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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

O God, the might of them that put their trust in You, save us from the fatal folly of relying upon our strength alone.

Help our lawmakers to remember that You are the only sure refuge and You desire to do for us more than we can ask or imagine. Give our Senators the courage to seek Your truth and the humility to walk in the light You provide. May their labors contribute to America's strength and influence in our world as You use them to lift aloft the light of freedom. As our legislators labor for Your glory, may they know that they are part of Your ultimate plan for our Nation and world.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 47

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 47) to provide for the management of the natural resources of the United States, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

BORDER SECURITY

Mr. MCCONNELL. Mr. President, last night, President Trump delivered his first address to the Nation from the Oval Office. In the midst of this partial government shutdown, the President offered a reminder of just what is at stake; that is, the security of our Nation's southern border.

By now, on day 19 of Senate Democrats' latest experiment in "absentee negotiation," my colleagues are well-versed in the facts on the ground.

We know Border Patrol agents are encountering historic levels of illicit substances like fentanyl and heroin at our border. We know that last year saw thousands of attempted border crossings by individuals with criminal records and literally hundreds more by known gang members. We understand the status quo is not enough to keep our families and communities safe.

Fortunately, we know the solutions on the table—solutions which the President has placed at the center of the national conversation since the earliest days of his administration—are actually eminently reasonable.

As one former Border Patrol Chief's under President Obama put it just recently, "If you look in the past, you don't have to go too far back into history . . . bipartisan legislation passed where they built the wall, or fence, or physical barrier, or whatever you want to call it. It's a wall. It works."

That is what the Border Patrol Chief under President Obama said.

He went on to say:

It is not based on personal political ideology. That's based on historical data and facts that could be proven. . . . I cannot think of a legitimate argument why anyone would not support the wall as part of the multi-layered border security issue.

So why are we not listening to the experts and the people who are doing this every day, like that Border Patrol Chief under President Obama?

The experts know what they are talking about. The facts back them up. According to CBP, in four border sectors where this administration has already constructed or improved physical barriers in the last 2 years—listen to this—illicit traffic has fallen by 90 percent—90 percent.

Of course, not too long ago, my colleagues across the aisle had a completely different position on this subject. Before the political winds blew a different way, before this particular President was inaugurated, Senate Democrats did heed the advice of the men and women who protect our border.

By very wide bipartisan margins, and on multiple occasions, the Senate has cleared literally billions of dollars in funding for physical barriers along the southern border.

In 2006, then-Senator Obama said the Secure Fence Act would provide "badly needed funding for better fences and better security." That is what then-Senator Obama said in 2006.

In 2009, the current Democratic leader praised as major progress "630 miles of border fence"—fence—"that create a significant barrier to illegal immigration." That is what the then-majority leader said in 2009, who is now the minority leader.

During the last Presidential election, former Senator Clinton saw fit to tout the "numerous times" she voted to "build a barrier to try and prevent illegal immigrants from coming in." That is what Hillary Clinton said. "Numerous times," "significant barrier,"

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



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“badly needed,” that was where leading Democrats stood.

Today, however, it seems there is a new party line. The use of physical barriers to preserve the integrity of a sovereign Nation is now, according to the new Speaker of the House, “immoral”—“immoral.” They went from “badly needed” to “immoral” in little more than the span of a Presidency. Talk about a pivot. Talk about a pivot.

My Democratic friends wanted fencing and physical barriers in the recent past. Their most prominent leaders actually bragged about voting for physical barriers. The only thing that has changed between then and now is the occupant of the White House.

Steel fencing was fine, even salutary, when President Obama was in the White House, but it is “immoral” when President Trump occupies the office.

All of a sudden—all of a sudden—Democrats have developed this new partisan allergy to the subject of border security. They are even prolonging a partial government shutdown just to avoid getting more of what they themselves have voted for in the past.

This inconsistency doesn’t stop with drawing imaginary lines in the sand between the border security the Democrats once supported and the virtually identical measures they have decided to oppose today. The inconsistency also extends to the conduct of the Senate itself during this tantrum.

THE MIDDLE EAST

Mr. MCCONNELL. Mr. President, yesterday evening, Democrats blocked the Senate from proceeding to important foreign policy legislation. This bill, which was blocked last night, included measures of which they have been outspokenly supportive and even cosponsored, but then they decided that getting anything done at all this week would clash with their new political brand.

To be clear, the legislation I am referring to would have addressed several serious challenges to U.S. interests in the Middle East. It would have reaffirmed our commitment to the security of Israel, our closest regional ally. It would have reauthorized defense cooperation with Jordan, a critical partner, and it would have taken a vital step toward bringing the perpetrators and the enablers of the Assad regime atrocities in Syria to justice. Frankly, it would have delivered on promises to which my Democratic colleagues appeared to be firmly committed.

In their own words, Senate Democrats have discussed “the continuation of America’s unshakeable, seven-decade commitment to Israel’s security” and doing “everything in our power to fight the BDS movement,” but, alas, instead of proceeding to this legislation, Senate Democrats voted to block it.

My friend the Democratic leader chose to take this partial government shutdown that he is prolonging and add

his very own Senate shutdown on top of it. They want to shut down the Senate as well—no progress, no bipartisan work, not even on urgent and pressing matters, nothing that might take the spotlight off his unreasonable show-down with the President.

Just as an example, during the 2013 government shutdown, the Senate kept right on chugging through the people’s business. We passed 5 bills, 13 resolutions, appointed conferees on the farm bill, the budget resolution, and confirmed 28 of President Obama’s nominees. The Senate was not shut down during the last government shutdown. This time, the Democrats want to hold everything hostage—everything?

Here is more inconsistency. Senate Democrats were for border security, including billions for physical barriers, before they were against it, and they were for the Senate working hard during government shutdowns on other business before they were against it.

Until our Democratic colleagues agree to get back to work—until they agree to get back to work—the Senate can’t make much progress. Rest assured, Assad has not pressed the pause button on the Syrian civil war simply because it doesn’t suit the Democratic leader’s political strategy this week, Israel’s enemies haven’t stopped either, and until Democrats prioritize the public interest ahead of political spite, our border will not be secured, and the Federal Government will remain partially closed.

I cannot urge my Democratic colleagues more strongly to get past this purely partisan spite, rediscover their own past positions on border security, and negotiate a fair solution with the President to secure our Nation and reopen all of the Federal Government.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, last night President Trump tried to convince Congress and the American people that there is a crisis at our southern border. It was little more than a rehash of spurious arguments and misleading statistics the President has been using for weeks. President Trump once again tried to claim there was a crisis at the border. The fact is, migrant border crossings have been declining for nearly two decades.

The President inveighed against drugs pouring over the border, but the

vast majority of heroin enters the United States through legal ports of entry in trucks and on airplanes.

The President and his allies have been claiming that nearly 4,000 known or suspected terrorists have been stopped from entering the United States. They say that is a reason for the border wall. But nearly every single one of those apprehensions occurred in airports, not on our southern border.

In a recent report, Donald Trump’s State Department concluded that there is no credible evidence that terrorist groups were trying to enter the United States through the southern border. In a report on the President’s strategy to combat terrorist travel, sent to Congress by President Trump on December 21—the day the shutdown began—the National Security Council, appointed by President Trump, did not even mention a wall or a barrier to stop terrorists from entering the country.

The President continues to fearmonger, and he makes up the facts. This is a Presidency that is in crisis. It has so many problems, and it is the old trick—fearmonger, distort, try to scare people, and maybe they will not pay attention to the real problems in this administration.

In no way, however—the President is not getting his way. His fearmongering just isn’t working. In no way did the President’s speech last night make a persuasive or even a new case for an exorbitantly expensive border wall—a wall that the President guaranteed would be paid by Mexico. He said: I ran on this. Yes, he ran on it, saying Mexico would pay for it. At his rallies, he chanted: Who will pay for the wall? The people screamed back: Mexico.

The President’s speech did nothing—nothing—to convince us here in Congress, and I believe it did nothing—nothing—to convince a skeptical public that this government shutdown is anything but a manufactured crisis of the President’s own making. The President’s speech, if anything, moved the American people even further away from his view that he should keep the government shut down until he gets his way. Reports say that the President didn’t want to give this speech. Well, he was right. I don’t think it helped his cause, and he probably hurt himself.

It is time for the President and our Republican colleagues to stop this fearmongering and to stop this diversion away from the problems that the President really has and end the shutdown. The shutdown is hurting millions of Americans, and it is going to get worse, all because of President Trump’s temper tantrum. We should not—we should not—treat hundreds of thousands of Americans—millions of Americans—as leverage to try and get something by pounding the table. That is not how our government works.

What is happening? Hundreds of thousands of Federal workers—innocent Federal workers who do their jobs, who work hard, and sometimes they get up on Monday morning with a 100-

degree fever, but they go to work because they know their job is important—have been furloughed because of what Trump has done. Four hundred thousand continue to work without pay. TSA agents, food safety inspectors, border agents—those hard-working, dedicated public servants—are about to miss a paycheck.

Last night, many of my colleagues—including Senators WARNER, KAINE, KING, CARDIN, CASEY, VAN HOLLEN, and others—held the floor to give voice to these Federal employees who live and work in their States, many of whom are living paycheck to paycheck.

President Trump's government shutdown—his choosing, he is the only one who did it—is forcing a personal crisis on those public servants and their families. How unfair, how mean-spirited, and how wrong.

These families are owed a paycheck, but they are left to wonder how they are going to pay the mortgage or the rent and all of their other bills. They are wondering what will happen to the good credit they have worked so hard to maintain over the years. They are innocent victims of the Trump shutdown—a shutdown he said 25 times he would cause, a shutdown he said he would be proud to own.

President Trump, are you proud to own a shutdown that is hurting so many innocent people? Did you realize that when you caused this?

As government agencies remain shut down, American farmers and small businesses can't get the loans they desperately need. Tourism suffers as our national parks go neglected. Some families can't get a mortgage to buy a new home. The American people are suffering needlessly—needlessly—because President Trump selfishly refuses to retreat from an intransigent, indefensible, and increasingly unpopular position.

The Democratic House has passed legislation that received support from many of my Republican colleagues to reopen the government. In no way does that legislation preclude us from having a debate and hashing out compromise solutions on border security. We have done that before.

We can continue to debate because, indeed, Democrats, Republicans, and the President all want stronger border security; we just sharply disagree about the best way of achieving it.

Why not open the government while we continue to hash out our differences? I have asked that of President Trump. I said: Give me one good reason why the shutdown should continue as we debate our differences on border security, which we all want. He could not give a single reason. We know the reason: He is leveraging—mercilessly leveraging—millions of Americans who are caught in his irresponsible action and who are hurt by it.

Let us open the government and continue to hash out our differences. That would be the responsible thing to do,

and I believe Republican Senators, many of them, know that.

I urge my friend Leader MCCONNELL to act now, convince the President to accept legislation to reopen the government, and let's pass it here on the floor of the Senate. The vast majority of the Republican caucus has already supported it. What are we waiting for?

DEPUTY ATTORNEY GENERAL ROD ROSENSTEIN

Mr. SCHUMER. Mr. President, on another matter, this morning it was reported that Deputy Attorney General Rosenstein intends to step down from his post at the Justice Department if the nominee for Attorney General, William Barr, is confirmed. It is a timely reminder of the swirling conflicts of interest and bias that surround nearly every Trump nominee to lead the Justice Department.

Acting Attorney General Whitaker publicly and forcefully advocated for defending and imposing severe limits on the special counsel's investigation, calling it "a mere witch hunt." He has troubling conflicts of interest, including with a grand jury witness in the investigation, not to mention the fact that he appears to have been involved in fraudulent business dealings before joining the Justice Department.

The nominee to take his place, William Barr, is just as fatally conflicted a nominee when it comes to the special counsel. Last month, we learned that Mr. Barr sent the Justice Department an unsolicited memo, criticizing the special counsel's investigation.

Mr. Rosenstein's potential departure only heightens the stakes for Mr. Barr's nomination. From all accounts, Mr. Rosenstein has been an impartial actor at the head of the special counsel's investigation. President Trump is trying to replace folks like Mr. Rosenstein with conflicted loyalists like Matthew Whitaker and William Barr. The Senate, starting with the Judiciary Committee, should subject Mr. Barr's views to the strictest of scrutiny next week. I still believe, after the revelations about Mr. Barr's unsolicited memo, President Trump ought to withdraw this nomination.

I yield the floor.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—Motion to Proceed

The PRESIDING OFFICER. Under the previous order, the Senate will re-

sume consideration of the motion to proceed to S. 1, which the clerk will now report.

The senior assistant legislative clerk read as follows:

A bill (S. 1) to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

GOVERNMENT FUNDING

Mr. THUNE. Mr. President, I think it is important that we remind ourselves about what it takes to make a law here in Washington, DC. It obviously takes passage of a bill by the House of Representatives, passage by the Senate, and a Presidential signature. Obviously, we are in the middle of sort of a, I guess you could say, fight right now between the executive branch—the President—and Democrats in the House and the Senate, which normally would be resolved by the two sides sitting down and negotiating and coming to some sort of an agreement or compromise. That, frankly, is what is going to be necessary to resolve the current crisis we are in.

The Democrats in the Congress have the majority in the House. It takes 60 votes, as we know, to do anything in the Senate, which means it will take somewhere around the order of 10 Senate Democrats in order to put a piece of legislation on the President's desk.

There has to be a negotiation. There have to be two sides at the table. The Democrats have made it very clear in the Senate and in the House that they have no interest in negotiating with the President.

Furthermore, they have determined that they are going to shut down all the rest of the business that is being done in the Senate simply because they do not want to provide funding for the border wall that has been requested by the President. That is the standoff we are currently in the middle of.

I will remind our colleagues that as recently as last month, my friend the Democratic leader said that in order for us to proceed and vote on anything in either Chamber, we need to have a piece of legislation that the President has said he would agree to sign, which, again, suggests the way out of this is for the Democrats to come to the table and enter into a negotiation with the President about how to fund the border wall, how to deal with the issue of border security, and then to open up the government. That is the way this ultimately gets resolved.

It seems to me, at least from my observation so far, that there has been no movement, zero movement—zero movement—on the part of the Democrats when it comes to trying to resolve the current situation.

I will simply say that I agree with what the Democratic leader said as recently as December; that is, in order for either Chamber—the House or the Senate—to vote on a compromise piece of legislation, it needs to be a piece of legislation that the President of the United States has said he will sign.

Each of these elements has to come together, and, obviously, each is very relevant in this conversation. You cannot have a law without a Presidential signature. There are 535 Members of Congress. There is only one President of the United States, only one person who can sign a bill into law. Obviously, the President is a critical player in this conversation.

Of course, the Democrats, as I said, have the majority in the House of Representatives. It takes 60 votes to do anything in the Senate. I think we have a majority of Senators who would vote today to provide the funding that is necessary to secure our borders, the funding that the President has requested, but it is going to take a number of Democrats, perhaps as many as 7 to 10 Democrats, in order for us to pass a bill in the Senate.

The Democrats are very relevant in this conversation. They are not irrelevant. They have to be at the table. Normally a negotiation starts with the two sides saying “This is where I am, and this is where I am” and figuring out how to reach that common ground, how to reach that middle and structure an agreement that could pass both the House and the Senate and receive a Presidential signature.

That is not what is happening right now. I think we all know that. I think it is very clear that the Democrats are very dug in; they have not moved a single inch off of their position from the time that this whole shutdown started. I think there is a path forward. I am hopeful that negotiations, discussions that will continue later today at the White House, will lead us to a conclusion, to an outcome, and to a result that gets Federal employees back to work, making sure the government continues to function and run but also addressing a critical and important priority for all of us as policymakers; that is, ensuring that we secure our border in a way to protect the American people.

I think it should go without saying that border security is a basic national security requirement. Countries have to secure their borders. They need to know who is coming into their country, and they need to be able to keep people who shouldn't be entering the country, such as criminals and drug traffickers, out. Making sure that our borders are secure is one of our most essential responsibilities of Members of Congress. It is a basic obligation, like

making sure our military is capable of defending our country. While border security is always a national security imperative, it is particularly important right now because we have not only a security but a humanitarian crisis at our border.

Over the past year, illegal border crossing apprehensions have shot up by more than 30 percent. An average of 60,000 individuals try to cross our southern border illegally each month. This represents a serious security concern. Among those trying to cross our southern border are drug dealers, gang members, human traffickers, and other criminals.

This flood of attempted border crossings also represents a serious humanitarian concern. Individuals attempting the journey to come here illegally are vulnerable to exploitation, illness, and abuse. One out of every three women attempting the journey to the United States is sexually assaulted. A staggering 70 percent of individuals become victims of violence along the way. Illness and other medical issues are serious problems. Fifty migrants a day are referred for medical care, and Customs and Border Protection rescues 4,300 people in distress every single year.

There is a direct way to stem this crisis, and that is to promote legal immigration and discourage people from coming here illegally. How do we discourage people from attempting to come here illegally? Well, I would argue we enforce our immigration laws and prevent individuals from illegally crossing our borders.

I have mentioned the dangerous individuals who can sneak across our porous borders and the humanitarian crisis we face, but of course there are even more dangers posed by the weaknesses in our border, both around barriers and through our ports of entry, such as the illegal drugs that are pouring into the country.

Every week in this country, 300 Americans die from heroin. Ninety percent of the heroin supply—90 percent—flows across our southern border. In 2017, opioids were involved in the deaths of almost 50,000 Americans. Roughly half or more of those deaths involved fentanyl, and a lot of that fentanyl is coming across our borders illegally. Federal agents have seen a 115-percent increase in the amount of fentanyl seized between ports of entry. One key part of addressing the opioid epidemic in our country is shutting down the flow of illegal drugs across our porous borders.

Democrats used to understand the need for border security. In 2009, the Democratic leader here in the Senate said:

Illegal immigration is wrong, plain and simple. Until the American people are convinced that we will stop future flows of illegal immigration, we will make no progress on dealing with the millions of illegal immigrants who are here now and on rationalizing our system of legal immigration. That's plain and simple and unavoidable.

That is from the Democratic leader here in the Senate in 2009.

In 2006, the Democratic leader and the ranking member of the Senate Judiciary Committee voted for legislation to authorize a border fence. They were joined in their vote by then-Senator Biden, then-Senator Clinton, and then-Senator Obama.

In 2013, every Senate Democrat supported legislation requiring the completion of a 700-mile fence along our southern border. This legislation would have provided \$46 billion for border security and \$8 billion specifically for a physical barrier.

Nearly every Senate Democrat supported \$25 billion in border security funding just last February, and I suspect that more than one Democrat still understands that we desperately need to improve security at our borders. But the Democratic leadership refuses to play ball. More than 2 weeks into this shutdown, they are still not willing to negotiate a solution that would secure our borders and reopen the government. Democratic leaders are willing to ignore the security and humanitarian crisis at the southern border simply because they don't like this President and because they are afraid to oppose the far-left wing of their party.

We need to end this partial shutdown, and we need to reopen the government, but the only way for that to happen is for Democrats to work with Republicans and the President to provide adequate funding for border security. Once they negotiate in good faith toward a serious agreement that the President will sign, the Senate will immediately take it up so that we can end this shutdown and take needed steps to bolster security at our borders.

Border security is not some issue Republicans have somehow dreamed up. Securing our borders is a national security imperative, and both parties have a responsibility to make sure our Nation's borders are protected. I hope Democrats here in the Senate will remember their obligation to our Nation's citizens and work with the President to secure our borders and reopen our government. I would end where I started, and that is to say that in order for that to happen, there has to be an agreement. Both sides have to come to the table. The President, the House, and the Senate, Democrats and Republicans, are all relevant in this conversation because it takes all to accomplish a legislative result that will reopen our government, get Federal employees back to work, and at the same time take the important steps that are necessary to secure our border.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I just note parenthetically that virtually every Republican and every Democrat in this body has voted for the bills that would open the government. Every single Democrat in this body is willing—if the Republican leader would bring

those bills back up—to vote for them, and the government would open. So I hope the Republican leader will allow the government to open. There are a lot of people who need to go back to work, and I will speak about this later today. It is going to be 10, 15 below zero in my home State at one point this week, making it more urgent that we reopen the government. We also have government contractors who would like to get back to work.

CATHOLIC CLERGY MISCONDUCT

Now let me speak about a different matter. I am going to speak as an individual more than as a Senator. My wife Marcelle and I, as Catholics, have shared the concern of many, whether Catholics or not, about the continued revelation of often gross misconduct on the part of some in the clergy and in the hierarchy of our church. We have seen this throughout the United States, including in our own State of Vermont.

I have rarely—rarely—spoken about religious issues in my capacity as a Senator, because I feel one's religion is private and certainly not political. However, I have spoken out about my concern and my dismay with what we have heard, and Marcelle shares those concerns with me.

I mention this because this past Sunday at mass at Holy Trinity Parish in the District of Columbia, we heard a sermon preached by Father Benjamin Hawley, a member of the Jesuits. When he finished his sermon, I will freely admit I wanted to stand up and applaud him. He spoke about what the church is finally doing in facing up to this, but then he spoke about how he was reacting and how one hopes we might react, what the reaction should be from the Pope straight down to every member of the clergy and every member of the laity. Except for some sermons preached by Marcelle's brother, Father Claude Pomerleau, I do not remember being so touched or affected by a sermon.

I had not met Father Hawley before, but after mass, I spoke with him, and I asked him if I could have his permission to put his sermon into the CONGRESSIONAL RECORD. He agreed.

I ask unanimous consent that the homily by Father Benjamin Hawley, S.J., of January 6, 2019, be printed in the RECORD at this time.

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

HOMILY FOR THE FEAST OF THE EPIPHANY

Today we celebrate the Feast of the Epiphany, the appearance of Jesus the Messiah to the world.

In classical Greek the word "epiphany" can refer to the appearance of dawn, as Isaiah, writing 500 years before Jesus' birth, does in our first reading: "See, darkness covers the earth, and thick clouds cover the peoples; but upon you the Lord shines, and over you appears his glory . . . Raise your eyes and look about . . ."

This appearance can intimate—Jesus' touching your heart or mine with peace in time of difficulty. Or the appearance can be

cosmic—the Prince of Peace revealed to Herod and to the magi—and to our world today.

Is it possible to see Jesus' latest epiphany in three recent events?

First, about 280 American bishops are in retreat just outside Chicago—no lay staff, no other priests. Guiding their retreat is Raniero Cantalamessa, a Capuchin priest, who is the Preacher to the Papal Household. I have heard him speak, and he is excellent.

Second, a hard-hitting eight-page letter from the Pope is guiding their prayer.

Francis asks them to reflect on "the steps you are taking to combat the culture of abuse and to deal with the crisis of credibility" (page 1).

