it said your ID had to have an expiration date on it. Why was this tricky little thing done? Because college IDs often don't have an expiration date on them.

Well, it is a total violation of the vision Ronald Reagan laid out, and really, of the foundation—the vision—of our Constitution and the power to vote.

In New Hampshire, a bill was signed into law this past July aimed at suppressing college-age voters as well. It says students and other part-time residents have to become permanent residents. How do you become a permanent resident in order to cast a ballot? You have to buy an in-State license. If you have a car in another State, you have to reregister it in New Hampshire, which means registration fees, fees for license plates, and possibly separate State and municipal fees. It is like a poll tax placed on college students. So there we have this 21st century poll tax coming back aimed at college students.

Why are all these voting suppression strategies aimed at poor communities, aimed at communities of color, African-American communities and Hispanic communities? Why are they aimed at college students? They are aimed at these three populations because those three populations vote primarily on the Democratic side of the ballot. It is wrong for any official in this country to simply target voters of

the other party to try to prevent them from voting. It is un-American. It goes against the essence of what our Constitution is all about.

It is wrong, and yet, since the Voting Rights Act was torn down by the Supreme Court of the United States, we see it time and again. We don't just see it before the election. We see it during the election day.

In Georgia, we saw hours-long lines to vote in majority-minority districts, either because machines didn't happen to be working or they didn't have the extension cords to turn them on.

In Arizona, one polling place didn't exist on election day because even though people were told to vote there, it was in a building that was locked up. Voting machines were inside, but the doors were locked. The building had been foreclosed on, but they didn't bother to move it next door or somewhere close by, enabling people to vote.

In Texas, we heard about the machines that were changing people's votes from a Democratic candidate to Republican candidate.

All the while, President Trump was working to cast doubt on the legitimacy of our normal election processes—tweeting out that ballots coming in after election night shouldn't be counted. What was he talking about down in Florida, about ballots that shouldn't be counted? We are talking about the absentee ballots for our soldiers overseas. But because the President was concerned that they might change the outcome, he didn't want them counted.

If only Ronald Reagan could spend a few minutes with President Trump and remind him of what our Nation is all about, what our Constitution is all about, how important voting is, and that it should never be denied or diluted.

None of these efforts are unique. We saw these efforts back in 2016, as well, in the first election after the Voting Rights Act was torn down by the Supreme Court. That was the Shelby County v. Holder decision. The Court thought this wasn't necessary any more. Maybe they should ask Congress whether it was necessary. Now that we find out it was necessary, maybe they should reverse their decision. We need to put a new issue before them. Maybe we need a new Voting Rights Act. Maybe it should apply to every State, rather than just the States that were in the 1965 Voting Rights Act bill.

In 2016, that first election after the Voting Rights Act was torn down by the Supreme Court, we saw 900 fewer polling places open to voters than in 2014—2 years earlier. Most of that change was in the States that previously were under the regulation, the oversight of the Voting Rights Act. We saw that in Texas, Arizona, Louisiana, Mississippi, Alabama, South Carolina, and North Carolina. When you reduce the number of polling places in poor communities and communities of color, you create long wait lines, and you deny the vote.



Nearly 17,000 Wisconsinites—disproportionately minorities—were kept from the polls because of Wisconsin's voter ID law. The State saw its lowest turnout in two decades. This law had nothing to do with security. It had everything to do with voter suppression because it is a known fact that residents in low-income and minority communities are less likely to be able to access the IDs that are required for polls. This is keenly targeted.

In fact, after North Carolina's voter ID law was struck down in 2016, the Fourth Circuit Court of Appeals decision noted that it targeted African Americans with "almost surgical precision." The State resorted that year—after it was struck down—to eliminating early voting days, severely curtailing the number of polling places, and affecting their hours of operation in communities of color.

By the way, the lead plaintiff in the case that challenged the voting suppression strategy of the voter ID law passed away this weekend at age 97. Ms. Rosanell Eaton was once described by President Obama as a beacon of civil rights. She was a life-long devotee of and advocate for voting rights. Now, that is a patriot.

It is because of unsung heroes like her that our Nation has come far and why we must continue pushing ourselves forward to ensure justice and equality for all.

In a "we the people" nation, can any of these efforts to suppress the vote be allowed to continue? The answer is no—not if we want the vision of government of, by, and for the people. How can any of us sit by and allow citizens of this country—citizens like Rosanell Eaton—to be systematically denied the most fundamental right?

We have to work together—Democrats and Republicans—to honor and to strengthen the vision of the ability to vote. We need a fierce and formidable voting rights bill for the 21st century, ensuring in every way possible that every single American can exercise his or her right to vote freely and fairly. We need a voting rights bill that bans the type of shenanigans and the types of deceptive strategies that target poor communities, communities of color, and college students that I talked about today.

But we also need a voting rights bill that requires preapproval for changes to voting procedures to make sure that they are not being changed in order to take away the ability to vote and to make it more difficult for some communities than for other communities within a State. We need a voting rights commission with the power to ban new voter suppression practices as they evolve because, surely, people will try new strategies from people who do not believe in the vision of our Constitution.

From the 15th amendment of 1870, which recognized African-Americans' right to vote, to the 19th amendment of 1920, 50 years later, which recognized a

woman's right to vote, and all the way up to the civil rights marches of the 1960s and the 1965 Voting Rights Act, America's story has been of expanding opportunity for every American to have a say in the direction of our government.

But we are far from ensuring that today every American has that opportunity because the strategies of voter suppression are rampant, they are extensive, and they are targeted. Voter suppression and voter intimidation must end, and we need to ensure that every American has the unfettered right to have a voice in their government, that every American has the unfettered right to cast a ballot during the election.

President Reagan had it right back in 1981. He supported the expansion of the Voting Rights Act. He said: "For this Nation to remain true to its principles, we cannot allow any American's vote to be denied, diluted or defiled."

Let's make it so.

Thank you, Mr. President.

(Mr. GARDNER assumed the Chair.)

The PRESIDING OFFICER (Mr. SCOTT). The Senator from Colorado.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 1154 through 1169 and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed; 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; that any statements related to the nominations 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. Without objection, it is so ordered.

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Lt. Gen. John N. T. Shanahan

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Maj. Gen. Kevin B. Schneider

#### IN THE ARMY

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

#### To be major general

Brig. Gen. Stephen J. Hager

Brig. Gen. Mary K. Leahy  
Brig. Gen. Gabriel Troiano  
Brig. Gen. Jonathan Woodson

#### To be brigadier general

Col. Tina B. Boyd  
Col. Brian T. Cashman  
Col. Walter M. Duzzny  
Col. Eric Folkestad  
Col. Ernest Litynski  
Col. Nelson G. Rosen

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be major general

Brig. Gen. Laura L. Yeager

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be vice admiral

Vice Adm. Michael M. Gilday

#### IN THE AIR FORCE

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be major general

Brigadier General Jeffrey W. Burkett  
Brigadier General Jessica Meyeraan  
Brigadier General Russ A. Walz

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be brigadier general

Colonel James R. Camp  
Colonel Wesley J. Clare  
Colonel James T. Demarest  
Colonel John M. Green  
Colonel Peter T. Green, III  
Colonel Robert C. Korte  
Colonel Darrin P. Leleux  
Colonel Mark A. Maldonado  
Colonel James P. Marren  
Colonel John R. Mulvey  
Colonel John F. O'Connell  
Colonel Matthew J. Peterson  
Colonel Robert A. Schulte  
Colonel James G. Silvasy

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be brigadier general

Colonel Darrin K. Anderson  
Colonel Mark D. Auer  
Colonel Buel J. Dickson  
Colonel Kenneth S. Eaves  
Colonel Steven S. Lambrecht  
Colonel Toni M. Lord  
Colonel Glen A. Martel  
Colonel David W. May  
Colonel Gary A. McCue  
Colonel Thomas H. Mora  
Colonel John W. Pogorek

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be brigadier general

Col. Thomas A. Dukes, Jr.

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be brigadier general*

Col. Christopher L. Montanaro

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

*To be major general*

Brigadier General Vito E. Addabbo  
Brigadier General Maureen G. Banavive  
Brigadier General Brian K. Borgen  
Brigadier General John P. Healy  
Brigadier General John A. Hickok  
Brigadier General Jay D. Jensen  
Brigadier General Linda M. Marsh  
Brigadier General Todd J. McCubbin  
Brigadier General Tyler D. Otten  
Brigadier General Boyd C. L. Parker, IV

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Colonel Elizabeth E. Arledge  
Colonel Matthew J. Burger  
Colonel Kenneth R. Council, Jr.  
Colonel Derin S. Durham  
Colonel Paul R. Fast  
Colonel Christopher A. Freeman  
Colonel Constance L. Jenkins  
Colonel Paul E. Knapp  
Colonel Douglas S. Martin  
Colonel Jody A. Merritt  
Colonel John M. Olson  
Colonel Stacey L. Scarisbrick  
Colonel David W. Smith  
Colonel Roger P. Suro

The following named officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Sami D. Said

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601 and for appointment as a Senior Member of the Military Staff Committee of the United Nations under title 10, U.S.C., section 711:

*To be lieutenant general*

Maj. Gen. David W. Allvin

## IN THE NAVY

The following named officer for appointment to the grade indicated while serving as Chief of Chaplains of the Navy under title 10, U.S.C., section 5142:

*To be rear admiral*

Rear Adm. (lh) Brent W. Scott

## IN THE AIR FORCE

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. John J. Bartrum  
Col. Anita L. Fligge

NOMINATIONS PLACED ON THE SECRETARY'S  
DESK

## IN THE AIR FORCE

PN2155 AIR FORCE nominations (19) beginning LISA M. BADER, and ending ILAINA M. WINGLER, which nominations were received by the Senate and appeared in the Congressional Record of June 18, 2018.

PN2565 AIR FORCE nomination of Sung-Yul Lee, which was received by the Senate and appeared in the Congressional Record of October 5, 2018.

PN2610 AIR FORCE nominations (38) beginning FRANCISCA A. ALAKA LAMPTON,

and ending MICHAEL D. ZIMMER, which nominations were received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2611 AIR FORCE nominations (1268) beginning CHRISTOPHER GENE ADAMS, and ending BENJAMIN PAUL ZUNIGA, which nominations were received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2627 AIR FORCE nominations (2) beginning STEVEN D. SIKORA, and ending Anita Sargent, which nominations were received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2654 AIR FORCE nomination of Luke M. Sauter, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2655 AIR FORCE nomination of Tasha L. Pravecek, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2656 AIR FORCE nomination of Brian J. Neff, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2657 AIR FORCE nomination of Cory A. Cooper, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2658 AIR FORCE nomination of Joel A. Sloan, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2659 AIR FORCE nominations (3) beginning JAMIE J. JOHNSON, and ending RENEE M. SUMMERS, which nominations were received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2660 AIR FORCE nomination of Timothy B. Murphy, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2661 AIR FORCE nomination of Andrew M. Deramus, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2662 AIR FORCE nomination of Brianne D. Newman, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2683 AIR FORCE nominations (76) beginning MOHAN S. AKELLA, and ending WILLIAM E. ZUTELL, III, which nominations were received by the Senate and appeared in the Congressional Record of November 29, 2018.

PN2684 AIR FORCE nominations (2) beginning Jennifer L. Gurganus, and ending April H. Clemmensen, which nominations were received by the Senate and appeared in the Congressional Record of November 29, 2018.

## IN THE ARMY

PN2566 ARMY nomination of Harold E. Turks, which was received by the Senate and appeared in the Congressional Record of October 5, 2018.

PN2567 ARMY nominations (4) beginning BENJAMIN M. LIPARI, and ending GREGORY S. SOULE, which nominations were received by the Senate and appeared in the Congressional Record of October 5, 2018.

PN2568 ARMY nomination of Jennifer L. Wright, which was received by the Senate and appeared in the Congressional Record of October 5, 2018.

PN2569 ARMY nomination of Christiaan D. Taylor, which was received by the Senate and appeared in the Congressional Record of October 5, 2018.

PN2613 ARMY nomination of Shayne R. Estes, which was received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2614 ARMY nomination of Michael W. Keebaugh, which was received by the Senate

and appeared in the Congressional Record of November 13, 2018.

PN2615 ARMY nomination of Heins V. Recheungel, which was received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2616 ARMY nomination of John R. Schwab, which was received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2617 ARMY nomination of Amanda L. Silvers, which was received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2618 ARMY nomination of Ricky L. Warren, Jr., which was received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2619 ARMY nomination of Eric R. Swenson, which was received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2620 ARMY nominations (17) beginning ANTHONY C. ADOLPH, and ending KAY K. WAKATAKE, which nominations were received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2628 ARMY nominations (10) beginning SCOTT S. BRENNEMAN, and ending KEVIN V. THOMPSON, which nominations were received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2629 ARMY nomination of Richard S. Taylor, which was received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2630 ARMY nominations (10) beginning JASON A. FERGUSON, and ending SAMUEL M. SIEGAL, which nominations were received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2631 ARMY nomination of Daniel S. Marshall, which was received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2632 ARMY nomination of Christopher G. Neeley, which was received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2633 ARMY nominations (2) beginning SAMUEL J. HIBRONPADILLA, and ending SCOTT D. INGALSBE, which nominations were received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2634 ARMY nomination of Kindra C. New, which was received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2635 ARMY nominations (100) beginning SANDRA L. AHINGA, and ending D014887, which nominations were received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2636 ARMY nomination of Rhonda C. Pugh, which was received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2663 ARMY nomination of Jeremy W. Lewis, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2664 ARMY nomination of David R. Dinklocker, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2665 ARMY nomination of Loren C. Duwel, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2666 ARMY nomination of Renerose V. Hinkle, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2667 ARMY nomination of Sarah L. Fortier, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2668 ARMY nomination of David A. Neveau, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2669 ARMY nomination of Kyle B. Hurst, which was received by the Senate and appeared in the Congressional Record of November 26, 2018.

PN2685 ARMY nominations (44) beginning RAYMOND R. ADAMS, III, and ending MATTHEW E. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of November 29, 2018.

PN2686 ARMY nomination of Paul M. Fugere, which was received by the Senate and appeared in the Congressional Record of November 29, 2018.

PN2687 ARMY nomination of Clarence K. Graham, which was received by the Senate and appeared in the Congressional Record of November 29, 2018.

PN2688 ARMY nomination of Jackson A. Kurtzman, which was received by the Senate and appeared in the Congressional Record of November 29, 2018.

PN2689 ARMY nomination of Jeremy T. Tennent, which was received by the Senate and appeared in the Congressional Record of November 29, 2018.

PN2690 ARMY nomination of Jonathan D. Thompson, which was received by the Senate and appeared in the Congressional Record of November 29, 2018.

#### IN THE MARINE CORPS

PN2637 MARINE CORPS nomination of James D. Foley, which was received by the Senate and appeared in the Congressional Record of November 14, 2018.

PN2693 MARINE CORPS nominations (2) beginning ROBERT A. GREEN, JR., and ending JESUS S. MENDEZ, which nominations were received by the Senate and appeared in the Congressional Record of November 29, 2018.

#### IN THE NAVY

PN2621 NAVY nominations (45) beginning JOSHUA C. ANDRES, and ending TRAVIS R. VOSLER, which nominations were received by the Senate and appeared in the Congressional Record of November 13, 2018.

PN2691 NAVY nomination of Thomas J. Zerr, which was received by the Senate and appeared in the Congressional Record of November 29, 2018.

PN2692 NAVY nomination of Shelton L. Lyons, II, which was received by the Senate and appeared in the Congressional Record of November 29, 2018.

### LEGISLATIVE SESSION

#### MORNING BUSINESSS

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak to up to 10 minutes each.

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

#### CRIMINAL JUSTICE REFORM

Mr. GRASSLEY. Mr. President, when we set out to update and reform our criminal justice system, we sought the expertise from a broad range of stakeholders and advocates. Our focus has always been to reduce crime and recidivism and improve fairness in a way that promotes safety and respect for

the law. We could not have done this without the essential input from a number of key law enforcement organizations that partnered with us in this endeavor.

The Fraternal Order of Police, the International Association of Chiefs of Police, and National Organization of Black Law Enforcement Executives played a formative role in the updated text we released earlier today. Their continued leadership and good faith engagement have cut a path forward on a once-in-a-generation chance to improve American justice. I would also like to thank the National District Attorneys Association, the Association of Prosecuting Attorneys, and Law Enforcement Leaders to Reduce Crime and Incarceration, who gave valuable input on this bill. Their engagement offered important law enforcement perspective in the initial stages of our work.

While some groups have chosen to stay on the sidelines or even undermine our work, these organizations have provided us with critical feedback needed to refine and strengthen the First Step Act. They have helped to advance law enforcement priorities and the goals of reform.

With President Trump's continued leadership, the wealth of input from voices across the political spectrum, and Senator MCCONNELL's work in bringing this up for a vote, I look forward to getting this bill signed into law.

#### TRIBUTE TO BOB CORKER

Ms. COLLINS. Mr. President, In his two terms in the Senate, BOB CORKER established a strong reputation as a visionary leader who offered innovative, commonsense solutions and developed an extraordinary expertise in foreign policy. He has served the people of Tennessee and of America with distinction and will always be a good friend.

He certainly was well-prepared when he came to the Senate in 2007. His early work on a charitable mission to Haiti inspired him to serve his home community of Chattanooga as an advocate for the disadvantaged. He built a successful business, providing jobs and opportunity to others. As mayor of Chattanooga, he led initiatives to improve education, reduce crime, grow the economy, and increase accountability in government. Those experiences and accomplishments guided his work in the Senate.

As chairman of the Foreign Relations Committee, Senator CORKER has been a powerful voice for U.S. global leadership and diplomacy, a complement to his visits to more than 70 nations since he took office in 2007. Although he has many accomplishments worth mentioning, I believe his leadership this year in enacting the BUILD Act, which modernizes American development finance to drive long-term economic growth in the developing world, may be among his most lasting contributions

to American diplomacy and global security.

Senator CORKER does not seek partisan advantage, but common ground. He has been an extraordinary Senator who always did what he believed was right. He has contributed greatly to our country and served his State well. I commend my colleague, Senator BOB CORKER, for his outstanding service, and I thank him for his commitment, integrity, and friendship.

#### THE STOPPING IMPROPER PAYMENTS TO DECEASED PEOPLE ACT

Mr. WYDEN. Mr. President, the Social Security Administration needs to get out of the death data business. Unfortunately, S. 2374, the Stopping Improper Payments to Deceased People Act, moves the issue in the wrong direction. Under current law, the Social Security Administration receives death data from the States. SSA shares the State data with other Federal benefit paying agencies. This bill would expand the distribution of the State data and burden the Social Security Administration with responsibilities unrelated to running the Social Security program. Similar to a musician receiving compensation each time their song plays on Spotify or Apple Music, the States own the data, want to control the distribution of the data, and deserve adequate compensation. Proceeds from the use of State death data helps maintain State vital records offices. Because the bill would increase sharing of personal data by the Federal Government at the expense of States, I will object to any unanimous consent request to proceed to or pass this bill. I hope the sponsors of this bill will work with the Finance Committee on this important issue in the future.

#### THANKING STAFF

Ms. HEITKAMP. Mr. President, before I depart the Senate, I want to again recognize my staff in my Washington, DC, and State offices for their hard work and service to North Dakota, the Senate, and the Nation.

As I said in my farewell remarks, I have the best staff in the Senate, and I ask that their names be included in the RECORD: Tessa Gould, Abbie McDonough, Connor Joseph, Ian Jannetta, Jesse Overton, Jared Pfliger, Robert Chester, Beth Nielson, Tracee Sutton, Megan DesCamps, Craig Radcliffe, Matt Squeri, Libby Marking, Jared Henderson, Ryan Tvedt, Jon Cheatwood, Libby Schneider, Anna Diederich, Jacob Westlin, James Feinstein, Kevin George, Alec Buckley, Guneev Sharma, Santiago Gonzalez, Jeessue Lee, Virginia Hagerott, Prescott Robinson, Stacy Austad, Olivia Cox, Patrick Brende, Bryce Hample, Eric Bursch, Ashley Poling, Anthony Papian, Jared Lennon, Allison Tinsey, Dean Williams, Ross Keys, Jane Opdahl, Joanne Beckman, Megan

Carranza, Shirley Meyer, Aimee Kittilson, Aaron Krauter, Chris VandeVenter, Gail Hand, Matthew Leiphon, Renae Aarfor, Justin Hanson, Amy Long, Megan Edwardson, Raechel Heuer, Laura Dronen, Norman McCloud, and Maggie Laducer.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO LORI SUTLIFF "GILBERT"

• Ms. CORTEZ MASTO. Mr. President, I come forward today to recognize the service of Lori Sutliff who, after 10 years as a member of the board of directors of the Corporation for Public Broadcasting, will be ending her service at the end of this year.

