

entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

(d) PAYGO ANNUAL REPORT.—For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

Mr. MCCONNELL. I ask for the yeas and nays on the motion to concur with amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4164 TO AMENDMENT NO. 4163

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4164 to amendment No. 4163.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: to change the enactment date)

At the end add the following.

“This Act shall take effect 1 day after the date of enactment.”

MOTION TO REFER WITH AN AMENDMENT NO. 4165

Mr. MCCONNELL. Mr. President, I move to refer the House message on H.R. 695 to the Committee on Appropriations with instructions to report back forthwith.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to refer the House message on H.R. 695 to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 4165.

The amendment is as follows:

(Purpose: to change the enactment date)

At the end add the following.

“This act shall be effective 2 days after enactment.”

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4166 TO AMENDMENT NO. 4165

Mr. MCCONNELL. I have an amendment to the instructions.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4166 to the instructions on the motion to refer.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: Of a perfecting nature)

Strike “2” and insert “3”

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4167 TO AMENDMENT NO. 4166

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4167 to amendment No. 4166.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: Of a perfecting nature)

Strike “3 days” and insert “4 days”

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, we have a short time left before appropriations expire on Friday. Yesterday, we made some progress.

Thankfully, President Trump appears to have backed down from his position for billions in direct appropriations for a border wall. For the past several weeks, the President’s insistence on \$5 billion for a wall has been the biggest obstacle to keeping the government open past Friday.

The President’s spokesperson has claimed that the administration can

build the full wall from reprogrammed funds given to other areas of the government. Let me be very clear. Without our assent, the administration cannot reprogram funds proposed by Congress for the full wall. To do so would violate Congress’s article I powers. They cannot do it on their own, and the House and Senate will not approve a wall from reprogrammed funds or anything else. It will not happen.

We Democrats have opposed massive appropriations for a border wall for five reasons. It is not effective compared to other border security measures. Expert after expert has said that. There is no plan to build it. The President asked for \$5 billion, but there are no plans of where the wall would be, how much it would cost, what each part would be made of. There is no plan to deal with eminent domain. There are lots of people on the Texas border and on other borders who don’t want to give up their land. They have said they will fight it in court. It will take years. We have not heard a peep out of the administration on how to deal with that. Above all, the President promised that Mexico would pay for it, not the American taxpayer. Was it a campaign issue? Yes. Yet, throughout, the President said Mexico would pay for it. He never campaigned on having Americans pay for a massive border wall, ineffective as it would be.

The Democrats have been perfectly clear. We want smart, effective border security, but that is not a wall. The President and, just this morning, the Republican leader have suggested repeatedly that Democrats are against all border security. Of course, we are not. Every expert has looked at that and said it is a total lie. Frankly, the reason our colleagues, the President, Leader MCCONNELL, and others do it is that they have no defense of the wall. Instead of defending the wall, they say the Democrats are not for border security. Nothing could be further from the truth, as shown by what we have supported in the past and today.

This morning, the President also tweeted that Mexico could somehow pay for the wall through a new trade deal. This is a huge turnaround for a President who once insisted: Mark my words. Mexico will pay for the wall 100 percent. Of course, there have been multiple fact checks to show a new NAFTA could not possibly fund the wall directly or indirectly. There is nothing in the new agreement that stipulates Mexico must devote any resources to the United States, and any savings from a trade deal, if there are any savings, don’t go to the Treasury; they go to American businesses and American taxpayers. Ultimately, the President would have to tax the American people to fund his wall. Mexico ain’t footing the bill.

All that said, it is good news that the President has retreated from his demand that Congress fund the wall. Now, we Democrats in the Senate and in the House have made two reasonable