"The church's credibility has been seriously undercut and diminished by these sins and crimes, but even more by the efforts made to deny or conceal them . . . (T)he mentality that would cover things up, far from helping to resolve conflicts, enabled them to fester and cause even greater hurt to the network of relationships that today we are called to heal and restore" (p2).

"Loss of credibility calls for a specific approach, since it cannot be regained by issuing stern decrees or by simply creating new committees or improving flow charts, as if we were in charge of a department of human resources" (p3).

Then, the Pope then takes them to task on infighting:

"The loss of credibility also raises painful questions about the way we relate to one another . . . (p3) This requires not only a new approach to management, but also a change in our mind-set, our way of prayer, our handling of power and money, our exercise of authority and our way of relating to one another and to the world around us . . . (pp3-4).

Without (a) clear and decisive focus, everything we do risks being tainted by self-referentiality, self-preservation and defensiveness, and thus doomed from the start" (p4).

"Let us try to break the vicious cycle of recrimination, undercutting and discrediting, by avoiding gossip and slander in the pursuit of a path of prayerful and contrite acceptance of our limitations and sins, and the promotion of dialogue, discussion and discernment . . ." (pp5-6).

Finally, third, the presidents of bishops conferences worldwide will meet in Rome in late February in a meeting organized by four church officials:

Blase Cupich, Cardinal-Archbishop of Chicago;

Oswald Cracias, Cardinal-Archbishop of Mumbai, India, and member of the Pope's council of cardinals;

Charles Scicluna, Archbishop of Malta and head of investigating abuses in the Vatican's Congregation for the Doctrine of Faith; and Jesuit Father Hans Zollner, president of the Center for the Protection of Minors at the Gregorian University, the Jesuit university in Rome.

The pope's letter seems to me right on target in tone and content. A retreat for discernment is very Ignatian, and the Vatican meeting will ensure worldwide applicability.

So, can you and I believe that Jesus' epiphany is the motive force behind the bishops' retreat, the pope's letter and February bishops meeting?

We are called by Jesus himself to be hopeful. But we are also called to be thoughtful, discerning good and evil around us. I find myself seesawing between hope and doubt, between hope and fear, between hope and no-hope, as I reflect on the good and evil. I want to have hope, but I have to admit that having hope is hard, sometimes nearly impossible.

It is true that Jesus grew up and became the Messiah. But Herod's murdering a gen-

eration of children went unpunished, as far as I know, and the historical record on mass murderers or mass abusers isn't promising.

I am grateful for what the bishops and Francis are now doing. But I keep asking myself why it takes so much external pressure to get them to do the right, decent thing that seems so obvious and not even that hard.

Some days I feel like Candide, returning from his hero's journey to cultivate his own garden. In my garden I can be hopeful. But I can't live a solitary life. And when I re-engage, I become discouraged when I find the bishops' response so slow and so begrudging.

But then I wonder about how God's justice and mercy might be made real in the next life, especially for bishops, cardinals and popes, but for us too. I imagine Purgatory not as a place of hellfire and smoke, but rather as a place where kindly but determined angels would sit, like referees in black and white stripped outfits, each one in comfortable room in front of a large flat-screen TV, each with a recently arrived soul.

In a gentle way the angel-referee would guide the deceased not through an instant replay but a slow replay of their lives, stopping the action and asking each bishop, cardinal and pope—and each one of us—to reconsider individual events in their lives, and asking questions like, What were you thinking? How did that work out—for you and for everyone else? If you had to do it again, how might you choose?

There would be no scoreboard, because God would want everyone to win, and no time clock. Everyone would have time and all eternity—with the angel-referee's prompting—to rethink what they had said and done.

And some would have a very painful time of it, because angels are messengers of God's justice. Their job is to reveal justice to the minds of souls as yet living in darkness. And the angel-referees would make the final call.

With that much time and such wise, persistent guides, most would probably make it to die podium for their trophy. Angels might have to guide a few of the obdurate to long-term parking, but such souls would have had a chance and in the end would have put themselves there.

In the meantime you and I are on the seesaw.

Jesus began his life in his mother's lap in the stable, as the great artists have shown us, but surrounded by the blood and death of children and the corruption of the Jewish king.

Jesus ended his life in his mother's lap, as Michaelangelo shows us in the Pieta, still surrounded by the blood, death and the corruption of civic and religious leaders.

My question to myself is always, Does it really have to be this hard? And the answer seems to be, No, it doesn't have to be. But, Yes, it is going to be this hard as long as people, especially people in positions of power, make self-serving choices. The blood, death and corruption are constants in human life. And yet he is the Prince of Peace and the source of our hope.

On this great Feast we can come to realize that, if you and I have to live on the seesaw, then at least we can remain anchored to hope there, because Jesus, the source of our hope, accompanied by his Blessed Mother, has the power to anchor us there in love.

So, in our Eucharist today let's share divine love and hope with one another in communion and leave here, imbued with new hope to share with our world, so the world too can find hope and peace.

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

GOVERNMENT FUNDING

Mr. CORNYN. Mr. President, from El Paso to Brownsville, TX, my State

shares a 1,200-mile border with Mexico. If you were daring enough to attempt to walk that entire stretch, you would trek through deserts, cross mountains, through cities, and probably end up getting a little wet in the Rio Grande River. You would meet folks who are proud of the strong bonds our country has with our southern neighbor. Many, of course, have relatives in both countries. You would talk to sheriffs, police officers, Border Patrol agents, all who care deeply about protecting our communities. And undoubtedly, you would end up eating some good Tex-Mex along the way.

In my time in the Senate, I have had the opportunity to meet countless Texans who live and work along the southern border, and I seek their advice and counsel on what Congress ought to do, what the Federal Government ought to do to protect them and their communities. What they tell me is that Texans and the Nation rely on the billions of dollars of legitimate trade that comes across the ports of entry with Mexico. But with the growing volume of goods crossing our borders and the persistent staff shortages for Customs and Border Protection, they want to make sure there are no security gaps that can be exploited by criminals or slow down the legal movement of goods. That is a concern I share, and I continue to advocate for additional improvements in our ports of entry to protect this vital lifeline for our economy, as well as our security.

But just as these communities care deeply about the economic benefits of our shared border, they care deeply, of course, about their own safety and security. They believe that both can peacefully coexist, and so do I.

During my visits, I have witnessed some of the horrific treatment that migrants receive at the hands of the criminals, including those who smuggle them. The truth is, these criminal organizations that move people and drugs and contraband across our border exploit our porous border and care nothing for human life. It is a commodity. It is the way they make money. They care nothing for the people they hurt, so they wring another dollar out of someone else's misery on a daily basis. It is a high-volume business, too, and incredibly lucrative.

I have seen the stash houses with windows lined with tin foil, and inside, a veritable cesspool that makes you want to gag or lose what you had for lunch. This is where the human smugglers cram large groups of illegal immigrants in unimaginable conditions while awaiting their transit to the interior of the United States.

I have seen their logbooks where they record their corrupt transactions, correlating real-life human beings with their value in dollars and cents.

I have talked to Border Patrol agents who have discovered tractor trailers full of people attempting to enter our country, some of whom never complete their journey because they die from ex-

posure or are smothered to death in the cramped quarters.

In Brooks County, TX, where the Falfurrias checkpoint of the Border Patrol is located, about 50 miles north of the border, I have seen unmarked graves of the migrants who were trying to cross vast swaths of South Texas in the August heat in order to bypass the Border Patrol checkpoint but then were left to die by the smugglers. Their graves are marked only with identities like "skull case" or "unknown female."

Border security is not immoral, as Speaker PELOSI has shamefully claimed, but refusing to act in the face of evil is immoral. It is clear that there is a crisis, as it is clear that it is our responsibility to restore safety and security and order. In my wildest dreams, I never would have imagined we would be debating whether we should secure our borders, as we apparently are now. That is something on which we should all agree. Instead, we should be focused on how to secure our borders and how to do it in a smart, responsible way.

In my experience, learning from the experts, they tell me there is no one-size-fits-all solution. You can imagine that with a 1,200-mile border with just Texas and Mexico, with the variety of topography and geography, one-size-fits-all does not work. What works best in the Rio Grande Valley doesn't necessarily work in an urban environment like El Paso, with Juarez right across the international bridge.

We need to customize solutions that meet the specific need rather than trying to dictate from here in Washington—thousands of miles away—a solution that solves nothing. We need to look at border security as a combination of three things: physical infrastructure—yes, that includes barriers, walls, fences, vehicle barriers in appropriate locations, but it also includes technology—radar, ground sensors, drones, aerostats. This is a layered approach that provides flexibility for the experts on the ground to determine what is best for each sector, what is best for each part of our immense border, and implement the changes necessary to achieve desired results. As I said, in many areas, the landscape and location mean physical barriers may not be needed and may not be practical. In rural areas, technology—sensor technology or cameras—may be sufficient, but we know we need additional boots on the ground, too, because it is not enough to put a barrier in place or have a radar or ground sensor in place if you don't have the Border Patrol to show up and detain people they discover trying to make their way illegally into the United States or bringing drugs into the United States. So some combination of these three elements I think is always going to be needed, no matter where you are talking about.

I am proud of the work we have done in the Senate, generally speaking, and

I know when we work together we can do a lot of good, but logic and experience should tell us we shouldn't be the ones deciding how every inch of our southern border is secure. I don't claim to be an expert, although I have gone to school on the topic and spent a lot of time talking to those people who are experts and learning from them. I believe we need to let those experts drive the decision-making process on the right combination of resources needed to achieve operational control of the border. Unfortunately, our Democratic colleagues' refusal to invest in real border security has landed us in a partial government shutdown resulting in 800,000 Federal workers who on Friday will not get a paycheck. That is unnecessary. Unfortunately, they are collateral damage to a political game which we should not be playing. I know many of these 800,000 Federal workers are already anxious about how they will make a car payment or how they will pay their mortgage or their rent or how they will put food on the table. It is completely unnecessary, this shutdown.

I am afraid this debate on border security of course is not really a debate about border security at all; it is a way for congressional Democrats to take a stand against a President they oppose while putting border communities at risk and sending the men and women who protect them to work without pay. This battle has gone on too long, and I can only hope Speaker PELOSI and Minority Leader SCHUMER show some leadership rather than continue to take the low road. This shouldn't be about winning a partisan fight; it should be about protecting our citizens and stemming the tide of illegal immigration, drugs, and contraband entering our country. If there were ever a time, now is the time for common sense to prevail and end this senseless shutdown.

REMEMBERING RICHARD ARVIN OVERTON

Mr. President, on another matter, I want to share a few words about an American hero I had the pleasure to get to know, Mr. Richard Arvin Overton. Richard's story began more than a century ago on May 11, 1906, in Bastrop County, TX. Throughout his young life, he held a variety of jobs—landscaping, picking cotton, working at a furniture store, and building homes.

In 1940, Richard enlisted in the U.S. Army and began his military service at Fort Sam Houston in San Antonio. Serving with the 1887th Engineer Battalion, an all-Black unit, one of his first stops was Pearl Harbor, the day after what we now know as the West Loch Disaster.

In an interview in 2016, Richard recalled that day, seeing the water turn red from the blood of his brothers, saying: "I didn't look the same, but I got out all right." This was only the first stop on Richard's tour that led him to the Pacific theater. His service included stops in Guam, Palau, and Iwo

Jima, where he witnessed firsthand some of the darkest days in our country's modern history.

When the war ended, Richard returned to Texas and built a home on Hamilton Avenue. He originally reentered the furniture business and then began working for the State treasury department. At the ripe age of 85, Richard Overton decided to retire.

In 2013, the 107-year-old Richard Overton made his first trip to Washington, DC, with an Honor Flight. He was able to witness the memorial built to honor his service and his comrades who died in battle, a sight that brought him to tears.

While his military service alone deserves our praise, that is not the only thing that brought Richard to national attention. His comments about the keys to his longevity and long life and particularly his daily routine made Richard an internet sensation. His penchant for enjoying coffee with whiskey and 12 cigars a day won hearts and caused all of us to question the secret to his long life. Richard also enjoyed a bowl of ice cream every night—always butter pecan. He called this the Overton diet and welcomed anyone interested to give it a shot. Richard used his newfound fame to continue life as he always had but with more fans eager to stop by and say hello while he was sitting on the front porch. He continued to live in the same house he built after the war, although the street name has now been changed to carry his name—Richard Overton Avenue.

I first met Richard in 2013, and I remember the day my wife Sandy and I met him in his home in Austin. I was taken aback to learn he had just gotten through mowing his lawn that morning—107 years old and still mowing his lawn.

Sadly, on December 27, 2018, the story of this American hero came to an end. At the ripe old age of 112 years, Richard passed away, leaving a host of cousins and extended family members.

Yesterday, I introduced a resolution, with my colleague Senator CRUZ, to honor this great man, his military service, and his enduring legacy. Our country has lost a true patriot, our State has lost a legend, and our community has lost a dear friend.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER (Mr. SULLIVAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

WELCOMING NEW SENATORS

Mr. BARRASSO. Mr. President, a new year begins, and it brings us new challenges, new opportunities, and new faces in the 116th Congress.

I welcome the nine freshman Senators: Mrs. BLACKBURN of Tennessee, Mr. BRAUN of Indiana, Mr. CRAMER of

North Dakota, JOSH HAWLEY of Missouri, MARTHA MCSALLY of Arizona, MITT ROMNEY of Utah, JACKY ROSEN of Nevada, RICK SCOTT of Florida, and KYRSTEN SINEMA of Arizona. Their talent and hard work brought them here, and now we have an expanded Senate Republican majority—a majority we built on in the 115th Congress. Albeit, we are still short of the 60 votes needed to pass most pieces of legislation, we have a group of people committed to the values of our party and our country and working together to find solutions for the Nation.

During the swearing-in last week, as I was sworn in to the Senate, my 96-year-old mother joined us. She attended, enjoyed it, watches the opening every day for the Pledge of Allegiance and for the prayer from Reverend Black, and looks to that as a sign of our Nation moving forward.

From the time I was a little boy, she would always say: "This is the most important year of your life." She started when I was very young, and I think her lesson remains today. For me and for all of us, this is the most important year of our lives, for ourselves, for our Nation, and for the world. She would say: What you do this year makes a big difference for the future, so make sure you do it right. Well, we are now at a point of divided government—Democrats control the House and Republicans the Senate. We need to work together and do it right on behalf of the American people.

GOVERNMENT FUNDING

Mr. President, I think we have some immediate tasks; one is to secure the southern border and the other is to fund the government. These goals are not mutually exclusive. We can and we must do both, and the key to breaking the current impasse is for both parties to work together.

President Trump, I believe, is absolutely right to insist on border wall funding. I think he is right to insist on it before agreeing to sign spending legislation to end the shutdown, and he spoke passionately and I think spoke convincingly about it last evening. If the southern border were a patient—and I practiced medicine for 24 years in Wyoming—if the southern border were a patient admitted to the hospital, it would be listed in critical condition.

All Americans want an immigration system that secures the border, enforces the law, and that keeps families together. The problem of course is the rise in illegal entry, terrorists, drug smugglers, human traffickers, the Mexican drug cartels, all exploiting our porous border with Mexico. The Customs and Border Protection Commissioner has called the situation a "border security and humanitarian crisis." That is what we are dealing with, a border security and humanitarian crisis.

Here are the numbers from the Department of Homeland Security. Currently, 16,000 Border Patrol agents and 8,100 military troops guard the south-

ern border. The National Guard has been deployed there continuously since 2006. Still, illegal border crossings increased dramatically from 2017 to 2018.

In this past year, the year just ended, 396,000 people were stopped at the border, including 3,700 suspected terrorists and 800 gang members. Of the border's 1,950 miles, a physical barrier today protects about 650 miles. Border Patrol areas with enhanced or expanded barriers have been successful. They have seen a 90-percent decrease in illegal traffic. That is why the President wants to continue with additional physical barriers to protect the border.

There is a huge improvement due to the wall. Clearly, walls work, barriers work. So I ask: Why is NANCY PELOSI, the House Speaker, prolonging the shutdown by denying critical funding? She has called the wall immoral. I would say what is immoral is refusing to provide for the safety and security of the American people by providing border security.

Border security policymaking has always been bipartisan but not now, it seems. The Pelosi plan to end the partial shutdown isn't serious policy; it is political posturing. I say there is a partial government shutdown because 75 percent of the government continues to be funded. The Speaker's proposal includes billions in wasteful spending while ignoring the crisis at the border. The President has promised to veto what she is proposing, but instead of negotiating, the Speaker is basically playacting.

What is needed is an agreement between the President and the Democratic leaders in the House and Senate that can pass the House and secure at least 60 votes in the Senate and then be signed into law.

As President Trump said in a January 4 letter to Congress, a nation that fails to control its borders cannot fulfill its basic obligations to its citizens, physical safety, economic safety, essential public services, and the uniform protection of our laws.

We cannot afford to play politics with the border. I think we should listen to the advice my mother continues to give me; that this is the most important year of your life. It is important for this body, for this institution, and for this Nation. Let's start 2019 and do it in the right way by passing common-sense legislation that does secure the border, that does reopen the government, and that protects the American people.

Let's work together to make this the most important year, the start of a better future for all Americans.

I yield the floor.

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

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

Mr. MURPHY. Mr. President, I want to share with the body today my very short New Year's wish list. It is very short because Nos. 1, 2, 3, 4, 5, and 6 are all the same. We need to open the government. We need to reopen the one-quarter of the Federal Government that is shut down today. We need to start acting like adults. We need to start doing the job that we were sent here to do because our Nation's security is at stake, kids' health is at stake, and families' economic security is at stake.

Hundreds of thousands of Federal workers all across the country are furloughed as we speak, including over a thousand in Connecticut. But that is not the extent of the damage. When you start having folks at airport security not be able to show up for their jobs because they have to work somewhere else in order to put food on the table, when you start creating questions about whether food stamps are going to go out or Section 8 vouchers are going to get paid, when you can't have the Department of Agriculture functioning to help our farmers, you are starting to affect a whole lot of people. You are starting to drag down the entire economy.

My hope—my wish—is that we will reopen the Federal Government. The fact of the matter is that this happens every now and again. Occasionally, somebody makes a demand, something that they can't get through the normal political process, and they say if they don't get that demand, they are going to shut down the government. Every time I have been through one of these, it is the party making the demand that eventually relents because we tend to all agree that is not the proper way in order to try to get what you want in the U.S. Government.

Senator CRUZ and others shut down the government for 2 weeks because they wanted to repeal the Affordable Care Act. Eventually, they relented. This time, President Trump couldn't get Congress to approve \$5 billion for his wall in the budget so he decided to shut down the government. This is not how we should conduct a debate about legitimate public policy issues.

The future of the American healthcare system was a legitimate public policy issue, as is the security of our borders, but we shouldn't be having the discussion amidst a government shutdown—trying to use our Nation's security and all of these Federal workers and the work they do as hostages to try to achieve a political result.

Of course, we were all on the same page just a few weeks ago. This body voted unanimously to open the Federal Government, and now Senator McCONNELL says that piece of legislation that all of us voted for in December can't pass.

What changed? What changed in each one of your States that causes so many Members of this body to now say that they cannot vote for a continuing resolution that you all voted for back in December?

We know what has changed. The only thing that has changed is that the President has decided that he will not sign it. That is not how the Constitution works.

The Constitution doesn't make the Senate subservient to the President. The Constitution certainly doesn't make the President's party subservient to him. No one here has to follow the orders of President Trump, especially when he is doing something that is bad for the Nation. We could bring up that same bill that reopens the government at least temporarily. We could all vote the same way that we did back in December. We could send that bill to the House of Representatives and admit that the President shouldn't dictate our votes. Just because his position changed doesn't mean Senate Republicans' position should have changed.

Let's reopen the government so that, then, we can have a discussion about the question of immigration law and border security, because I am more than willing to have it.

OK, I didn't exactly tell the truth. I do have two other wishes beyond reopening the government, but they are connected to my primary wish. My second wish is that the President would stop making up things as he proceeds through this debate. The worst of his lies was the idea that there were 4,000 known or suspected terrorists who came across our southern border. That was a number proffered by the Press Secretary at the White House. It has been repeated in various ways, shapes, and forms by the President's allies.

Of course, we now know there have not been 4,000 suspected terrorists that have come across the southern border. There have been six since the beginning of this year. That is six people on a terrorist watch list who were not U.S. citizens. Do you know how many people who fit that description came across the northern border in the first 6 months of this year? Forty-one. If you really care about the security of this country—if your primary reason for getting up every morning is to make sure terrorists don't get into this country, then we should be putting up a wall with Canada, not a wall with Mexico.

The second fiction is that all of these drugs coming into the United States are crossing the U.S.-Mexican border at places where there isn't a wall. That is not true either. The vast majority of illegal products that come into this country come through ports of entry. We should all talk about why that is and what we can do to beef up protections, but putting up a wall along the treacherous portions of the Rio Grande are not going to stop smugglers who right now can find lots of other ways to get their goods into the United States.

I want to make sure that when we have this debate, we are having a fact-based debate.

My second wish in this new year is that the President and his allies would just start telling the truth, and the

truth is that there is not a new security crisis at the southern border. Illegal crossings have been coming down since 2000. The people who are on the terrorist watch list who occasionally do try to come into this country are predominantly trying to get in through Canada, not through Mexico.

I want to talk about facts.

Here is my last wish. Again, Nos. 1, 2, 3, 4, and 5 are to reopen the government. If I had No. 6 and 7, it would be that the President start talking about the real facts, and the other would be this: Let's not get into this very dangerous conversation about trying to do an end-around on the political process with a national emergency. I guess I am talking to my Republican colleagues here.

I get it that I often have some of the sharpest words for this President, but I hope that we can come together on the idea that declaring a national emergency because you can't get what you want through the political process is a really bad precedent to set. It is true that there are a whole bunch of national emergencies that have been declared, but none of the circumstances of those national emergencies and none of the powers that were utilized in those national emergencies compare to what the President is reportedly considering.

If the President is really talking about declaring a national emergency on our border, despite the fact that there is no set of facts that suggests that what is happening on our border is fundamentally different today than what was happening a year ago or 10 years ago, and if the President is really contemplating, by Executive order, reprogramming billions of dollars this Congress set aside for military construction projects to a border wall, that is a Pandora's box that, once opened, cannot be shut again. This is a genie escaping out of a bottle that will not be put back.

I said in jest last night that if President Trump can use a national emergency declaration to build a border wall, what would stop a Democratic President from declaring a healthcare emergency and passing and declaring a national emergency to create a single-payer healthcare system in this country? I wouldn't advise a Democratic President to do that, but I am not sure what the precedent would be if President Trump, having not been able to get Congress and the American public to get behind a border wall with Mexico that nobody really wants, declares a national emergency and builds it anyway. What would then stop any future President from doing the same thing on a host of other policy areas? Really, what would stop a President from declaring a healthcare national emergency because he or she can't get their legislation passed through the Senate and reordering our insurance markets and our Medicare and Medicaid programs to cure that national emergency, simply shifting money around from place to place?