Ms. Sutliff began her career in broadcasting in 1983. Working under the broadcast name "Lori Gilbert," she has specialized in providing broadcast news to rural areas, serving most recently as the news director for Elko Broadcasting Company's KELK-AM and KLKO-FM in the rural community of Elko, NV. She also hosts a community news program, Elko Live, which provides listeners throughout north-eastern Nevada with news about local, regional, and national issues.

In 2008, Ms. Gilbert was appointed to the CPB board of directors by President George W. Bush. President Barack Obama reappointed her, and she was confirmed by the Senate in 2013. She served as board chair from September 2016 to October 2018 and vice chair from September 2014 to September 2016.

She helped lead the Corporation through multiple challenges, such as the FCC's Broadcast Spectrum Auction and repack process. Lori has also been instrumental in helping develop new ways for public media stations to collaborate, and, over the last 5 years, CPB has launched 13 new regional journalism collaborations, creating 90 newsroom positions.

In addition to this work, Gilbert is member of the board of directors of the Associated Press Television and Radio Association of California and Nevada. She serves the rural Nevada community as a founding member of the Elko Cancer Network and the Great Basin College Health Sciences Advisory Board. She has also served on the boards of the Elko County Family Resource Center, the Boys and Girls Club of Elko, and the Elko County Juvenile Advisory Board.

Through all of this incredible work and service, she has gained an intimate understanding of the issues of rural America and how vital it is for rural residents to have a trusted source of information about their community. Ms. Gilbert speaks in journalism schools across the Nation and has consistently demonstrated her commitment to providing meaningful public media offerings to all Americans, regardless of where they live or their economic means.

Today I celebrate the many contributions of Lori Gilbert in all of her service. We are fortunate to have had her leadership, knowledge, and voice during her service to both Nevada and the Nation as a whole.●

#### TRIBUTE TO VICTORIA BROOKE

• Mr. THUNE. Mr. President, today I recognize the hard work of my Commerce, Science, and Transportation Committee intern Victoria Brooke. Victoria hails from Waldorf, MD, and is a recent graduate of Marshall University.

While interning on the Commerce Committee, Victoria worked in the committee's front office and assisted the Aviation Operations, Safety, and Security Subcommittee with various projects. She is a dedicated worker who was committed to getting the most out of her internship. I extend my sincere thanks and appreciation to Victoria for all of the fine work she did for the Commerce Committee and wish her continued success in the years to come.●

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 12:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 245. An act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 12:43 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 825. An act to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes.

S. 2465. An act to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment.

S. 3029. An act to revise and extend the Prematurity Research Expansion and Education for Mothers who Deliver Infants Early Act (PREEMIE Act).

S. 3119. An act to allow for the taking of sea lions on the Columbia River and its tributaries to protect endangered and threatened species of salmon and other nonlisted fish species.

S. 3209. An act to designate the facility of the United States Postal Service located at 413 Washington Avenue in Belleville, New Jersey, as the "Private Henry Svehla Post Office Building".

S. 3237. An act to designate the facility of the United States Postal Service located at 120 12th Street Lobby in Columbus, Georgia, as the "Richard W. Williams, Jr., Chapter of the Triple Nickles (555th P.I.A.) Post Office".

The message also announced that the House has passed the following bills, in

which it requests the concurrence of the Senate:

H.R. 1318. An act to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

H.R. 1850. An act to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the "Donna Sauers Besko Post Office".

H.R. 5205. An act to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the "Sergeant Kenneth Eric Bostic Post Office".

H.R. 5475. An act to designate the facility of the United States Postal Service located at 108 North Macon Street in Bevier, Missouri, as the "SO2 Navy SEAL Adam Olin Smith Post Office".

H.R. 6059. An act to designate the facility of the United States Postal Service located at 51 Willow Street in Lynn, Massachusetts, as the "Thomas P. Costin, Jr. Post Office Building".

H.R. 6140. An act to require the Secretary of Energy to establish and carry out a program to support the availability of HA-LEU for domestic commercial use, and for other purposes.

H.R. 6167. An act to designate the facility of the United States Postal Service located at 5707 South Cass Avenue in Westmont, Illinois, as the "James William Robinson Jr. Memorial Post Office Building".

H.R. 6335. An act to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the "Oakville Veterans Memorial Post Office".

H.R. 6615. An act to reauthorize the Traumatic Brain Injury program.

H.R. 6930. An act to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the "Ross Bouyeya Post Office Building".

H.R. 7217. An act to amend title XIX of the Social Security Act to provide States with the option of providing coordinated care for children with complex medical conditions through a health home, and for other purposes.

H.R. 7230. An act to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South Carolina, as the "Postmaster Frazier B. Baker Post Office".

H.R. 7243. An act to amend Public Law 115-217 to change the address of the postal facility designated by such Public Law in honor of Sergeant First Class Alwyn Crendall Cashe, and for other purposes.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 943. An act to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate 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.

The message further announced that the House has agreed to the amendment of the Senate to the text of the bill (H.R. 3342) to impose sanctions on foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hizballah of civilians as human shields, and for other purposes, and that the House has agreed to the amendment of the Senate to the title of the aforementioned bill.

The message also announced that the House has agreed to the numbered amendments 1, 2, and 3 of the Senate to the text of the bill (H.R. 4407) to designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the "Corporal Jeffery Allen Williams Post Office Building", and that the House has agreed to the amendment of the Senate to the title of the aforementioned bill.

The message further announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), and the order of the House of January 3, 2017, the Speaker appoints the following individual on the part of the House of Representatives to the Commission on International Religious Freedom for a term ending on May 14, 2020: Ms. Anurima Bhargava of Chicago, Illinois, to succeed Mr. Daniel I. Mark.

#### ENROLLED BILLS SIGNED

At 2:23 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 3342. An act to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and for other purposes.

H.R. 4111. An act to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes.

H.R. 4407. An act to designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the "Corporal Jeffrey Allen Williams Post Office Building".

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

At 6:16 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 2454) to direct the Secretary of Homeland Security

to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, and for other purposes.

The message further announced that pursuant to section 3(b) of the Public Safety Officer Medal of Valor Act of 2001 (42 U.S.C. 15202), and the order of the House of January 3, 2017, the Minority Leader reappoints the following individual on the part of the House of Representatives to the Medal of Valor Review Board: Mr. Brian Fengel of Bartonville, Illinois.

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 6140. An act to require the Secretary of Energy to establish and carry out a program to support the availability of HA-LEU for domestic commercial use, and for other purposes; to the Committee on Energy and Natural Resources.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 6615. An act to reauthorize the Traumatic Brain Injury program.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3747. A bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, December 12, 2018, she had presented to the President of the United States the following enrolled bill:

S. 245. An act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7415. A communication from the Regulations Team Lead, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Development Environmental Regulation for Rural Infrastructure Projects" (RIN0572-AC44) received in the Office of the President of the Senate on December 5, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7416. A communication from the Assistant Secretary of Defense (Special Operations/Low-Intensity Conflict), transmitting, pursuant to law, the fiscal year 2018 annual report on the Regional Defense Combating

Terrorism Fellowship Program; to the Committee on Armed Services.

EC-7417. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of an item not detrimental to the U.S. space launch industry; to the Committee on Banking, Housing, and Urban Affairs.

EC-7418. A communication from the Program Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Appraisals for Higher-Priced Mortgage Loans Exemption Threshold Adjustment" (RIN1557-AE53) received in the Office of the President of the Senate on December 11, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-7419. A communication from the Acting Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC-7420. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, a report relative to the Department's proposal to sell 3,380.69 acres of public land in Maricopa and Pinal Counties, Arizona, to the Gila River Indian Community (GRIC), a federally recognized Indian Tribe; to the Committee on Energy and Natural Resources.

EC-7421. A communication from the Deputy Inspector General for Audit Services, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Review of Medicare Administrative Contractor Information Security Program Evaluations for Fiscal Year 2017"; to the Committee on Finance.

EC-7422. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Modernized Drawback" ((RIN1515-AE23) (CBP Dec. 18-15)) received during adjournment of the Senate in the Office of the President of the Senate on December 7, 2018; to the Committee on Finance.

EC-7423. A communication from the Correspondence Specialist, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Adoption of the Methodology for the HHS-operated Permanent Risk Adjustment Program for the 2018 Benefit Year Final Rule" ((RIN0938-AT66) (CMS-9919-F)) received in the Office of the President of the Senate on December 10, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-7424. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Corps' Agency Financial Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-313. A joint resolution adopted by the Legislature of the State of Alaska urging the

United States Congress to adopt spill prevention measures into international agreements; to the Committee on Foreign Relations.

HOUSE JOINT RESOLUTION NO. 19

Whereas the Arctic Waterways Safety Committee has been formed by marine mammal hunting groups, Arctic municipalities, and Arctic marine ship operators to identify and promote safe and environmentally responsible shipping operations in the Arctic; and

Whereas, because of the lack of spill response capacity in the Arctic, the United States Coast Guard has authorized vessels to adopt spill prevention measures in lieu of meeting the response standard; and

Whereas, even under the best circumstances, only 20 percent of spilled oil is recovered, indicating the importance of spill prevention measures; and

Whereas prevention measures include active vessel tracking and monitoring, prescribed routing measures, immediate notification of a loss of vessel power or steering, identification of vessels nearby with an opportunity to respond, identification of ports of refuge, prepositioning towing packages and ship arrestors, and dynamic protection of local marine mammal resources; and

Whereas prevention measures apply only to vessels calling on a port in the United States; and

Whereas vessels not calling on a port in the United States are considered in innocent passage and not subject to prevention measures; and

Whereas the United States has not ratified the Law of the Sea treaty and accordingly may not use Article 234, which authorizes coastal states with "ice-covered areas" to require special protection measures; and

Whereas universal adherence to marine protection measures in the Arctic may also occur through international bilateral agreements or by the adoption of measures in the Polar Code of the International Maritime Organization; be it

*Resolved*, That the Alaska State Legislature commends the formation of the Arctic Waterways Safety Committee and appreciates its leadership in establishing safe shipping practices in state water; and be it

*Resolved*, That the Alaska State Legislature supports the adoption of prevention measures into international agreements to ensure clear, universal, and enforceable marine safety measures in the Arctic; and be it

*Resolved*, That the Alaska State Legislature urges the governor and the state's Congressional delegation to promote the adoption of spill prevention measures into international agreements with member organizations, including the Northern Forum; and be it

*Resolved*, That the Alaska State Legislature urges the President of the United States and the United States Department of State to initiate negotiations with Alaska's coastal neighbors to enter into international agreements to ensure safe and environmentally responsible marine operations in the Arctic.

Copies of this resolution shall be sent to the Honorable Donald J. Trump, President of the United States; the Honorable Michael R. Pence, Vice President of the United States and President of the U.S. Senate; the Honorable Paul D. Ryan, Speaker of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the Honorable Charles E. Schumer, Minority Leader of the U.S. Senate; the Honorable Lisa Murkowski, Chair of the U.S. Senate Committee on Energy and Natural

Resources; the Honorable Dan Sullivan, U.S. Senator; and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and all other members of the 115th United States Congress.

POM-314. A joint resolution adopted by the Legislature of the State of Alaska urging the United States Congress to adopt spill prevention measures into international agreements; to the Committee on Foreign Relations.

HOUSE JOINT RESOLUTION NO. 19

Whereas the Arctic Waterways Safety Committee has been formed by marine mammal hunting groups, Arctic municipalities, and Arctic marine ship operators to identify and promote safe and environmentally responsible shipping operations in the Arctic; and

Whereas, because of the lack of spill response capacity in the Arctic, the United States Coast Guard has authorized vessels to adopt spill prevention measures in lieu of meeting the response standard; and

Whereas, even under the best circumstances, only 20 percent of spilled oil is recovered, indicating the importance of spill prevention measures; and

Whereas prevention measures include active vessel tracking and monitoring, prescribed routing measures, immediate notification of a loss of vessel power or steering, identification of vessels nearby with an opportunity to respond, identification of ports of refuge, prepositioning towing packages and ship arrestors, and dynamic protection of local marine mammal resources; and

Whereas prevention measures apply only to vessels calling on a port in the United States; and

Whereas vessels not calling on a port in the United States are considered in innocent passage and not subject to prevention measures; and

Whereas the United States has not ratified the Law of the Sea treaty and accordingly may not use Article 234, which authorizes coastal states with "ice-covered areas" to require special protection measures; and

Whereas universal adherence to marine protection measures in the Arctic may also occur through international bilateral agreements or by the adoption of measures in the Polar Code of the International Maritime Organization; be it

*Resolved*, That the Alaska State Legislature commends the formation of the Arctic Waterways Safety Committee and appreciates its leadership in establishing safe shipping practices in state water; and be it

*Resolved*, That the Alaska State Legislature supports the adoption of prevention measures into international agreements to ensure clear, universal, and enforceable marine safety measures in the Arctic; and be it

*Resolved*, That the Alaska State Legislature urges the governor and the state's Congressional delegation to promote the adoption of spill prevention measures into international agreements with member organizations, including the Northern Forum; and be it

*Resolved*, That the Alaska State Legislature urges the President of the United States and the United States Department of State to initiate negotiations with Alaska's coastal neighbors to enter into international agreements to ensure safe and environmentally responsible marine operations in the Arctic.

Copies of this resolution shall be sent to the Honorable Donald J. Trump, President of the United States; the Honorable Michael R. Pence, Vice President of the United States and President of the U.S. Senate; the Honorable Paul D. Ryan, Speaker of the U.S.

House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the Honorable Charles E. Schumer, Minority Leader of the U.S. Senate; the Honorable Lisa Murkowski, Chair of the U.S. Senate Committee on Energy and Natural Resources; the Honorable Dan Sullivan, U.S. Senator; and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and all other members of the 115th United States Congress.

POM-315. A joint resolution adopted by the Legislature of the State of Alaska urging the United States Congress to enact legislation that requires prominently labeling genetically engineered salmon and salmon products with the words "Genetically Modified" on the product's packaging; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION NO. 12

Whereas, on November 19, 2015, the United States Food and Drug Administration approved AquaBounty AquAdvantage genetically engineered salmon as safe for human consumption; and

Whereas the approval is the first time in history that the United States Food and Drug Administration has approved a genetically engineered animal for human consumption; and

Whereas a large majority of state residents oppose the approval of genetically engineered salmon by the United States Food and Drug Administration; and

Whereas more than 2,000,000 Americans opposed the United States Food and Drug Administration's approval of genetically engineered salmon in the largest number of comments the United States Food and Drug Administration has ever received on an action; and

Whereas more than 65 retailers, including Costco, Safeway, and Target, have announced that they have no plans to sell genetically modified salmon; and

Whereas more than 40 members of the United States Congress have expressed opposition to the approval of AquaBounty AquAdvantage genetically engineered salmon; and

Whereas the state has bountiful fisheries that provide wild, natural, and sustainable seafood; and

Whereas the accidental release of transgenic fish into the wild could devastate native fish populations and ecosystems; and

Whereas a May 2013 McGill University research report detailed findings demonstrating interbreeding between genetically modified salmon and brown trout could occur, suggesting that the potential for similar hybridization between other closely related species could pose risks for wild populations, including wild salmon; and

Whereas the research demonstrated that transgenic hybrid salmon can outcompete with both wild salmon and genetically modified salmon, making hybridization relevant to risk assessments; and

Whereas, each year, thousands of salmon escape from open water net pens into the Pacific and Atlantic Oceans, demonstrating that escapement is a serious threat to wild fish populations; and

Whereas the AquaBounty facility on Prince Edward Island is producing genetically engineered fish eggs and sits adjacent to a water body that is directly connected to the Saint Lawrence Seaway and the Atlantic Ocean; and

Whereas the proximity of the AquaBounty facility to the Saint Lawrence Seaway and the Atlantic Ocean puts wild Atlantic salmon, which are listed under the Endangered Species Act, at risk; and

Whereas the long-term human health effects of consuming genetically engineered salmon are unknown; Now, therefore, be it

*Resolved*, That the Alaska State Legislature opposes the United States Food and Drug Administration's approval of AquaBounty AquAdvantage genetically engineered salmon; and be it further

*Resolved*, That the Alaska State Legislature urges the United States Congress to enact legislation that requires prominently labeling genetically engineered salmon or salmon products, including AquaBounty AquAdvantage genetically engineered salmon, with the words "Genetically Modified" on the product's packaging, as required by state law.

Copies of this resolution shall be sent to the Honorable Donald J. Trump, President of the United States; the Honorable Michael R. Pence, Vice President of the United States and President of the U.S. Senate; the Honorable Sonny Perdue, United States Secretary of Agriculture; the Honorable Scott Gottlieb, M.D., United States Commissioner of Food and Drugs; and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM-316. A joint resolution adopted by the Legislature of the State of Alaska urging the United States Congress to pass legislation providing for the exemption of legally acquired walrus, mammoth, and mastodon ivory from laws that ban the sale, use, and possession of ivory; to the Committee on Commerce, Science, and Transportation.

#### SENATE JOINT RESOLUTION NO. 4

Whereas the Marine Mammal Protection Act (16 U.S.C. 1361-1423h) explicitly protects the right of coastal Alaska Natives to harvest walrus and use the walrus byproducts in handicrafts for sale in the United States; and

Whereas the use by Alaska Natives of legally acquired walrus, mammoth, and mastodon ivory to create tools, handicrafts, jewelry, and artwork is a longstanding tradition that is a vital component of current Alaska Native culture; and

Whereas non-Native individuals in the state use legally acquired fossilized ivory to make handicrafts, jewelry, and artwork; and

Whereas the sale of walrus, mammoth, and mastodon ivory tools, handicrafts, jewelry, and artwork by Alaska artists is an important source of income in the cash-limited economy of rural Alaska; and

Whereas in the effort to stop the poaching of African elephants, certain states in the United States have passed laws banning the sale, use, and possession of all ivory, and other states are considering enacting those laws; and

Whereas the laws banning the sale, use, and possession of ivory in certain states of the United States do not distinguish between African elephant ivory and the legally acquired walrus, mammoth, and mastodon ivory used by Alaska artists; and

Whereas the laws banning the sale, use, and possession of ivory may subject residents of certain states to criminal charges for buying, owning, or bringing home legally acquired walrus, mammoth, and mastodon ivory items from Alaska; and

Whereas the laws banning the sale, use, and possession of ivory in certain states adversely affect those Alaska artists who depend on the sale of ivory handicrafts to obtain the cash necessary to live in cash-limited local economies; Be it

*Resolved*, That the Alaska State Legislature opposes the inclusion of legally acquired walrus, mammoth, and mastodon ivory in current and future laws that ban the

sale, use, and possession of ivory; and be it further

*Resolved*, That the Alaska State Legislature requests that the United States Congress pass legislation providing for the exemption of legally acquired walrus, mammoth, and mastodon ivory from current and future laws that ban the sale, use, and possession of ivory.

Copies of this resolution shall be sent to the Honorable Donald J. Trump, President of the United States; the Honorable Michael R. Pence, Vice President of the United States and President of the U.S. Senate; the Honorable Paul D. Ryan, Speaker of the U.S. House of Representatives; the Honorable Nancy Pelosi, Minority Leader of the U.S. House of Representatives; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the Honorable Charles E. Schumer, Minority Leader of the U.S. Senate; and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on the Judiciary:

Report to accompany S. 2961, A bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990 (Rept. No. 115-432).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 3741. A bill to prohibit the Social Security Administration from reinstating the reconsideration level of appeal for disability determinations in the 10 prototype States, and for other purposes; to the Committee on Finance.

By Ms. SMITH (for herself, Mr. MORAN, Mr. MURPHY, and Mr. WICKER):

S. 3742. A bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for cost sharing for oral anticancer drugs on terms no less favorable than the cost sharing provided for anticancer medications administered by a health care provider; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HARRIS:

S. 3743. A bill to amend title 18, United States Code, to make certain changes with respect to bringing a civil action for the misappropriation of a trade secret, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself, Ms. HASSAN, Mr. BENNET, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. BOOKER, Ms. CORTEZ MASTO, Mr. HEINRICH, Mr. MARKEY, Mr. BROWN, Ms. BALDWIN, Mr. JONES, Mr. MANCHIN, and Mr. DURBIN):

S. 3744. A bill to establish duties for online service providers with respect to end user data that such providers collect and use; to the Committee on Commerce, Science, and Transportation.

By Mr. JONES (for himself, Mrs. GILLIBRAND, and Ms. HASSAN):

S. 3745. A bill to improve the financial literacy of secondary school students; to the

Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY (for himself, Mr. CRAPO, Mr. RUBIO, Mr. COTTON, Mr. CRUZ, and Mrs. ERNST):

S. 3746. A bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending; to the Committee on the Budget.

By Mr. GRASSLEY (for himself and Mr. DURBIN):

S. 3747. A bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes; read the first time.

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. 3748. A bill to amend the removal and transfer procedures for the Inspectors General of the Library of Congress, the Office of the Architect of the Capitol, and the Government Publishing Office; considered and passed.

#### ADDITIONAL COSPONSORS

S. 352

At the request of Mr. CORKER, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 352, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick "Roddie" Edmonds in recognition of his heroic actions during World War II.