I don't think this is an avenue that the Federal Government should go down because there will be a Democratic President someday, and if you can just declare a national emergency and move billions of dollars around because you can't get your way in Congress, that is a horse that, once out of the barn, is not coming back.

That is my wish list: Open the government, open the government, open the government, open the government; pass the bills that we passed back in December. Don't let the President dictate your votes. Let your constituents dictate your votes.

I hope the President and the White House start telling the truth about what is really happening with border security, and I hope this nonsense about declaring a national emergency goes away. I hope it goes away in part because Republicans in this body recognize the really dangerous precedent that sets for this country, and they recommend publicly and privately to the President that he shutter that idea.

We could reopen the government today. If Senator MCCONNELL came down here and decided to put a continuing resolution before this body and said that it is the right thing to do for the country, it would pass with flying colors. If Senator MCCONNELL exercised that kind of leadership that he has shown in previous shutdowns, it would pass with flying colors. We all know it would. I am sure there would be a handful of Republicans who just got elected with President Trump's support who might not support it, but it would pass just like it passed 3 weeks ago, and it would likely pass the House of Representatives by a veto-proof margin, as well, once the signal was given by Senate Republicans that the adults need to step up and reopen the government.

So this whole crisis can be over tonight. It can be over tonight if there is some leadership shown by Senate Republicans. Why spend all of this time trying to control this body? Why spend millions of dollars trying to run for office to become the majority party in the U.S. Senate if you are not willing to step up in a moment of crisis and lead the country through it? It is still possible, and I hope, as my new year's wish, that it gets done sooner rather than later.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NATIONAL DEFENSE

Ms. ERNST. Mr. President, I rise to speak on U.S. national defense.

In the last couple of years, we have made tremendous progress in strengthening our military and have effectively

realigned our global posture and strategy.

Under the new national defense strategy, the United States has rightfully recognized the return to great power competition, where our priorities have shifted from low-intensity conflict to posturing against peer and near-peer adversaries.

Over the last 17 years of combat in the Middle East, U.S. dominance and deterrence against great power competitors have diminished. Meanwhile, nations like China and Russia have undertaken extraordinary military modernization efforts while engaging in unprecedented and destabilizing aggression.

We have seen Russian intrusions in cyberspace, the illegal annexation of Crimea, information attacks on Western democratic institutions, and the spread of lies, half-truths, and slander in order to sow division and chaos between the United States and other partners.

These gray-zone activities, which are actions below the level that would provoke an armed conflict, have gone mainly unchecked by the United States, which has set a troubling precedent and only serve to encourage further provocation.

From China, we see these gray-zone techniques manifested in their land reclamation in the South China Sea, the construction of their first foreign military installations in Djibouti, and the continuing theft of intellectual property and trade secrets in critical security areas.

They have also greatly undermined our supply chain through the Made in China 2025 initiative, which seeks to ensure that the United States and others remain reliant on the Chinese industrial base.

Above all, the United States is threatened by Russia's and China's advances in emerging technology. This includes hypersonic weapons, artificial intelligence, space capabilities, quantum computing, and directed energy.

Without significant resources and focus, we will lose our technological superiority in these very areas, and both U.S. national security and the global order will be in serious jeopardy.

Building off of our successes from the last 2 years, Congress and the executive branch must remain committed to investing in research, development, rapid acquisition, and the deployment of capabilities that provide for deterrence in line with the threats of the 21st century.

Just as we rose to the challenge in the two World Wars, the Cold War, and following the attacks on September 11, 2001, we must, once again, evaluate our current posture and chart a course that best protects our national security and our interests.

While the national defense strategy correctly prioritizes a return to great power competition, we still have great national security threats in the low-intensity domain, particularly in the Middle East and in North Africa.

The success of our missions in Iraq, Afghanistan, Syria, and Africa are important. They can be seen in our ability to prevent extremist groups from projecting attacks into the U.S. homeland.

Through the heroic and dedicated service of our men and women in uniform, we have put unyielding pressure on foreign terrorists and, in turn, we have prevented another massive attack like we saw on 9/11.

While we have seen tremendous battlefield success against groups like the Islamic State, counterterrorism and stability operations require a sustained commitment of presence and resources in order to consolidate gains and promote good governance and the rule of law. In the absence of the latter, ungoverned spaces quickly transform into breeding grounds for terror groups, and that is why we are in Iraq. That is why we are in Afghanistan, and that is why we should remain in Syria. We must do that until our objectives are met.

Balancing our approach toward both low- and high-intensity threats will require us to rely on our allies and our partners more than we have had to rely on them in the past decades, as we have a limited supply of resources for our national defense. However, if we are able to leverage the resources of our friends, we will assume less risk as we move to more resources toward countering great power threats. Likewise, as we seek to bolster our defense posture toward peer competitors, we will greatly benefit from increased contributions and commitments from our allies and our partners. That means insisting that our treaty allies contribute their fair share to the international security burden and also ensuring that our allies and partners are investing in weapons systems and military platforms that interoperate with ours while effectively deterring our common adversaries.

We cannot and should not abandon those who share our values of democracy and freedom but, rather, work with them to increase defense contributions and build necessary capabilities and capacities. Unlike Russia and China, our network of allies and friends, who have stood shoulder to shoulder with us in the defense of freedom and democratic values, are a source of great strength, as well as an integral part of promoting global security.

I would be remiss if I did not take this opportunity to once again acknowledge the most detrimental adversary of our national defense; that is, poor fiscal policy. As then-Secretary Mattis stated when he announced the National Defense Strategy, continuing resolutions and sequestration have hindered our security more than any foe. These wasteful applications of taxpayer dollars prevent long-term planning, stymie research and development, delay critical procurement, and prevent necessary training and readiness investments.

What we do in this Chamber has consequences that reverberate far beyond Washington. When we fail to do our job, we put our warfighters at higher risk and cripple our strategic posture, ultimately endangering our national security. That is why I have come to the floor today to urge bipartisanship and collaboration amongst both Houses of Congress on defense spending policy. The political climate of today will assuredly prevent progress in some areas of Congress's work, but I encourage my colleagues to set those differences aside when we consider policies and appropriations for our national defense.

We have a lot of work ahead in order to protect our security and interests, but I am confident we can come together to solve these issues of critical importance.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

BORDER SECURITY

Mr. BLUNT. Mr. President, as our colleague from Iowa just pointed out, these problems not only need to be solved, but they are solvable. At the core of the debate we are having right now is obviously border security. Everybody says they are for border security, but they have different views of what that means.

I want to start by saying that I fully support the President's call for a more secure border, and, frankly, I think physical barriers are part of that. We have thought that for a long time. They work. People who now are opposed to them generally have often been for them.

In fact, a generation ago, we began improving and expanding barriers in a few areas along the southern border, and in every instance, they have made a difference.

In 1992, the U.S. Government built a wall in the San Diego sector of U.S. Customs and Border Protection, and the number of people caught crossing that border decreased by 95 percent when the barrier was erected.

The border is not exactly like a bank. You don't have to have a level of security that nobody can ever get through at any time, under any circumstances, but if you have a solution that solves 95 percent of the problem, that may be about all we can afford to do in terms of solving the problem that way. That barrier, that wall, that fence south of San Diego did exactly that.

The next year, we built a wall in El Paso, TX, at that part of the border, and there was a decrease of 95 percent there as well.

In 2000, we built a wall at the Tucson, AZ, sector, and apprehensions there dropped 90 percent.

We have a 90-percent solution or a 95-percent solution. That is reasonable to the American people who think that the job of the Federal Government—and they are right in this—that one of the jobs of the Federal Government is to secure its border.

You wouldn't have to look very far in troubled parts of the world to find a

story about Lebanon or some other country—to read that sentence that says: This government is not truly functional because they don't have control over their own borders. It is a reasonable expectation of government.

In 2000, as I said, we built a wall in Tucson.

You can call this whatever you want to. If you are offended when I say “wall” or “fence,” you say whatever you want to say—it has the same impact.

I have been to the border a number of times. I have walked along the barriers there. I have been on one side of the fence—the two sides of a fence with a patrolled roadway in between. It looked pretty effective to me, and the numbers indicate it was effective.

In 2005, when we added a wall in the Yuma part of the Arizona sector, apprehensions went down another 95 percent.

We have President Clinton and Presidents Bush—Bush 43 and Bush 41—all were part of thinking barriers worked, and the Congress was too. There was not an issue as to whether a wall works, where a wall works, until President Trump as a candidate began to talk about building a wall. They have made a big difference in the areas where we have tried them in the past.

The President has often said in recent days that the wall doesn't necessarily work everywhere, and I fully agree with that. We couldn't afford to have the wall everywhere, and if we did have the wall everywhere, you would have to monitor it with some remote monitoring device anyway because there are large sections of the border where there aren't people and where there is no access. It doesn't mean you can't monitor that. It doesn't mean you can't have that kind of a wall erected. We need to do that.

In November, there were nearly 52,000 people who were caught trying to sneak across the border. Now, you can act like that is not a very big problem—unless you have ever lived in a community of, say, 52,000 people, and then you realize that is a lot of people. And in 1 month alone, they were coming across the southwest border.

According to the Department of Homeland Security, nearly 17,000 criminals were apprehended trying to get into the country last year. That is about half of the population of the capital city of Missouri. Seventeen thousand people trying to get in with a criminal record just last year.

We have seen a 50-percent increase in gang members being caught trying to come into the country illegally and a 73-percent increase in the seizures of fentanyl.

One of the things we do in the health and human services area that I work in and appropriate for and work for an appropriate opioid response is try to figure out how we can get fentanyl out of this system, how we can get something out of this system that is deadly for a significant number of the people who

turn to that as they get addicted to painkillers. If the fentanyl seizures are up 73 percent over where they were the year before, something needs to be done. We clearly need to secure our borders.

I support the immigration system. I am a proponent of legal immigration. I think how we meet the workforce needs of the country, how we deal with the fact that we have people who are here who aren't legal, who have otherwise not gotten in trouble in the country—about half of them came across the border, and about half of them came in some other way and decided, this is a pretty doggone good place, and I want to stay here and am afraid to go home because I may not get back—how do we deal with that? How do we deal with this in a way that we meet our workforce needs, that the skill needs of the country are met? And skill needs can be unskilled people—we don't have people willing to do some unskilled jobs—and highly skilled people. We don't have enough people doing their jobs in an economy that is growing faster than the economy has grown in a long time. The economic numbers in some cases are better than they have been in 50 years and in most cases have been better than they have been in at least a decade.

Every part of the border doesn't need to be secured the same way, but the border needs to be secured. Our friends on the other side, in what has been a pretty impressive show of party unity, have just decided that they want to reject the options of how we secure the border. People who have voted to build and maintain almost 700 miles of border fencing have suddenly decided that another 50 miles or another 2 miles is immoral. Talk about selective immorality. That it is OK to have 700 miles of fence but it is not OK to have 702 miles of fence is a very interesting place, it seems to me, to draw the line.

Our friends on the other side have rejected attempts to fix the way we deal with children who are brought across the border or come across on their own. There are 48,000 children right now that the U.S. Government is doing their best to take care of—I hope and insist that we do that—who came across the border on their own. Another 2,600 or so came across the border with an adult. More often than not, that adult was their parent, but not always. We have 50,000 children who came across the border, and there is no response to any ideas that the administration brings up, no positive response from the other side as to how to deal with that.

They have rejected adding beds at detention centers for people who are caught crossing the border illegally. Why would you do that? Why would you not want to have additional space for people who are in custody for illegal behavior? I suppose because it becomes so critically important that people just be released on their own recognition, to come back at a later time.

Some of our friends on the other side, in fact, have called for the complete

abolition of U.S. Customs and Immigration Enforcement efforts. At the very time when these are some of the most stressed people working on behalf of the country for the Federal Government, we have people on the other side saying we should eliminate border enforcement.

We had a bill introduced in this Chamber last year that every Member of the minority supported. When you read it closely—I am not at all sure they all did because I don't believe this is the position they all had, but when you read it closely, it was a clear open borders bill. There was no way anybody was likely to be apprehended crossing the border except just to tell them "You know you are here legally now. Come back sometime, and we will see if we can figure out what to do."

We are for protecting people who are uniquely at risk in the country that they come from.

Asylum is an important thing. No country in the history of the world has been any more open than we have been to allowing people to come here legally, to have people who legally seek asylum come here. But the truth is, there is no asylum granted just because you are from a poor country or from a dangerous country, so most of the people who come saying that they are seeking asylum don't get it. Maybe that is why most of them don't show up in court. They know that their argument—they would rather be here than where they are from, but their argument will never work in court for most of them, and that is clearly understood.

We are going to have a lot better opportunity to solve the problems we need to solve regarding the border if people have confidence that the government has done a reasonable job of securing the border. I don't think anybody expects the border in a big country like ours to be so impenetrable that nobody could ever get in under any circumstances. I think they do expect that when you have found the 90- or 95-percent solution, appearing until now to be affordable and widely supported—when you have found the 90-percent solution, people do expect that at the very least that you would apply the 90-percent standard to the responsibility of the government to secure its borders.

So whether it is trying to figure out what we need in our workforce to have a continued growing and vibrant economy or it is trying to figure out what we do about people who have come here and decided to stay, whether they came here across the border or in some other way but stayed beyond the time they were supposed to be here or got here without going through the normal process—those are going to be much easier to come to a conclusion on if people know that the government has done its job to get the border under an acceptable and anticipated level of security, which we would expect to have in a country as strong and vibrant as ours.

Particularly for people who were brought here and grew up here, this is an 80-percent issue in the Congress and in the country. Virtually nobody thinks kids who grew up here and didn't get in significant trouble shouldn't be allowed to live in the country they grew up in. Frankly, we need them. We need young people entering the workforce. We need people who are, in almost all cases, highly motivated.

I talked to a university president just this week who said that these kids are the kids who, over and over again, set the standard. They are the kids who, over and over again, prove why we want them to be in our country.

These problems will be much more solvable if we will just deal with the one fundamental problem of controlling our borders, of having immigration laws that work.

I hope, as was mentioned earlier today, that we can get to this conclusion and get to this conclusion quickly. This is obviously a place where we need to come together. Not only does the government need to function, but this is an issue we need to solve, and I guarantee that all of these related issues will be more easily solved if we secure the border.

No President has ever had the credibility that this President will have if he says to the American people: I have met my commitment. The border is secure. We are now continuing to work to be sure that the court systems work, that we have protected those people who protect us on the border. There is great credibility here if the President is willing to get to a place that he can say that.

I think his efforts to secure the border are significant steps toward allowing us to solve the other problems we need to solve, and we need to solve them sooner rather than later.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ERNST). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECESS

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

Thereupon, the Senate, at 12:20 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. COTTON).

The PRESIDING OFFICER. The majority leader.

CONSTITUTING THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED SIXTEENTH CONGRESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the consideration of S. Res. 12, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 12) to constitute the majority party's membership on certain committees for the One Hundred Sixteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to 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 resolution (S. Res. 12) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

CONSTITUTING THE MINORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED SIXTEENTH CONGRESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 13, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 13) to constitute the minority party's membership on certain committees for the One Hundred Sixteenth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to 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 resolution (S. Res. 13) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—Motion to Proceed—Continued

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HIRONO. 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

Ms. HIRONO. Mr. President, this shutdown is not a negotiation situation. This is a hostage situation.

The President of the United States has taken 800,000 Federal workers, tens of thousands of Federal contractors, and thousands of small businesses hostage to extort money for his vanity wall.

We have all heard from our constituents about the pain the shutdown is causing. This Friday many government employees will miss their first paycheck as a result of the shutdown. Most of us live in a world where we need paychecks, and it is obvious that our constituents shouldn't have to "make adjustments," as the President frames it, for the President's shutdown.

Our 800,000 Federal workers aren't the only people in our country feeling the impact of the shutdown. The situation is inflicting unnecessary pain on our government contracting community and small businesses that rely on the day-to-day operations of the Federal Government, not to mention the millions of Americans who request government services.

Let me just tell one story. Michelle Baker is a Federal contractor in Waikiki who helps the National Oceanic and Atmospheric Administration, the Fish and Wildlife Service, and other agencies to write reports in a way that is accessible to the public. Michelle told Honolulu Civil Beat that she and her husband have resorted to taking out a payday loan with an exceptionally high interest rate to pay for their food this week.

Let me be clear. There are two people who can end the pain of the shutdown right now—Donald Trump and Senate majority leader MITCH MCCONNELL. The President has demonstrated repeatedly that his word is not good. He is an amoral hostage taker, and you cannot and should not negotiate with a hostage taker.

Senator MCCONNELL, on the other hand, has not held back in exercising his power when he saw fit to do so. Senator MCCONNELL had no problem using his power to unilaterally deny Judge Merrick Garland to serve on the U.S. Supreme Court. Senator MCCONNELL had no problem using his power to lower the number of Senators it would take to confirm nominees to the Supreme Court, starting with Neil Gorsuch. Senator MCCONNELL had no problem using his power to force the Senate to come within one vote of denying healthcare to millions of Americans by bringing forth a bill to repeal the Affordable Care Act. Senator MCCONNELL had no problem using his power to ram through a huge tax cut for the wealthiest Americans and corporations at the expense of middle-class families.

Senator MCCONNELL has the power to end the shutdown by bringing up the legislation that the House has sent us—the same legislation that passed the Senate last Congress—to get the full government open and running again.

We should all be asking: Why won't Senator MCCONNELL use his power to

help 800,000 Federal workers and tens of thousands of government contractors get their paychecks? No one needs to remind Senator MCCONNELL that Congress is a separate branch of government. The Senate can act without the hostage taker President's consent or assent.

Since the amoral President has hunkered down with his hostage strategy, I call on Senator MCCONNELL to use his power to do his job as Senate majority leader. More Members of his own caucus are coming forward every day and calling on him to act, regardless of whether the President threatens or promises a veto.

It is time for Senator MCCONNELL to stand up to Donald Trump and for the Senate to do our job and end this shutdown.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. I ask unanimous consent to speak as in morning business.

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

Mrs. MURRAY. Mr. President, I come to the floor on what is now day 19 of the Trump shutdown—an epic Presidential temper tantrum that forces the rest of us to, once again, plead with the President to stop hurting the American families he promised to represent. This time, it is because President Trump marched our country right into a government shutdown, paralyzing Federal Agencies and preventing them from carrying out the most basic government functions.

What does this government have to show for it? Eight hundred thousand hard-working Americans, some off the job and some still asked to come in. Their bills are mounting and no money is coming in. That includes the air traffic controllers in my home State of Washington who wrote me letters. They don't question whether they will keep showing up to do the job they love—a job that keeps the public safe—but they have no idea when they will get their next paycheck. That means stress, stress about providing for their families, stress about being able to pay their mortgages, pay for preschool, pay down post-Christmas bills. They are forced to bear the brunt of this Trump shutdown.

It is not just Federal workers. Thousands of senior citizens and individuals with disabilities are facing possible eviction as HUD scrambles to figure out how to make housing payments. Our national parks, the crown jewels of our country, are no longer adequately maintained for public use, while the small businesses right outside the parks that rely on visitors, like those

outside Mount Rainier National Park in my home State of Washington, are feeling the pain and cutting back on staffing. Our farmers and our tree fruit growers are unable to get their applications processed through the shuttered Farm Service Agency. Millions of low-income families are now unsure if they will receive the help they need to put food on the table for their children in the coming weeks.

I could go on, but I don't need to. With each passing day, it is very clear just how much this Trump shutdown is hurting families in every community in every State of our country, and no prime time address or fearmongering trip to the border is going to change that reality.

To President Trump, I say: Enough with the tweets, enough with the fact-twisting. It is time to stop playing politics and finally agree to end this shutdown that you began. Stop trying to bully your way out of this mess.

To my Senate colleagues, I say: In case it is not crystal clear, ending this nightmare is not complicated. Three weeks ago, in this very spot, we passed a bill that kept the Federal Government open without funding Trump's wasteful wall, the one he promised Mexico would pay for. That bill was very simple. It was all about keeping our government open and avoiding a completely unnecessary crisis.

Democrats supported the bill. Republicans supported it. In fact, it passed unanimously because we know the people we represent have no interest in elected officials playing games with their lives and livelihoods.

Now the Democratic House has followed suit. They have passed a bill that will do the same thing. Yet that simple solution—keeping our government funded, on schedule, and without interruption—has been stopped in its tracks by President Trump, who apparently sees no problem with keeping the government shut down for months or even years, as he said, all to fulfill a shallow campaign promise that everyone knows will do nothing to truly address our broken immigration system and keep our country safe.

What we have here is a crisis of the President's own making, from top to bottom. I, for one, find it simply outrageous that instead of searching for real solutions or working with Congress in good faith, the President is dug in and demanding American taxpayers bail him out to save face.

Members of this Congress were elected to make decisions that help the American people. We were not sent here to provide cover for the President.

I urge my Republican colleagues to make it your priority to work with us to fund our government and end this completely unnecessary crisis.

This started out as a Trump shutdown, but with every day that passes that the Republican Senate will not act, Republican leaders take more and more ownership, along with every Republican Senator who supports them.

Some Republicans in the Senate are already standing up, and I commend them. They want to work with us to stand up to President Trump and to end this shutdown, and they would like the opportunity to vote to do just that, but not enough yet, and the clock is ticking.

I say this to Republican leaders: Work with us to restore certainty to the American people—from the hundreds of thousands of Federal workers who are being forced to forgo their paychecks to the small business owners, to the farmers, to the seniors and low-income families, to the air traffic controllers and all those people whose lives are being unnecessarily thrown into chaos and who deserve a fully functioning government.

The President of the United States may be throwing a tantrum and playing political games, but the people we represent and our country as a whole deserve a whole lot better.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TOOMEY). 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.

Mr. LEAHY. It is now day 19 of the Trump shutdown, 19 days that the Federal Government of the oldest democracy and the world's only superpower has been functioning on only half of its cylinders.

I have spoken multiple times about the devastating impact this reckless and unnecessary shutdown is having on the Federal workforce at domestic departments and agencies—departments like Homeland Security, Agriculture, Transportation, Justice, Interior, and Commerce, agencies like Customs and Border Patrol, the Drug Enforcement Agency, and the National Park Service.

These departments and agencies have furloughed and stopped paying hundreds of thousands of employees who, as a result, are idle and no longer able to do the jobs that millions and millions of Americans depend on. Hundreds of thousands more are working without pay until the shutdown ends.

The President, a billionaire who has never had to worry about not being able to pay the rent, says he can relate. If he actually believes that, he is alone.

Programs are on hold, and contracts are being cancelled, for which the Federal Government is liable for penalties. Government shutdowns don't save money; they cost billions of dollars and have lasting consequences. And who pays? American taxpayers.

This is a disgrace, and it is made even more so by the fact that it is entirely avoidable were it not for the intransigence, indifference, and obsession of one person, President Donald Trump.

An obsession not with border security—we are all for that, and there is more than a billion dollars in prior appropriations for border security waiting to be spent. In fact, we have offered another \$1.3 billion for fiscal year 2019. The White House never says anything about that.

No, the President's myopic obsession—repeated on national television last night—is with building a 30-foot-high wall—mostly on desolate land that the government will have to seize from private owners—along our southern border. The price tag to U.S. taxpayers would be at least \$18 billion and likely more, a price tag that at campaign rally after campaign rally he promised Mexico would pay.

There are multiple reasons why that is a terrible idea, why it won't stop illegal migration, why it won't stop illicit drugs, and why it would be a colossal waste of taxpayer dollars, which I have discussed before and will again.

Today I want to speak briefly about the impact the Trump shutdown is having not on the Federal Government's domestic programs and workforce, but its impact on U.S. national security and global leadership.

It is worth asking: What made the United States the world's superpower and a global leader in the first place?

Of course, one reason is our superior Armed Forces. That, I suspect, is the answer President Trump would give, but he would be only partly correct.

Even more important are the ideals enshrined in our Constitution and Bill of Rights, our democratic institutions and coequal branches of government, our diverse citizenry, and our regional and global alliances and partnerships. Without these, our men and women in uniform would have precious little to defend.

Today, the global supremacy and influence of the United States are being challenged like no time since the Cold War with the former Soviet Union. Why? One need look no further than 1600 Pennsylvania Avenue.

Since his first days in office, President Trump has disparaged long-standing friends and allies. He has withdrawn from international agreements negotiated by past Republican and Democratic administrations, announced plans to withdraw from a key nuclear nonproliferation treaty, and proposed drastic cuts to the operations and programs of the State Department and the U.S. Agency for International Development, which implement foreign policy.

Now the State Department, like other Federal departments and agencies, is swept up in the Trump shutdown.

Our choices are obvious: We can engage with the world by affirming our commitment to our ideals, by continuing to strengthen our democratic institutions, by empowering our diplomats and by expanding our global alliances and partnerships.

Or we can withdraw, even to the point of shutting down the Federal

Government, cede the global stage to others whose interests are often adverse to our own, and become the captives of simplistic campaign slogans, xenophobic antimigrant hysteria, and a manufactured national security emergency.

The President said the country needed a "good" shutdown. He said that: a "good" shutdown. There is no such thing.

He said he would be "proud" to take the "mantle of blame" for shutting down the government. Then the next day he blamed Democrats, rejecting out of hand our proposal to pass the six appropriations bills that already received overwhelming bipartisan support in the Republican-controlled Senate.

Most of those bills have nothing to do with border security, but the President is obstinately holding hostage thousands of Federal programs funded in those bills, including the paychecks for the people who implement them, which harms all Americans.

With a stroke of a pen, the President could reopen the government and continue negotiations on border security; yet he refuses, and instead he flippanantly said the shutdown could last "months" or even "years."

What has this reckless abuse of executive power meant for our standing in the world? What has it meant for our diplomats at the State Department and in our embassies overseas whose job is to protect our global interests, to maintain our alliances and partnerships, to assist the millions of Americans working, studying and serving overseas, and to protect our security?

As of yesterday, 34 percent—more than one-third—of U.S. direct-hire State Department employees in Washington and at our embassies around the world have been furloughed. That is nearly 10,000 employees at the State Department alone who are unable to do their jobs. Others are working without pay.

If the shutdown continues, more paychecks will be withheld, the number of furloughed employees will increase, and there will be a parallel shutting down of diplomacy, of programs, of contracts, and of our ability to engage with both allies and adversaries.

The effects are far reaching.

The Bureau of Diplomatic Security will run short of funds, forcing the State Department to deplete resources used to keep other programs operating order to protect our diplomats and facilities overseas or eventually relying on unpaid contractors to do the job.

Roughly 85 percent of the employees of the State Department's Office of Inspector General have already been furloughed. Oversight of waste, fraud, and abuse has virtually ground to a halt.

Vietnam, a country of nearly 100 million people bordering China, is becoming a key security partner in the Pacific region; yet thanks to the Trump shutdown, key employees at our embassy and USAID mission in Hanoi

were furloughed. The American flag is flying, and the lights are on, but that is about it.

This is illustrative of what is happening in every region of the world, and it does not take a lot of imagination to predict the consequences of a longer shutdown.

For example, the State Department and U.S. Embassies regularly use their social media accounts to update Americans overseas of important developments that potentially threaten their safety. This was the case during the recent tsunami in Indonesia. How will the State Department respond to the next natural disaster when its social media accounts—tools that are relied on increasingly in today's world—have fallen silent?

What about the loss of U.S. influence on the world stage? With most official travel suspended, how do we ensure that our priorities are protected at the next trade, arms control, or international health summit?

What do you suppose the leaders of China, Russia, Iran, Syria and North Korea—not to mention allies like Great Britain, Canada, and Japan—think about this?

If I were President Putin, or President Xi Jinping, or Ayatollah Khamenei, I would be celebrating. What could be better than U.S. Embassies operating on life support and U.S. diplomats sidelined, while the U.S. Government is shut down over building a wall across the southwest desert?

Does President Trump think the rest of the world will sit idly by, waiting until the U.S. Government reopens? The opposite will happen. They will take full advantage in ways that will not be short lived.

While massive humanitarian crises imperil the lives of millions of people in Yemen, Syria, Burma, Venezuela, and Central Africa, the White House is embracing a diminishing role for the United States.

While Russia meddles in our elections and expands its influence in the Middle East, while China buys the allegiance of countries in Africa, Asia, and our own hemisphere by investing billions in ports, energy and transportation projects, the State Department is shutting down programs and sending its people home.

It is not just the State Department. USAID, the Peace Corps, the Millennium Challenge Corporation, they are all furloughing personnel and canceling new activities.

With the exception of the U.S. military, if this drags on, the United States will be a superpower in name only. An exaggeration? Don't bet on it.

While our diplomats are furloughed, rather than use the funds Congress already provided for border security that remain unspent, the President has threatened to ignore the legislative process, declare a national emergency where none exists, and order the Pentagon to pay for the wall that he swore Mexico would pay for.

Such a flagrant, unwarranted misuse of authority and circumvention of the democratic process would be immediately challenged by Congress and in the courts.

Regardless of the outcome, what would it say about our commitment to democracy around the world? How would it be perceived outside this country, particularly by autocrats in Syria, Saudi Arabia, the Philippines, Brazil, Egypt, Russia, Hungary, Poland, or China?

It would be welcomed as a green light for declaring a state of emergency and wielding unchecked executive power—without regard for the legislature or judiciary—as a pretext to do virtually anything. Shut down the independent press. Arrest judges and opposition political leaders. Use the army to police the streets. Close the borders. All in the name of a manufactured national emergency.

This is already happening. In Guatemala, which purports to be a democracy, President Morales is openly defying rulings by constitutional court magistrates who are courageously defending the institutions of justice that are under assault, and the police are ignoring orders of the attorney general.

In Egypt, President al Sisi has locked up tens of thousands of political opponents and other dissidents. In Turkey, President Erdogan has done the same. President Trump has praised both leaders.

In Brazil, President Bolsonaro, a former military officer, has vowed to open up the Amazon to mining, logging, and agribusiness. He wants to give the police a free hand to use lethal force with impunity. He is gearing up to crack down on civil liberties. The White House has applauded.

No one disputes that the United States has experienced national emergencies, when we faced a potentially existential threat. Pearl Harbor and the 9/11 attacks are obvious examples. The Cuban missile crisis could have been.

A future deadly disease pandemic that infects thousands of Americans and rapidly spreads out of control might qualify.

The President talks as if the sky is falling in Texas, but any rational person recognizes that the situation on our southwest border is not remotely a national emergency. To call Central American families fleeing poverty and violence a threat to the security of the world's wealthiest, most powerful country is an embarrassment, especially when the Border Patrol's own data shows the number of migrants apprehended at the southern border has plummeted over the past 10 years.

The White House, grasping for arguments to justify the President's broken campaign promise that Mexico would pay for his wall, has played fast and loose with the facts in a desperate attempt to incite fear among the American people.

The President and Vice President have shamelessly trumpeted all kinds

of wildly inaccurate and grossly misleading statistics about migrants, terrorists, asylum applicants, unaccompanied children, and illegal drugs that are contradicted by their own agencies.

The White House says thousands of migrant terrorists have been apprehended, falsely suggesting they were stopped at the Mexican border. Almost none of them were.

We face a far greater threat from al Qaeda and ISIS using social media to inspire extremists already in the U.S. or Canada to commit terrorist acts. The last thing anyone would do who is genuinely concerned about terrorism is to shut down the government and withhold funding from the very agencies whose job it is to track down and arrest those people.

The real threat to our national security is shutting down the government, furloughing 10,000 State Department employees, telling our embassies to cancel programs and our diplomats to stay home.

While we come to grips with practical ways of strengthening our borders so we can more humanely and efficiently process migrants who request asylum, which we must do, we must also stay focused on the real threats to our national security.

We need our embassies at full strength. We need our diplomats in the room with their European, Russian, Chinese, South Korean, Central American, Middle Eastern, and African counterparts.

We need to strengthen NATO and our other alliances, so we can rely on our allies and partners to support us in responding to real national emergencies.

We need to expand our cyber security, nonproliferation, international broadcasting and other public diplomacy and internet freedom programs, military education and training, maritime security, law enforcement, and other international assistance programs. Instead, because of the President's obsession with the wall, these and other State Department programs are stuck in neutral, and the people who implement them are at home.

We need to act like a superpower at the United Nations, in NATO, and in the many other regional organizations where decisions are made that directly affect our interests and our security.

None of this is possible during a government shutdown, a shutdown that with each passing day erodes our democracy, weakens our global leadership, and threatens our security.

We all know this. The American people know this. The world knows this. The President needs to reopen the government and start acting like the defender of the Constitution and of our national security that the country needs.

I again urge the Republican leader to let us vote on the bipartisan, six-bill minibuss, and when it passes, he and the entire Republican Caucus should urge the President to sign it.

That is our job, as an independent, coequal branch of government: to vote,

to appropriate the funds so the Federal Government can work for the American people. It is not our job to sit on the sidelines while the wheels of government grind to a halt because the President is recklessly holding it hostage.

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

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

The Senator from Montana.

Mr. TESTER. Mr. President, I rise today to set the record straight on the President's border wall—quite frankly, something he didn't talk about much last night during his speech to the country. But the truth is, this is where the problem is. So I want to talk about it a little bit today.

The President made it crystal clear—dozens of times, in fact—that he was prepared to shut down the government in order to get the \$5.7 billion for the wall, leading up to that speech last night. So here we are today, day 19 of President Trump's shutdown. Political gamesmanship? Well, that is nothing new in Washington, DC, but the fact is, our debates need to be grounded in facts. So here are the facts:

The President's demand for \$5.7 billion for a border wall is tall in hyperbole and wide on theatrics but short on facts.

Last night, the President said that Congress has refused to provide the resources needed to secure the border. That is not true. In fiscal year 2018, Congress gave the President \$1.3 billion to construct fencing and other fixed structures along the southern border. I know so because I worked side by side with my Republican colleagues to write that bill. Today, not one of those projects is under construction—not one.

Strong border security is much more than physical barriers. Congress appropriated \$21 billion for immigration enforcement and border security in last year's Homeland Security Appropriations Act. That includes money to expand manpower, increase technology, and utilize communication services and resources on top of funding for physical barriers.

Here is another fact: Hard narcotics like meth and cocaine and opioids are not coming over the border in backpacks; they are coming through our ports in cars and trucks. We have the technology to fix that, so let's appropriate the money toward real solutions at our ports to stop the drugs from entering our country, not \$5.7 billion for a wall.

So, again, let's stick to the facts. Despite having more than \$21 billion in border security and immigration enforcement funding, including funds for

physical barriers, the President has shut down the government to demand another \$5.7 billion exclusively for a wall.

One would think to ask, what would you possibly spend \$5.7 billion on, especially after already having \$21 billion to spend on border security and immigration enforcement? And we did ask him that. We asked him for a plan. We told the President and Homeland Security Secretary Nielsen that if they are going to break their promise to have Mexico pay for the wall and use American taxpayer dollars, they ought to produce a plan of action.

The plan we received in late December was incomplete—no analysis of alternative technologies, no analysis on the impact to communities, to landowners, to wildlife. And that plan only asked for \$1.6 billion, not the \$5.7 billion the President is now demanding.

The President has also failed to address private property rights and eminent domain. What is he going to do if a family refuses to sell off wide tracts of their farm or ranch to allow a wall to go through and split their ranch, divide their ranch? Are families going to cede their water and mineral rights? Is the administration prepared to enter into good-faith negotiations with literally thousands of families? And do we know how much that is going to cost the American taxpayer?

These questions need answers. Yet, with these questions still unanswered, there are folks in this body, the U.S. Senate, who are prepared to write a \$5.7 billion check to the President right now.

So here we are on day 19 of the President's shutdown. During the President's speech last night, he was right about one thing: There is a crisis taking shape in our country. But it is not the crisis on the southern border that he is trying to manufacture. As a result of the President's shutdown, there are 19,000 border agents today who are working without pay. There are 51,000 TSA agents working without pay. These are hard-working folks. They have families, they have mortgages, and they are being forced by the President to secure our country's borders and ports and airports while not knowing when their next paycheck will arrive.

I have heard from Border Patrol agents who moved across the country at their own expense so that they could be stationed along Montana's northern border. How have they been repaid for their willingness to serve? Well, they are not being paid. Not only do they have to absorb the moving costs, but now they have to pay for rent and cover other essential costs without a paycheck, and they are continually wondering when they will get paid next.

Look, at the end of last year, CBP's recruitment efforts finally started to bear fruit. For the first time in years, CBP began to achieve gains in hiring border agents. This shutdown not only

could, but I believe it will set back those efforts dramatically. Who could blame a family for passing on a job that could force you to work for free?

The President talked last night of a "sacred duty to America." I can think of few things more un-American than withholding pay from someone after an honest day's work.

But it is not just those stationed at the border and at our airports who are hurting because of the President's shutdown. I am going to give a small sample of letters and emails I have received from the folks from the great State of Montana since the shutdown began.

Ronald from western Montana says this:

I spoke to my son, a career Coast Guard member. He tells me that the Coast Guard is being directed to continue their duties without being paid due to this ridiculous shutdown. Senator, that is not right! Why do these brave men and women have to continue to risk their lives without being paid? My boy is worried about being evicted from his apartment with two young daughters and a wife because they won't receive their housing allowance! Please help fix this un-American situation.

Shilo from Bozeman writes:

I and other federal employees have been converted into political footballs for partisan politicians. My Christmas vacation was canceled and pay has been suspended during a time when some of us need the money the most. We are being disadvantaged and made to suffer while the comfortable and blithely unaffected cling to their arbitrary political ideologies and refuse to compromise.

Daren from northeast Montana:

I have a farm equipment loan that is at a standstill because the USDA is not picking up the phone. I have contractors and vendors who are waiting to be paid. The impact of this shutdown will last long after it ends.

Debra from Indian Country:

My daughters are federal employees proudly serving the Northern Cheyenne Tribe in Montana through the Indian Health Service. My daughters are both enrolled members of the Northern Cheyenne Tribe, and both are single, hardworking mothers. My granddaughters are afraid their moms won't be able to pay the bills or buy groceries if the paychecks don't arrive. Morale is horrid in Lane Deer.

Please stop this immoral shutdown. It is very unfair to hardworking people like my daughters. They must work but will not get a paycheck this Friday if the shutdown continues.

Mr. President, this is what a crisis looks like, and this is a crisis you have created.

The President barely mentioned the wall last night in his address to the Nation. Yet we are here on day 19 of a government shutdown that is a direct result of his wish to build a wall from sea to shining sea.

It is time for the Senate to be the Senate. It is time for the folks in this body to quit making decisions based on politics and start making them based on facts.

The facts in this case are clear. There is no plan for \$5.7 billion for a border wall, Mexico will not pay for it, and the dysfunction of this administration

is causing real turmoil in the lives of 800,000 workers and their families.

I am calling on the majority to bring some common sense to this situation and to stand behind the bipartisan legislation that Republicans and Democrats have passed over the last several months—over the last month in particular—to reopen the government and put an end to this crisis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

Mrs. FISCHER. Mr. President, I rise today to deliver a message to the hard-working agriculture producers in Nebraska and across America who feed the world.

At the end of last Congress, the House and Senate came together and passed a 5-year farm bill that provided the certainty and the predictability our farmers and ranchers needed during tough economic times. President Trump signed this important piece of legislation into law.

As a proud member of the Senate Agriculture Committee, I had the privilege of working on this legislation and securing key provisions for Nebraskans. Among these were measures that protected crop insurance, streamlined trade promotion programs, bolstered opportunities for producers to use precision ag technology, and unleashed broadband deployment throughout rural America.

Because of this bill, folks in agriculture were feeling more confident about planning for the future. Now we find ourselves in the middle of a partial government shutdown, and there is some anxiety in farm country as funding to the U.S. Department of Agriculture has lapsed. In that regard, I want to provide some important updates to producers who are concerned.

The year-round sale of E15 is critical, and it is a critical issue for Nebraska's farmers, renewable fuel producers, and our rural communities. Our State has 25 ethanol plants that employ more than 1,300 hard-working Nebraskans with high-paying jobs, which are mostly located in rural communities, but for far too long, an outdated regulation that banned the sale of E15 during summer months has held our communities back.

Here in the Senate, I worked closely with a group of farm State colleagues to demonstrate the benefits of higher blends of ethanol fuel. I also championed bipartisan legislation, the Consumer and Fuel Retailer Choice Act, to allow for the sale of E15 year-round. Our efforts got President Trump's attention, and I was proud to support him last fall when he announced that he would direct the EPA to initiate the year-round sale of E15.

Through our continued efforts in the Senate and the action by President Trump to follow through on his promise, rural America is on the way to a major victory.

This week, some reports surfaced saying that the partial government shutdown is going to delay EPA's rule-making process for year-round E15. I would like to reassure our fuel producers that this is simply not true.

In fact, the EPA spokesman issued the following statement, saying:

This is a priority for both President Trump and Acting Administrator Wheeler. The ongoing partial shutdown will not impede EPA's ability to keep to our deadline.

I was pleased to learn that this rule-making process is still on track, and I want to make sure Nebraskans are aware of that fact as well.

Additionally, Secretary of Agriculture Sonny Perdue announced he is extending the deadline for agriculture producers to apply for payments under the Market Facilitation Program. These payments are provided by the USDA's Trade Mitigation Program, which was a good-faith effort that recognized the economic hardship of our farmers and ranchers and the problems they were facing.

I have heard from Nebraskans who have applied for this program and who have received payments. Per Secretary Perdue's recent announcement, the Agency will extend the application deadline for the period of time equivalent to the number of days that the Farm Service Agency offices were closed during the shutdown. This should assist farmers who are interested in applying for the program but have been unable to do so during this partial shutdown. I understand the concerns of Nebraskans who are sincerely worried because USDA Farm Service Agency offices are closed.

Agriculture is the economic engine of the State of Nebraska. Across the State and in rural areas throughout our Nation, farmers are thinking about spring planting. They want to be able to plan ahead and make decisions about the future of their businesses. These hardships are real, and they are impacting Nebraska families. That is why I am continuing to have conversations with my colleagues about how we can come together in a sensible way that properly secures our border and ends these lapses in government funding.

Nebraskans know full well that I have long supported securing our border because it is a critical national security issue. I have visited the southern border, and I have spoken with our border agents. I have seen areas where a wall is necessary and other areas where technology or adding more border patrol is appropriate. Unfortunately, we have seen border security, an issue that has long had support from Republicans and Democrats, become deeply politicized.

As we continue to look and work toward a way forward, I want to keep

people updated and informed about the steps that our government continues to take to provide certainty, stability, and peace of mind to Nebraskans.

Thank you.

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

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

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, yesterday I left my home in Cleveland and kissed my wife good-bye and headed to the airport early in the morning. I went to gates A, B, and C in the Cleveland Airport and talked to the TSA agents who are all working and working without pay.

Then, when I got to Washington—I flew into National Airport—I went straight to a building in Arlington where I talked to cafeteria workers. They are Federal contract workers who serve food at our Smithsonian museums and other Federal facilities. They don't work for the Federal Government. Their paychecks don't come from the Federal Government. They are contracted through a company and then paid by these companies. They have lost their jobs during the Trump shutdown.

These workers, making \$12, \$13, \$14—some with some seniority make \$15. They are union. They make 2 or 3 dollars more than the nonunion comparable workers. But they are not getting paid.

Unlike the 800,000 Federal workers, some working without pay, some furloughed—unlike them, if history is a judge, they will not get paid those lost wages. So these are people making \$12, \$13, \$14 an hour who have already lost 2 weeks of work because of the Trump shutdown, and unless Congress acts, they have no prospect to get that back pay. Again, their wages are at that level.

Then, last night, to sort of cap the day, in my apartment here I watched the President of the United States talk about his wall and dig in a little more.

You know, I wish President Trump would talk to the workers he is hurting with this shutdown. I wish that he would go out and, as President Lincoln used to say, get his "public opinion bath" and listen to these workers; that he would leave the White House or Mar-a-Lago, where he spends most of his time, and talk to these workers I talked to yesterday—the TSA workers in Cleveland who are working without pay. The anxiety levels are going up and up and up for these workers because this coming Saturday they will miss their first paycheck—and then beyond that too. This also affects the food service workers.

Last week, President Trump said—imagine this, a billionaire President—his shutdown, the Trump shutdown, which he proudly, as Commander in Chief, said: “I am proud of this shutdown.” Last week, he said: “This shutdown has a higher purpose than next week’s pay.” Imagine that, a billionaire President, living in this beautiful house paid for by taxpayers and having his estate in Mar-a-Lago, and he would say: “This shutdown,” this Trump shutdown, “has a higher purpose than next week’s pay.”

I wonder if he would tell that to TSA workers, the ones I met in Cleveland, including Aaron Bankston, who told me:

If you’re the only breadwinner in your family, and to have your kids looking up at you, it’s hard to tell them, we don’t have anything to put food on the table, that’s the hard part.

We just have to get us back working. We’re working diligently over here, trying to make sure we’re securing America.