S. 821

At the request of Mr. RUBIO, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 821, a bill to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

S. 1101

At the request of Mr. CASEY, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Minnesota (Ms. SMITH), the Senator from Virginia (Mr. KAINE), the Senator from Ohio (Mr. BROWN), the Senator from Illinois (Mr. DURBIN), the Senator from Michigan (Ms. STABENOW), the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. SANDERS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1101, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1303

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1303, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1730

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1730, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 2018

At the request of Mr. BENNET, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2018, a bill to amend the Internal Revenue Code of 1986 to make the child tax credit fully refundable, establish an increased child tax credit for young children, and for other purposes.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2122

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2122, a bill to amend the Fair Labor Standards Act of 1938 regarding reasonable break time for nursing mothers.

S. 2274

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2274, a bill to provide for the compensation of Federal employees affected by lapses in appropriations.

S. 2418

At the request of Ms. HASSAN, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2418, a bill to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas.

S. 3622

At the request of Mr. MENENDEZ, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 3622, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3622, supra.

S. 3649

At the request of Mr. GRASSLEY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 3649, a bill to provide for programs to help reduce the risk that

prisoners will recidivate upon release from prison, and for other purposes.

S. 3688

At the request of Mr. BLUMENTHAL, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 3688, a bill to amend title 18, United States Code, to make it a criminal offense for individuals to engage in sexual acts while acting under color of law or with individuals in their custody, to encourage States to adopt similar laws, and for other purposes.

S. 3702

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3702, a bill to amend title XIX of the Social Security Act to prevent the misclassification of drugs for purposes of the Medicaid drug rebate program.

S. 3713

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 3713, a bill to appropriate \$25,000,000,000 for the construction of a border wall between the United States and Mexico, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. 3748. A bill to amend the removal and transfer procedures for the Inspectors General of the Library of Congress, the Office of the Architect of the Capitol, and the Government Publishing Office; considered and passed.

S. 3748

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving the Inspector General Process for Legislative Branch Instrumentalities Act".

#### SEC. 2. REMOVAL AND TRANSFER PROCEDURES FOR THE INSPECTORS GENERAL OF THE LIBRARY OF CONGRESS, OFFICE OF THE ARCHITECT OF THE CAPITOL, AND GOVERNMENT PUBLISHING OFFICE.

(a) LIBRARY OF CONGRESS.—Paragraph (2) of section 1307(c) of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 185(c)) is amended to read as follows:

“(2) REMOVAL OR TRANSFER.—

“(A) IN GENERAL.—The Inspector General may be removed from office, or transferred to another position within, or another location of, the Library of Congress, by the Librarian of Congress.

“(B) NOTICE.—Not later than 30 days before the Librarian of Congress removes or transfers the Inspector General under subparagraph (A), the Librarian of Congress shall communicate in writing the reason for the removal or transfer to—

“(i) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

“(ii) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

“(C) APPLICABILITY.—Nothing in this paragraph shall prohibit a personnel action (ex-

cept for removal or transfer) that is otherwise authorized by law.”.

(b) OFFICE OF THE ARCHITECT OF THE CAPITOL.—Paragraph (2) of section 1301(c) of the Architect of the Capitol Inspector General Act of 2007 (2 U.S.C. 1808(c)) is amended to read as follows:

“(2) REMOVAL OR TRANSFER.—

“(A) IN GENERAL.—The Inspector General may be removed from office, or transferred to another position within, or another location of, the Office of the Architect of the Capitol, by the Architect of the Capitol.

“(B) NOTICE.—Not later than 30 days before the Architect of the Capitol removes or transfers the Inspector General under subparagraph (A), the Architect of the Capitol shall communicate in writing the reason for the removal or transfer to—

“(i) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

“(ii) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

“(C) APPLICABILITY.—Nothing in this paragraph shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.”.

(c) GOVERNMENT PUBLISHING OFFICE.—Section 3902(b) of title 44, United States Code, is amended to read as follows:

“(b)(1) The Inspector General may be removed from office, or transferred to another position within, or another location of, the Government Publishing Office, by the Director of the Government Publishing Office.

“(2) Not later than 30 days before the Director removes or transfers the Inspector General under paragraph (1), the Director shall communicate in writing the reason for the removal or transfer to—

“(A) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

“(B) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

“(3) Nothing in this subsection shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.”.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4077. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table.

SA 4078. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4079. Mr. CORNYN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4080. Mr. YOUNG (for himself, Mrs. SHAHEEN, Ms. COLLINS, and Mr. COONS) submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra.

SA 4081. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4082. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4083. Mr. MERKLEY submitted an amendment intended to be proposed by him



to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4084. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4085. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4086. Mr. RUBIO submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4087. Mr. RUBIO submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4088. Mr. RUBIO submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4089. Mr. RUBIO submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4090. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4091. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4092. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4093. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4094. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 90, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; which was ordered to lie on the table.

SA 4095. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table.

SA 4096. Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4097. Mr. COTTON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4098. Mr. COTTON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4099. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4100. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4101. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, supra; which was ordered to lie on the table.

SA 4102. Mr. GARDNER (for Mr. CARDIN) proposed an amendment to the bill S. 1158, to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises.

SA 4103. Mr. GARDNER (for Mr. DURBIN (for himself and Mr. YOUNG)) proposed an

amendment to the bill H.R. 1222, to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

SA 4104. Mr. GARDNER (for Ms. COLLINS) proposed an amendment to the bill S. 2076, to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

SA 4105. Mr. SANDERS submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 4077.** Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **SEC. 2. REPORT ON RISKS POSED BY CEASING SAUDI ARABIA SUPPORT OPERATIONS.**

Not later than 90 days after the date of the enactment of this joint resolution, the Secretary of Defense shall submit to Congress a report assessing the risks posed to United States citizens and the civilian population of the Kingdom of Saudi Arabia and the risk of regional humanitarian crises if the United States were to cease support operations with respect to the conflict between the Saudi-led coalition and the Houthis in Yemen.

**SA 4078.** Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **SEC. 2. REPORT ON INCREASED RISK OF TERRORIST ATTACKS TO UNITED STATES FORCES ABROAD, ALLIES, AND THE CONTINENTAL UNITED STATES IF SAUDI ARABIA CEASES INTELLIGENCE SHARING OPERATIONS.**

Not later than 90 days after the date of the enactment of this joint resolution, the Secretary of Defense shall submit to Congress a report assessing the increased risk of terrorist attacks on United States Armed Forces abroad, allies, and to the continental United States if the Government of Saudi Arabia were to cease intelligence sharing operations with the United States and regional partners.

**SA 4079.** Mr. CORNYN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **SEC. 2. RULE OF CONSTRUCTION REGARDING CONTINUED MILITARY OPERATIONS AND COOPERATION WITH ISRAEL AND REGIONAL ALLIES.**

Nothing in this joint resolution shall be construed to influence or disrupt any military operations and cooperation with Israel or regional allies.

**SA 4080.** Mr. YOUNG (for himself, Mrs. SHAHEEN, Ms. COLLINS, and Mr. COONS) submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; as follows:

On page 4, line 21, add after the period at the end the following: "For purposes of this resolution, in this section, the term 'hostilities' includes in-flight refueling of non-United States aircraft conducting missions as part of the ongoing civil war in Yemen."

**SA 4081.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

#### **SEC. 2. ADDRESSING THE ROHINGYA REFUGEE CRISIS.**

(a) FINDINGS.—Congress makes the following findings:

(1) On August 25, 2017, attacks on security posts in Burma by the military group Arakan Rohingya Salvation Army resulted in a brutal, systematic, and disproportionate reprisal by the Burmese military and security forces on Rohingya villages in Rakhine State.

(2) More than 680,000 Rohingya refugees have fled to Bangladesh since the Burmese military commenced its scorched-earth campaign, with the burning of villages and local monuments, and reports of widespread gang rape, starvation, killing, and forcible deportation.

(3) The Government of Burma has consistently denied access to the United Nations Fact-Finding Mission on Myanmar established to investigate human rights violations around the country.

(4) Bangladesh Prime Minister Sheikh Hasina proposed that "safe zones" be created inside Burma to protect all civilians irrespective of religion and ethnicity under United Nations (UN) supervision.

(5) The United Nations High Commissioner for Refugees (UNHCR)'s mandate is to provide, in collaboration with other actors, international protection to refugees and to assist them in finding durable solutions through voluntary repatriation, local integration, or resettlement.

(6) The UN General Assembly has repeatedly affirmed UNHCR's function of facilitating the voluntary repatriation of refugees and, in recognition of the importance of sustainable return, has widened its mandate to include providing assistance for their rehabilitation and dealing with the consequences of their return.

(7) The fundamental operational principles of voluntary repatriation are safety, to include legal and physical safety, and dignity, to include treatment with respect and full acceptance by their national authorities, including the full restoration of refugees' rights.

(8) On November 23, 2017, the Government of Burma and the Government of Bangladesh

signed an agreement, known as the “Arrangement”, on the return of displaced persons from Rakhine State, which is modeled after the 1992 repatriation agreement between Burma and Bangladesh.

(9) The Arrangement includes references to restoring normalcy and human rights in Rakhine State, for refugee returns to comply with international standards of safety, dignity, and voluntariness, and to commencing a process to address root causes in line with the Rakhine Advisory Commission recommendations.

(10) Approximately 236,000 Rohingya refugees returned to Burma under the terms of the 1992 agreement, only to continue to be denied citizenship, face prejudice, violence, and persecution, and in many instances be forced to live in internally displaced persons (IDP) camps with their freedom of movement restricted.

(11) Burma’s 1982 citizenship law stripped Rohingya of their Burmese citizenship, rendering them stateless.

(12) The Government of Burma continues to systematically discriminate against the Rohingya people, including by continuing to restrict registration of Rohingya births and to deny them freedom of movement, access to healthcare, land, education, marriage, voting rights, and political participation.

(13) The Government of Burma has repeatedly abused land use laws to unjustly seize land from Rohingya refugees.

(14) UNHCR is working closely with the Government of Bangladesh and partners to provide protection and assistance to the Rohingya refugees and to support the host populations affected by the influx.

(15) The Government of Burma has not reached an agreement with UNHCR on its role in the safe, dignified, and voluntary return of Rakhine State refugees.

(16) Myanmar Minister of Social Welfare, Relief and Resettlement Dr. Win Myat Aye, on December 28, 2017, announced that the repatriation process will begin on January 22, 2018, but this process has not yet begun.

(17) There is concern that up to 100,000 Rohingya could be at risk of forced return into two “model villages” or into 1,200 tents provided by the Government of Burma, without assurances of their safety or details regarding long term solutions to address root causes of Rohingya disenfranchisement.

(18) “Model villages” and similar tactics in Burma dating back to colonial rule have been used to strategically shift population groups and deepen religious and cultural divides.

(19) On December 12, 2017, Wa Lone and Kyaw Soe Oo, two journalists reporting and documenting atrocities against the Rohingya, were arrested and on January 10, 2018, formally prosecuted with violating the “Official Secrets Act,” further risking Burma’s democratic transition.

(20) UNHCR, as of December 17, 2017, reports that conditions in Burma’s Rakhine State are not yet conducive to enable safe and sustainable return, as refugees continue to flee Rakhine State into neighboring Bangladesh.

(21) UNHCR reports that those who arrive have suffered immense violence and trauma in Burma, with some having witnessed the deaths of family members and friends and most having little or nothing to return to, with their homes and villages destroyed.

(22) There is concern that deep divisions between communities remain unaddressed and humanitarian access is inadequate.

(b) IN GENERAL.—Congress—

(1) condemns the violence and displacement inflicted on Burma’s Rohingya and other ethnic minorities;

(2) calls for an immediate halt to all hostilities by Burmese authorities;

(3) condemns the attacks by the Arakan Rohingya Salvation Army militant group;

(4) calls on the Government of Burma to allow full access to Rakhine State and ensure the full participation of UNHCR, the internationally endorsed organization tasked with ensuring that refugee returns are voluntary, safe, dignified, and respect fundamental human rights, and that the voices of refugees are represented in order to ensure the sustainability of such returns and to prevent further waves of displacement;

(5) calls on the Government of Burma to allow the United Nations-backed Independent International Fact-Finding Mission on Myanmar immediate and unfettered access to Burma, including northern Rakhine State, to establish the facts and circumstances of the alleged recent human rights violations by Burmese military and security forces against the Rohingya and other ethnic minorities;

(6) commends the positive role of the Government of Bangladesh in receiving Rohingya refugees to date and urges the Government of Bangladesh to continue allowing the full participation of UNHCR and human rights organizations in accessing refugee camps;

(7) calls on UNHCR and international non-governmental organizations to play a role in monitoring repatriation efforts by the Governments of Bangladesh and Burma to ensure a process that meets international norms for voluntary, safe, and dignified repatriation;

(8) agrees that any return of Rohingya should include guarantees that any returns of refugees will be voluntary and dignified, that there will be no threats to protection or security upon return, that refugees will be able to return to their places of origin or other locations as desired, and be able to enjoy equal rights with others in Burma, including the restoration or granting of full citizenship, freedom of movement, and access to basic services;

(9) recognizes that any forced relocation of Rohingya refugees into temporary settlements, IDP camps, “model villages,” or other areas not of refugees’ choosing is unacceptable;

(10) calls on the Government of Burma to allow for a flexible and practical approach to dealing with evidence of Rohingya residence in Burma, recognizing that the Rohingya refugees in Bangladesh possess a wide range of documents and that some refugees have no documents and will need to establish their residence by other means;

(11) calls on the Government of Burma to address root causes consistent with the Rakhine Advisory Commission recommendations and fully implement all of the recommendations of the Commission, including providing equal access to full restoration or granting of full citizenship for the Rohingya population;

(12) calls on the Government of Burma to acknowledge and address the issue of statelessness for the Rohingya, the deprivation of rights, and institutionalized and pervasive discrimination of the Rohingya population in order to bring about any sustainable solutions;

(13) commends the Government and the people of Bangladesh for their extraordinary generosity and efforts to provide shelter and relief for nearly 1,000,000 Rohingya refugees forced to flee their homes in Burma;

(14) calls on the Government of Bangladesh to ensure all refugees have freedom of movement and under no circumstances are subject to unsafe, involuntary, precipitous, or uninformed returns to Burma; and

(15) calls on the Government of Burma to immediately release journalists Wa Lone and Kyaw Soe Oo.

**SA 4082.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. REQUEST FOR A REPORT ON THE OBSERVANCE OF AND RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOM IN SAUDI ARABIA.**

(a) FINDINGS.—Congress makes the following findings:

(1) In July 2018, the Government of Saudi Arabia detained prominent women rights activists Samar Badawi and Nassima al-Sada.

(2) The United States Department of State presented Ms. Badawi with the 2012 International Women of Courage Award in recognition of her efforts with regard to the discriminatory male guardianship system in Saudi Arabia.

(3) The Department of State has declined to express solidarity with the Government of Canada, which reacted appropriately to news of the detention of Ms. Badawi and Ms. al-Sada in expressing that it was “gravely concerned about additional arrests of civil society and women’s rights activists” and calling upon “Saudi authorities to immediately release them and all other peaceful human-rights activists”.

(4) The Government of Saudi Arabia reacted disproportionately to criticism by the Government of Canada by taking extreme retaliatory measures, including—

(A) expelling the Ambassador of Canada to Saudi Arabia and recalling the Ambassador of Saudi Arabia to Canada;

(B) ordering the return of citizens of Saudi Arabia living in Canada, including more than 1,000 medical students;

(C) shutting off new bilateral trade and investment with Canada; and

(D) terminating direct commercial flights on Saudi Arabian air carriers between Saudi Arabia and Canada.

(5) Canada is an indispensable ally in the North Atlantic Treaty Organization that shares the commitment of the United States to equal rights and the rule of law and, in defense of shared interests and values, Canada has fought and sacrificed alongside the United States in each of the World Wars and has contributed to Missions of the North Atlantic Treaty Organization in Afghanistan, the Balkans, Libya, and Central and Eastern Europe.

(6) The arrest of Ms. Badawi and Ms. al-Sada, as well as the ongoing detention of countless others such as blogger Raif Badawi and human rights lawyer Waleed Abu al-Khair, is part of a disturbing pattern of human rights violations committed by the Government of Saudi Arabia, which are documented in more than 50 pages of the 2017 Human Rights Report of the Department of State.

(7) Among the human rights violations by the Government of Saudi Arabia documented in that report, are unlawful killings, torture, arbitrary arrest and detention, restrictions on freedom of expression, violence and official gender discrimination against women, and criminalization of same-sex sexual activity.

(8) The office of the United Nations High Commissioner for Refugees assesses that airstrikes carried out by Saudi Arabia and the United Arab Emirates in Yemen accounted for 80 percent of all civilian casualties from December 2017 to May 2018 in the 5 governorates of Yemen most affected by fighting.

(9) Section 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(a)(2)) states that “no security assistance may be provided to any country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should offer public support to Canada by calling upon the Government of Saudi Arabia to release Samar Badawi, Nassima al-Sada, Raif Badawi, Waleed Abu al-Khair, and all other peaceful human rights activists, journalists, and religious minorities held in detention by that Government on dubious charges; and

(2) the arrest of women’s rights activists and their supporters since May 2018 is contrary to the stated goals of the Government of Saudi Arabia.

(c) REQUEST FOR REPORT.—Congress requests, pursuant to section 502B(c)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(c)(1)), that the Secretary of State submit to Congress a statement, as required by that section, setting forth all the available information about observance of and respect for human rights and fundamental freedom in Saudi Arabia.

**SA 4083.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.**

(a) FINDINGS.—Congress makes the following findings:

(1) It is appropriate for Congress to assert its power under Article I of the Constitution of the United States to declare war, raise and support armies, and maintain an army.

(2) Nothing in this joint resolution supersedes any requirement of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(3) The Framers of the Constitution, as outlined in Federalist No. 69, explained the difference between the authorities of the President under the Constitution as Commander-in-Chief and the power of Congress under the Constitution to declare war.

(4) The Framers of the Constitution were concerned that vesting too much war-making power in the President would cause the Nation to become involved hastily or unwisely in war.

(b) AUTHORIZATION.—The President is authorized to use all necessary and appropriate force in Iraq and Afghanistan against the Taliban, al Qaeda, and the Islamic State in Iraq and the Levant (ISIL) in order to protect the United States and its compelling interests (as defined in section 11) from attack by the Taliban, al Qaeda, and the Islamic State in Iraq and the Levant.

**SEC. 3. LIMITATIONS.**

(a) STATE ACTORS.—This joint resolution does not authorize use of force against any foreign state (as defined in section 11).

(b) NONAPPLICABILITY TO UNSPECIFIED ENTITIES.—The authorization provided by section 2 extends only to the entities specified in that section, and does not extend to organizations or forces that the President determines to be associated forces, successor forces, or forces otherwise related to the entities specified in that section.

(c) APPLICABILITY OF INTERNATIONAL LAW.—The authority in this joint resolution may be used only in a manner consistent with the

obligations of the United States under international law.

**(d) WAR POWERS RESOLUTION REQUIREMENTS.—**

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547(a)(1)), Congress declares that section 2 is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution (50 U.S.C. 1541 et seq.).

**SEC. 4. NEW GROUPS AND COUNTRIES AND USE OF GROUND FORCES IN A COMBAT ROLE.**

(a) USE OF FORCE AGAINST OTHER NON-STATE PARTIES TO THE CONFLICT.—

(1) EXPEDITED CONSIDERATION OF JOINT RESOLUTION TO AUTHORIZE.—A joint resolution to authorize use of force against any organization or force not specified in section 2 (in this joint resolution referred to as a “new group”) shall be eligible for expedited consideration in accordance with the procedures in section 8 (in this section referred to as “expedited consideration”).

(2) LIMITATION.—A joint resolution under this subsection shall not be eligible for expedited consideration unless the new group covered by the joint resolution—

(A) is not a foreign state;

(B) is an organized armed group that has engaged, and continues to be engaged, in active hostilities against the United States as a party to an ongoing armed conflict involving the groups specified in section 2; and

(C) demonstrates a credible ability to conduct a substantial attack against compelling United States interests.

(b) USE OF FORCE IN ADDITIONAL COUNTRIES.—

(1) EXPEDITED CONSIDERATION OF JOINT RESOLUTION TO AUTHORIZE.—A joint resolution to authorize use of force against the groups specified in section 2, or any new group covered by a joint resolution enacted pursuant to subsection (a), in a country other than those specified in the joint resolution authorizing such use of force (in this section referred to as a “new country”) shall be eligible for expedited consideration.

(2) LIMITATION.—A joint resolution described by paragraph (1) that also authorizes use of ground forces in a combat role shall not be eligible for expedited consideration.

(c) EXPEDITED CONSIDERATION OF JOINT RESOLUTION TO AUTHORIZE USE OF GROUND FORCES IN COMBAT ROLE IN ADDITIONAL COUNTRIES.—A joint resolution to authorize use of ground forces in a combat role in a new country for which authorization of use force has been provided under subsection (b) shall be eligible for expedited consideration.

(d) GROUND FORCES IN A COMBAT ROLE.—For purposes of this section, ground forces in a combat role do not include the following:

(1) Small detachments of special operations forces.

(2) Any other forces deployed under any authority other than the authority in this joint resolution.

(e) PRESIDENTIAL REQUEST.—To be eligible for expedited consideration, a joint resolution described in subsection (a), (b), or (c) must be requested in writing by the President to the appropriate congressional committees and leadership, together with a written justification of the manner in which such joint resolution meets the applicable criteria in such subsection.

(f) SEPARATE JOINT RESOLUTION REQUIRED FOR EACH AUTHORIZATION.—To be eligible for expedited consideration, a separate joint resolution is required for each new group, each new country, and each use of ground forces in a combat role in a new country.

**SEC. 5. SUNSET UPON CESSATION OF THREAT.**

(a) REPORTS ON CONTINUING THREATS.—Not later than six months after the date of the enactment of this joint resolution, and every six months thereafter, the President shall, in consultation with the Secretary of Defense, the Secretary of State and the Director of National Intelligence, submit to the appropriate congressional committees and leadership a report certifying whether or not each group specified in section 2, and each new group against which use of force is currently authorized by this joint resolution pursuant to section 4(a), continues to meet the criteria set forth in section 4(a)(2).

(b) SUNSET.—If the President does not certify under subsection (a) that a group described in that subsection continues to meet the criteria set forth in section 4(a)(2), the authorization in this joint resolution to use force against such group shall cease, effective as of the date that is 60 days after the date the certification is due.

(c) CONSTRUCTION.—The cessation of authority to use force against a group under subsection (b) shall not be construed as the cessation of authority to use force pursuant to this joint resolution against any other group specified in section 2, or against any new group covered by section 4(a) against which force is being used pursuant to this joint resolution at the time of such cessation of authority.

**SEC. 6. DURATION OF AUTHORIZATION.**

(a) IN GENERAL.—The authorization for use of force in this joint resolution shall expire on the date that is three years after the date of the enactment of this joint resolution.

(b) REPORT.—Not later than 90 days before the expiration date provided for in subsection (a), the President shall submit to Congress a report on use of force pursuant to this joint resolution. The report may include recommendations of the President for extension, whether with or without modification, of this joint resolution.

(c) PROCEDURES FOR ENACTMENT.—Any joint resolution to extend this joint resolution, whether with or without modification, shall be eligible for expedited consideration in accordance with the procedures in section 8.

**SEC. 7. REPORTING AND PUBLIC NOTICE REQUIREMENTS.**

(a) IN GENERAL.—Not later than six months after the date of the enactment of this joint resolution, and every six months thereafter, the President shall submit to the appropriate congressional committees and leadership, and shall publish in the Federal Register, a report setting forth the following:

(1) A list of the groups, organizations, and forces against which the United States is using force pursuant to this joint resolution as of the date of submittal and publication.

(2) For each group, organization, and force listed under paragraph (1)—

(A) the extent to which such group, organization, or force directly targeted any compelling United States interest during the six-month period ending on the date of submittal and publication (in this section referred to as the “reporting period”); and

(B) the extent to which such group, organization, or force continues to pose a threat to any compelling United States interest as of the date of submittal and publication.

(3) A list of the countries in which the United States used force pursuant to this joint resolution during the reporting period, including the geographic location in each country in which the United States so used force.

(4) The number of combatant casualties in connection with the use of force pursuant to this joint resolution during the reporting period.

(5) The number of civilian casualties in connection with the use of force pursuant to this joint resolution during the reporting period, as determined by the following:

(A) The United States Government.

(B) Credible and reliable nongovernmental entities.

(6) An explanation for the differences, if any, between the number of civilian casualties reported pursuant to paragraph (5)(A) during the reporting period and the number of civilian casualties reported pursuant to paragraph (5)(B) during the reporting period.

(7) A description of the mechanisms used to prevent and limit civilian casualties in connection with the use of force pursuant to this joint resolution during the reporting period.

(8) A current description of the process by which the United States investigates allegations of civilian casualties resulting from United States military operations.

(9) A description of the current national security, diplomatic, development, and humanitarian goals of the United States for each country listed under paragraph (3) in order to create the conditions for the end of use of United States military force in such country, and the strategy and expected timeline to execute such goals.

(10) An assessment, as of the date of submittal and publication, of the bilateral and multilateral impact of United States use of force pursuant to this joint resolution in each country listed under paragraph (3), and an assessment of the engagement of the government of such country with United States use of force in such country.

(1) A comprehensive and current description, both for the reporting period and in aggregate as of the date of submittal and publication, of the amounts expended by the United States for and in support of military operations and activities in connection with use of force pursuant to this joint resolution.

(b) FORM.—

(1) IN GENERAL.—Each report under subsection (a) shall be submitted in unclassified form.

(2) CLASSIFIED FORM.—Except as provided in paragraph (3), portion of a report under subsection (a) may be submitted in classified form if strictly required to protect the national security interests of the United States.

(3) CERTAIN INFORMATION ONLY IN UNCLASSIFIED FORM.—The information required by subsection (a)(1), and the countries listed pursuant to subsection (a)(3), shall be submitted in unclassified form.

(c) BRIEFINGS.—The Department of Defense shall provide a briefing to any appropriate congressional committee or leadership upon request of such committee or leadership not less often than every six months on activities undertaken pursuant to this joint resolution.

#### SEC. 8. EXPEDITED PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS.

(a) IN GENERAL.—A resolution specified in subsection (b) shall be eligible for consideration using expedited procedures specified in this section.

(b) RESOLUTIONS.—A resolution specified in this subsection is any joint resolution as follows:

(1) A joint resolution covered by section 4.

(2) A joint resolution to extend, whether with or without modifications, this joint resolution, as provided for in section 6.

(c) REFERRAL.—A resolution described in subsection (b) introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate. A resolution described in subsection (b) that is introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs of the House of Representatives.

(d) DISCHARGE.—If the committee to which a resolution described in subsection (b) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date of introduction, such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(e) CONSIDERATION.—

(1) IN GENERAL.—On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under subsection (d)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. A Member may make the motion only on the day after the calendar day on which the Member announces to the House concerned the Member's intention to make the motion, except that, in the case of the House of Representatives, the motion may be made without such prior announcement if the motion is made by direction of the committee to which the resolution was referred. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(2) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 30 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(3) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on the resolution and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) APPEALS FROM DECISIONS OF CHAIR.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate.

(f) CONSIDERATION BY OTHER HOUSE.—

(1) IN GENERAL.—If, before the passage by one House of a resolution of that House described in subsection (b), that House receives from the other House a resolution described in subsection (b), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

(B) With respect to a resolution described in subsection (b) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(2) FOLLOWING DISPOSITION.—Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(g) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (b), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

#### SEC. 9. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE.

The Authorization for Use of Military Force (Public Law 107-40; 115 Stat. 224; 50 U.S.C. 1541 note) is hereby repealed, effective six months after the date of the enactment of this joint resolution.

#### SEC. 10. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

#### SEC. 11. DEFINITIONS.

In this joint resolution:

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

(A) the Majority Leader and the Minority Leader of the Senate;

(B) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate;

(C) the Speaker of the House of Representatives and the Minority Leader of the House of Representatives; and

(D) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COMPELLING UNITED STATES INTERESTS.—The term “compelling United States interests” means the following:

(A) United States territory.

(B) The United States Armed Forces.

(C) United States citizens.

(3) FOREIGN STATE.—The term “foreign state” has the meaning given that term in section 1603(a) of title 28, United States Code, namely a foreign state, a political subdivision of a foreign state, or an agency or instrumentality of a foreign state (as that term is defined in section 1603(b) of such title).

**SA 4084.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been

authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. SENSE OF CONGRESS ON UNITED STATES-SAUDI ARABIA CIVILIAN NUCLEAR COOPERATION.**

(a) FINDINGS.—Congress make the following findings:

(1) On May 21, 2009, the United States and the United Arab Emirates signed a bilateral agreement pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), establishing cooperation on civilian nuclear programs in which the United Arab Emirates agreed that it “shall not possess sensitive nuclear facilities within its territory or otherwise engage in activities within its territory for, or relating to, the enrichment or reprocessing of material, or for the alternation in form or content (except by irradiation or further irradiation or, if agreed by the Parties, post-irradiation examination) of plutonium, uranium 233, high enriched uranium, or irradiated source or special fissionable material”.

(2) The civil nuclear cooperation agreement between the United States and the United Arab Emirates further obligates the United Arab Emirates to bring into force its Additional Protocol to its IAEA Safeguards Agreement before the United States licenses “exports of nuclear material, equipment, components, or technology” pursuant to the agreement.

(3) This agreement became known as the first “gold standard” civil nuclear agreement and was lauded as a step toward establishing a precedent for strong nonproliferation standards on the Arabian Peninsula.

(b) SENSE OF CONGRESS.—It is the sense of Congress that any United States-Saudi Arabia civilian nuclear cooperation agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), commonly known as a “123 Agreement”, concluded in the future should prohibit the Kingdom of Saudi Arabia from enriching uranium or separating plutonium on Saudi Arabian territory in keeping with the strongest possible nonproliferation “gold standard” as well as require the Kingdom of Saudi Arabia to bring into force the Additional Protocol with the International Atomic Energy Agency.

**SA 4085.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. SENSE OF CONGRESS ON THE VALUE OF TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) opened for signature 50 years ago on July 1, 1968.

(2) The United States and the former Soviet Union averted a catastrophic nuclear exchange during the October 1962 Cuban Missile Crisis, which led to a series of bilateral and multilateral agreements to lessen the chance of nuclear war, including the NPT.

(3) President John F. Kennedy predicted in 1963 that as many as 25 countries would acquire nuclear weapons by 1970 absent a treaty to control nuclear weapons.

(4) The United States Senate provided its advice and consent to the NPT on March 13, 1969, with a vote on ratification of 83 to 15.

(5) The NPT entered into force on March 5, 1970.

(6) The NPT has grown to include 191 States Party to the Treaty, making an irreplaceable contribution to international security by helping to prevent the spread of nuclear weapons.

(7) Article III of the NPT obligates all non-nuclear weapon States Party to the NPT to conclude a Safeguards Agreement with the International Atomic Energy Agency (IAEA) to verify treaty compliance, 174 of which are Comprehensive Safeguards Agreements crafted to detect the diversion of nuclear materials from peaceful to non-peaceful uses.

(8) Nuclear weapon States Party to the NPT have also concluded voluntary offer Safeguards Agreements and Additional Protocols with the IAEA;

(9) The 2018 Department of Defense Nuclear Posture Review affirms, “The Nuclear Non-Proliferation Treaty (NPT) is a cornerstone of the nuclear nonproliferation regime. It plays a positive role in building consensus for non-proliferation and enhances international efforts to impose costs on those that would pursue nuclear weapons outside the Treaty.”

(10) The success of the NPT has and will continue to depend upon the full implementation by all States Party to the Treaty of the NPT’s obligations and responsibilities, which are derived from three mutually reinforcing pillars: nonproliferation, access to peaceful uses of nuclear energy, and disarmament.

(11) Over the past half century, the United States has exhibited leadership in strengthening each of the NPT’s three pillars for the global good, including—

(A) reducing its nuclear weapons stockpile by more than 85 percent from its Cold War heights of 31,225 in parallel with equally massive reductions of Russia’s stockpile through bilateral coordination;

(B) cooperating with Kazakhstan, Ukraine, and Belarus—to facilitate the surrender of nuclear weapons on their soil after the fall of the Soviet Union—leading to each country’s accession to the NPT as a non-nuclear weapons state;

(C) providing voluntary contributions to the IAEA to promote peaceful nuclear activities exceeding \$374,000,000 since 2010, including activities that help in the treatment of cancer and other life-saving applications; and

(D) extending deterrence to United States allies in the North Atlantic Treaty Organization (NATO), Japan, and the Republic of Korea—which is an unmistakable demonstration of the United States commitment to collective security; heightened geopolitical tensions in recent years have made cooperation on nonproliferation and arms control issues with the Russian Federation more challenging.

(12) A range of actions by the Government of the Russian Federation has led to a deterioration in bilateral relations with the United States, including Russia’s brazen interference in the 2016 United States presidential elections, its violation of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (commonly known as the “INF Treaty”), signed at Washington, D.C., December 8, 1987, and entered into force June 1, 1988, its use of a chemical nerve agent in an assassination attempt against Sergei Skripal and his daughter Yulia in the United Kingdom in March 2018, its illegal annexation of Crimea, its invasion of Eastern Ukraine, its destabilizing actions in Syria, and its use of polonium to assassinate Alexander Litvinenko in the United Kingdom in November 2006.

(13) The actions undertaken by the Russian Federation in violation of the INF Treaty, including the flight-test, production, and possession of prohibited systems diminishes the contributions that the Treaty has made to security on the European continent.

(14) Russian President Vladimir Putin, in a March 2018 speech, unveiled details of new kinds of strategic nuclear weapons under development, including hypersonic nuclear cruise missiles, nuclear-powered ballistic missiles, and a multi-megaton nuclear torpedo shot from drone submarines that may be accountable under the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed April 8, 2010, and entered into force February 5, 2011 (commonly known as the “New START Treaty”).

(15) The Russian Federation erroneously claimed that the United States may have not reached New START Treaty Central Limits by February 5, 2018, as is mandated by the Treaty.

(16) The Bilateral Consultative Commission (BCC) is the appropriate forum for the Parties to engage constructively on any New START Treaty implementation issues that arise.

(17) Within a difficult environment, preserving full compliance with agreements that may continue to contribute to the national security of the United States and to global security, particularly the New START Treaty, is all the more essential, and to that end, the Department of State confirmed in February 2018 that Russia had met New START’s Central Treaty Limits and stated that “implementation of the New START Treaty enhances the safety and security of the United States”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should continue to encourage all States Party to the NPT to comply fully with the Treaty;

(2) any United States negotiated agreement with the Democratic People’s Republic of Korea (DPRK) on denuclearization should require the DPRK to return to as a State Party to the NPT in good standing and full compliance with the Treaty;

(3) the United States should maintain support for the IAEA through its assessed and voluntary contributions and promote the universal adoption of the IAEA Additional Protocol;

(4) the United States and its allies should pursue diplomatic efforts to ensure that the Islamic Republic of Iran complies with the NPT and fully implements the IAEA Additional Protocol;

(5) the United States should—

(A) consider whether to extend the New START Treaty, within the context of meaningful arms control that decreases the chances of miscalculation and misperception and is verifiable and consistent with the security objectives of the United States and its allies and partners;

(B) assess whether Russia’s recently announced nuclear weapons should be accountable under the New START Treaty and raise the issue directly with the Russian Federation;

(C) press the Russian Federation to engage constructively on compliance matters related to the New START Treaty, and also to take steps that provide greater transparency into Russia’s non-strategic nuclear weapons, which are not captured under any treaty and which are numerically superior to those held by the United States and its allies;

(D) begin negotiations with the Russian Federation on an agreement to address the massive disparity between the non-strategic

nuclear weapons stockpiles of the Russian Federation and of the United States and to secure and reduce non-strategic nuclear weapons in a verifiable manner;

(E) begin an interagency process to discuss whether to extend the New START Treaty and the possibility of further engagement with the Russian Federation on strategic stability and other arms control and non-proliferation issues; and

(F) consider the consequences of the New START Treaty's expiration in 2021 also in relation to the insights the Treaty provides into the location, movement, and disposition of current and future Russian strategic systems;

(6) the United States strongly condemns the Russian Federation's violations of the INF Treaty and its non-compliance with its other arms control commitments and treaty obligations, and urges Russia to come back into full compliance;

(7) the executive branch of the United States Government should consult with the Senate, and in particular with the Committee on Foreign Relations, prior to any decision to withdraw from an arms control treaty ratified by the Senate, particularly any that may impact collective defense arrangements the United States has entered into with other countries; and

(8) the United States Government should continue to encourage opportunities for cooperation with other states possessing nuclear arms to reduce the salience, number, and role of nuclear weapons in their national military strategies.

**SA 4086.** Mr. RUBIO submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO OFFICIALS OF THE GOVERNMENT OF SAUDI ARABIA RESPONSIBLE FOR HUMAN RIGHTS ABUSES.**

(a) LIST REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of all senior officials of the Government of Saudi Arabia, including senior officials of the military and security forces of Saudi Arabia, that the President determines have played a direct and substantial role in the commission of human rights abuses, including torture of political prisoners.

(2) UPDATES.—Not less frequently than every 180 days, the President shall submit to the appropriate congressional committees an updated version of the list required by paragraph (1).

(b) IMPOSITION OF SANCTIONS.—The President shall impose the following sanctions with respect to each individual on the list required by subsection (a):

(1) 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 the individual 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.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—Denial of a visa to, and exclusion from

the United States of, the individual, 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 individual.

(c) EXCEPTIONS.—

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

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under subsection (b)(2) 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) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under subsection (b) if the President determines, and reports to the appropriate congressional committees that the waiver is in the national security interests of the United States.

(e) IMPLEMENTATION; PENALTIES.—

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

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection 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.

(f) DEFINITIONS.—In this section:

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

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

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

(2) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

**SA 4087.** Mr. RUBIO submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. REPORT ON DETENTION OF WOMEN BASED ON PEACEFUL ADVOCACY FOR HUMAN RIGHTS IN SAUDI ARABIA.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Government of Saudi Arabia should immediately release all women who have been detained in that country, without being charged of any crime or on po-

litically motivated charges, based on their peaceful advocacy for human rights in Saudi Arabia.

(b) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this joint resolution, the Secretary of State shall submit to Congress a report assessing the status of all women who have been detained in Saudi Arabia, without being charged of any crime or on politically motivated charges, based on their peaceful advocacy for human rights in that country.

(2) CLASSIFIED ANNEX.—The report submitted under paragraph (1) shall include a classified annex that explains in detail what the Department of State is doing to secure the release of the women described in the report.

**SA 4088.** Mr. RUBIO submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. SENSE OF THE SENATE ON RELATIONS BETWEEN THE UNITED STATES AND THE KINGDOM OF SAUDI ARABIA.**

It is the sense of the Senate that—

(1) the United States and the Kingdom of Saudi Arabia have maintained a close and productive relationship for most of the years since establishing relations in 1933;

(2) the United States seeks to continue a constructive and strategic relationship with the Kingdom of Saudi Arabia, based on both our mutual interests as well as a growing agreement on the values of human rights, democracy, and the rule of law, which are the cornerstone of any strong and lasting relationship with the United States; and

(3) there have been numerous Saudi actions since January 2015 that have threatened the comity between our two nations, including—

(A) the continued jailing of prisoner of conscience Raif Badawi in Saudi Arabia, who received 50 lashes in 2015 that nearly killed him;

(B) the imprisonment of women's rights activists in May of this year by Saudi government authorities, and, according to media reports, their torture while in custody, including Raif Badawi's sister, Samar;

(C) the premeditated murder of Washington Post writer and Saudi citizen Jamal Khashoggi by Saudi government authorities in the Saudi Consulate in Istanbul after being called there by his government;

(D) the Government of Saudi Arabia's disastrous war in Yemen, which, while trying to rid Yemen of Iranian influence, has created a humanitarian nightmare that has killed tens of thousands, displaced hundreds of thousands, impoverished millions, and pushed the country to the brink of massive famine; and

(E) a reckless diplomatic and economic confrontation with the State of Qatar, a Gulf Cooperation Council Member and regional partner of the United States on counterterrorism and regional security.

**SA 4089.** Mr. RUBIO submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. ANNUAL REPORT ON EDUCATIONAL MATERIALS IN SAUDI ARABIA.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this joint resolution, and annually thereafter for 10 years (except as provided under subsection (d)) not later than 90 days after the start of the new school year in Saudi Arabia, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report reviewing educational materials published by Saudi Arabia's Ministry of Education that are used in schools both inside the Kingdom of Saudi Arabia and at schools throughout the world.

(b) CONSULTATION.—Not later than 30 days after the submission of a report under subsection (a), the Secretary of State shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the contents of the report.

(c) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A detailed determination regarding whether all intolerant content has been removed from educational materials published by Saudi Arabia's Ministry of Education that are used in schools both inside the Saudi Arabia and at schools throughout the world, including full quotations of all passages that could be seen as encouraging violence or intolerance towards adherents of religions other than Islam or towards Muslims who hold dissenting views.

(2) A detailed assessment of the global exportation of such materials, including the extent to which such materials are used in privately funded educational institutions overseas.

(3) A detailed summary of actions the Government of Saudi Arabia has taken to retrieve and destroy materials with intolerant material.

(4) A detailed assessment of the efforts of the Government of Saudi Arabia to revise teacher manuals and retrain teachers to reflect changes in educational materials and promote tolerance.