Mr. President, tell the cafeteria workers I talked with there is a higher purpose than their week’s pay because, remember, it is not just Federal employees feeling the pain. There are also these contractors. There are 800,000 Federal employees. We think—we can’t get the number from the government yet—I am not sure the administration wants to tell us these numbers. There are thousands and thousands and thousands of contract workers making \$10, \$12, \$15 an hour—making a little more if they are lucky enough to have a union, but some making as little as \$8 or \$9 or \$10 an hour.

A lot of Americans don’t realize that thousands of janitors and cafeteria workers and security guards are out of work because of the President. You know, it is all kinds of Federal employees. It is people who process tax returns at the IRS. It is people who are helping farmers adjust to the new farm bill we passed proudly—Senators ROBERTS and STABENOW and a bunch of others. It is about people wanting to get a mortgage, and they can’t get it approved at FHA because of this shutdown. It is also people making \$8 and \$10 and \$12 an hour. Unless we do something, these workers will not get the backpay they should get because they are employed by private contractors. They have no way, at \$12 and \$15 an hour—without pay, they have no way of making up their lost hours and lost wages. I am working with a relatively new Minnesota Senator, Ms. SMITH, on legislation to try to come up with a solution to get these workers backpay, the way that workers who are actual Federal employees get backpay. Fundamentally, it comes down to respecting the dignity of work. That means respecting the dignity of work and that these workers make a decent wage with decent benefits.

Missing one paycheck may not seem like a lot to the billionaire President and the multimillionaire Cabinet with their massive investment portfolio.

I will say that again. Missing one 2-week paycheck or two 2-week paychecks or even, if the President gets his way, three 2-week paychecks may not seem like a lot to a billionaire President and a multimillionaire Cabinet with their massive investment portfolios, but it means a whole lot to these people. Missing a paycheck is a big, big deal that the President of the United States clearly either doesn’t understand or doesn’t care about.

The President doesn’t understand that working people can’t just send a letter to creditors saying: Excuse me from paying rent this month or paying my mortgage or paying for my medications. You can’t put groceries or gas in the car with an IOU.

One of those cafeteria workers told me in Arlington: I have to pay rent. I have other bills. I have a college student in community college. He needs help with his books. He said: President Trump, I am asking would you please open the government. Everyone is going through hardship. We really don’t want this wall you want.

I am guessing the President of the United States, the billionaire President, jetting back and forth between the White House and Mar-a-Lago in Florida, will never talk to not just these workers I talked to in Virginia or those TSA employees in Cleveland—I am sure he will not talk to them, but I hope he will talk to some people like them.

He spends his time in his resort, but he doesn’t see them. To him, they are invisible, but MITCH MCCONNELL can see them. MITCH MCCONNELL’s office is down the hall on the right about 100 feet. I have shared on this floor before how lobbyists, during the tax bill, when President Trump and the majority in the Senate and the majority in the House gave a \$1.5 trillion tax cut—and 70 percent of that tax cut went to the richest 1 percent, people like themselves, the President, the Cabinet, many Members of the Senate, many Members of the House. I documented it to show—as I looked out this door and opened these doors, I showed this is the place where the lobbyists go in and out of the majority leader’s office, talking to him about their special interest legislation.

So I ask—right now, Senator MCCONNELL could come out of his office, and he could walk down this hall. I would be happy to open the door for him, if that is not contrary to Senate rules. I would be happy to open the door for him and welcome him. He could right now vote to reopen the government and get this process moving and tell the President of the United States. He also could go to Virginia. He also could go to the airport in Louisville or Cincinnati, and he could listen to their stories, but he doesn’t seem to be listening either because I am guessing if he did, he might be a little more inclined to let us vote to get these workers back on the job.

I am calling on Senator MCCONNELL to come out of that office, to walk

down this hall, and to come here and begin the process of opening the government.

Let’s talk for a minute about what the President said last night. The President continued his record of telling lie after lie after lie after lie, misleading the people he is supposed to serve. Facts matter. So when you hear the President say we need a wall, remember that it is a fact that illegal border crossings are at historic lows. It is not fake news. My wife says if it is fake, it is not news, and if it is news, it is not fake. It is a fact that border crossings are at historic lows.

Another fact, border crossings are down about 80 percent since 2000. Another fact, the President’s wall would do nothing to stop opioids coming into our communities. First, most illegal opioids are seized at legal points of entry, not tracked over some remote area of Texas. Fact, the shutdown makes it harder for Customs and Border Protection to do their jobs intercepting those opioids.

Another fact, last year we passed the INTERDICTION Act. I worked with my colleague from Ohio, Senator PORTMAN, and Senator MARKEY from Massachusetts on a bipartisan bill to get Customs and Border Protection the screening devices they need to test for opioids. Why would we focus on the President’s vanity project, building this wall? A promise he made—remember his promise? “I will build the wall, and the Mexicans will pay for it.” Well, he is now asking American taxpayers, over time, to pay \$25 or \$30 billion.

Why would we focus on the President’s vanity project instead of getting the agents and technology they need? We can do this with agents, technology, helicopters, and all the things we need to do to protect the border because that is what we want to do. We don’t want this vanity project. We want to protect the border.

Another fact, most undocumented immigrants aren’t committing crimes. In fact, there are 56 percent fewer criminal convictions of undocumented immigrants than of native-born Texans. So a native-born Texan is more likely, percentagewise, to commit a crime than an undocumented person living in Texas.

Keep in mind the facts of what this shutdown is costing the American people; 800,000 Federal workers are going without a paycheck; 420,000 of them are on the job without pay; thousands of contract workers, custodians, cafeteria workers, janitors not only are not getting a paycheck, but they probably never will for this lost work.

Here is another fact. The President and Senator MCCONNELL could end the shutdown right now. The Senate passed a bill unanimously to fund the government in December. That is a fact. We passed it. It is a fact. It was unanimous. It is a fact. The House passed bills to fund the government last week. It is a fact. Senator MCCONNELL right now could come out of that office, walk

down this hall, and Senator McCONNELL could put those House bills on the floor right now, and we could vote to end this shutdown. We could send them to the President's desk, and if the President is going to continue his vanity project and continue this Trump shutdown and he vetoes it, we have the ability to override it.

The President doesn't tell us what to do. He seems to be telling the Republican majority what to do day after day. I applaud those who stood up to him recently and said they want to open the government, but it is also a fact that this President said: "I am proud to shut down the government."

The Commander in Chief of the United States of America—the Commander in Chief—the top person in this country's government said: "I am proud to shut down the government."

Facts matter. The fact is, President Trump, once again, as he betrayed the General Motors workers in Lordstown, as he betrayed the General Motors suppliers—all the companies that supply the building of the Chevy Cruz—he has betrayed these Federal workers; he has betrayed these contract workers who are making \$10, \$12, and \$15 an hour; and he has betrayed the American worker.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Florida.

S. 1

Mr. RUBIO. Mr. President, what is before us right now is S. 1. For those who are here today watching or who are at home or will watch this later and are wondering what the Senate is doing, other than coming down here and giving speeches, what we are trying to do is start debate on a bill, on S. 1.

S. 1 is the Senate effort to respond specifically not just to general events that are happening in the Middle East but, in particular, the decision made a few weeks ago that the United States would be leaving Syria and our presence there.

At the time when the decision was made, I told everybody I thought it was a bad idea. A lot of people agreed, and there are a lot of reasons why it was a bad idea. Although I do think it is important anytime we ask the American people to send their young men and women abroad—in the case of Syria, it is about 2,000 special operators working alongside tens of thousands of Kurdish and Syrian democratic forces. Anytime we spend money or send Americans abroad to risk their lives, the American people deserve for us to go to them and justify why it is we should be doing it or continue to do it. That is certainly the case with Syria.

So I don't agree with the decision, but I do think it has given the Senate and those of us who disagree with that decision an opportunity to go out and tell people why it is that it is important. That is a broader topic, and I will have more to say about that in the days to come, but one of the reasons

why it is important is because the U.S. withdrawal from Syria will have a dramatic impact on the security of Israel.

Now, again, anytime we ask the American people to support another country with money or diplomatic support or anything that it might be—weapons—we should justify it. We should never take for granted why it is that it is important that we support that other country.

In the case of Israel, at a time when very few things enjoy bipartisan support, support for Israel has wide bipartisan support in Congress and across the country, and rightfully so. Our support of the State of Israel is founded both on morality and our national interest.

On the issue of morality, the State of Israel is very unique. It was founded for a very specific purpose in the aftermath of the holocaust, in which millions of Jews lost their lives. It was vowed that never again would the Jewish people not have a place to go and seek refuge or live in a place of peace and security. The State of Israel was established to be that homeland for the Jewish people. It is unique in the fact that it was given birth by an international organization. It is unique in the world in that regard.

The second reason we should support Israel is because it is in our national interest. Israel is everything we wish more countries in the Middle East and around the world were. They are a pro-American, free enterprise democracy. I would ask you, for a moment only, to imagine what the world would be like, how much easier our foreign policy would be if there were more countries in that part of the world that were pro-American, free enterprise democracies. We have one, the Jewish State of Israel. That is why we should support it.

From its very birth, Israel has faced threats to its very existence, but I would say today that the threats it faces are the greatest ones it has had to confront in almost a half century. The impetus for much of that threat comes from one place, and that is Iran, a country which almost as a matter of course as a government chants "Death to America" and "Death to Israel" on a regular basis. It is one of the stated purposes of that government, to destroy the State of Israel, but they aren't just words; they are actions.

I have a map of Iran and Israel. Of course, notice that Israel is the tiny little area on this map. At its narrowest point, Israel is 9 miles wide. This is not a large country in terms of the map area. It is unreal how much of the world's attention, both from international organizations and international debates, focuses on this one tiny country, but there it is, the very small nation that you see right there in yellow.

There is Iran. It is, clearly, larger in terms of on the map and in reality. Iran isn't simply a rhetorical enemy of Israel; it is taking action to encircle Israel and to threaten its security.

It begins with engagement in its missile program. Iran is developing and has developed ballistic missiles with a range that reaches every part of Israel. Here is the bottom line: Iran can lodge ballistic missiles that reach any city in Israel right now, which is why their nuclear ambitions are so dangerous.

Imagine that at some point in the future, Iran is able to attach a nuclear warhead to one of those ballistic missiles—a country whose leaders on a regular basis chant "Death to Israel" with a nuclear weapon that can reach Israel. Well, that is a proposition nobody wants to see come about. That is why the Iranian ambition to have nuclear weapons is so dangerous. They already possess that as it is today. But they don't simply directly target Israel; they also—I believe directly—they hide behind surrogates in the region, who do their bidding. These surrogates have for many years been found in southern Lebanon among Hezbollah. We will talk about them in a moment. They are a surrogate that works at the behest of the Iranian Government.

There have been conflicts—in fact, wars—between Israel and Hezbollah in which there have been massive military attacks coming from Lebanon, rocket strikes into Israel and Israel's response. The last one was in the 2005–2006 time period, and it could happen again. In fact, I believe the conditions are ripe for it to happen again. It could happen at any moment for a variety of different reasons that will have to be part of another speech because time doesn't permit. Suffice it to say, it is a dangerous proposition.

How does Hezbollah get this weaponry? They get this weaponry from Iran. It is shipped through Syria. The U.S. disengagement from Syria will make it easier for Iran and the IRGC and Hezbollah to bring those weapons into southern Lebanon to strike at Israel at some point in the future. In addition to that, Iran is also present on the ground in Syria, which, as you see, borders Israel. So not only does Iran help Hezbollah, but Hezbollah and Iran are in Syria, on Israel's very border in the same region in the south, and a U.S. withdrawal will make it easier for Iran to grow their presence there. So now Israel faces a threat from Hezbollah, from southern Lebanon, and a threat from Iran and Hezbollah in Syria.

We also see that the Iranian influence has grown in Iraq. The second leading political movement in the current Iraqi Parliament is a Shia group, directly aligned in Iran, with growing political influence. They want to kick America out of there. Believe me, they want to turn Iraq into another base of operation from which Israel can be targeted.

Down here in Yemen, the Houthis are an agent of Iran. You may say: Well, that is kind of far. It isn't in the sense that those missiles and rockets could reach there as well, but it also allows

them the opportunity to shut off transit here at this chokepoint on the bottom of the Red Sea, which could directly impact, ultimately, the ability for trade and commerce for Israel and for the region writ large.

Obviously, we see a growing Iranian presence in Bahrain and Kuwait.

Suffice it to say that Iran is carrying out an effort to grow its influence and encircle who it views as its enemies—the Sunnis in Saudi Arabia but more than anyone else, the Israelis.

This is not the only threat, by the way, that Israel faces. It also faces growing violence and resistance in the Judea-Samaria region—often called by some the West Bank—and Gaza, where there have been upticks in violence.

I failed to mention that in southern Lebanon, Hezbollah routinely builds tunnels from Lebanon into Israel. The purpose of that is to be able to sneak fighters right into Israel through those tunnels so they can conduct commando raids and kill civilians—not military personnel but civilians.

The threats Israel is facing are growing every single day.

I want to talk specifically for a moment about the missile threat to Israel. Here are the ranges of these rockets. There was an Israel-Hezbollah war. The next one will be far deadlier. It will be far deadlier for a couple of reasons.

The first is that Hezbollah can build these rockets; they no longer need to ship them in. Over the last decade and a half, they have built the capability to construct these rockets themselves.

The second is that they have more of them. That matters because Israel has a very good missile defense system, but you can overwhelm a missile defense system with volume, meaning 100 rockets are launched, and you knock down 99 of them, but 1 of them gets through and hits a population center and kills 10,000 people. Hezbollah now has that capability.

These rockets are also precision-guided. They are not just lobbing them over and they hit what they hit. They can launch precision-guided munitions to target specific areas within Israel. The ranges of these rockets they now possess are stunning. As an example, if you look at this little ring here, it tells you how many seconds it would take from launch to impact, meaning 10 to 25 seconds before they could hit, for example, the area of Nazareth and Tiberias. Moving farther down, you see 35 to 50 seconds. Farther down, around Tel Aviv, 75 seconds. Jerusalem, just south of that is probably another 10 seconds added, 85 seconds. A hundred and twenty seconds. A hundred and fifty-five seconds.

Imagine for a moment that you are visiting Israel or live in Israel or are a student studying there—whatever it might be—and one of these launches comes in, a barrage of 1,000 rockets launched. You literally have 35 to 50 seconds—less than 2 minutes. There is no country in the world that can mobi-

lize people to get out of the way in 2 minutes. These are their population centers. This is the threat that faces them right now, and that is just from Lebanon. Imagine that same capability I just described also existing in Syria. Imagine it all being launched simultaneously from Syria, from Lebanon, and from Iran. Now you begin to see the construct of a plan to destroy this tiny nation and why it is so critical that the United States support them in fighting for their existence. The threat is extraordinary.

There is one more element to it. There is now a global effort called boycott, divestment, and sanctions, BDS. It is designed to wage economic war on Israel—in essence, to pressure companies to boycott Israeli companies and people who do business in Israel until they stop, to pressure investment funds and banks to no longer do investments in anything related to Israel, and to pressure governments around the world to sanction Israel. That is what this effort is about. It is to undermine them economically as well. It is economic warfare and being waged at every level. It is working. People are adopting this around the world, and there are some who advocate for it here. We have recently seen in the news a number of companies that decided not to do business in certain parts of Israel because of the pressure from that movement.

By the way, I would point out that they are not just boycotting the economy; there are people who won't do concerts, and they won't play the Israeli sports teams. They want the Israeli Government kicked out of the international committee for different sports, including soccer—the Olympic committee. They boycott cultural events. They boycott universities. They are pressuring universities to cut ties with any university in Israel over all this. It is an effort to destroy Israel culturally and economically in a way that works in combination with the effort to destroy it physically. It is a very real threat.

We have tried to confront both of these issues in bipartisan legislation. I have up here a chart, and I will talk about it in a moment. Twenty-six States in this country have tried to do something to condemn BDS. I will get to that in a moment before I tell you the “what.”

I told you why it is so important that we stand with Israel and the threats that Israel faces. Now I will describe what this bill does. This bill has four components to it. One deals with the human rights violation in Syria. We will discuss that further, perhaps tomorrow. The second component of this bill deals with Jordan, which is one of the neighbors that Israel has that is actually critical to its security. One of the best things that happened to Israel security was the deal with Jordan and Egypt that allowed them, at their periphery, to have countries that at least recognize them and are not out to destroy them. Jordan faces its own

threats from some of the same actors, by the way. And add ISIS to that.

The other two elements are we took these two bills that have bipartisan support—cosponsored by Republicans and Democrats—we combined them with the other two bills, which also had such support, into one bill. That is S. 1. We viewed it as an opportunity for the Senate and for Congress to weigh in on foreign policy at a time when we believe that all of the threats to Israel that I just described are made worse by the decision to withdraw from Syria. That is the bill that is before us.

Today, I want to talk about the two components that impact Israel directly. The first is basically the United States-Israel Security Assistance Authorization Act. That is a fancy title for a bill that I coauthored with my very good friend and another strong supporter of Israel, Senator CHRIS COONS of Delaware, who sits on the other side of the aisle. Again, I told you this is a bipartisan issue.

This bill has 72 cosponsors here in the Senate. It passed overwhelmingly by a voice vote. We didn't even have to have a rollcall vote. It was just voice-voted out, meaning there was unanimous consent—no one objected—on the 1st of August of last year. It passed in the House, with an amendment, on September 12. Then it was hotlined for a potential voice vote here on October 11, 2018.

What does this bill do? The first thing it does is it lays out a statement of policy. Let me tell you why that is important. People say: Statement of policy words—why do they matter? They matter in the region because one of the things that would encourage Hezbollah or any of Israel's enemies to perhaps attack it is the belief that the United States is no longer as committed to Israel's security as we once were. They could miscalculate. They read these headlines about one or two people in America saying something negative toward Israel, and they think that somehow we are weakening in our resolve. I know that sounds silly to us, but to people involved in that over there, it is not. They read into this, and they miscalculate it. They make errors. A miscalculation here could lead to an all-out war that could cost the lives of thousands of people and potentially lead to the destruction of Israel, along with other nations in the process.

It is important for us to make very clear that our commitment to Israel is unwavering. It is especially important in light of the decision to withdraw from Syria because what a lot of these countries—including Iran—are reading into this is, U.S. commitment to the Middle East is no longer very strong. Not only are they not committed to being involved in the region, they are actually withdrawing any of the assets they could be using to be supportive of their allies in the region.

So these statements of policy are important. What we put in this bill lays out a statement of policy that says:

It shall be the policy of the United States to provide assistance to the Government of Israel in order to support funding for cooperative programs to develop, produce, and procure missile, rocket, projectile, and other defense capabilities to help Israel meet its security needs and to help develop and enhance United States defense capabilities.

What that means is, this is a cooperation. Israel may be developing some of these technologies because they have an immediate need. We would benefit from that technology too. If Israel develops the next generation of missile defense systems, we would use that as well in the case where we were threatened by it. That is that statement of policy.

The bill also authorizes U.S. security assistance in foreign military financing at no less than \$3.3 billion a year for the next decade. That, by the way, is simply the language from a memorandum of understanding that was signed by the Obama administration and Israel. We put that in the statute, and we authorized it.

This is very important. It extends a war reserve stockpile authority and extends loan guarantees to Israel through 2023. Israel has never defaulted on a U.S.-backed loan guarantee, and this program helps provide rainy-day insurance on Israel's stability given the many threats it is facing.

It authorizes the President to transfer precision-guided munitions and related defense articles and services to Israel as necessary for legitimate self-defense. That means this weaponry wouldn't be sent, but it would be put on reserve status—assuming it doesn't impact our readiness—and it would be made available to Israel in case a war broke out and their reserves were quickly depleted. If they start running out of rockets, munitions, and defense apparatus, the United States has set aside weaponry that we are ready to rapidly send to them so they can defend themselves. They pay for this. But at least they know it is sitting there. We don't have to scramble to find it, it takes 2 weeks to get there, and by then, the war is over.

It has other requirements. It expresses the sense of Congress that the President should prescribe procedures for rapidly acquiring and deploying what we need to support production of these precision-guided munitions for our U.S. counterterrorism mission.

It requires the President to report no later than 120 days to the appropriate congressional committees on Israel's eligibility for the strategic trade authorization exception to certain export control licensing, including the reasons as to why Israel has not yet been included in the list of countries eligible for the strategic trade authorization exception.

This one is also very critical. This is a new threat that is emerging. It authorizes the President to enter into a cooperative agreement—meaning it benefits them and us—to counter unmanned aerial vehicles and the threat they pose. The reason for that is that

on February 10 of last year, an Iranian drone was shot down by Israel. Everyone has every reason to believe that these unmanned aerial vehicles are the next threat that will be deployed both in the battlefield and potentially by terrorists. We would work with Israel, which faces an immediate threat, to develop counters to that. Today, we don't have good counters to that.

Above all else, it makes one more very clear policy statement that has been the linchpin of our support for Israel, which is that it is the policy of the United States to ensure that Israel maintains its ability to counter and defeat any credible conventional military or emerging threat from any state or possible coalition of states or from nonstate actors while sustaining minimal damage and casualties through the use of superior military means possessed in sufficient quantities, including weapons, command, control, communication, intelligence, surveillance, and reconnaissance capabilities that in their technical characteristics are superior in capability to those of such other individual or possible coalition states or nonstate actors.

Here is what this means: It is the policy of the United States to ensure that Israel's weapons and systems are better than anyone else's in the region. Whatever anybody else has we will sell to Israel and allow it to access and acquire something better so that it will always have an advantage. If anyone in that region believes it could beat Israel in a war, one will try to beat Israel in a war. That was the history from its very birth, and that was the lesson of 1967 and the lesson of 1973. We don't want that to happen again. That is what this bill does. That is why it has so much support. That is why it is so important for us to move to debate on this issue.

It also tackles this economic warfare. What is included in this is a bill we filed last year with Senator MANCHIN, called the Combating BDS Act. By the way, last year, the Banking chairman, Senator CRAPO of Idaho, and the ranking member, Senator BROWN of Ohio, discharged this bill from their committee, and they didn't even require a hearing. They did it late last year after running it by all of their members, and we tried to pass it in the Senate by a voice vote but were unable to because of one Senator who blocked it.

Let me start by thanking Senators CRAPO and BROWN for working hard to advance this bill last year, as well as for coauthoring with me last year the new Hezbollah sanctions law, known as the Hizballah International Financing Prevention Amendments Act of 2018. We strengthened the sanctions on Hezbollah that we had passed in the 2 years previous.