(5) A detailed determination regarding whether issuing a waiver regarding Saudi Arabia as a country of particular concern under the International Religious Freedom Act of 1998 (Public Law 105-292) furthers the purposes of such Act or is otherwise in the important national security interests of the United States.

(d) DURATION OF REPORTING REQUIREMENT.—

(1) TERMINATION BEFORE 10 YEARS.—If, at any time after submission of a report required under subsection (a) but before the expiration of the 10-year period referred to in such subsection, the Secretary of State determines that intolerant religious content has been removed completely from Saudi Arabia's education materials, the requirement to submit any remaining reports under such subsection shall not apply.

(2) CONTINUATION AFTER 10 YEARS.—If at the end of the 10-year period referred to in subsection (a), the Secretary of State determines that intolerant religious content remains in Saudi Arabia's education materials, the termination of the requirement to submit reports under such subsection shall not apply and the reports shall be submitted for an additional five years.

(e) FORM.—Reports under this section shall be submitted in unclassified form, but may contain a classified annex.

(f) PUBLICATION.—Not later than 60 days after submission of a report required under subsection (a), the Secretary of State shall make copies of reviewed Saudi educational materials publicly available on a website of the Department of State.

**SA 4090.** Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. REPORT ON RISKS POSED BY CEASING SAUDI ARABIA SUPPORT OPERATIONS.**

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the risks posed to United States citizens and the civilian population of the Kingdom of Saudi Arabia and the risk of regional humanitarian crises if the United States were to cease support operations with respect to the conflict between the Saudi-led coalition and the Houthis in Yemen.

**SA 4091.** Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. REPORT ON INCREASED RISK OF TERRORIST ATTACKS TO UNITED STATES FORCES ABROAD, ALLIES, AND THE CONTINENTAL UNITED STATES IF SAUDI ARABIA CEASES RELATED INTELLIGENCE SHARING OPERATIONS.**

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the increased risk of terrorist attacks on United States Armed Forces abroad, allies, and to the continental United States if the Government of Saudi Arabia were to cease related intelligence sharing operations with the United States.

**SA 4092.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. SENSE OF CONGRESS ON TRANSITION OF MILITARY AND SECURITY OPERATIONS IN AFGHANISTAN.**

(a) FINDINGS.—Congress makes the following findings:

(1) After al Qaeda attacked the United States on September 11, 2001, the United States Government rightly sought to bring to justice those who attacked us, to eliminate al Qaeda's safe havens and training camps in Afghanistan.

(2) Members of the Armed Forces, intelligence personnel, and diplomatic corps have skillfully achieved these objectives, culminating in the death of Osama bin Laden.

(3) Operation Enduring Freedom is now the longest military operation in United States history, and United States involvement in Afghanistan has exceeded \$1,000,000,000,000 in costs to the United States taxpayer and continues to cost taxpayers over \$45,000,000,000 a year.

(4) Members of the United States Armed Forces have served in Afghanistan valiantly and with honor, and many have sacrificed their lives and health in service to their country;

(5) The United States has suffered more than 2,000 casualties in Afghanistan (including 13 in 2018 thus far), and the United States has dropped more than 5,200 bombs this year (through September 30), a record high.

(6) Secretary of Defense Mattis, reflecting consensus within United States and international security experts, has concluded that there is no military solution to the conflict in Afghanistan, stating, "It's all working to achieve a political reconciliation, not a military victory. The victory will be a political reconciliation."

(7) Over the past 17 years, the mission of the United States has evolved to include a prolonged nation-building effort in Afghanistan.

(8) Such nation-building efforts in Afghanistan are undermined by endemic corruption, high illiteracy, tribal fractions, and a historic aversion to a strong central government in that country.

(9) The United States Government will continue to support the development of Afghanistan with a strong diplomatic and counterterrorism presence in the region.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should complete the transition of the responsibility for military and security operations in Afghanistan to the Government of Afghanistan by September 18, 2021, the 20th anniversary of the enactment of Public Law 107-40, the Authorization for Use of Military Force against those responsible for the attacks on September 11, 2001, in conjunction with efforts by Special Representative for Afghanistan Reconciliation Zalmay Khalilzad to seek a durable peace between the Government of Afghanistan and the Taliban;

(2) reflecting press reports that the President seeks to end the United States military engagement in Afghanistan by 2020, the President should devise a plan based on inputs from Special Representative Khalilzad, military commanders, North Atlantic Treaty Organization (NATO) member countries, and other allies in Afghanistan, and appropriate members of the Cabinet, along with the consultation of Congress, for completing the drawdown of United States combat troops in Afghanistan and accelerating the transfer of security authority to Afghan authorities; and

(3) not later than 90 days after the date of the enactment of this Act, the President should submit to Congress a report—

(A) assessing progress made on the battlefield in Afghanistan since the announcement of the President's New South Asia Strategy and the increase in United States troops;

(B) assessing efforts by Special Representative Khalilzad to foster a durable peace agreement between the Government of Afghanistan and the Taliban; and

(C) including a plan for the complete transition of all military and security operations in Afghanistan to the Government of Afghanistan.

**SA 4093.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

On page 4, line 13, insert " , which includes blocking any arms sales to Saudi Arabia for any item designated as a Category III, IV, VII or VIII item on the United States Munitions List (USML) pursuant to section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).",

**SA 4094.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 90, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Red River Gradient Boundary Survey Act”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **AFFECTED AREA.**—  
(A) **IN GENERAL.**—The term “affected area” means land along the approximately 116-mile stretch of the Red River, from its confluence with the north fork of the Red River on the West to the 98th meridian on the east.

(B) **EXCLUSIONS.**—The term “affected area” does not include the portion of the Red River within the boundary depicted on the survey prepared by the Bureau of Land Management entitled “Township 5 South, Range 14 West, of the Indian Meridian, Oklahoma, Dependent Resurvey and Survey” and dated February 28, 2006.

(2) **GRADIENT BOUNDARY SURVEY METHOD.**—The term “gradient boundary survey method” means the measurement technique used to locate the South Bank boundary line in accordance with the methodology established in *Oklahoma v. Texas*, 261 U.S. 340 (1923) (recognizing that the boundary line along the Red River is subject to change due to erosion and accretion).

(3) **LANDOWNER.**—The term “landowner” means any individual, group, association, corporation, federally recognized Indian tribe or member of such an Indian tribe, or other private or governmental legal entity that owns an interest in land in the affected area.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(5) **SOUTH BANK.**—The term “South Bank” means the water-washed and relatively permanent elevation or acclivity (commonly known as a “cut bank”) along the southerly or right side of the Red River that—

(A) separates the bed of that river from the adjacent upland, whether valley or hill; and

(B) usually serves, as specified in the fifth paragraph of *Oklahoma v. Texas*, 261 U.S. 340 (1923)—

(i) to confine the waters within the bed; and

(ii) to preserve the course of the river.

(6) **SOUTH BANK BOUNDARY LINE.**—The term “South Bank boundary line” means the boundary, with respect to title and ownership, between the States of Oklahoma and Texas identified through the gradient boundary survey method that does not impact or alter the permanent political boundary line between the States along the Red River, as outlined under article II, section B of the Red River Boundary Compact enacted by the States and consented to by Congress pursuant to Public Law 106-288 (114 Stat. 919).

**SEC. 3. SURVEY OF SOUTH BANK BOUNDARY LINE.**

(a) **SURVEY REQUIRED.**—

(1) **IN GENERAL.**—The Secretary shall commission a survey to identify the South Bank boundary line in the affected area.

(2) **REQUIREMENTS.**—The survey shall—

(A) adhere to the gradient boundary survey method;

(B) span the length of the affected area;

(C) be conducted by 1 or more independent third-party surveyors that are—

(i) licensed and qualified to conduct official gradient boundary surveys; and

(ii) selected by the Secretary, in consultation with—

(I) the Texas General Land Office;

(II) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(III) each affected federally recognized Indian Tribe; and

(D) subject to the availability of appropriations, be completed not later than 2 years after the date of enactment of this Act.

(b) **APPROVAL OF THE BOUNDARY SURVEY.**—

(1) **IN GENERAL.**—Not later than 60 days after the date on which the survey or a portion of the survey under subsection (a)(1) is completed, the Secretary shall submit the survey for approval to—

(A) the Texas General Land Office;

(B) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(C) each affected federally recognized Indian Tribe.

(2) **TIMING OF APPROVAL.**—Not later than 60 days after the date on which each of the Texas General Land Office, the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma, and each affected federally recognized Indian Tribe notify the Secretary of the approval of the boundary survey or a portion of the survey by the applicable office or federally recognized Indian Tribe, the Secretary shall determine whether to approve the survey or portion of the survey, subject to paragraph (4).

(3) **SUBMISSION OF PORTIONS OF SURVEY FOR APPROVAL.**—As portions of the survey are completed, the Secretary may submit the completed portions of the survey for approval under paragraph (1).

(4) **WRITTEN APPROVAL.**—The Secretary shall only approve the survey, or a portion of the survey, that has the written approval of each of—

(A) the Texas General Land Office;

(B) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(C) each affected federally recognized Indian Tribe.

**SEC. 4. SURVEY OF INDIVIDUAL PARCELS.**

Surveys of individual parcels in the affected area shall be conducted in accordance with the boundary survey approved under section 3(b).

**SEC. 5. NOTICE AND AVAILABILITY OF SURVEY.**

Not later than 60 days after the date on which the boundary survey is approved under section 3(b), the Secretary shall—

(1) publish notice of the approval of the survey in—

(A) the Federal Register; and

(B) 1 or more local newspapers; and

(2) on request, furnish to any landowner a copy of—

(A) the survey; and

(B) any field notes relating to—

(i) the individual parcel of the landowner; or

(ii) any individual parcel adjacent to the individual parcel of the landowner.

**SEC. 6. EFFECT OF ACT.**

Nothing in this Act—

(1) modifies any interest of the State of Oklahoma or Texas, or the sovereignty, property, or trust rights of any federally recognized Indian Tribe, relating to land located north of the South Bank boundary line, as established by the survey;

(2) modifies any land patented under the Act of December 22, 1928 (45 Stat. 1069, chapter 47; 43 U.S.C. 1068) (commonly known as the “Color of Title Act”), before the date of enactment of this Act;

(3) modifies or supersedes the Red River Boundary Compact enacted by the States of

Oklahoma and Texas and consented to by Congress pursuant to Public Law 106-288 (114 Stat. 919);

(4) creates or reinstates any Indian reservation or any portion of such a reservation;

(5) modifies any interest or any property or trust rights of any individual Indian allottee; or

(6) alters any valid right of the State of Oklahoma or the Kiowa, Comanche, or Apache Indian tribes to the mineral interest trust fund established under the Act of June 12, 1926 (44 Stat. 740, chapter 572).

**SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to the Secretary to carry out this Act \$1,000,000.

**SA 4095.** Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. REPORT ON INCREASED RISK OF TERRORIST ATTACKS TO UNITED STATES FORCES ABROAD, ALLIES, AND THE CONTINENTAL UNITED STATES IF SAUDI ARABIA CEASES YEMEN-RELATED INTELLIGENCE SHARING WITH THE UNITED STATES.**

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the increased risk of terrorist attacks on United States Armed Forces abroad, allies, and to the continental United States if the Government of Saudi Arabia were to cease Yemen-related intelligence sharing with the United States.

**SA 4096.** Mr. CORNYN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. RULE OF CONSTRUCTION REGARDING CONTINUED MILITARY OPERATIONS AND COOPERATION WITH ISRAEL AND REGIONAL ALLIES.**

Nothing in this joint resolution shall be construed to influence or disrupt any military operations and cooperation with Israel.

**SA 4097.** Mr. COTTON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

On page 4, line 16, insert after “associated forces” the following: “or involved in the provision of materials and advice intended to reduce civilian casualties or further enable adherence to the Law of Armed Conflict”.

**SA 4098.** Mr. COTTON submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

On page 4, line 16, insert after “associated forces,” the following: “or to support efforts



to disrupt Houthi attacks against locations outside of Yemen, such as ballistic missile attacks, unmanned aerial vehicle attacks, maritime attacks against United States or international vessels, or terrorist attacks against civilian targets.”.

**SA 4099.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

On page 4, line 14, insert “including by blocking any arms sales to Saudi Arabia for any item designated as a Category III, IV, VII or VIII item on the United States Munitions List (USML) pursuant to section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)),” after “Yemen.”.

**SA 4100.** Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end add the following:

**SEC. 2. REQUIREMENTS FOR CIVIL NUCLEAR COOPERATION AGREEMENTS WITH THE KINGDOM OF SAUDI ARABIA.**

Any United States-Saudi Arabia civilian nuclear cooperation agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) concluded after the date of the enactment of this joint resolution shall—

(1) prohibit the Kingdom of Saudi Arabia from enriching uranium or separating plutonium on Saudi Arabian territory; and

(2) require the Kingdom of Saudi Arabia to bring into force the Additional Protocol with the International Atomic Energy Agency.

**SA 4101.** Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS RESPONSIBLE FOR KILLING OF JAMAL KHASHOGGI.**

(a) IN GENERAL.—On and after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to any foreign person the Director of the Central Intelligence Agency assesses, with high confidence, before, on, or after such date of enactment, is responsible for, or complicit in ordering, controlling, or otherwise directing, the extrajudicial killing of Jamal Khashoggi.

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed under subsection (a) with respect to a foreign person are the following:

(1) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of the foreign person 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) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this subsection.

(2) INADMISSIBILITY TO UNITED STATES.—In the case of a foreign person who is an individual—

(A) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

(B) if the individual has been issued a visa or other documentation, revocation, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of the visa or other documentation.

(c) EXCEPTIONS.—

(1) IMPORTATION OF GOODS.—The requirement to impose sanctions under subsection (b)(1) shall not include the authority to impose sanctions with respect to the importation of goods.

(2) COMPLIANCE WITH INTERNATIONAL OBLIGATIONS.—Subsection (b)(2) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(d) IMPLEMENTATION; PENALTIES.—

(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) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection 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.

(e) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms “admitted” and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(3) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

**SA 4102.** Mr. GARDNER (for Mr. CARDIN) proposed an amendment to the bill S. 1158, to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crimes; as follows:

Strike all after the enacting clause, and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Elie Wiesel Genocide and Atrocities Prevention Act of 2018”.

**SEC. 2. SENSE OF CONGRESS.**

It is the sense of Congress that the United States Government’s efforts at atrocity prevention and response through interagency coordination, such as the Atrocities Prevention Board (referred to in this Act as the “Board”) or successor entity are critically important, and that appropriate officials of the United States Government should—

(1) meet regularly to monitor developments throughout the world that heighten the risk of atrocities;

(2) identify any gaps in United States foreign policy concerning regions or particular countries related to atrocity prevention and response;

(3) facilitate the development and implementation of policies to enhance the capacity of the United States to prevent and respond to atrocities worldwide;

(4) provide the President and Congress with recommendations to improve policies, programs, resources, and tools related to atrocity prevention and response;

(5) conduct outreach, including consultations, not less frequently than biannually, with representatives of nongovernmental organizations and civil society dedicated to atrocity prevention and response;

(6) operate with regular consultation and participation of designated interagency representatives of relevant Federal agencies, executive departments, or offices; and

(7) ensure resources are made available for the policies, programs, and tools related to atrocity prevention and response.

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

It shall be the policy of the United States to—

(1) regard the prevention of atrocities as in its national interest;

(2) work with partners and allies, including to build their capacity, and enhance the capacity of the United States, to identify, prevent, and respond to the causes of atrocities, including insecurity, mass displacement, violent conflict, and other conditions that may lead to such atrocities; and

(3) pursue a United States Government-wide strategy to identify, prevent, and respond to the risk of atrocities by—

(A) strengthening the diplomatic, risk analysis and monitoring, strategic planning, early warning, and response capacities of the Government;

(B) improving the use of foreign assistance to respond early, effectively, and urgently in order to address the causes of atrocities;

(C) strengthening diplomatic response and the effective use of foreign assistance to support appropriate transitional justice measures, including criminal accountability, for past atrocities;

(D) supporting and strengthening local civil society, including human rights defenders and others working to help prevent and respond to atrocities;

(E) promoting financial transparency and enhancing anti-corruption initiatives as part of addressing causes of conditions that may lead to atrocities; and

(F) employing a variety of unilateral, bilateral, and multilateral means to prevent and respond to atrocities by—

(i) placing a high priority on timely, preventive diplomatic efforts; and

(ii) exercising leadership in promoting international efforts to prevent atrocities.

**SEC. 4. TRAINING OF FOREIGN SERVICE OFFICERS IN CONFLICT AND ATROCITIES PREVENTION.**

Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended in subsection (a)(1)—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) for Foreign Service Officers who will be assigned to a country experiencing or at risk of mass atrocities, as determined by the Secretary of State, in consultation with the Director of National Intelligence and relevant civil society organizations, instruction on recognizing patterns of escalation and early warning signs of potential atrocities, and methods of preventing and responding to atrocities, including conflict assessment methods, peacebuilding, mediation for prevention, early action and response, and appropriate transitional justice measures to address atrocities.”.

#### SEC. 5. REPORTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following six years, the President shall transmit to the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate a report, with a classified annex if necessary, that includes—

(1) a review, in consultation with appropriate interagency representatives, including the Board, consisting of a detailed description of—

(A) current efforts to prevent and respond to atrocities, based on United States and locally identified indicators, including an analysis of capacities and constraints for interagency detection, early warning and response, information-sharing, contingency planning, and coordination;

(B) recommendations to further strengthen United States capabilities described in subparagraph (A);

(C) funding expended by relevant Federal departments and agencies on atrocities prevention activities, including appropriate transitional justice measures and the legal, procedural, and resource constraints faced by the Department of State and the United States Agency for International Development throughout respective budgeting, strategic planning, and management cycles regarding support for atrocity prevention activities;

(D) a global assessment of ongoing atrocities, including the findings of such assessment and, where relevant, the efficacy of any steps taken by the Board or relevant Federal agency to respond to such atrocities;

(E) countries and regions at risk of atrocities, including a description of specific risk factors, at-risk groups, and likely scenarios in which atrocities would occur; and

(F) the atrocities prevention training for Foreign Service officers authorized under subparagraph (D) of section 708(a)(1) of the Foreign Service Act of 1980, as added by section 4;

(2) recommendations to ensure shared responsibility by—

(A) enhancing multilateral mechanisms for preventing atrocities, including strengthening the role of international organizations and international financial institutions in conflict prevention, mitigation, and response; and

(B) strengthening relevant regional organizations;

(3) the implementation status of the recommendations contained in the previous review required by this section; and

(4) identification of the Federal agencies and civil society, academic, and nongovernmental organizations and institutions consulted for preparation of such report.

(b) CONSIDERATION OF RECOMMENDATIONS.—The preparation of the report required by subsection (a) shall include a consideration of analysis, reporting, and policy rec-

ommendations to prevent and respond to atrocities produced by civil society, academic, and other nongovernmental organizations and institutions.

(c) AVAILABILITY TO CONGRESS.—The report required by subsection (a) shall be made available to all members of Congress.

#### SEC. 6. DEFINITIONS.

In this Act—

(1) the term “genocide” means an offense under subsection (a) of section 1091 of title 18, United States Code;

(2) the term “atrocities” means war crimes, crimes against humanity, and genocide;

(3) the term “transitional justice” means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes to redress legacies of atrocities and to promote long-term, sustainable peace; and

(4) the term “war crime” has the meaning given the term in section 2441(c) of title 18, United States Code.

#### SEC. 7. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as authorizing the use of military force.

**SA 4103.** Mr. GARDNER (for Mr. DURBIN (for himself and Mr. YOUNG)) proposed an amendment to the bill H.R. 1222, to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Congenital Heart Futures Reauthorization Act of 2017”.

#### SEC. 2. NATIONAL CONGENITAL HEART DISEASE RESEARCH, SURVEILLANCE, AND AWARENESS.

Section 399V–2 of the Public Health Service Act (42 U.S.C. 280g–13) is amended to read as follows:

#### “SEC. 399V–2. NATIONAL CONGENITAL HEART DISEASE RESEARCH, SURVEILLANCE, AND AWARENESS.

“(a) IN GENERAL.—The Secretary shall, as appropriate—

“(1) enhance and expand research and data collection efforts related to congenital heart disease, including to study and track the epidemiology of congenital heart disease to understand health outcomes for individuals with congenital heart disease across all ages;

“(2) conduct activities to improve public awareness of, and education related to, congenital heart disease, including care of individuals with such disease; and

“(3) award grants to entities to undertake the activities described in this section.

“(b) ACTIVITIES.—

“(1) IN GENERAL.—The Secretary shall carry out activities, including, as appropriate, through a national cohort study and a nationally-representative, population-based surveillance system, to improve the understanding of the epidemiology of congenital heart disease in all age groups, with particular attention to—

“(A) the incidence and prevalence of congenital heart disease in the United States;

“(B) causation and risk factors associated with, and natural history of, congenital heart disease;

“(C) health care utilization by individuals with congenital heart disease;

“(D) demographic factors associated with congenital heart disease, such as age, race, ethnicity, sex, and family history of individuals who are diagnosed with the disease; and

“(E) evidence-based practices related to care and treatment for individuals with congenital heart disease.

“(2) PERMISSIBLE CONSIDERATIONS.—In carrying out the activities under this section, the Secretary may, as appropriate—

“(A) collect data on the health outcomes, including behavioral and mental health outcomes, of a diverse population of individuals of all ages with congenital heart disease, such that analysis of the outcomes will inform evidence-based practices for individuals with congenital heart disease; and

“(B) consider health disparities among individuals with congenital heart disease, which may include the consideration of prenatal exposures.

“(c) AWARENESS CAMPAIGN.—The Secretary may carry out awareness and educational activities related to congenital heart disease in individuals of all ages, which may include information for patients, family members, and health care providers, on topics such as the prevalence of such disease, the effect of such disease on individuals of all ages, and the importance of long-term, specialized care for individuals with such disease.

“(d) PUBLIC ACCESS.—The Secretary shall ensure that, subject to subsection (e), information collected under this section is made available, as appropriate, to the public, including researchers.

“(e) PATIENT PRIVACY.—The Secretary shall ensure that the data and information collected under this section are made available in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law.

“(f) ELIGIBILITY FOR GRANTS.—To be eligible to receive a grant under subsection (a)(3), an entity shall—

“(1) be a public or private nonprofit entity with specialized experience in congenital heart disease; and

“(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated \$10,000,000 for each of fiscal years 2020 through 2024.”.

#### SEC. 3. REPORT.

Not later than 3 years after the date of enactment of the Congenital Heart Futures Reauthorization Act of 2017, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing any activities carried out pursuant to section 399V–2 of the Public Health Service Act (as amended by section 2), including planned activities, and a summary of any research findings and ongoing research efforts, gaps, and areas of greatest need within the Department of Health and Human Services regarding congenital heart disease in patients of all ages.

**SA 4104.** Mr. GARDNER (for Ms. COLLINS) proposed an amendment to the bill S. 2076, to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer’s disease, cognitive decline, and brain health under the Alzheimer’s Disease and Healthy Aging Program, and for other purposes; as follows:

Beginning on page 28, line 23, strike “year for—” and all that follows through line 9 on page 29, and insert the following: “‘year for a health department of a State, political subdivision of a State, or Indian tribe and tribal organization (including those located in a

rural area or frontier area), if the Secretary determines that applying such matching requirement would result in serious hardship or an inability to carry out the purposes of the cooperative agreement awarded to such health department of a State, political subdivision of a State, or Indian tribe and tribal organization.”.

**SA 4105.** Mr. SANDERS submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 54, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 2. RULE OF CONSTRUCTION.**

Nothing in this joint resolution may be construed as authorizing the use of military force against Iran.

**NOTICE OF INTENT TO OBJECT TO PROCEEDING**

I, Senator RON WYDEN, intend to object to proceeding to S. 2374, The Stopping Improper Payments to Deceased People Act, dated December 12, 2018.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. GRASSLEY. Mr. President, I have 8 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 INDIAN AFFAIRS**

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, December 12, 2018, at 2:30 p.m., to conduct a hearing entitled “Missing and Murdered: Confronting the Silent Crisis in Indian Country.”

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, December 12, 2018, at 10 a.m., to conduct a hearing entitled “China’s Non-Traditional Espionage Against the United States.”

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, December 12, 2018, at 10 a.m., to conduct a hearing entitled “Oversight of the U.S. Securities and Exchange Commission.”

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, December 12, 2018, at 2:30 p.m., to conduct a closed roundtable.

**SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES**

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services is authorized to meet during the session of the Sen-

ate on Wednesday, December 12, 2018, at 9:30 a.m., to conduct a hearing entitled “Implications of China’s Presence and Investment in Africa.”

**SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT**

The Subcommittee on Readiness and Management Support of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, December 12, 2018, at 9:30 a.m., to conduct a hearing entitled “United States Navy and Marine Corps readiness.”

**SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT**

The Subcommittee on Readiness and Management Support of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, December 12, 2018, at 2:30 p.m., to conduct a hearing entitled “U.S. force posture in the Indo-Pacific Region.”

**SUBCOMMITTEE ON NATIONAL PARKS**

The Subcommittee on National Parks of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, December 06, 2018, at 10 a.m., to conduct a hearing.

**PRIVILEGES OF THE FLOOR**

Mr. CORKER. Mr. President, I ask unanimous consent that Sean Tyler, a Defense fellow in Senator YOUNG’s office, be granted floor privileges for the remainder of the week.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Adam Berry, be granted privileges of the floor for the balance of the day.

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

**APPOINTMENT**

The PRESIDING OFFICER. The Chair, pursuant to Public Law 115-254, on behalf of the Majority Leader of the Senate, appoints the following individual as a member of the Syria Study Group: Vance F. Serchuk, of New York.

**MEASURE READ THE FIRST TIME—S. 3747**

Mr. GARDNER. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 3747) to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes.

Mr. GARDNER. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

**IMPROVING THE INSPECTOR GENERAL PROCESS FOR LEGISLATIVE BRANCH INSTRUMENTALITIES ACT**

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3748, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3748) to amend the removal and transfer procedures for the Inspectors General of the Library of Congress, the Office of the Architect of the Capitol, and the Government Publishing Office.

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3748) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3748

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Improving the Inspector General Process for Legislative Branch Instrumentalities Act”.

**SEC. 2. REMOVAL AND TRANSFER PROCEDURES FOR THE INSPECTORS GENERAL OF THE LIBRARY OF CONGRESS, OFFICE OF THE ARCHITECT OF THE CAPITOL, AND GOVERNMENT PUBLISHING OFFICE.**

(a) LIBRARY OF CONGRESS.—Paragraph (2) of section 1307(c) of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 185(c)) is amended to read as follows:

“(2) REMOVAL OR TRANSFER.—

“(A) IN GENERAL.—The Inspector General may be removed from office, or transferred to another position within, or another location of, the Library of Congress, by the Librarian of Congress.

“(B) NOTICE.—Not later than 30 days before the Librarian of Congress removes or transfers the Inspector General under subparagraph (A), the Librarian of Congress shall communicate in writing the reason for the removal or transfer to—

“(i) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

“(ii) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

“(C) APPLICABILITY.—Nothing in this paragraph shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.”.

(b) OFFICE OF THE ARCHITECT OF THE CAPITOL.—Paragraph (2) of section 1301(c) of the Architect of the Capitol Inspector General Act of 2007 (2 U.S.C. 1808(c)) is amended to read as follows:

“(2) REMOVAL OR TRANSFER.—

“(A) IN GENERAL.—The Inspector General may be removed from office, or transferred

to another position within, or another location of, the Office of the Architect of the Capitol, by the Architect of the Capitol.

“(B) NOTICE.—Not later than 30 days before the Architect of the Capitol removes or transfers the Inspector General under subparagraph (A), the Architect of the Capitol shall communicate in writing the reason for the removal or transfer to—

“(i) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

“(ii) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

“(C) APPLICABILITY.—Nothing in this paragraph shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.”

(c) GOVERNMENT PUBLISHING OFFICE.—Section 3902(b) of title 44, United States Code, is amended to read as follows:

“(b)(1) The Inspector General may be removed from office, or transferred to another position within, or another location of, the Government Publishing Office, by the Director of the Government Publishing Office.

“(2) Not later than 30 days before the Director removes or transfers the Inspector General under paragraph (1), the Director shall communicate in writing the reason for the removal or transfer to—

“(A) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

“(B) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

“(3) Nothing in this subsection shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.”

## ELIE WIESEL GENOCIDE AND ATROCITIES PREVENTION ACT OF 2018

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 489, S. 1158.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1158) to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Elie Wiesel Genocide and Atrocities Prevention Act of 2018”.

### SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that the United States Government’s efforts at atrocity prevention and response through interagency coordination, such as the Atrocities Prevention Board (referred to in this Act as the “Board”) or successor entity are critically important, and that appropriate officials of the United States Government should—

(1) meet regularly to monitor developments throughout the world that heighten the risk of atrocities;

(2) identify any gaps in United States foreign policy concerning regions or particular countries related to atrocity prevention and response;

(3) facilitate the development and implementation of policies to enhance the capacity of the United States to prevent and respond to atrocities worldwide;

(4) provide the President with recommendations to improve policies, programs, resources, and tools related to atrocity prevention and response;

(5) conduct outreach, including consultations, not less frequently than biannually, with representatives of nongovernmental organizations and civil society dedicated to atrocity prevention and response;

(6) operate with regular consultation and participation of designated interagency representatives of relevant Federal agencies, executive departments, or offices; and

(7) ensure resources are made available for the policies, programs, and tools related to atrocity prevention and response.

### SEC. 3. STATEMENT OF POLICY.

It shall be the policy of the United States to—

(1) regard the prevention of genocide and other atrocities as in its national security interests;

(2) work with partners and allies to address the root causes of insecurity and violent conflict to prevent—

(A) the mass slaughter of civilians;

(B) conditions that prompt internal displacement and the flow of refugees across borders; and

(C) other violence that wreaks havoc on regional stability and civilian populations;

(3) enhance the capacity of the United States to identify, prevent, address, and respond to the drivers of atrocities and violent conflict as part of the United States’ humanitarian, development, and strategic interests; and

(4) pursue a Government-wide strategy to prevent and respond to the risk of genocide and other atrocities by—

(A) strengthening the diplomatic, risk analysis and monitoring, strategic planning, early warning, and response capacities of the Government;

(B) improving the use of foreign assistance to respond early, effectively, and urgently in order to address the root causes and drivers of violence, and systemic patterns of human rights abuses and atrocities;

(C) strengthening diplomatic response and the effective use of foreign assistance to support appropriate transitional justice measures, including criminal accountability, for past atrocities;

(D) supporting and strengthening local civil society, including human rights defenders and others working to help prevent and respond to atrocities;

(E) promoting financial transparency and enhancing anti-corruption initiatives as part of addressing a root cause of insecurity; and

(F) employing a variety of unilateral, bilateral, and multilateral means to prevent and respond to conflicts and atrocities by—

(i) placing a high priority on timely, preventive diplomatic efforts; and

(ii) exercising a leadership role in promoting international efforts to end crises and prevent atrocities.

### SEC. 4. TRAINING OF FOREIGN SERVICE OFFICERS IN CONFLICT AND ATROCITIES PREVENTION.

Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended in subsection (a)(1)—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) for Foreign Service Officers who will be assigned to a country experiencing or at risk of mass atrocities, as determined by the Secretary of State, in consultation with the Director of National Intelligence and relevant civil society organizations, instruction on recognizing patterns of escalation and early warning signs of potential atrocities or violence, including gender-based violence, and methods of preventing and responding to atrocities, including conflict assessment methods, peacebuilding, mediation for prevention, early action and response, and appropriate transitional justice measures to address atrocities.”

### SEC. 5. REPORTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following six years, the President shall transmit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report, with a classified annex if necessary, that includes—

(1) a review, in consultation with appropriate interagency representatives, consisting of a detailed description of—

(A) current efforts to prevent and respond to situations of genocide, atrocities, and other mass violence, such as gender-based violence and violence against religious and other minorities, based on United States and locally identified indicators, including an analysis of capacities and constraints for interagency detection, early warning and response, information-sharing, contingency planning, and coordination;

(B) recommendations to further strengthen United States capabilities described in subparagraph (A);

(C) funding expended by relevant Federal departments and agencies on atrocities prevention activities, including appropriate transitional justice measures and the legal, procedural, and resource constraints faced by the Department of State and the United States Agency for International Development throughout respective budgeting, strategic planning, and management cycles to support conflict and atrocities prevention activities in countries identified to be at risk of atrocities;

(D) a current global assessment of sources of instability, conflict, and atrocities, the outcomes and findings of such assessments and, where relevant, a review of activities, and the efficacy of such activities, that the Board or successor entity undertook to respond to sources of instability, conflict, and atrocities;

(E) countries and regions at risk of atrocities, including a description of most likely pathways to violence, specific risk factors, and at-risk target groups; and

(F) the atrocities prevention training for Foreign Service officers authorized under subparagraph (D) of section 708(a)(1) of the Foreign Service Act of 1980, as added by section 4;

(2) recommendations to ensure shared responsibility by—

(A) enhancing multilateral mechanisms for preventing atrocities, including strengthening the role of international organizations and international financial institutions in conflict prevention, mitigation, and response; and

(B) strengthening regional organizations;

(3) the implementation status of the recommendations contained in the previous review required by this section; and

(4) identification of the Federal departments and agencies and civil society, academic, and nongovernmental organizations

and institutions consulted for preparation of such report.

(b) **CONSIDERATION OF RECOMMENDATIONS.**—The preparation of the report required by subsection (a) shall include a consideration of analysis, reporting, and policy recommendations to prevent and respond to atrocities produced by civil society, academic, and other nongovernmental organizations and institutions.

**SEC. 6. DEFINITIONS.**

In this Act—

(1) the term “genocide” means an offense under subsection (a) of section 1091 of title 18, United States Code;

(2) the term “atrocities” means war crimes, crimes against humanity, or genocide;

(3) the term “transitional justice” means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes to redress legacies of atrocities and to promote long-term, sustainable peace; and

(4) the term “war crime” has the meaning given the term in section 2441(c) of title 18, United States Code.

**SEC. 7. RULE OF CONSTRUCTION.**

Nothing in this Act shall be construed as authorizing the use of military force.

Mr. GARDNER. I further ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Cardin substitute amendment, which is at the desk, be considered and agreed to; that the bill, as amended, be read a third time and passed; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported substitute amendment was withdrawn.

The amendment (No. 4102), in the nature of a substitute, was agreed to as follows:

(Purpose: To make technical corrections)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Elie Wiesel Genocide and Atrocities Prevention Act of 2018”.

**SEC. 2. SENSE OF CONGRESS.**

It is the sense of Congress that the United States Government’s efforts at atrocity prevention and response through interagency coordination, such as the Atrocities Prevention Board (referred to in this Act as the “Board”) or successor entity are critically important, and that appropriate officials of the United States Government should—

(1) meet regularly to monitor developments throughout the world that heighten the risk of atrocities;

(2) identify any gaps in United States foreign policy concerning regions or particular countries related to atrocity prevention and response;

(3) facilitate the development and implementation of policies to enhance the capacity of the United States to prevent and respond to atrocities worldwide;

(4) provide the President and Congress with recommendations to improve policies, programs, resources, and tools related to atrocity prevention and response;

(5) conduct outreach, including consultations, not less frequently than biannually, with representatives of nongovernmental organizations and civil society dedicated to atrocity prevention and response;

(6) operate with regular consultation and participation of designated interagency representatives of relevant Federal agencies, executive departments, or offices; and

(7) ensure resources are made available for the policies, programs, and tools related to atrocity prevention and response.

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

It shall be the policy of the United States to—

(1) regard the prevention of atrocities as in its national interest;

(2) work with partners and allies, including to build their capacity, and enhance the capacity of the United States, to identify, prevent, and respond to the causes of atrocities, including insecurity, mass displacement, violent conflict, and other conditions that may lead to such atrocities; and

(3) pursue a United States Government-wide strategy to identify, prevent, and respond to the risk of atrocities by—

(A) strengthening the diplomatic, risk analysis and monitoring, strategic planning, early warning, and response capacities of the Government;

(B) improving the use of foreign assistance to respond early, effectively, and urgently in order to address the causes of atrocities;

(C) strengthening diplomatic response and the effective use of foreign assistance to support appropriate transitional justice measures, including criminal accountability, for past atrocities;

(D) supporting and strengthening local civil society, including human rights defenders and others working to help prevent and respond to atrocities;

(E) promoting financial transparency and enhancing anti-corruption initiatives as part of addressing causes of conditions that may lead to atrocities; and

(F) employing a variety of unilateral, bilateral, and multilateral means to prevent and respond to atrocities by—

(i) placing a high priority on timely, preventive diplomatic efforts; and

(ii) exercising leadership in promoting international efforts to prevent atrocities.

**SEC. 4. TRAINING OF FOREIGN SERVICE OFFICERS IN CONFLICT AND ATROCITIES PREVENTION.**

Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended in subsection (a)(1)—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) for Foreign Service Officers who will be assigned to a country experiencing or at risk of mass atrocities, as determined by the Secretary of State, in consultation with the Director of National Intelligence and relevant civil society organizations, instruction on recognizing patterns of escalation and early warning signs of potential atrocities, and methods of preventing and responding to atrocities, including conflict assessment methods, peacebuilding, mediation for prevention, early action and response, and appropriate transitional justice measures to address atrocities.”.

**SEC. 5. REPORTS.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following six years, the President shall transmit to the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate a report, with a classified annex if necessary, that includes—

(1) a review, in consultation with appropriate interagency representatives, including

the Board, consisting of a detailed description of—

(A) current efforts to prevent and respond to atrocities, based on United States and locally identified indicators, including an analysis of capacities and constraints for interagency detection, early warning and response, information-sharing, contingency planning, and coordination;

(B) recommendations to further strengthen United States capabilities described in subparagraph (A);

(C) funding expended by relevant Federal departments and agencies on atrocities prevention activities, including appropriate transitional justice measures and the legal, procedural, and resource constraints faced by the Department of State and the United States Agency for International Development throughout respective budgeting, strategic planning, and management cycles regarding support for atrocity prevention activities;

(D) a global assessment of ongoing atrocities, including the findings of such assessment and, where relevant, the efficacy of any steps taken by the Board or relevant Federal agency to respond to such atrocities;

(E) countries and regions at risk of atrocities, including a description of specific risk factors, at-risk groups, and likely scenarios in which atrocities would occur; and

(F) the atrocities prevention training for Foreign Service officers authorized under subparagraph (D) of section 708(a)(1) of the Foreign Service Act of 1980, as added by section 4;

(2) recommendations to ensure shared responsibility by—

(A) enhancing multilateral mechanisms for preventing atrocities, including strengthening the role of international organizations and international financial institutions in conflict prevention, mitigation, and response; and

(B) strengthening relevant regional organizations;

(3) the implementation status of the recommendations contained in the previous review required by this section; and

(4) identification of the Federal agencies and civil society, academic, and nongovernmental organizations and institutions consulted for preparation of such report.

(b) **CONSIDERATION OF RECOMMENDATIONS.**—The preparation of the report required by subsection (a) shall include a consideration of analysis, reporting, and policy recommendations to prevent and respond to atrocities produced by civil society, academic, and other nongovernmental organizations and institutions.

(c) **AVAILABILITY TO CONGRESS.**—The report required by subsection (a) shall be made available to all members of Congress.

**SEC. 6. DEFINITIONS.**

In this Act—

(1) the term “genocide” means an offense under subsection (a) of section 1091 of title 18, United States Code;

(2) the term “atrocities” means war crimes, crimes against humanity, and genocide;

(3) the term “transitional justice” means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes to redress legacies of atrocities and to promote long-term, sustainable peace; and

(4) the term “war crime” has the meaning given the term in section 2441(c) of title 18, United States Code.

**SEC. 7. RULE OF CONSTRUCTION.**

Nothing in this Act shall be construed as authorizing the use of military force.

The bill (S. 1158), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### PROTECTING GIRLS' ACCESS TO EDUCATION IN VULNERABLE SETTINGS ACT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 530, S. 1580.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1580) to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting Girls' Access to Education in Vulnerable Settings Act".

##### SEC. 2. FINDINGS.

Congress finds the following:

(1) As of June 2018, more than 68,000,000 people have been displaced by disasters and conflicts around the world, the highest number recorded since the end of World War II, of which more than 25,000,000 people are refugees.

(2) More than half of the population of refugees are children and, according to the United Nations High Commissioner for Refugees, nearly 4,000,000 school-aged refugee children lack access to primary education.

(3) Education offers socioeconomic opportunities, psychological stability, and physical protection for displaced people, particularly for women and girls, who might otherwise be vulnerable to severe forms of trafficking in persons (as such term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)), child marriage, sexual exploitation, or economic disenfranchisement.

(4) Displaced children face considerable barriers to accessing educational services and, because the duration of such displacement is, on average, 26 years, such children may spend the entirety of their childhood without access to such services.

(5) Despite the rising need for educational services, as of 2016, less than two percent of humanitarian aid was directed toward educational services.

##### SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is critical to ensure that children, particularly girls, displaced by conflicts overseas are able to access educational services because such access can combat extremism and reduce exploitation and poverty; and

(2) the educational needs of vulnerable women and girls should be considered in the design, implementation, and evaluation of related United States foreign assistance policies and programs.

##### SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) partner with and encourage other countries, public and private multilateral institutions, and nongovernmental and civil society organizations, including faith-based organizations and organizations representing parents and

children, to support efforts to ensure that displaced children have access to safe primary and secondary education;

(2) work with donors to enhance training and capacity-building for the governments of countries hosting significant numbers of displaced people to design, implement, and monitor programs to effectively address barriers to such education; and

(3) coordinate with the governments of countries hosting significant numbers of displaced people to—

(A) promote the inclusion of displaced children into the educational systems of such countries; and

(B) in circumstances in which such inclusion is difficult, develop innovative approaches to providing safe primary and secondary educational opportunities, such as encouraging schools to permit children to be educated by extending the hours of schooling or expanding the number of teachers.

##### SEC. 5. UNITED STATES ASSISTANCE TO SUPPORT EDUCATIONAL SERVICES FOR DISPLACED CHILDREN.

(a) IN GENERAL.—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to prioritize and advance ongoing efforts to support programs that—

(1) provide safe primary and secondary education for displaced children;

(2) build the capacity of institutions in countries hosting displaced people to prevent discrimination against displaced children, especially displaced girls, who seek access to such education; and

(3) help increase the access of displaced children, especially displaced girls, to educational, economic, and entrepreneurial opportunities, including through the governmental authorities responsible for educational or youth services in such host countries.

(b) COORDINATION WITH MULTILATERAL ORGANIZATIONS.—The Secretary and the Administrator are authorized to coordinate with the World Bank, appropriate agencies of the United Nations, and other relevant multilateral organizations to work with governments in other countries to collect relevant data, disaggregated by age and gender, on the ability of displaced people to access education and participate in economic activity, in order to improve the targeting, monitoring, and evaluation of related assistance efforts.

(c) COORDINATION WITH PRIVATE SECTOR AND CIVIL SOCIETY ORGANIZATIONS.—The Secretary and the Administrator are authorized to work with private sector and civil society organizations to promote safe primary and secondary education for displaced children.

##### SEC. 6. REPORT.

The Secretary and the Administrator shall include in the report required under section 7 of the READ Act (division A of Public Law 115–56; 22 U.S.C. 2151c note) a description of any primary or secondary educational services supported by programs for natural or manmade disaster relief or response that specifically address the needs of displaced girls.

Mr. GARDNER. I further ask unanimous consent that the committee-reported substitute amendment be agreed to and the bill, as amended, be considered read a third time.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. GARDNER. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is, Shall the bill pass?

The bill (S. 1580), as amended, was passed.

Mr. GARDNER. Finally, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

#### CONGENITAL HEART FUTURES REAUTHORIZATION ACT OF 2017

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 555, H.R. 1222.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1222) to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Congenital Heart Futures Reauthorization Act of 2017".

##### SEC. 2. NATIONAL CONGENITAL HEART DISEASE RESEARCH, SURVEILLANCE, AND AWARENESS.

Section 399V–2 of the Public Health Service Act (42 U.S.C. 280g–13) is amended to read as follows:

##### "SEC. 399V–2. NATIONAL CONGENITAL HEART DISEASE RESEARCH, SURVEILLANCE, AND AWARENESS.

"(a) IN GENERAL.—The Secretary shall, as appropriate—

"(1) enhance and expand research and data collection efforts related to congenital heart disease, including to study and track the epidemiology of congenital heart disease to understand health outcomes for individuals with congenital heart disease across all ages;

"(2) conduct activities to improve public awareness of, and education related to, congenital heart disease, including care of individuals with such disease; and

"(3) award grants to entities to undertake the activities described in this section.

##### "(b) ACTIVITIES.—

"(1) IN GENERAL.—The Secretary shall carry out activities, including, as appropriate, through a national cohort study and a nationally-representative, population-based surveillance system, to improve the understanding of the epidemiology of congenital heart disease in all age groups, with particular attention to—

"(A) the incidence and prevalence of congenital heart disease in the United States;

"(B) causation and risk factors associated with, and natural history of, congenital heart disease;

"(C) health care utilization by individuals with congenital heart disease;

"(D) demographic factors associated with congenital heart disease, such as age, race, ethnicity, sex, and family history of individuals who are diagnosed with the disease; and

“(E) evidence-based practices related to care and treatment for individuals with congenital heart disease.

“(2) **PERMISSIBLE CONSIDERATIONS.**—In carrying out the activities under this section, the Secretary may, as appropriate—

“(A) collect data on the health outcomes, including behavioral and mental health outcomes, of a diverse population of individuals of all ages with congenital heart disease, such that analysis of the outcomes will inform evidence-based practices for individuals with congenital heart disease; and

“(B) consider health disparities among individuals with congenital heart disease, which may include the consideration of prenatal exposures.

“(c) **AWARENESS CAMPAIGN.**—The Secretary may carry out awareness and educational activities related to congenital heart disease in individuals of all ages, which may include information for patients, family members, and health care providers, on topics such as the prevalence of such disease, the effect of such disease on individuals of all ages, and the importance of long-term, specialized care for individuals with such disease.

“(d) **PUBLIC ACCESS.**—The Secretary shall ensure that, subject to subsection (e), information collected under this section is made available, as appropriate, to the public, including researchers.

“(e) **PATIENT PRIVACY.**—The Secretary shall ensure that the data and information collected under this section are made available in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law.

“(f) **ELIGIBILITY FOR GRANTS.**—To be eligible to receive a grant under subsection (a)(3), an entity shall—

“(1) be a public or private nonprofit entity with specialized experience in congenital heart disease; and

“(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2019 through 2023.”.

### SEC. 3. REPORT.

Not later than 3 years after the date of enactment of the Congenital Heart Futures Reauthorization Act of 2017, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing any activities carried out pursuant to section 399V-2 of the Public Health Service Act (as amended by section 2), including planned activities, and a summary of any research findings and ongoing research efforts, gaps, and areas of greatest need within the Department of Health and Human Services regarding congenital heart disease in patients of all ages.

Mr. GARDNER. I ask unanimous consent that the committee-reported substitute amendment be withdrawn, the Durbin substitute amendment at the desk be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported substitute amendment was withdrawn.

The amendment (No. 4103) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Congenital Heart Futures Reauthorization Act of 2017”.

### SEC. 2. NATIONAL CONGENITAL HEART DISEASE RESEARCH, SURVEILLANCE, AND AWARENESS.

Section 399V-2 of the Public Health Service Act (42 U.S.C. 280g-13) is amended to read as follows:

#### “SEC. 399V-2. NATIONAL CONGENITAL HEART DISEASE RESEARCH, SURVEILLANCE, AND AWARENESS.

“(a) **IN GENERAL.**—The Secretary shall, as appropriate—

“(1) enhance and expand research and data collection efforts related to congenital heart disease, including to study and track the epidemiology of congenital heart disease to understand health outcomes for individuals with congenital heart disease across all ages;

“(2) conduct activities to improve public awareness of, and education related to, congenital heart disease, including care of individuals with such disease; and

“(3) award grants to entities to undertake the activities described in this section.

“(b) **ACTIVITIES.**—

“(1) **IN GENERAL.**—The Secretary shall carry out activities, including, as appropriate, through a national cohort study and a nationally-representative, population-based surveillance system, to improve the understanding of the epidemiology of congenital heart disease in all age groups, with particular attention to—

“(A) the incidence and prevalence of congenital heart disease in the United States;

“(B) causation and risk factors associated with, and natural history of, congenital heart disease;

“(C) health care utilization by individuals with congenital heart disease;

“(D) demographic factors associated with congenital heart disease, such as age, race, ethnicity, sex, and family history of individuals who are diagnosed with the disease; and

“(E) evidence-based practices related to care and treatment for individuals with congenital heart disease.

“(2) **PERMISSIBLE CONSIDERATIONS.**—In carrying out the activities under this section, the Secretary may, as appropriate—

“(A) collect data on the health outcomes, including behavioral and mental health outcomes, of a diverse population of individuals of all ages with congenital heart disease, such that analysis of the outcomes will inform evidence-based practices for individuals with congenital heart disease; and

“(B) consider health disparities among individuals with congenital heart disease, which may include the consideration of prenatal exposures.

“(c) **AWARENESS CAMPAIGN.**—The Secretary may carry out awareness and educational activities related to congenital heart disease in individuals of all ages, which may include information for patients, family members, and health care providers, on topics such as the prevalence of such disease, the effect of such disease on individuals of all ages, and the importance of long-term, specialized care for individuals with such disease.

“(d) **PUBLIC ACCESS.**—The Secretary shall ensure that, subject to subsection (e), information collected under this section is made available, as appropriate, to the public, including researchers.

“(e) **PATIENT PRIVACY.**—The Secretary shall ensure that the data and information collected under this section are made available in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law.

“(f) **ELIGIBILITY FOR GRANTS.**—To be eligible to receive a grant under subsection (a)(3), an entity shall—

“(1) be a public or private nonprofit entity with specialized experience in congenital heart disease; and

“(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there are authorized to be appropriated \$10,000,000 for each of fiscal years 2020 through 2024.”.

### SEC. 3. REPORT.

Not later than 3 years after the date of enactment of the Congenital Heart Futures Reauthorization Act of 2017, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing any activities carried out pursuant to section 399V-2 of the Public Health Service Act (as amended by section 2), including planned activities, and a summary of any research findings and ongoing research efforts, gaps, and areas of greatest need within the Department of Health and Human Services regarding congenital heart disease in patients of all ages.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1222), as amended, was passed.

### FEDERAL PERSONAL PROPERTY MANAGEMENT ACT OF 2018

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 621, S. 3031.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3031) to amend chapter 5 of title 40, United States Code, to improve the management of Federal personal property.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs.

Mr. GARDNER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3031) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3031

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Personal Property Management Act of 2018”.

### SEC. 2. FEDERAL PERSONAL PROPERTY MANAGEMENT.

(a) **INVENTORY ASSESSING AND IDENTIFYING EXCESS PERSONAL PROPERTY.**—Section 524(a) of title 40, United States Code, is amended—

(1) in paragraph (11), by striking “and” at the end;

(2) in paragraph (12), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(13) in accordance with guidance from the Administrator of General Services—

“(A) on an annual basis, conduct an inventory and assessment of capitalized personal property to identify excess capitalized personal property under its control, including evaluating—

“(i) the age and condition of the personal property;

“(ii) the extent to which the executive agency utilizes the personal property;

“(iii) the extent to which the mission of the executive agency is dependent on the personal property; and

“(iv) any other aspect of the personal property that the Administrator determines is useful or necessary for the executive agency to evaluate; and

“(B) on a regular basis, conduct an inventory and assessment of accountable personal property under its control, including evaluating—

“(i) the age and condition of the personal property;

“(ii) the extent to which the executive agency utilizes the personal property;

“(iii) the extent to which the mission of the executive agency is dependent on the personal property; and

“(iv) any other aspect of the personal property that the Administrator determines is useful or necessary for the executive agency to evaluate.”.

(b) **THRESHOLDS FOR CAPITALIZATION AND ACCOUNTABILITY.**—Section 506(a)(1) of title 40, United States Code, is amended by adding at the end the following:

“(E) **CAPITALIZATION THRESHOLDS.**—Establish thresholds for acquisitions of personal property for which executive agencies shall capitalize the personal property.

“(F) **ACCOUNTABILITY THRESHOLDS.**—Notwithstanding section 121(b), for the management and accountability of personal property, establish thresholds for acquisitions of personal property for which executive agencies shall establish and maintain property records in a centralized system.”.

## BUILDING OUR LARGEST DEMENTIA INFRASTRUCTURE FOR ALZHEIMER'S ACT

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 694, S. 2076.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Building Our Largest Dementia Infrastructure for Alzheimer's Act” or the “BOLD Infrastructure for Alzheimer's Act”.*

### SEC. 2. PROMOTION OF PUBLIC HEALTH KNOWLEDGE AND AWARENESS OF ALZHEIMER'S DISEASE, COGNITIVE DECLINE, AND BRAIN HEALTH UNDER THE ALZHEIMER'S DISEASE AND HEALTHY AGING PROGRAM.

*Part K of title III of the Public Health Service Act (42 U.S.C. 280c et seq.) is amended—*

*(1) in the part heading, by adding “AND PUBLIC HEALTH PROGRAMS FOR DEMENTIA” at the end; and*

*(2) in subpart II—*

*(A) by striking the subpart heading and inserting the following:*

**“Subpart II—Programs With Respect to Alzheimer's Disease and Related Dementias”; and**

*(B) by striking section 398A (42 U.S.C. 280c-4) and inserting the following:*

#### “SEC. 398A. PROMOTION OF PUBLIC HEALTH KNOWLEDGE AND AWARENESS OF ALZHEIMER'S DISEASE AND RELATED DEMENTIAS.

*“(a) ALZHEIMER'S DISEASE AND RELATED DEMENTIAS PUBLIC HEALTH CENTERS OF EXCELLENCE.—*

*“(1) IN GENERAL.—The Secretary, in coordination with the Director of the Centers for Disease Control and Prevention and the heads of other agencies as appropriate, shall award grants, contracts, or cooperative agreements to eligible entities, such as institutions of higher education, State, tribal, and local health departments, Indian tribes, tribal organizations, associations, or other appropriate entities for the establishment or support of regional centers to address Alzheimer's disease and related dementias by—*

*“(A) advancing the awareness of public health officials, health care professionals, and the public, on the most current information and research related to Alzheimer's disease and related dementias, including cognitive decline, brain health, and associated health disparities;*

*“(B) identifying and translating promising research findings, such as findings from research and activities conducted or supported by the National Institutes of Health, including Alzheimer's Disease Research Centers authorized by section 445, into evidence-based programmatic interventions for populations with Alzheimer's disease and related dementias and caregivers for such populations; and*

*“(C) expanding activities, including through public-private partnerships related to Alzheimer's disease and related dementias and associated health disparities.*

*“(2) REQUIREMENTS.—To be eligible to receive a grant, contract, or cooperative agreement under this subsection, an entity shall submit to the Secretary an application containing such agreements and information as the Secretary may require, including a description of how the entity will—*

*“(A) coordinate, as applicable, with existing Federal, State, and tribal programs related to Alzheimer's disease and related dementias;*

*“(B) examine, evaluate, and promote evidence-based interventions for individuals with Alzheimer's disease and related dementias, including underserved populations with such conditions, and those who provide care for such individuals; and*

*“(C) prioritize activities relating to—*

*“(i) expanding efforts, as appropriate, to implement evidence-based practices to address Alzheimer's disease and related dementias, including through the training of State, local, and tribal public health officials and other health professionals on such practices;*

*“(ii) supporting early detection and diagnosis of Alzheimer's disease and related dementias;*

*“(iii) reducing the risk of potentially avoidable hospitalizations of individuals with Alzheimer's disease and related dementias;*

*“(iv) reducing the risk of cognitive decline and cognitive impairment associated with Alzheimer's disease and related dementias;*

*“(v) enhancing support to meet the needs of caregivers of individuals with Alzheimer's disease and related dementias;*

*“(vi) reducing health disparities related to the care and support of individuals with Alzheimer's disease and related dementias;*

*“(vii) supporting care planning and management for individuals with Alzheimer's disease and related dementias; and*

*“(viii) supporting other relevant activities identified by the Secretary or the Director of the Centers for Disease Control and Prevention, as appropriate.*

*“(3) CONSIDERATIONS.—In awarding grants, contracts, and cooperative agreements under this subsection, the Secretary shall consider, among other factors, whether the entity—*

*“(A) provides services to rural areas or other underserved populations;*

*“(B) is able to build on an existing infrastructure of services and public health research; and*

*“(C) has experience with providing care or caregiver support, or has experience conducting research related to Alzheimer's disease and related dementias.*

*“(4) DISTRIBUTION OF AWARDS.—In awarding grants, contracts, or cooperative agreements under this subsection, the Secretary, to the extent practicable, shall ensure equitable distribution of awards based on geographic area, including consideration of rural areas, and the burden of the disease within sub-populations.*

*“(5) DATA REPORTING AND PROGRAM OVERSIGHT.—With respect to a grant, contract, or cooperative agreement awarded under this subsection, not later than 90 days after the end of the first year of the period of assistance, and annually thereafter for the duration of the grant, contract, or agreement (including the duration of any renewal period as provided for under paragraph (5)), the entity shall submit data, as appropriate, to the Secretary regarding—*

*“(A) the programs and activities funded under the grant, contract, or agreement; and*

*“(B) outcomes related to such programs and activities.*

*“(b) IMPROVING DATA ON STATE AND NATIONAL PREVALENCE OF ALZHEIMER'S DISEASE AND RELATED DEMENTIAS.—*

*“(1) IN GENERAL.—The Secretary shall, as appropriate, improve the analysis and timely reporting of data on the incidence and prevalence of Alzheimer's disease and related dementias. Such data may include, as appropriate, information on cognitive decline, caregiving, and health disparities experienced by individuals with cognitive decline and their caregivers. The Secretary may award grants, contracts, or cooperative agreements to eligible entities for activities under this paragraph.*

*“(2) ELIGIBILITY.—To be eligible to receive a grant, contract, or cooperative agreement under this subsection, an entity shall be a public or nonprofit private entity, including institutions of higher education, State, local, and tribal health departments, and Indian tribes and tribal organizations, and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.*

*“(3) DATA SOURCES.—The analysis, timely public reporting, and dissemination of data under this subsection may be carried out using data sources such as the following:*

*“(A) The Behavioral Risk Factor Surveillance System.*

*“(B) The National Health and Nutrition Examination Survey.*

*“(C) The National Health Interview Survey.*

*“(c) IMPROVED COORDINATION.—The Secretary shall ensure that activities and programs related to dementia under this section do not unnecessarily duplicate activities and programs of other agencies and offices within the Department of Health and Human Services.”.*



**SEC. 3. SUPPORTING STATE PUBLIC HEALTH PROGRAMS RELATED TO ALZHEIMER'S DISEASE AND RELATED DEMENTIAS.**

Section 398 of the Public Health Service Act (42 U.S.C. 280c-3) is amended—

(1) in the section heading, by striking “**establishment of program**” and inserting “**COOPERATIVE AGREEMENTS TO STATES AND PUBLIC HEALTH DEPARTMENTS FOR ALZHEIMER'S DISEASE AND RELATED DEMENTIAS**”;

(2) by striking subsection (a) and inserting the following:

“(a) **IN GENERAL.**—The Secretary, in coordination with the Director of the Centers for Disease Control and Prevention and the heads of other agencies, as appropriate, shall award cooperative agreements to health departments of States, political subdivisions of States, and Indian tribes and tribal organizations, to address Alzheimer's disease and related dementias, including by reducing cognitive decline, helping meet the needs of caregivers, and addressing unique aspects of Alzheimer's disease and related dementias to support the development and implementation of evidence-based interventions with respect to—

“(1) educating and informing the public, based on evidence-based public health research and data, about Alzheimer's disease and related dementias;

“(2) supporting early detection and diagnosis;

“(3) reducing the risk of potentially avoidable hospitalizations for individuals with Alzheimer's disease and related dementias;

“(4) reducing the risk of cognitive decline and cognitive impairment associated with Alzheimer's disease and related dementias;

“(5) improving support to meet the needs of caregivers of individuals with Alzheimer's disease and related dementias;

“(6) supporting care planning and management for individuals with Alzheimer's disease and related dementias.

“(7) supporting other relevant activities identified by the Secretary or the Director of the Centers for Disease Control and Prevention, as appropriate.”; and

(3) by striking subsection (b);

(4) by redesignating subsection (c) as subsection (g);

(5) by inserting after subsection (a), the following:

“(b) **PREFERENCE.**—In awarding cooperative agreements under this section, the Secretary shall give preference to applications that focus on addressing health disparities, including populations and geographic areas that have the highest prevalence of Alzheimer's disease and related dementias.

“(c) **ELIGIBILITY.**—To be eligible to receive a cooperative agreement under this section, an eligible entity (pursuant to subsection (a)) shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a plan that describes—

“(1) how the applicant proposes to develop or expand, programs to educate individuals through partnership engagement, workforce development, guidance and support for programmatic efforts, and evaluation with respect to Alzheimer's disease and related dementias, and in the case of a cooperative agreement under this section, how the applicant proposes to support other relevant activities identified by the Secretary or Director of the Centers for Disease Control and Prevention, as appropriate.

“(2) the manner in which the applicant will coordinate with Federal, tribal, and State programs related to Alzheimer's disease and related dementias, and appropriate State, tribal, and local agencies, as well as other relevant public and private organizations or agencies; and

“(3) the manner in which the applicant will evaluate the effectiveness of any program carried out under the cooperative agreement.

“(d) **MATCHING REQUIREMENT.**—Each health department that is awarded a cooperative agree-

ment under subsection (a) shall provide, from non-Federal sources, an amount equal to 30 percent of the amount provided under such agreement (which may be provided in cash or in-kind) to carry out the activities supported by the cooperative agreement.