First of all, let me tell you what it doesn't do. It does not outlaw BDS. If you are an American company and you want to boycott or divest from Israel, this doesn't make it illegal. It doesn't stop you from doing it. It only says

that if there is some city or county or State in this country that wants to support Israel, it has a right to say it is not going to buy services or goods from any company that is boycotting or divesting from Israel. That is all it does. It gives cities and counties like these—26 States—the opportunity to have their elected officials who respond to the people of those States or cities or counties who elected them to make decisions that they are not going to do business with people who don't do business with Israel and boycott Israel. In essence, it allows us to boycott the boycotters.

Some say that it is an infringement on the First Amendment. First, I will tell you that the First Amendment protects speech and actions that function in the form of speech. This is not an effort to silence speech nor is this an effort, by the way, to defeat an effort per se. It is an effort to defend the right to counterspeak. The First Amendment is a two-way street. You have a right to express your views on something, but others have a right to respond. You have a right to boycott a country, and people have a right to boycott you. That is what this law allows them to do. It is that simple.

By the way, this is not some domestic debate. They are not trying to influence some law that we are passing here with BDS. They are not trying to influence your opinions on a topic. They are trying to influence the foreign policy of another country. This is not traditional free speech. The courts have weighed in on this in the past, and the courts have given Congress and the executive branch extraordinary discretion on the setting of foreign policy. When a company weighs in on BDS, it is not trying to influence a domestic debate or a topic of opinion here in the U.S. political system; it is trying to punish a nation-state so that the state changes its policies in another country.

There is an open question about whether the First Amendment even covers that. The bill basically says, notwithstanding whatever is in the bill, nothing in the bill shall be construed to invade or to hurt anyone's First Amendment rights. So anyone who hides behind the idea that this is designed to silence speech isn't being truthful.

This does not outlaw BDS. If you want to boycott or divest from Israel, you can. It is legal. We are not outlawing that as that would be an infringement. All we are saying is, if you are going to boycott Israel, those who support Israel will have a right to boycott you. That includes cities and counties and States that don't want to buy stuff from you. That is what this bill does. That is why it enjoys this broad bipartisan support.

Some have asked me to take it out of this bill and have said it is the reason we are not moving to it. At least, that is what I heard earlier. Now there is another reason. It is absurd. Vote against it and then justify it, but if you

are trying to shield the boycotters, that is the de facto support of BDS, in my opinion, and I think it is important for us to pass it.

I emphasize again that this was not overly controversial 2 weeks ago. Look at the list of people who supported this bill last year: the majority leader, the minority leader, the Foreign Relations Committee chairman, the ranking member of the Foreign Relations Committee, the Senate Finance Committee chairman, and the ranking member of the Finance Committee. Democratic and Republican leaders on multiple committees and at the very top of this Chamber support this bill. Yet, somehow, we can't even proceed to debate on this bill.

You may say, "Well, wait until the shutdown is over," because that is the argument that is being used now—that we shouldn't move to anything until we deal with the shutdown. I don't like the shutdown. I hope it ends tonight or tomorrow morning. Yet this is not just any other issue. There is a credible argument to be made that there is a time sensitivity to this because the enemies of Israel aren't sitting around, waiting. This could happen at any moment. These aren't the kinds of things that build up. Hezbollah's desire to destroy Israel is longstanding, and what they choose to do about it will not wait for the U.S. Senate to deal with other topics. This is an immediate threat. It is right before us, and it deserves our immediate reaction.

This could rapidly escalate, but I am not going to take up another 30 minutes to describe all of the scenarios under which that could happen. Yet I will give you one that is not out of the realm of possibility. Now that they know that the United States is going to be withdrawing from Syria, the Israelis could decide—and, I believe, rightfully so—that for their own defense, they will need to start attacking even more inside Syria. Regarding those supply lanes that Iran is using, every time they see a truck with rockets on it, they are going to blow up the truck. Every time they see IRGC or Hezbollah militias forming anywhere near their border, they are going to hit them. They are now going to step up those attacks because we are not there anymore. Iran is going to fill that void, so they are going to have to step up their attacks.

At some point, Iran and/or Hezbollah is going to respond to those stepped-up attacks with attacks of its own, at which point Israel is going to respond with even bigger attacks. Then the cycle of escalation will begin. Then very quickly—before you know it—in this region, we could have a shooting war, not a war of words and not a vote at the U.N., but rockets and missiles being fired at one another from Lebanon or from Syria into Israel, with Israel's responding back into Syria and Israel's responding back into Lebanon. In fact, Israel has said that all of Lebanon is on the target list since now

Hezbollah and the current President of Lebanon have created a political alliance. You also have these other countries running around inside Syria, including the Russians now and the Turks up to the north. There is the potential that their troops would get caught in the firefight in their eliciting a response back to Israel. Before you know it, we could have a multistate, multiparty, all-out war in the Middle East. The possibility of that happening is not farfetched.

I say this to you today with no pleasure. There will be another Israel-Hezbollah war. It is just a matter of time. Yet the next one will be far more deadly. It is incumbent upon us to do what we can. There are things we cannot do, and there are things we can do. It is incumbent upon us to prolong it and to prevent it for as long as possible. One of the things we can do to help prevent that or to extend the time before that happens is to make it very clear to Hezbollah and Iran and everyone else that if they take on Israel, we will support Israel. That is what this bill is designed to do. It is not just to send that message but to put in place that reality.

Given the tinderbox that is the Middle East and given the unpredictability of the various actors involved, particularly those that hate Israel, why would we not move immediately to address something like that? Why are we not capable of voting on something that will probably get 80 votes here and still deal with the government shutdown?

The last time we had a government shutdown, we were still voting on bills that had nothing to do with the government shutdown. When the other party was in charge, we were doing that. There is no precedent for doing it. I believe that it is possible for us to do both, and that is what we should do. This isn't tax reform or healthcare reform. This is something that is urgent and immediate and requires our attention because of the unpredictability of foreign events today and because of the unpredictability of this part of the world.

I know, at some point here soon, that the leader will bring up for a second time a vote on the motion to proceed. It is not even a vote on the bill. It is a motion to begin debate on this bill. Nothing else is going on around here. Let them continue to meet and have a dialogue and talk about how to get us out of this shutdown. I hope we do. I hope that happens. Yet don't shut down the Senate, particularly on a topic of this importance, because these events will not wait for us. It is important for us to act.

Please don't go around asking people to stand up to this administration's foreign policies that we don't agree with—when we at least offer a counter or something to diminish its negative impacts—and respond with obstruction and not just obstruction because of policy but with obstruction in order to make a political point or to avoid a

vote that three or four Senators might not want to take. I don't think that makes a lot of sense.

I think, when it comes to the issues of national security and foreign policy, we should try, to the extent possible, to remove them from the daily grind and back-and-forth of American politics because the repercussions are dramatic. That is the one thing that makes national security and foreign policy different from domestic policy. You can always go back and change a bad tax law. You can always go back and change a bad healthcare law. You can always go back and make changes to a bad banking law. You can't undo history. You can't undo wars once they have started. You can't undo carnage once it has occurred. Foreign policy is often irreversible, and once mistakes are made, you have to do the best you can with the hand you have been dealt.

That is why I hope that on this one, we stop playing games, that we get on this bill, and that we pass it so that even as this debate about the shutdown continues, we will make clear to the world and we will make clear to her enemies that we stand with Israel. We always have and we always will across party lines. We may bicker and fight about many things, but when it comes to the support of Israel, we are united—House and Senate Republicans and Democrats and the White House—in the support of our strongest ally in the region and of one of our strongest allies in the entire world.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Rhode Island.

GOVERNMENT FUNDING

MR. REED. Mr. President, I rise to discuss President Trump's ongoing shutdown of the Federal Government—how we got here, the impact on the people of my State, and how we can make some progress.

It is past time for the President to stop holding the American people for ransom through this government shutdown. It is past time to stop the misinformation campaign and to stop making unwarranted demands for the ill use of American taxpayers' dollars. The President needs to open the government.

The Senate did its work on the budget. We have bipartisan, compromise bills that are ready for the President's signature. Chairman COLLINS and I worked together, on a bipartisan basis, to develop the fiscal year 2019 Transportation-HUD bill, which was reported out of committee unanimously. Our bill was then approved by the full Senate as part of a package that included three other bipartisan appropriations bills—Agriculture, Financial Services, and the Interior. Together, these bills passed by a veto-proof margin of 92 to 6.

I am very proud of the work that Chairman COLLINS did and that I was able to assist with during this process to provide an additional \$10 billion to rebuild our roads, our bridges, and our

airports and to develop new affordable housing opportunities to more than 5 million low-income Americans who strive to make ends meet. These investments will grow our economy, spur job creation, and improve communities across America.

The T-HUD bill—on an issue that both Chairman COLLINS and I care deeply about—will continue to make a major commitment to address homelessness among youth, veterans, and survivors of domestic violence. We are making real progress through the HUD-VASH Program, which has brought down homelessness among veterans by 49 percent since 2010 and is helping 64 communities in 3 States effectively end homelessness among veterans.

In September, a Senate-House conference committee that I served on had essentially reached an agreement on a final version of these four bills. They could have been passed and signed into law by the start of the fiscal year last October 1. It would have been a victory for the American people—both for the smart investments these bills would make and for the restoration of good government and regular order, which Chairman SHELBY and Vice Chairman LEAHY have both made it a priority to achieve. Instead, a final agreement was slow-walked and stalled by the House leadership and then the White House in order to give the President greater leverage for the shutdown he had been angling for over many months.

Here we are, 3 months into the fiscal year and 3 weeks into a shutdown, and 800,000 Federal employees have either been furloughed or forced to work without pay. Thousands of Federal contract employees are also out of work and may never be compensated. Trash is piling up at national parks, and damage is being reported. Employers can't access the government's E-Verify system to assure that they are hiring legal residents. Soon, the shutdown may prevent HUD from renewing project-based rental agreements. Press reports indicate that the shutdown is causing States to scale back in awarding highway and transit contracts.

Starting as soon as this Friday, many Federal district courts will start feeling the Federal shutdown pinch more acutely, with just skeleton crews or just a few people working without pay, making it harder for Americans and businesses to get their day in court.

Like everyone else, Federal employees—from Coast Guard officers and enlisted personnel to FBI agents, to air traffic controllers—have rent, mortgages, student loans, childcare, and healthcare bills to pay. Many work paycheck to paycheck.

The President has said that he is willing to continue this shutdown for months or even years without a care about the effect it will have on their lives. Indeed, during his speech last night, the President didn't even mention these Federal employees. In Congress, we hear their stories.

On Monday, air traffic controllers from T.F. Green Airport visited my office. They explained that this shutdown not only creates financial hardships for them, it also clogs the pipeline for the hiring and training of new controllers who are desperately needed to replace those who are eligible for retirement.

I am hearing from other constituents too. A USDA meat inspector from Chepachet, RI, sent me an email over the holidays saying:

I'm one of the Federal employees that will be impacted by the government shutdown/imasse. . . . I'm required to report to work without pay for the duration. I have 3 children under 5 and a stay-at-home husband, with no contingency plan for lack of pay, especially during the holiday season. I realize it's Christmas, and you all have families too. The holidays are stressful enough without additional financial stress.

I hope the President will act and reopen the Department of Agriculture, the FDA, and other Agencies that keep our food and medicine safe.

A Coast Guard lieutenant from Westerly, RI, also wrote me to say:

I respectfully implore you to represent the needs and values of servicemembers such as myself, as well as the hard-working Coast Guard civilians who work alongside me. During the shutdown, our missions are stunted and our dedication is disrespected. As the only household income and as I continue to fulfill my commitment to active duty service, my ability to meet financial obligations for myself and my two young children is at great risk if the shutdown continues. Likewise, the government is not living up to its end of the contract made with my crew of both active duty and civilian members. Please share this plea with your fellow Congress members.

Lieutenant, thank you for your service and for the additional sacrifice you and your colleagues are making today.

As we think about border security, let's remember the important job the Coast Guard is doing to protect our border, particularly to prevent illegal drugs from entering the United States. In 2017 alone, the Coast Guard seized illegal drugs valued at \$6.6 billion wholesale and detained 708 suspected smugglers for prosecution. So it is interesting to have the President talk about drug smugglers coming across our Mexican border while the Coast Guard is out there, unpaid, protecting us on all of the seas and oceans that abut the United States.

It is not just Federal employees. An executive at a small shipyard in North Kingstown, RI, wrote to me this week to say:

We do a great deal of work for the U.S. Coast Guard, and for the last three weeks, we have not been paid. We currently have about a half a million dollars due with an additional \$200,000 going in for review and payment in the next week or so. This situation is beginning to hinder our ability to pay our vendors, and it's created a cash flow deficiency that, if not resolved soon, will be difficult and costly to manage. Please feel free to share this message with whoever needs to hear about this.

This is a small business in Rhode Island, repairing ships for our Coast

Guard, that is facing financial distress—in fact, perhaps, disaster. Those are the people who are being harmed by this shutdown.

Certainly, I hear this message, and I know my colleagues are listening, but for whatever reason, the President doesn't seem to be listening.

So how does this get resolved? Democrats have offered several paths forward, but now the President—the person who caused this shutdown, who proudly declared on television he would take full credit for it—needs to commit to reopening the government without precondition.

I know that many people say: Why can't you just make a deal with the President? Unfortunately, the President can't stick to basic facts, numbers, or a bargain.

Originally, Mexico was going to pay for his border wall. Then he decided that American taxpayers should pay for it, so he asked Congress for \$1.6 billion to build 65 miles of wall. Last Sunday, his request became \$5.7 billion for more than 230 miles of wall. By Monday, he was considering declaring a national emergency and using national defense dollars without congressional approval.

To the idea that the President would use defense dollars to build a border wall, let me say that his proposed wall has no core defense function. We are not at war with Mexico.

In fact, the Pentagon's most recent national defense strategy doesn't mention the southern border as a national defense priority. Meanwhile, the Pentagon has billions of dollars in infrastructure backlogs, ranging from military construction projects for new missions to deferred maintenance in facilities sustainment, restoration, and modernization. There is no credible argument that a border wall takes priority over any of these.

Of course, the President doesn't have a real plan for building the border wall. In July, the Government Accountability Office warned that the Trump administration's approach increased risks that the wall—in their words—"will cost more than projected, take longer than planned, or not fully perform as expected." Is there any wonder congressional GOP leaders rejected his wall when they controlled every branch of government in the last 2 years?

The President has not been honest with the American people. He hasn't even been straight with members of his administration or Members of his own party in Congress, who are often hung out to dry.

In fact, 2 days before the shutdown, the then-Senate majority whip told CNN, after a meeting with Vice President PENCE, that the President would sign a clean continuing resolution to keep the government open until after Christmas. Less than 24 hours later, that position was reversed by a Presidential tweet.

Even when the President makes a deal, he has trouble keeping it, especially when he is under criticism from

rightwing talk radio and TV personalities. After negotiating overall funding levels for defense and nondefense spending last year, the President nearly vetoed the final 2018 Omnibus appropriations bill because he was criticized for the size and scope of the bill. Secretary Mattis had to be summoned to the White House to explain how important the bill was to the Pentagon before the President grudgingly agreed to sign it.

Now there is no Secretary Mattis or anyone of his stature to give the President good counsel. If the President remains implacable about his wall, it will be up to my colleagues on the other side of the aisle to join with Democrats to pass the bipartisan bills we have already agreed on together and reopen the government.

I hope they do so, and soon, as the lives of our constituents and the health and businesses of our States are at stake.

The answer we have to give is not to the President. The answer is to that young woman working every day without pay to protect the American public by inspecting foods that we eat. The answer we have to give is to that young Coast Guard officer who is working every day, trying to pay for and to afford things for a young family without being paid. The only answer we can give them is that we are opening up this government immediately.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The majority leader.

MORNING BUSINESS

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

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

"ENOURA MARU" ANNIVERSARY

Mr. SCHATZ. Mr. President, today, we remember the 400 American and Allied prisoners of war who died 74 years ago from friendly fire aboard the Japanese hell ship *Enoura Maru* docked in Takeo Harbor, Formosa—modern-day Taiwan.

Among the dead were men who left their homes in America, Australia, Canada, Great Britain, the Netherlands, Norway, and Czechoslovakia to fight an enemy they did not know, in places few of them had heard of, all in pursuit of a common cause: freedom, justice, and equality. These heroes were part of the infamous 45-day odyssey of the last transport of prisoners of war from the Philippines to Japan—captive since the American territory fell to Imperial Japan in the spring of 1942 after fighting to defend the Philippines.

On the morning of January 9, 1945, dive bombers from the USS *Hornet* at-

tacked the unmarked freighter holding 1,300 prisoners of war docked in the Japanese colony's harbor. Two hundred died instantly. Nearly everyone else was wounded. For 2 days, the men were left in the floating wreckage before the Japanese permitted the dead to be removed. Their remains were buried ashore in mass graves.

After the war, the 400 victims of the bombing of the *Enoura Maru* were exhumed and eventually brought to the National Memorial Cemetery of the Pacific in Hawaii. They rest in 20 mass graves marked only as "Unknowns January 9, 1945." Their families did not learn the final fate of their loved ones until 2001.

This past August, we remembered these brave men with a memorial stone on the Memorial Walk at the Cemetery honoring the prisoners of war aboard the hell ship *Enoura Maru*. The American Defenders of Bataan and Corregidor Memorial Society, an organization that represents the American prisoners of war of Imperial Japan and their families, organized the commemoration in Hawaii.

That memorial stone is a monument to their courage, suffering, and sacrifice. It commemorates their tragic death 74 years ago and marks their final return home. Let that stone and our remembrance of the prisoners of war on the *Enoura Maru* remind us of our sacred commitment to veterans of all eras to "never forget." May they rest in peace.

ADDITIONAL STATEMENTS

TRIBUTE TO DICK TRAMMEL

• Mr. BOOZMAN. Mr. President, today I wish to acknowledge the remarkable career and service of a man who has played an instrumental role in the growth and development of northwest Arkansas over the last four decades.

Dick Trammel, a pillar of the community and a leader who has been involved in almost everything positive that has happened in and around my hometown of Rogers, AR, has concluded his service at Arvest Bank after 43 years. He is also ending a 10-year term on the Arkansas Highway Commission this month.

Dick is a homegrown Arkansan. A native of Pocahontas, he attended the University of Arkansas where he was a cheerleader for the Hogs football team and earned a bachelor of science degree in business administration in 1960. After graduation, Dick returned home to work in the cotton gin and grain elevator business and became an active member and leader in Pocahontas and Randolph County.

As we all now know, the 1960s saw the founding of retail giant Walmart by Sam Walton. As Walmart was headquartered in Bentonville, Sam was able to entice Dick to relocate to the region and join First National Bank & Trust Company in Rogers in 1975. First

National Bank eventually became part of Arvest Bank and Dick worked for the company for over four decades, retiring as executive vice president, member of the board of directors and board secretary of Arvest Bank, Rogers.

While enjoying a successful career at Arvest, Dick also played an outsized role in northwest Arkansas. He served as president and board member of the Rogers-Lowell Area Chamber of Commerce, was a board member at a local United Way, founded the Single Parent Scholarship Fund in Benton County, was a charter member of the Northwest Arkansas Community College Board of Trustees, and served on the Rogers Youth Center Board of Directors, among so many other philanthropic and civic endeavors.

He is also a board member of the U.S. Marshals Museum Foundation which is incredibly meaningful given the importance of the Marshals Service to the region and the work we have done to help make the U.S. Marshals Museum in Fort Smith a reality. We worked together not only in that capacity, but in many other ways to help the region grow as Dick has spent the last 10 years on our State's highway commission following his appointment to the panel by former Governor Mike Beebe in 2009.

Just recently it was announced that, through many years of persistent work between members of Congress from Arkansas and Missouri and the respective legislatures and State government agencies in both States, that a multi-million-dollar grant has been secured to complete the Bella Vista Bypass on Interstate 49. Dick and his colleagues on the highway commission understood just how important this was for the region and worked hand-in-hand with the congressional delegation to reach this outcome.

As Dick's service at Arvest and on the Arkansas Highway Commission comes to a close, it is only fitting to recognize his enormous impact on a region in Arkansas that has experienced so much growth and transformation throughout his career. Throughout all this change, Dick Trammel has remained a constant source of stability, leadership, and willingness to do whatever it takes to improve the quality of life for everyone in the community.

When my brother and I moved to Rogers to establish a medical practice in 1977, Dick was one of the first people we met. During that time and over the decades that have followed, he has been a steadfast friend and mentor. I greatly admire and appreciate his many contributions to a place we both love and have served in different capacities over the years.

I wish Dick and his wife Nancy well as he begins a well-deserved retirement. He has always been dedicated to helping people, and his lengthy career has demonstrated that commitment many times over. I am grateful to Dick and his entire family for the way they

have served and led. Because of his efforts, northwest Arkansas is in a much better place today than we he first called it home.●

TRIBUTE TO URBAN RAHOI

● Ms. MURKOWSKI. Mr. President, today I honor an Alaska legend, Urban Rahoi, on the occasion of his 100th birthday, which occurred on Monday, January 6, 2019. Now, my colleagues might wonder, what the heck is an Urban Rahoi?

To his admirers throughout the State of Alaska, the question is more appropriately stated: What is Urban Rahoi not?

Urban is a World War II veteran, an Alaska pioneer, a homesteader, a lodge owner, a legendary hunting guide, an aviator, a snowmobiler, an entrepreneur, and a statesman. They call him “Urban Legend—kind of an odd play on words because “urban legends” are supposed to be false, but you will not find a more direct and honest guy than Urban Rahoi.

He has been flying for more than 80 years and has survived three plane crashes with barely a bruise. That earned Urban a reputation of being somewhat indestructible. That reputation has only strengthened over the years.

In 2016, Urban was out at his remote lodge on an inholding in the Wrangell-St. Elias National Park. He woke up at 6 a.m. one morning with a “difficult to describe feeling.” He felt something was just wrong and needed to get out of there. Urban was 97 years old at the time.

Now, most 97-year-olds who wake up to these feelings would likely call 911—not Urban. He gets in his plane and flies off from the lodge to Tok. Then he gets in a truck to begin a 202-mile drive to Fairbanks. He stops for breakfast, drops by a friend’s cabin for lunch and storytelling along the way, goes home for a half hour, and then drives over to Fairbanks Memorial Hospital. It turns out Urban had suffered a stroke, albeit a minor one in his estimation.

Urban is fond of saying: “In my dictionary, two words don’t exist: can’t and impossible.” So he wasn’t about to let a little stroke stop him. Following his release from the hospital, Urban put in long hours in physical therapy. He was reportedly grumpy about missing fall hunting, but he was looking forward to returning to flying and participating in the Tired Iron snowmachine race.

The Tired Iron race is a fundraiser for the Boy Scouts that features racers in relatively ancient snowmachines, or what people in the lower 48 would call snowmobiles. Urban races a 1965 vintage Polaris Mustang. He is known to quip that the iron may be tired, but he isn’t. True to form, Urban won the 2017 Tired Iron, months after his stroke. Come to think of it, he won the 2018 Tired Iron as well.

Just as I said, “indestructible.”

Urban Rahoi was originally from Iron Mountain. He learned to fly in 1934, making his first solo flight at age 15, and joined the Air Force in 1942, where he flew B-17s during World War II. After the war, Urban attended Michigan Technological Institute for 18 months. Restless, he began flying in Alaska and soon packed up his wife Vi, their four dogs, and a pile of gear into his three-passenger Super Cruiser, flying north to Fairbanks. That was in 1947, a dozen years before statehood.

He was one of the founding partners of Interior Airways, which at one point was one of the largest operators of C-130 cargo planes in the world. He remained active in the Air Force Reserve in Alaska and founded his own air service, which enabled him to get back to his homestead on the Tanana River every night. A real estate developer, as well, he developed the Lakeview Terrace subdivision in South Fairbanks.

Urban holds Alaska State Guide license No. 1, issued shortly after statehood, but he began guiding from his Ptarmigan Lake Lodge even before Alaska statehood and remains a master sheep hunter today.

My family has many stories from hunts with Urban, and all end with how Urban kicked their butts as he hiked up and down the mountain, packing more than his share. Urban’s energy humbled the strongest hunter, regardless of age.

Urban is also a citizen-statesman. He served on the Fairbanks North Star Borough Assembly and has run for the Alaska Legislature several times. He remains active in the realm of game policy.

In recent years, Urban has been working on a bucket list item: flying vintage planes. He flew the B-17G Yankee Lady out of the Yankee Air Museum in Ypsilanti, MI, when he was 94. In 2015, he wanted to fly a B-17 over the National Mall in commemoration of VE Day. Despite my efforts to help him gain permission to fly, he ended up a passenger because the government wouldn’t let him fly in restricted airspace. They clearly didn’t know my friend’s skill as an aviator.

During a visit to Eielson Air Force Base in 2016, Urban told his hosts that he lives by a simple philosophy: “Be happy with what you do and if you aren’t happy, go find something you’ll be happy with.” By all accounts, Urban has enjoyed a happy and successful life following that philosophy.

It is with great pleasure that I honor my friend Urban Rahoi in the U.S. Senate. On behalf of my colleagues, I extend Urban best wishes for what I know will continue to be an adventurous future.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:20 a.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, in which it requests the concurrence of the Senate:

H.R. 128. An act to clarify the primary functions and duties of the Office of Advocacy of the Small Business Administration, and for other purposes.

H.R. 227. An act to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors, and for other purposes.

H.R. 251. An act to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

H.R. 259. An act to extend the Medicaid Money Follows the Person Rebalancing demonstration, to extend protection for Medicaid recipients of home and community-based services against spousal impoverishment, and for other purposes.

H.R. 269. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes.

The message also announced that pursuant to section 4 of the United States Semiquincentennial Commission Act of 2016 (Public Law 114-196), and the order of the House of January 3, 2019, the Speaker appoints the following Member on the part of the House of Representatives to the United States Semiquincentennial Commission: Mr. Evans of Pennsylvania.

At 5:36 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 bill, in which it requests the concurrence of the Senate:

H.R. 264. An act making appropriations for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 227. An act to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors, and for other purposes; to the Committee on Small Business and Entrepreneurship.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 47. A bill to provide for the management of the natural resources of the United States, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 251. An act to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

H.R. 264. An act making appropriations for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes.

H.R. 269. An act to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, 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-21. A communication from the Assistant Secretary of the Navy (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received in the Office of the President of the Senate on January 2, 2019; to the Committee on Armed Services.

EC-22. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Submission of Summary Subcontract Reports" ((RIN0750-AJ42) (DFARS Case 2017-D005)) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Armed Services.

EC-23. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Restrictions on Acquisitions from Foreign Sources" ((RIN0750-AJ22) (DFARS Case 2017-D011)) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Armed Services.

EC-24. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Electronic Submission and Processing of Payment Requests and Receiving Reports" ((RIN0750-AJ44) (DFARS Case 2016-D032)) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Armed Services.

EC-25. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Modification of the Limits on Single-Source Task or Delivery Order

Contracts" ((RIN0750-AK21) (DFARS Case 2018-D060)) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Armed Services.

EC-26. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Foreign Commercial Satellite Services and Certain Items on the Commerce Control List" ((RIN0750-AJ82) (DFARS Case 2018-D020)) received in the Office of the President of the Senate on December 19, 2018; to the Committee on Armed Services.

EC-27. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-28. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-29. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-30. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Regulation A" ((RIN3235-AM42) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-31. A communication from the Associate General Counsel for Legislation and Regulations, Office of General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Streamlining Warranty Requirements for Federal Housing Administration (FHA) Single-Family Mortgage Insurance: Removal of the Ten-Year Protection Plan Requirements" ((RIN2502-AJ40) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-32. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; North Carolina; Camden County, Unincorporated Areas et al." ((44 CFR Part 64) (Docket No. FEMA-2018-0002)) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-33. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Rule 610T—Transaction Fee Pilot" ((RIN3235-0761) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-34. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Applications by Security-Based Swap Dealers or Major Security-Based Swap Participants for Statutorily Disqualified Associated Persons to Effect or

be Involved in Effecting Security-Based Swaps" ((RIN3235-AL76) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-35. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE Pharmacy Benefits Program Reforms" ((RIN0720-AB75) received on January 2, 2019; to the Committee on Armed Services.

EC-36. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Monetary Penalties" (10 CFR Parts 207, 218, 429, 431, 490, 501, 601, 820, 824, 851, 1013, 1017, and 1050) received in the Office of the President of the Senate on January 3, 2018; to the Committee on Energy and Natural Resources.

EC-37. A communication from the Director of Human Resources Management Division, Environmental Protection Agency, transmitting, pursuant to law, two (2) reports relative to vacancies in the Environmental Protection Agency, received in the Office of the President of the Senate on January 3, 2019; to the Committee on Environment and Public Works.

EC-38. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Final Safety Evaluations of Technical Specifications Task Force Traveler TSTF-564, Revision 2, 'Safety Limit MCPR' Using the Consolidated Line Item Improvement Process" ((NUREG-1433 and 1434) received in the Office of the President of the Senate on January 2, 2018; to the Committee on Environment and Public Works.

EC-39. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Final Revised Model Safety Evaluation of Traveler TSTF-505, Revision 2, 'Provide Risk-Informed Extended Completion Times, RITSTF Initiative 4B'" ((NUREG-1430, 1431, 1432, 1433, and 1434) received in the Office of the President of the Senate on January 2, 2018; to the Committee on Environment and Public Works.

EC-40. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Final Safety Evaluation of Technical Specifications Task Force Traveler TSTF-563, Revision 0, 'Revise Instrument Testing Definitions to Incorporate the Surveillance Frequency Control Program'" ((NUREG-1430, 1431, 1432, 1433, 1434, and 2194) received in the Office of the President of the Senate on January 2, 2018; to the Committee on Environment and Public Works.

EC-41. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to the deployment of U.S. forces to support the security of U.S. personnel and our Embassy in The Democratic Republic of the Congo; to the Committee on Foreign Relations.

EC-42. A communication from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying

Benefits” (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-43. A communication from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age” (29 CFR Part 4044) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-44. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Uniform Compliance Date for Food Labeling Regulations” (21 CFR Part 101) (Docket No. FDA-2000-N-0011) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-45. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Listing of Color Additives Subject to Certification; D&C Yellow No. 8; Confirmation of Effective Date” (21 CFR Part 74) (Docket No. FDA-2017-C-2902) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-46. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Food Labeling; Revision of the Nutrition and Supplement Facts Labels; Technical Amendments” (21 CFR Part 101) (Docket No. FDA-2012-N-1210) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-47. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medical Device Classification Procedures; Incorporating Food and Drug Administration Safety and Innovation Act Procedures” (RIN0910-AH75) (Docket No. FDA-2013-N-1529) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-48. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Commission’s Financial Report for fiscal year 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-49. A communication from the Attorney-Advisor, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Rescinding Department of Homeland Security Acquisition Regulation (HSAR) Clause 3052.219-70, Small Business Subcontracting Plan Reporting (HSAR Case 2017-001)” (RIN1601-AA83) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-50. A communication from the Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Loan Guaranty: Revisions to VA-Guaranteed or Insured Cash-out Home Refinance Loans” (RIN2900-AQ42) received in the Office

of the President of the Senate on January 2, 2019; to the Committee on Veterans’ Affairs.

EC-51. A communication from the Broadband Division Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Use of Spectrum Bands Above 24 GHz for Mobile Radio Services” ((GN Docket No. 14-177) (FCC 18-180)) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Commerce, Science, and Transportation.

EC-52. A communication from the Chief of Staff, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Connect America Fund” ((WC Docket Nos. 10-90, 14-58, and 07-135) (FCC 18-176)) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Commerce, Science, and Transportation.

EC-53. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Television Broadcasting Services; Morehead and Richmond, Kentucky” (MB Docket No. 18-320) received in the Office of the President of the Senate on January 2, 2018; to the Committee on Commerce, Science, and Transportation.

EC-54. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Amendment of Parts 0, 1, 5, 73, and 74 of the Commission’s Rules Regarding Posting of Station Licenses and Related Information” and “Modernization of Media Regulation Initiative” (MB Docket Nos. 18-121 and 17-105) (FCC 18-174) received in the Office of the President of the Senate on January 2, 2018; to the Committee on Commerce, Science, and Transportation.

EC-55. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Expansion of the Arroyo Seco Viticultural Area” (RIN1513-AC36) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Commerce, Science, and Transportation.

EC-56. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Expansion of the Monticello Viticultural Area” (RIN1513-AC37) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Commerce, Science, and Transportation.

EC-57. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Establishment of the Van Duzer Corridor Viticultural Area and Clarification of the Eola-Amity Hill Viticultural Area Boundary Description” (RIN1513-AC39) received in the Office of the President of the Senate on January 2, 2019; to the Committee on Commerce, Science, and Transportation.

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-1. A concurrent resolution adopted by the General Assembly of the State of Ohio urging the United States Congress to enact

bills advancing the development of an Appalachian storage hub; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 21

Whereas, The Appalachian region, including parts of Kentucky, Ohio, Pennsylvania, and all of West Virginia, contains world class supplies of natural gas and natural gas liquids (NGL) that contribute to the country’s energy dominance; and

Whereas, Harnessing those supplies by constructing an Appalachian storage hub involves major investments in infrastructure, including storage caverns and pipelines, and implementation of a significant jobs program for the residents of the Appalachian region; and

Whereas, Natural gas liquids are the major feedstock of the chemical industry and the region contains enough feedstock to attract \$35 billion in new chemical and plastics industry investment. Chemical and plastic industry investments of this scale could create 100,000 new jobs, \$28 billion in new economic output, more than \$6 billion in annual payroll, and nearly \$3 billion a year in new federal, state, and local tax revenue; and

Whereas, Enactment of the federal “Appalachian Energy and Manufacturing Revitalization Act” would improve the infrastructure permitting process by directing the Secretaries of Energy and Commerce to approve projects related to the Appalachian storage hub, identify the lead federal and state agency liaisons, and coordinate with them on designating the project; and

Whereas, The bill directs the Federal Energy Regulatory Commission (FERC) to consider relevant licenses and permits for the requisite pipeline infrastructure, and then requires the other federal agencies to complete consideration of their respective permits within 60 days of the completion of the FERC licensing or have their jurisdictional permits deemed approved; and

Whereas, In addition to the “Appalachian Energy and Manufacturing Revitalization Act,” the “Capitalizing American Storage Potential Act” would make a regional NGL storage hub eligible for the Department of Energy’s successful Title XVII loan guarantee program, and the “Appalachian Ethane Storage Hub Study Act of 2017” would help assess the feasibility and potential benefits of establishing a subterranean ethane storage and distribution hub in central Appalachia; now therefore be it

Resolved, That we, the members of the 132nd General Assembly of the State of Ohio, urge the Congress of the United States to enact bills advancing the development of an Appalachian storage hub, including all of the following:

The “Appalachian Energy and Manufacturing Revitalization Act of 2017”;

The “Capitalizing American Storage Potential Act”;

The “Appalachian Ethane Storage Hub Study Act of 2017”; and be it further

Resolved, That the Clerk of the Senate transmit duly authenticated copies of this resolution to the President of the United States, the President Pro Tempore and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Ohio, West Virginia, Kentucky, and Pennsylvania Congressional delegations, and the news media of Ohio.

POM-2. A resolution adopted by the Town Council of Durham, New Hampshire, calling on the United States Congress to lead a global effort to prevent nuclear war; to the Committee on Foreign Relations.

POM-3. A petition from a citizen of the Commonwealth of Puerto Rico requesting

that the government of the United States exempt Puerto Rico from the regulations of the Jones Act, also known in Puerto Rico as the Cabotage Act, to allow foreign-flag ships to bring goods to the country; to the Committee on Commerce, Science, and Transportation.

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. TESTER (for himself and Mr. DAINES):

S. 60. A bill to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself and Ms. KLOBUCHAR):

S. 61. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Mr. LEAHY, Mr. MANCHIN, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Mr. SCHUMER, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. UDALL, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WARNER, Mr. WYDEN, and Mr. PETERS):

S. 62. A bill to amend title XVIII of the Social Security Act to allow the Secretary of Health and Human Services to negotiate fair prescription drug prices under part D of the Medicare program; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. BLUNT):

S. 63. A bill to implement the recommendations of the Joint Select Committee on Budget and Appropriations Process Reform; to the Committee on the Budget.

By Ms. KLOBUCHAR (for herself and Mr. GRASSLEY):

S. 64. A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, and to prohibit biological product manufacturers from compensating biosimilar and interchangeable companies to delay the entry of biosimilar biological products and interchangeable biological products; to the Committee on the Judiciary.

By Ms. HARRIS (for herself, Ms. WARREN, Mrs. GILLIBRAND, Mr. BOOKER, and Mrs. FEINSTEIN):

S. 65. A bill to amend the Federal Reserve Act to require Federal Reserve banks to interview at least one individual reflective of gender diversity and one individual reflective of racial or ethnic diversity when appointing Federal Reserve bank presidents, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN (for herself, Mr. MURPHY, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mr.

REED, Mr. CARPER, Mr. MENENDEZ, Mr. CARDIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SCHATZ, Ms. HIRONO, Ms. WARREN, Mr. MARKEY, Mr. BOOKER, Mr. VAN HOLLEN, Ms. DUCKWORTH, Ms. HARRIS, Mr. CASEY, Mr. SANDERS, Ms. SMITH, Mr. WYDEN, Ms. HASSAN, Mrs. SHAHEEN, Mr. WARNER, and Mr. MERKLEY):

S. 66. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 67. A bill to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JONES (for himself, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Ms. SMITH, and Mrs. FEINSTEIN):

S. 68. A bill to require the Medicaid and CHIP Payment and Access Commission to publish an annual report on the estimated impact in each State of the Medicaid expansion added by the Patient Protection and Affordable Care Act, including the estimated impact that adopting such expansion would have in States that have not expanded their Medicaid coverage; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. GRAHAM, Mr. THUNE, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BRAUN, Mrs. CAPITO, Mr. CASSIDY, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Ms. ERNST, Mrs. FISCHER, Mr. GRASSLEY, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. JOHNSON, Mr. KENNEDY, Mr. MORAN, Mr. PERDUE, Mr. PORTMAN, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SHELBY, Mr. SULLIVAN, Mr. TILLIS, Mr. WICKER, and Mr. ISAKSON):

S. 69. A bill to allow reciprocity for the carrying of certain concealed firearms; to the Committee on the Judiciary.

By Mr. WICKER (for himself, Mr. JONES, and Mrs. HYDE-SMITH):

S. 70. A bill to establish the Medgar and Myrlie Evers Home National Monument in the State of Mississippi, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM (for himself, Mr. COONS, Mr. TILLIS, and Mr. BOOKER):

S. 71. A bill to ensure independent investigations and judicial review of the removal of a special counsel, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself, Mr. CARDIN, Mr. VAN HOLLEN, Ms. HASSAN, Mr. HEINRICH, Mr. BOOKER, Mr. MURPHY, Ms. BALDWIN, Ms. HIRONO, Mr. BROWN, Mr. WARNER, and Ms. CORTEZ MASTO):

S. 72. A bill to suspend the enforcement of certain civil liabilities of Federal employees and contractors during a lapse in appropriations, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL:

S. Res. 12. A resolution to constitute the majority party's membership on certain committees for the One Hundred Sixteenth

Congress, or until their successors are chosen; considered and agreed to.

By Mr. SCHUMER:

S. Res. 13. A resolution to constitute the minority party's membership on certain committees for the One Hundred Sixteenth Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1

At the request of Mr. RUBIO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

S. 21

At the request of Mr. THUNE, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 21, a bill making continuing appropriations for Coast Guard pay in the event an appropriations act expires prior to the enactment of a new appropriations act.

S. 24

At the request of Mr. CARDIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 24, a bill to provide for the compensation of Federal and other government employees affected by lapses in appropriations.

S. 47

At the request of Ms. MURKOWSKI, the names of the Senator from Montana (Mr. DAINES), the Senator from New Mexico (Mr. HEINRICH), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. MURPHY, Mr. BLUMENTHAL, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mr. REED, Mr. CARPER, Mr. MENENDEZ, Mr. CARDIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SCHATZ, Ms. HIRONO, Ms. WARREN, Mr. MARKEY, Mr. BOOKER, Mr. VAN HOLLEN, Ms. DUCKWORTH, Ms. HARRIS, Mr. CASEY, Mr. SANDERS, Ms. SMITH, Mr. WYDEN, Ms. HASSAN, Mrs. SHAHEEN, Mr. WARNER, and Mr. MERKLEY):

S. 66. A bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce legislation that prohibits the sale, transfer, manufacture, and importation of assault weapons.

I will keep doing this every Congress. This legislation must constantly be before us until Republicans finally decide to join me in the effort to stop mass shootings. This legislation is not perfect. But it is part of the solution. We must start with reducing the supply of the weapons of war that are used to take the lives of our loved ones.

These last years have seen some of the worst gun-violence tragedies in our Nation's history. For example, on October 1, 2017, in Las Vegas, Nevada, a gunman opened fire with multiple semi-automatic assault rifles that he had legally transformed into automatic weapons. He killed more than fifty people and left more than 500 wounded. Among the victims were mothers, fathers, brothers, and sisters.

There was Kelsey Meadows, 28 years old, who after graduating from the University of California, Fresno, returned to her hometown of Taft, California to be a substitute teacher at her alma mater, Taft Union High School. She was described by the high school principal as "smart, compassionate, and kind" with a "sweet spirit and a love for children." Her entire family and community were completely devastated. Kelsey could have been any of us, attending that concert.

My own daughter told me after the Las Vegas shooting that she was supposed to be in the city that evening, but her plans had to change. It was only a little more than a year before the Las Vegas shooting that we experienced what had then been the worst mass shooting in our nation's history. That was when 49 people, who were enjoying an evening of dancing with friends and loved ones, were massacred in Orlando, Florida. Victims in Orlando included 22-year old Luis Velma, who was working at Universal Studios on a Harry Potter ride.

There was also Eddie Justice, a 30-year old accountant who texted his mother from the shooting, telling her: "Mommy I love you." "In club they shooting." "He has us." I encourage every member of this chamber to imagine receiving those text messages from their son or daughter.

And just six months before that, 14 people were killed and more than 20 were injured in San Bernardino, California at a work holiday party. Among the victims was a father of six. A mother of three. A woman who was eight when she and her mother left Vietnam for a better life in America. The youngest victim was 26, and the oldest was 60.

And we should never forget that on December 14, 2012, 20 children had their lives taken at Sandy Hook Elementary School. Children. This issue could not be more important for our children's future.

This past year we saw young men and women begin an incredible movement after the shooting that took place on February 14, 2018, at Marjory Stoneman Douglas High School in Parkland, Florida. They are setting an

example for all of us. Tens of thousands of students nationwide have taken to the streets to demand action to stop mass shootings and stem the epidemic of gun violence that plagues our communities. Our youngest generation has grown up hiding under their desks, and they have said, "enough."

Following their example, I encourage every member of this body to imagine dropping their young child off at school this morning, only to learn a few hours later that a gunman walked into that school and tried to kill as many people as possible. That is something we can prevent.

The deadly assault weapons used by the attackers in each of the devastating shootings I have mentioned would have been banned under the Assault Weapons Ban bill that I am introducing today. This bill helps keep us safer, while also protecting the rights of lawful gun owners.

It prohibits semi-automatic rifles, handguns, and shotguns that can accept a detachable magazine and have one military characteristic. This is the standard employed in my home state of California—and it works. The bill also prohibits bump-fire stocks, which, as we saw in Las Vegas, allow people to convert semi-automatic rifles to function like machine guns.

Importantly, our legislation further prohibits large-capacity ammunition feeding devices capable of accepting more than ten rounds. It also has several technical updates to the bill that was introduced last Congress. Specifically, it bans stocks that are otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of a weapon. Additionally, it prohibits assault pistols that weigh 50 ounces or more when unloaded, a provision which was originally part of the 1994 ban.

Finally, it bans assault pistol stabilizing braces and Thordsen-type grips and stocks that are designed to evade assault weapons bans. Now, let me tell you what the bill will not do.

It will not affect hunting or sporting firearms. Instead, the bill protects hunters and sportsmen by specifically exempting 2,258 firearms used for hunting or sporting purposes. It also exempts antique, manually-operated, and permanently disabled weapons. Moreover, the bill protects the rights of existing gun owners by grandfathering weapons legally possessed on the date of enactment.

Opponents believe that this legislation impinges upon Second Amendment rights. I disagree. The Supreme Court expressly held in *District of Columbia v. Heller* that "the right secured by the Second Amendment is not unlimited." The Court made clear that reasonable regulations are constitutional. This bill simply establishes reasonable regulations on what types of weapons may be sold and used. Individuals should not own nuclear weapons, they should not own rocket launchers, and they

should not own military-style assault weapons.

In fact, a number of courts have considered challenges to assault weapons bans. To date, every court that has considered a ban on assault weapons or large-capacity magazines has upheld the law. Mr. President, I believe very strongly that the most important duty that government has to its citizens is to protect the nation and the safety of its people. Now, I am under no illusions. I know that the gun lobby has a stranglehold on this building. I know we got 40 votes in 2013, and I know Republicans control the Senate today.

But I also know this was hard-fought in 1994, and we prevailed—with Republican support. It was a bipartisan vote.