“(e) **WAIVER AUTHORITY.**—The Secretary may waive all or part of the matching requirement described in subsection (d) for any fiscal year for—

“(1) a health department of a State, political subdivision of a State, or Indian tribe and tribal organization, if the Secretary determines that applying such matching requirement would result in serious hardship or an inability to carry out the purposes of the cooperative agreement awarded to such health department of a State, political subdivision of a State, or Indian tribe and tribal organization; or

“(2) a health department of a State, political subdivision of a State, or Indian tribe and tribal organization located in a rural area or frontier area.”;

(6) in subsection (f) (as so redesignated), by striking “grant” and inserting “cooperative agreement”; and

(7) by adding at the end the following:

“(f) **NON-DUPLICATION OF EFFORT.**—The Secretary shall ensure that activities under any cooperative agreement awarded under this subpart do not unnecessarily duplicate efforts of other agencies and offices within the Department of Health and Human Services related to—

“(1) activities of centers of excellence with respect to Alzheimer's disease and related dementias described in section 398A; and

“(2) activities of public health departments with respect to Alzheimer's disease and related dementias described in this section.”.

**SEC. 4. ADDITIONAL PROVISIONS.**

Section 398B of the Public Health Service Act (42 U.S.C. 280c-5) is amended—

(1) in subsection (a)—

(A) by inserting “or cooperative agreement” after “grant” each place that such appears;

(B) by striking “section 398(a) to a State unless the State” and inserting “sections 398 or 398A to an entity unless the entity”; and

(C) by striking “10” and inserting “5”;

(2) by striking subsection (b);

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively;

(4) in subsection (b) (as so redesignated)—

(A) in the matter preceding paragraph (1), by striking “section 398(a) to a State unless the State” and inserting “sections 398 or 398A to an entity unless the entity”;

(B) in paragraph (1), by striking “expenditures required in subsection (b);” and inserting “expenditures;”;

(5) in subsection (c) (as so redesignated)—

(A) in paragraph (1)—

(i) by striking “each demonstration project for which a grant” and inserting “the activities for which an award”; and

(ii) by striking “section 398(a)” and inserting “sections 398 or 398A”; and

(B) in paragraph (2), by striking “6 months” and inserting “1 year”;

(6) by inserting after subsection (c) (as so redesignated), the following:

“(d) **DEFINITION.**—In this subpart, the terms ‘Indian tribe’ and ‘tribal organization’ have the meanings given such terms in section 4 of the Indian Health Care Improvement Act.”; and

(7) in subsection (e), by striking “\$5,000,000 for each of the fiscal years 1988 through 1990” and all that follows through “2002” and inserting “\$20,000,000 for each of fiscal years 2020 through 2024”.

amended, be considered read a third time.

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

The amendment (No. 4104) was agreed to as follows:

(Purpose: To clarify provisions relating to waivers)

Beginning on page 28, line 23, strike “year for—” and all that follows through line 9 on page 29, and insert the following: “‘year for a health department of a State, political subdivision of a State, or Indian tribe and tribal organization (including those located in a rural area or frontier area), if the Secretary determines that applying such matching requirement would result in serious hardship or an inability to carry out the purposes of the cooperative agreement awarded to such health department of a State, political subdivision of a State, or Indian tribe and tribal organization.’”.

The committee-reported amendment in the nature of a substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. GARDNER. Mr. President, I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the question is, Shall the bill pass?

The bill (S. 2076), as amended, was passed.

Mr. GARDNER. Mr. President, I ask unanimous consent the motion to reconsider be considered made and laid upon the table.

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

(The bill (S. 2076), as amended, is printed in the RECORD of December 21, 2018, on page S. 8018.)

**AMENDING THE FEDERAL ELECTION CAMPAIGN ACT OF 1971**

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7120, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 7120) to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

There being no objection, the Senate proceeded to consider the bill.

Mr. GARDNER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 7120) was ordered to a third reading, was read the third time, and passed.

RECOGNIZING THE HERITAGE, CULTURE, AND CONTRIBUTIONS OF AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN WOMEN IN THE UNITED STATES

Mr. GARDNER. Mr. President, I ask unanimous consent that the Indian Affairs Committee be discharged from further consideration and that the Senate now proceed to S. Res. 444.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 444) recognizing the heritage, culture, and contributions of American Indian, Alaska Native, and Native Hawaiian women in the United States.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. GARDNER. I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 444) was agreed to.

Mr. GARDNER. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 22, 2018, under "Submitted Resolutions.")

RECOGNIZING THE 29TH ANNIVERSARY OF THE TRIBAL CANOE JOURNEY OF THE TRIBAL NATIONS OF THE PACIFIC NORTHWEST AND CONGRATULATING THE PUYALLUP TRIBE OF INDIANS FOR HOSTING THE 2018 POWER PADDLE TO PUYALLUP

Mr. GARDNER. Mr. President, I ask unanimous consent that the Indian Affairs Committee be discharged from further consideration and that the Senate now proceed to S. Res. 596.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 596) recognizing the 29th anniversary of the Tribal Canoe Journey of the Tribal Nations of the Pacific Northwest and congratulating the Puyallup Tribe of Indians for hosting the 2018 Power Paddle to Puyallup.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. GARDNER. I ask unanimous consent that the resolution be agreed to, that the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 596) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 26, 2018, under "Submitted Resolutions.")

THE CALENDAR

Mr. GARDNER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged and the Senate proceed to the immediate consideration of the following bills en bloc: H.R. 6020, H.R. 5791, H.R. 5792, H.R. 6591, and H.R. 6780.

The PRESIDING OFFICER. Is there objection to proceeding to the measures en bloc?

There being no objection, the committee was discharged, and the Senate proceeded to consider the bills, en bloc.

Mr. GARDNER. I ask unanimous consent that the bills be considered read a third time and passed and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

SERGEANT DONALD BURGETT  
POST OFFICE BUILDING

The bill (H.R. 6020) to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the "Sergeant Donald Burgett Post Office Building" was ordered to a third reading, was read the third time, and passed.

DEPUTY SHERIFF ZACKARI  
SPURLOCK PARRISH, III, POST  
OFFICE BUILDING

The bill (H.R. 5791) to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the "Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building" was ordered to a third reading, was read the third time, and passed.

DETECTIVE HEATH McDONALD  
GUMM POST OFFICE

The bill (H.R. 5792) to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the "Detective Heath McDonald Gumm Post Office" was ordered to a third reading, was read the third time, and passed.

NAPOLEON 'NAP' FORD POST  
OFFICE BUILDING

The bill (H.R. 6591) to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the "Napoleon 'Nap' Ford Post Office Build-

ing" was ordered to a third reading, was read the third time, and passed.

MAJOR ANDREAS O'KEEFFE POST  
OFFICE BUILDING

The bill (H.R. 6780) to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the "Major Andreas O'Keeffe Post Office Building" was ordered to a third reading, was read the third time, and passed.

THE CALENDAR

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following bills received from the House: H.R. 6513, H.R. 6405, H.R. 6655, H.R. 6216, H.R. 6217, H.R. 6831, H.R. 4326, H.R. 6428, H.R. 5395, H.R. 5412, H.R. 6621, H.R. 1210, H.R. 1211, H.R. 3184, and H.R. 6628.

The PRESIDING OFFICER. Is there objection to proceeding to the measures en bloc?

There being no objection, the Senate proceeded to consider the bills, en bloc.

Mr. GARDNER. I ask unanimous consent that the bills be considered read a third time and passed and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

JUDGE JAMES E. HORTON, JR.  
POST OFFICE BUILDING

The bill (H.R. 6513) to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the "Judge James E. Horton, Jr. Post Office Building" was ordered to a third reading, was read the third time, and passed.

LANCE CORPORAL JUANA  
NAVARRO ARELLANO POST OF-  
FICE BUILDING

The bill (H.R. 6405) to designate the facility of the United States Postal Service located at 2801 Mitchell Road in Ceres, California, as the "Lance Corporal Juana Navarro Arellano Post Office Building" was ordered to a third reading, was read the third time, and passed.

JANET LUCILLE OILAR POST  
OFFICE

The bill (H.R. 6655) to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the "Janet Lucille Oilar Post Office" was ordered to a third reading, was read the third time, and passed.

SERGEANT DAVID KINTERKNECHT  
POST OFFICE

The bill (H.R. 6216) to designate the facility of the United States Postal

Service located at 3025 Woodgate Road in Montrose, Colorado, as the “Serjeant David Kinterknecht Post Office” was ordered to a third reading, was read the third time, and passed.

**DEPUTY SHERIFF DEREK GEER  
POST OFFICE BUILDING**

The bill (H.R. 6217) to designate the facility of the United States Postal Service located at 241 N 4th Street in Grand Junction, Colorado, as the “Deputy Sheriff Derek Geer Post Office Building” was ordered to a third reading, was read the third time, and passed.

**PATRICK E. MAHANY, JR., POST  
OFFICE BUILDING**

The bill (H.R. 6831) to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the “Patrick E. Mahany, Jr., Post Office Building” was ordered to a third reading, was read the third time, and passed.

**SGT. JOSH RODGERS POST OFFICE**

The bill (H.R. 4326) to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the “Sgt. Josh Rodgers Post Office” was ordered to a third reading, was read the third time, and passed.

**FRANK LEONE POST OFFICE**

The bill (H.R. 6428) to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the “Frank Leone Post Office” was ordered to a third reading, was read the third time, and passed.

**STAFF SERGEANT ALEXANDRIA  
GLEASON-MORROW POST OFFICE  
BUILDING**

The bill (H.R. 5395) to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the “Staff Serjeant Alexandria Gleason-Morrow Post Office Building” was ordered to a third reading, was read the third time, and passed.

**ARMY SPECIALIST JOSE L. RUIZ  
POST OFFICE BUILDING**

The bill (H.R. 5412) to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the “Army Specialist Jose L. Ruiz Post Office Building” was ordered to a third reading, was read the third time, and passed.

**MAJOR HOMER L. PEASE POST  
OFFICE**

The bill (H.R. 6621) to designate the facility of the United States Postal

Service located at 530 East Main Street in Johnson City, Tennessee, as the “Major Homer L. Pease Post Office” was ordered to a third reading, was read the third time, and passed.

**PLEASANTON VETERANS POST  
OFFICE**

The bill (H.R. 1210) to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the “Pleasanton Veterans Post Office” was ordered to a third reading, was read the third time, and passed.

**ENCINAL VETERANS POST OFFICE**

The bill (H.R. 1211) to designate the facility of the United States Postal Service located at 400 N. Main Street, Encinal, Texas, as the “Encinal Veterans Post Office” was ordered to a third reading, was read the third time, and passed.

**CAPTAIN HUMAYUN KHAN POST  
OFFICE**

The bill (H.R. 3184) to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the “Captain Humayun Khan Post Office” was ordered to a third reading, was read the third time, and passed.

**JAMES MARSHALL ‘JIMI’ HENDRIX  
POST OFFICE BUILDING**

The bill (H.R. 6628) to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the “James Marshall ‘Jimi’ Hendrix Post Office Building” was ordered to a third reading, was read the third time, and passed.

**UNANIMOUS CONSENT  
AGREEMENT—S.J. RES. 54**

Mr. GARDNER. Mr. President, I ask unanimous consent that at 1:45 p.m. on Thursday, December 13, all time be considered expired on S.J. Res. 54 and the Senate vote in relation to the following amendments in the order listed, with 2 minutes equally divided in the usual form prior to each vote and no second-degrees in order: Young No. 4080, Cornyn No. 4096, Cornyn No. 4090, Cornyn No. 4095, Cotton No. 4097, Cotton No. 4098, and Sanders No. 4105. I further ask that following disposition of the amendments, the resolution, as amended, if amended, be read a third time and the Senate vote on passage with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

**ORDERS FOR THURSDAY,  
DECEMBER 13, 2018**

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it adjourn until 9:30 a.m. on Thursday, December 13; further, that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of S.J. Res. 54 under the previous order.

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

**ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW**

Mr. GARDNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 9:22 p.m., adjourned until Thursday, December 13, 2018, at 9:30 a.m.

**CONFIRMATIONS**

Executive nominations confirmed by the Senate December 12, 2018:

**IN THE AIR FORCE**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. JOHN N. T. SHANAHAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. KEVIN B. SCHNEIDER

**IN THE ARMY**

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. STEPHEN J. HAGER  
BRIG. GEN. MARY K. LEAHY  
BRIG. GEN. GABRIEL TROIANO  
BRIG. GEN. JONATHAN WOODSON

*To be brigadier general*

COL. TINA B. BOYD  
COL. BRIAN T. CASHMAN  
COL. WALTER M. DUZZNY  
COL. ERIC FOLKESTAD  
COL. ERNEST LITYNSKI  
COL. NELSON G. ROSEN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be major general*

BRIG. GEN. LAURA L. YEAGER

**IN THE NAVY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. MICHAEL M. GILDAY

**IN THE AIR FORCE**

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be major general*

BRIGADIER GENERAL JEFFREY W. BURKETT  
BRIGADIER GENERAL JESSICA MEYERAN  
BRIGADIER GENERAL RUSS A. WALZ

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE

RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COLONEL JAMES R. CAMP  
COLONEL WESLEY J. CLARE  
COLONEL JAMES T. DEMAREST  
COLONEL JOHN M. GREEN  
COLONEL PETER T. GREEN III  
COLONEL ROBERT C. KORTE  
COLONEL DARRIN P. LELBUX  
COLONEL MARK A. MALDONADO  
COLONEL JAMES P. MARREN  
COLONEL JOHN R. MULVEY  
COLONEL JOHN F. O'CONNELL  
COLONEL MATTHEW J. PETERSON  
COLONEL ROBERT A. SCHULTE  
COLONEL JAMES G. SILVASY

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COLONEL DARRIN K. ANDERSON  
COLONEL MARK D. AUER  
COLONEL BUEL J. DICKSON  
COLONEL KENNETH S. EAVES  
COLONEL STEVEN S. LAMBRUCHT  
COLONEL TONI M. LORD  
COLONEL GLEN A. MARTEL  
COLONEL DAVID W. MAY  
COLONEL GARY A. MCCUE  
COLONEL THOMAS H. MORA  
COLONEL JOHN W. POGOREK

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. THOMAS A. DUKES, JR.

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. CHRISTOPHER L. MONTANARO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIGADIER GENERAL VITO E. ADDABO  
BRIGADIER GENERAL MAUREEN G. BANAVIGE  
BRIGADIER GENERAL BRIAN K. BORGEN  
BRIGADIER GENERAL JOHN P. HEALY  
BRIGADIER GENERAL JOHN A. HICKOK  
BRIGADIER GENERAL JAY D. JENSEN  
BRIGADIER GENERAL LINDA M. MARSH  
BRIGADIER GENERAL TODD J. MCCUBBIN  
BRIGADIER GENERAL TYLER D. OTTEN  
BRIGADIER GENERAL BOYD C. L. PARKER IV

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COLONEL ELIZABETH E. ARLEDGE  
COLONEL MATTHEW J. BURGER  
COLONEL KENNETH R. COUNCIL, JR.  
COLONEL DERIN S. DURHAM  
COLONEL PAUL R. FAST  
COLONEL CHRISTOPHER A. FREEMAN  
COLONEL CONSTANCE L. JENKINS  
COLONEL PAUL E. KNAPP  
COLONEL DOUGLAS S. MARTIN  
COLONEL JODY A. MERRITT  
COLONEL JOHN M. OLSON  
COLONEL STACEY L. SCARISBRICK  
COLONEL DAVID W. SMITH  
COLONEL ROGER P. SURO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. SAMI D. SAID

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601 AND FOR APPOINTMENT AS A SENIOR MEMBER OF THE MILITARY STAFF COMMITTEE OF THE UNITED NATIONS UNDER TITLE 10, U.S.C., SECTION 711:

*To be lieutenant general*

MAJ. GEN. DAVID W. ALLVIN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED WHILE SERVING AS CHIEF OF CHAPLAINS OF THE NAVY UNDER TITLE 10, U.S.C., SECTION 5142:

*To be rear admiral*

REAR ADM. (LH) BRENT W. SCOTT

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. JOHN J. BARTRUM  
COL. ANITA L. FLIGGE

AIR FORCE NOMINATIONS BEGINNING WITH LISA M. BADER AND ENDING WITH ILAINA M. WINGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 18, 2018.

AIR FORCE NOMINATION OF SUNG-YUL LEE, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH FRANCISCA A. ALAKA LAMPTON AND ENDING WITH MICHAEL D. ZIMMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2018.

AIR FORCE NOMINATIONS BEGINNING WITH CHRISTOPHER GENE ADAMS AND ENDING WITH BENJAMIN PAUL ZUNIGA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2018.

AIR FORCE NOMINATIONS BEGINNING WITH STEVEN D. SIKORA AND ENDING WITH ANITA SARGENT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 14, 2018.

AIR FORCE NOMINATION OF LUKE M. SAUTER, TO BE COLONEL.

AIR FORCE NOMINATION OF TASHA L. PRAVECEK, TO BE COLONEL.

AIR FORCE NOMINATION OF BRIAN J. NEFF, TO BE COLONEL.

AIR FORCE NOMINATION OF CORY A. COOPER, TO BE COLONEL.

AIR FORCE NOMINATION OF JOEL A. SLOAN, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH JAMIE J. JOHNSON AND ENDING WITH RENEE M. SUMMERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 26, 2018.

AIR FORCE NOMINATION OF TIMOTHY B. MURPHY, TO BE COLONEL.

AIR FORCE NOMINATION OF ANDREW M. DERAMUS, TO BE MAJOR.

AIR FORCE NOMINATION OF BRIANNE D. NEWMAN, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH MOHAN S. AKELLA AND ENDING WITH WILLIAM E. ZUTELL III, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 29, 2018.

AIR FORCE NOMINATIONS BEGINNING WITH JENNIFER L. GURGANUS AND ENDING WITH APRIL H. CLEMMENSEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 29, 2018.

IN THE ARMY

ARMY NOMINATION OF HAROLD E. TURKS, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH BENJAMIN M. LIPARI AND ENDING WITH GREGORY S. SOULE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 5, 2018.

ARMY NOMINATION OF JENNIFER L. WRIGHT, TO BE MAJOR.

ARMY NOMINATION OF CHRISTIAAN D. TAYLOR, TO BE MAJOR.

ARMY NOMINATION OF SHAYNE R. ESTES, TO BE MAJOR.

ARMY NOMINATION OF MICHAEL W. KEEBAUGH, TO BE MAJOR.

ARMY NOMINATION OF HEINS V. RECHUNGEL, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JOHN R. SCHWAB, TO BE COLONEL.

ARMY NOMINATION OF AMANDA L. SILVERS, TO BE MAJOR.

ARMY NOMINATION OF RICKY L. WARREN, JR., TO BE MAJOR.

ARMY NOMINATION OF ERIC R. SWENSON, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH ANTHONY C. ADOLPH AND ENDING WITH KAY K. WAKATAKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2018.

ARMY NOMINATIONS BEGINNING WITH SCOTT S. BRENNEMAN AND ENDING WITH KEVIN V. THOMPSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 14, 2018.

ARMY NOMINATION OF RICHARD S. TAYLOR, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JASON A. FERGUSON AND ENDING WITH SAMUEL M. SIEGAL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 14, 2018.

ARMY NOMINATION OF DANIEL S. MARSHALL, TO BE MAJOR.

ARMY NOMINATION OF CHRISTOPHER G. NEELEY, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH SAMUEL J. HIBRONPADILLA AND ENDING WITH SCOTT D. INGALSBE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 14, 2018.

ARMY NOMINATION OF KINDRA C. NEW, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH SANDRA L. AHINGA AND ENDING WITH D014887, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 14, 2018.

ARMY NOMINATION OF RHONDA C. PUGH, TO BE COLONEL.

ARMY NOMINATION OF JEREMY W. LEWIS, TO BE MAJOR.

ARMY NOMINATION OF DAVID R. DINKLOCKER, TO BE MAJOR.

ARMY NOMINATION OF LOREN C. DUWEL, TO BE COLONEL.

ARMY NOMINATION OF RENEROSE V. HINKLE, TO BE MAJOR.

ARMY NOMINATION OF SARAH L. FORTIER, TO BE MAJOR.

ARMY NOMINATION OF DAVID A. NEVEAU, TO BE MAJOR.

ARMY NOMINATION OF KYLE B. HURST, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH RAYMOND R. ADAMS III AND ENDING WITH MATTHEW E. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 29, 2018.

ARMY NOMINATION OF PAUL M. FUGERE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF CLARENCE K. GRAHAM, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JACKSON A. KURTZMAN, TO BE COLONEL.

ARMY NOMINATION OF JEREMY T. TENNENT, TO BE MAJOR.

ARMY NOMINATION OF JONATHAN D. THOMPSON, TO BE MAJOR.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JAMES D. FOLEY, TO BE MAJOR.

MARINE CORPS NOMINATIONS BEGINNING WITH ROBERT A. GREEN, JR. AND ENDING WITH JESUS S. MENDEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 29, 2018.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH JOSHUA C. ANDRES AND ENDING WITH TRAVIS R. VOSLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 13, 2018.

NAVY NOMINATION OF THOMAS J. ZERR, TO BE CAPTAIN.

NAVY NOMINATION OF SHELTON L. LYONS II, TO BE CAPTAIN.