I still believe that, at some point, my Republican colleagues will come together and realize that we can be a nation that protects its people from the savagery of these weapons.

I thank the chair, and I yield the floor.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 67. A bill to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. FEINSTEIN. Mr. President, today I am proud to introduce the "California Desert Protection and Recreation Act of 2019."

This bill represents a decade-long collaborative effort between conservationists, the off-road vehicle recreational community, State and local governments, small businesses, and public utilities. Through this collaborative effort, we have developed a path forward to sustainably and comprehensively manage California's fragile desert resources.

Before I continue, I would especially like to thank Senators LISA MURKOWSKI and MARIA CANTWELL, as well as their staff, for all of their hard work to move this bill forward last Congress. With their assistance, this legislation passed out of the Senate Energy and Natural Resources Committee in October 2018 and was included in a bipartisan public lands package.

Despite the disappointing outcome of last Congress, we have come farther with this bill than ever before, and I look forward to working once again with Senator MURKOWSKI, as well as the newly designated Ranking Member JOE MANCHIN, to maintain our momentum and pass this bill as quickly as possible.

I also would like to express my gratitude to Representative PAUL COOK and his staff for their tremendous work and collaboration on this legislation over the past two years.

The California desert is as special as it is unique. Unlike many deserts in the world, our desert is abundant with plant and animal species, many of

which are only found in California. From the iconic Joshua Trees to the desert tortoise, big horn sheep, and scores of wildflowers, the beauty of the California desert is unrivaled.

I have heard from thousands of constituents who share a love for the peace and tranquility of this majestic area, such as young students from urban areas exposed to the desert for the first time and veterans returning home from warzones finding much-needed quiet in California's desert landscapes.

When I first came to Washington twenty-six years ago, Senator Alan Cranston asked me to assume the mantle and carry on his efforts to protect the desert by introducing and passing a desert protection bill.

Despite opposition, and even filibuster attempts, the California Desert Protection Act of 1994 passed and was signed into law by President Clinton. Since then, we have all watched the unique desert plants, animals, and surrounding communities flourish, attracting visitors from around the world.

The 1994 bill permanently protected more than 7.5 million acres of pristine desert land in national parks and preserves, and I worked closely with President Obama in 2016 to designate three new desert National monuments that protected a further 1.8 million acres.

The original Desert Protection Act was a crowning achievement for desert conservation, establishing 69 new Wilderness areas, creating the Mojave National Preserve, and converting Death Valley and Joshua Tree National Monuments into National Parks. All told, we were able to protect, or increase protections for about 9.6 million acres.

I am proud to have been a part of these achievements for the desert, and I remain steadfast in my commitment to get this legislation across the finish line.

As I mentioned earlier, this bill represents the varied interests of desert stakeholders and balances the many uses of the California desert. I'll highlight some of what's in the bill now.

The bill designates approximately 375,500 acres of wilderness, including eight new Bureau of Land Management (BLM) wilderness areas.

It expands Death Valley National Park Wilderness by approximately 88,000 acres and adds 7,141 acres to the San Geronio Wilderness within San Bernardino National Forest.

This bill also expands Joshua Tree National Park by 4,518 acres and Death Valley National Park by approximately 35,292 acres. The additions to Joshua Tree National Park include 1,600 acres donated by the Mojave Desert Land Trust.

The legislation also officially designates six existing Off-Highway Vehicle Recreation Areas totaling 200,580 acres to provide certainty that these recreational uses will be protected and maintained in a manner similar to conservation areas.

Two more additions are the Alabama Hills National Scenic Area in Inyo County and the Vinagre Wash Special Management Area in Imperial County. The Alabama Hills National Scenic Area preserves 18,610 acres for continued recreation and conservation. The Vinagre Wash Special Management Area covers approximately 81,800 acres of Bureau of Land Management land to provide for wilderness preservation, vehicular use on designated routes, and limitations on extractive uses of the land within the management area.

Lastly, this bill designates 77 miles of Wild and Scenic Rivers.

Desert conservation has never been a partisan issue. Over the years, legislators have come together across party lines to preserve and protect California's desert.

Considering our progress and bipartisan efforts last Congress, I am hopeful this Congress will take this legislation up and move it forward as quickly as possible.

This bill represents years of collaborative work and the interests of a wide variety of groups and communities with the shared goal of protecting and sustainably managing California's desert. This area is a true national treasure, and I look forward to continuing our work to protect it for generations to come.

Thank you.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 12—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED SIXTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. McCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 12

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Sixteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Mr. Roberts, Mr. McConnell, Mr. Boozman, Mr. Hoeven, Ms. Ernst, Mrs. Hyde-Smith, Mr. Braun, Mr. Perdue, Mr. Grassley, Mr. Thune, Mrs. Fischer.

COMMITTEE ON APPROPRIATIONS: Mr. Shelby, Mr. McConnell, Mr. Alexander, Ms. Collins, Ms. Murkowski, Mr. Graham, Mr. Blunt, Mr. Moran, Mr. Hoeven, Mr. Boozman, Mrs. Capito, Mr. Kennedy, Mrs. Hyde-Smith, Mr. Daines, Mr. Rubio, Mr. Lankford.

COMMITTEE ON ARMED SERVICES: Mr. Inhofe, Mr. Wicker, Mrs. Fischer, Mr. Cotton, Mr. Rounds, Ms. Ernst, Mr. Tillis, Mr. Sullivan, Mr. Perdue, Mr. Cramer, Ms. McSally, Mr. Scott (FL), Mrs. Blackburn, Mr. Hawley.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Crapo, Mr. Shelby, Mr. Toomey, Mr. Scott (SC), Mr. Sasse, Mr. Cotton, Mr. Rounds, Mr. Perdue, Mr. Tillis, Mr. Kennedy, Ms. McSally, Mr. Moran, Mr. Cramer.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Wicker, Mr. Thune,

Mr. Blunt, Mr. Cruz, Mrs. Fischer, Mr. Moran, Mr. Sullivan, Mr. Gardner, Mrs. Blackburn, Mrs. Capito, Mr. Lee, Mr. Johnson, Mr. Young, Mr. Scott (FL).

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Daines, Mr. Cassidy, Mr. Gardner, Mrs. Hyde-Smith, Ms. McSally, Mr. Alexander, Mr. Hoeven.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Barrasso, Mr. Inhofe, Mrs. Capito, Mr. Cramer, Mr. Braun, Mr. Rounds, Mr. Sullivan, Mr. Boozman, Mr. Wicker, Mr. Shelby, Ms. Ernst.

COMMITTEE ON FINANCE: Mr. Grassley, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Thune, Mr. Burr, Mr. Isakson, Mr. Portman, Mr. Toomey, Mr. Scott (SC), Mr. Cassidy, Mr. Lankford, Mr. Daines, Mr. Young.

COMMITTEE ON FOREIGN RELATIONS: Mr. Risch, Mr. Rubio, Mr. Johnson, Mr. Gardner, Mr. Romney, Mr. Graham, Mr. Isakson, Mr. Barrasso, Mr. Portman, Mr. Paul, Mr. Young, Mr. Cruz.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Alexander, Mr. Enzi, Mr. Burr, Mr. Isakson, Mr. Paul, Ms. Collins, Mr. Cassidy, Mr. Roberts, Ms. Murkowski, Mr. Scott (SC), Mr. Romney, Mr. Braun.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Johnson, Mr. Portman, Mr. Paul, Mr. Lankford, Mr. Romney, Mr. Scott (FL), Mr. Enzi, Mr. Hawley.

COMMITTEE ON THE JUDICIARY: Mr. Graham, Mr. Grassley, Mr. Cornyn, Mr. Lee, Mr. Cruz, Mr. Sasse, Mr. Hawley, Mr. Tillis, Ms. Ernst, Mr. Crapo, Mr. Kennedy, Mrs. Blackburn.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Burr, Mr. Risch, Mr. Rubio, Ms. Collins, Mr. Blunt, Mr. Cotton, Mr. Cornyn, Mr. Sasse.

SPECIAL COMMITTEE ON AGING: Ms. Collins, Mr. Scott (SC), Mr. Burr, Ms. McSally, Mr. Rubio, Mr. Hawley, Mr. Braun, Mr. Scott (FL).

COMMITTEE ON THE BUDGET: Mr. Enzi, Mr. Grassley, Mr. Crapo, Mr. Graham, Mr. Toomey, Mr. Johnson, Mr. Perdue, Mr. Braun, Mr. Scott (FL), Mr. Kennedy, Mr. Cramer.

COMMITTEE ON INDIAN AFFAIRS: Mr. Hoeven, Mr. Barrasso, Ms. Murkowski, Mr. Lankford, Mr. Daines, Ms. McSally, Mr. Moran.

JOINT ECONOMIC COMMITTEE: Mr. Lee, Mr. Cotton, Mr. Sasse, Mr. Portman, Mr. Cassidy, Mr. Cruz.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Blunt, Mr. McConnell, Mr. Alexander, Mr. Roberts, Mr. Shelby, Mr. Cruz, Mrs. Capito, Mr. Wicker, Mrs. Fischer, Mrs. Hyde-Smith.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Rubio, Mr. Risch, Mr. Paul, Mr. Scott (SC), Ms. Ernst, Mr. Inhofe, Mr. Young, Mr. Kennedy, Mr. Romney, Mr. Hawley.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Isakson, Mr. Moran, Mr. Boozman, Mr. Cassidy, Mr. Rounds, Mr. Tillis, Mr. Sullivan, Mrs. Blackburn, Mr. Cramer.

SELECT COMMITTEE ON ETHICS: Mr. Isakson, Mr. Roberts, Mr. Risch.

Mr. McCONNELL. Mr. President, in the 112th Congress the Senate adopted a new funding allocation for Senate committees. This approach has served the Senate well for the past three Congresses. I believe this approach will continue to serve the interests of the Senate and the public, regardless of which party is in the majority, by helping to retain core committee staff with institutional knowledge. This funding allocation is based on the party division of the Senate, with 10 percent of the total majority and minority salary

baseline going to the majority for administrative expenses. However, regardless of the party division of the Senate, the minority share of the majority and minority salary baseline will never be less than 40 percent, and the majority share will not exceed 60 percent. It is my intent that this approach will continue to serve the Senate for this Congress and future Congresses.

Mr. SCHUMER. Mr. President, this approach met our needs for the last three Congresses, and I too would like to see it continue. In addition, special reserves have been restored to its historic purpose. We should continue to fund special reserves to the extent possible in order to be able to assist committees that face urgent, unanticipated, nonrecurring needs. Recognizing the tight budgets we will face for the foreseeable future, it is necessary to continue to bring funding authorizations more in line with our actual resources while ensuring that committees are able to fulfill their responsibilities. I look forward to continuing to work with the majority leader to accomplish this.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that a joint leadership letter be printed in the RECORD.

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

WE MUTUALLY COMMIT TO THE FOLLOWING FOR THE 116TH CONGRESS: The Committee on Rules and Administration is to determine the budgets of the committees of the Senate. The budgets of the committees, including joint and special committees, and all other subgroups, shall be apportioned to reflect the ratio of the Senate as of this date, including an additional ten percent (10%) from the majority and minority salary baseline to be allocated to the chairman for administrative expenses.

Special Reserves has been restored to its historic purpose. Requests for funding will only be considered when submitted by a committee chairman and ranking member for unanticipated, non-recurring needs. Such requests shall be granted only upon the approval of the chairman and ranking member of the Committee on Rules and Administration.

Funds for committee expenses shall be available to each chairman consistent with the Senate rules and practices of the 115th Congress.

The division of committee office space shall be commensurate with this funding agreement.

The chairman and ranking member of any committee may, by mutual agreement, modify the apportionment of committee funding and office space.

SENATE RESOLUTION 13—TO CONSTITUTE THE MINORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED SIXTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 13

Resolved, That the following shall constitute the minority party's membership on

the following committees for the One Hundred Sixteenth Congress, or until their successors are chosen:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY: Ms. Stabenow, Mr. Leahy, Mr. Brown, Ms. Klobuchar, Mr. Bennet, Mrs. Gillibrand, Mr. Casey, Ms. Smith, Mr. Durbin.

COMMITTEE ON APPROPRIATIONS: Mr. Leahy, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Reed, Mr. Tester, Mr. Udall, Mrs. Shaheen, Mr. Merkley, Mr. Coons, Mr. Schatz, Ms. Baldwin, Mr. Murphy, Mr. Manchin, Mr. Van Hollen.

COMMITTEE ON ARMED SERVICES: Mr. Reed, Mrs. Shaheen, Mrs. Gillibrand, Mr. Blumenthal, Ms. Hirono, Mr. Kaine, Mr. King, Mr. Heinrich, Ms. Warren, Mr. Peters, Mr. Manchin, Ms. Duckworth, Mr. Jones.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: Mr. Brown, Mr. Reed, Mr. Menendez, Mr. Tester, Mr. Warner, Ms. Warren, Mr. Schatz, Mr. Van Hollen, Ms. Cortez Masto, Mr. Jones, Ms. Smith, Ms. Sinema.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Ms. Cantwell, Ms. Klobuchar, Mr. Blumenthal, Mr. Schatz, Mr. Markey, Mr. Udall, Mr. Peters, Ms. Baldwin, Ms. Duckworth, Mr. Tester, Ms. Sinema, Ms. Rosen.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Manchin, Ms. Cantwell, Mr. Wyden, Mr. Sanders, Ms. Stabenow, Mr. Heinrich, Ms. Hirono, Mr. King, Ms. Cortez Masto.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mr. Carper, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Merkley, Mrs. Gillibrand, Mr. Booker, Mr. Markey, Ms. Duckworth, Mr. Van Hollen.

COMMITTEE ON FINANCE: Mr. Wyden, Ms. Stabenow, Ms. Cantwell, Mr. Menendez, Mr. Carper, Mr. Cardin, Mr. Brown, Mr. Bennet, Mr. Casey, Mr. Warner, Mr. Whitehouse, Ms. Hassan, Ms. Cortez Masto.

COMMITTEE ON FOREIGN RELATIONS: Mr. Menendez, Mr. Cardin, Mrs. Shaheen, Mr. Coons, Mr. Udall, Mr. Murphy, Mr. Kaine, Mr. Markey, Mr. Merkley, Mr. Booker.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mrs. Murray, Mr. Sanders, Mr. Casey, Ms. Baldwin, Mr. Murphy, Ms. Warren, Mr. Kaine, Ms. Hassan, Ms. Smith, Mr. Jones, Ms. Rosen.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Peters, Mr. Carper, Ms. Hassan, Ms. Harris, Ms. Sinema, Ms. Rosen.

SELECT COMMITTEE ON INTELLIGENCE: Mr. Warner (Vice Chairman), Mrs. Feinstein, Mr. Wyden, Mr. Heinrich, Mr. King, Ms. Harris, Mr. Bennet, Mr. Reed (ex officio), Mr. Schumer (ex officio).

COMMITTEE ON THE JUDICIARY: Mrs. Feinstein, Mr. Leahy, Mr. Durbin, Mr. Whitehouse, Ms. Klobuchar, Mr. Coons, Mr. Blumenthal, Ms. Hirono, Mr. Booker, Ms. Harris.

COMMITTEE ON THE BUDGET: Mr. Sanders, Mrs. Murray, Mr. Wyden, Ms. Stabenow, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Mr. Kaine, Mr. Van Hollen, Ms. Harris.

COMMITTEE ON RULES AND ADMINISTRATION: Ms. Klobuchar, Mrs. Feinstein, Mr. Schumer, Mr. Durbin, Mr. Udall, Mr. Warner, Mr. Leahy, Mr. King, Ms. Cortez Masto.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Cardin, Ms. Cantwell, Mrs. Shaheen, Mr. Markey, Mr. Booker, Mr. Coons, Ms. Hirono, Ms. Duckworth, Ms. Rosen.

COMMITTEE ON VETERANS' AFFAIRS: Mr. Tester, Mrs. Murray, Mr. Sanders, Mr. Brown, Mr. Blumenthal, Ms. Hirono, Mr. Manchin, Ms. Sinema.

SPECIAL COMMITTEE ON AGING: Mr. Casey, Mrs. Gillibrand, Mr. Blumenthal, Ms. Warren, Mr. Jones, Ms. Sinema, Ms. Rosen.

JOINT ECONOMIC COMMITTEE: Mr. Heinrich, Ms. Klobuchar, Mr. Peters, Ms. Hassan.

SELECT COMMITTEE ON ETHICS: Mr. Coons (Vice Chairman), Mr. Schatz, Mrs. Shaheen.

COMMITTEE ON INDIAN AFFAIRS: Mr. Udall (Vice Chairman), Ms. Cantwell, Mr. Tester, Mr. Schatz, Ms. Cortez Masto, Ms. Smith.

PRIVILEGES OF THE FLOOR

Ms. ERNST. Mr. President, I ask unanimous consent that privileges of the floor be granted to the following member of my staff: Heidi Steele, a fellow in my office, during the pendency of the 116th Congress.

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

Mr. REED. Mr. President, I ask unanimous consent that Dimitrios Meritis, a fellow in my office, be granted privileges of the floor for this session of Congress.

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

MEASURES READ THE FIRST TIME—H.R. 251, H.R. 264, AND H.R. 269

Mr. MCCONNELL. Mr. President, I understand there are three bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills for the first time en bloc.

The bill clerk read as follows:

A bill (H.R. 251) to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

A bill (H.R. 264) making appropriations for financial services and general government for the fiscal year ending September 30, 2019, and for other purposes.

A bill (H.R. 269) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes.

Mr. MCCONNELL. I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will receive their second readings on the next business day.

ORDERS FOR THURSDAY, JANUARY 10, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, January 10; further, that following the prayer and 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; further, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 1; finally, notwithstanding the

provisions of rule XXII, the cloture vote with respect to the motion to proceed to S. 1 occur at 1:45 p.m.

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

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senator MERKLEY.

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

The Senator from Oregon.

DEMOCRACY

Mr. MERKLEY. Mr. President, the most important words in our Constitution are the first three: "We the People." With these three simple words, our Founders laid out the mission for our government; that is, a government to produce a form of legislation that reflects the will of the American people or, as Lincoln summarized it, a government of, by, and for the people.

That mission is being corrupted and damaged in a significant and extensive fashion. It is being damaged with a goal of converting this vision of "We the People" to a government by and for the powerful and the privileged. That corruption, that fundamental corruption of our government, comes in many forms, but it certainly includes gerrymandering, voter suppression, voter intimidation, and dark money in our campaigns flooding our system with unidentified resources to serve the powerful and the privileged rather than the people.

We in this Chamber, having taken an oath of allegiance to our Constitution, ought to be defending it, but we are not. The result is, we see many challenges facing our Nation unaddressed: stagnant wages and soaring income inequality, huge wealth inequality; skyrocketing healthcare costs; unaffordable higher education and homeownership; rent so high they drive people to live in tents; catastrophic climate chaos wreaking havoc on our planet with uncontrolled carbon pollution.

We have been paralyzed on these issues because of this corruption of our Constitution, because of the gerrymandering, because of the voter suppression intimidation, because of the dark money. It has allowed the hijacking of our Constitution, and we need to end it. It has been hijacked by corporate and Wall Street executives swimming in recordbreaking profits and trillion-dollar tax breaks, shuttering American factories and shipping jobs overseas. It has been hijacked by fossil fuel barons who exhibit a greed for profits that trumps the direct damage—or concern about the direct damage they are inflicting on our beautiful blue-green planet. It has been hijacked

by cabals of shadowy organizations, using vast sums of dark money, no identified source, to influence and buy elections, undermining our institutions at every level and driving massive cynicism among our youth.

Our youth look at our government, and they see those beautiful words: "We the People," and then they see the corruption, the corruption this body is doing nothing to address—not the gerrymandering, not the voter suppression, not the dark money. It is time to change that.

I have laid out a blueprint for our "we the people" democracy. I unveiled this document last week. I am happy to provide copies to anyone. It is available on the web. It is a blueprint for restoring our democracy that takes on the corrupting influence of dark money, takes on the corrupting influence of gerrymandering, takes on the corruption of voter suppression to ensure equal representation for every American.

Let's start by looking at dark money. We need to pass Senator UDALL's constitutional amendment that overturns Citizens United and thereby end the corruption of the unlimited dark money.

According to one analysis, the top 15 dark money groups in America has spent over \$600 million on campaign-related activities in the last few years. That is just the top 15 groups, writing check after check to drown out the voice of the people. It is kind of like the dark money is a stadium sound system cranked up to the top volume so voices and concerns of millions of ordinary Americans are wiped out, unheard, unlistened to; thus, driving decisions of this body in favor of the powerful instead of the people.

It is why we need to give Congress the ability to set reasonable limits on campaign spending and donations through that constitutional amendment. That is why we need to increase transparency on all money in the campaign system through Senator WHITEHOUSE's DISCLOSE Act. His act calls for robust disclosure for corporate union, PACs, 501(c)(3)s that contribute over \$10,000. It is why we need transparency through Senator KLOBUCHAR's Honest Ads Act, which addresses the transparency of online ads, which are becoming a bigger and bigger part of our dialogue over campaigns in this country, the social media side. It requires those who purchase and publish those online ads to publicly disclose their financing.

Thomas Jefferson laid out how important an equal distribution of power is among the voters. He called it his equal voice principle, and he said this: "[A] government is republican in proportion as every member composing it has his equal voice in the direction of its concerns"—equal voice. He said in this letter, after he was President, that if we lose this, which he called the mother principle of our democracy, we would not have laws that reflect the will of the people.

So here we are with the mother principle—a distribution of power among voters, a distribution of voice among voters. That, as the securing factor for government, reflects the will of the people.

This is in complete opposition to the concentration of power through Citizens United.

Let us turn to the corruption from gerrymandering. Now, there is a bit of a challenge to define what gerrymandering is, but let's try putting it this way: the drawing of funny-shaped districts in order to unbalance fair representation of voters in a State.

Now, here are some of the warning signs if you want to say it is gerrymandered. First, look to the districts and see if they are of funny shapes like these—like Nebraska, like the Fifth Congressional District in Florida, like the Seventh Congressional District in Pennsylvania, like the Maryland Third Congressional District, like the North Carolina First District, and the Texas Thirty-third District—blue States, red States, all exhibiting varieties of gerrymandering.

Another way to look at gerrymandering is to look at an imbalance in wasted votes. That is, you take the number of votes required to elect someone in a particular congressional district and add up the surplus of those votes, and you add those up on the Democratic side and you add those up on the Republican side, and if there is a huge imbalance in the wasted votes, then probably these districts have been drawn to unbalance fair representation for people in the State.

A third way to look at gerrymandering is to look at whether the congressional representation in the House of Representatives is proportional to the popular vote totals in a State.

So those three things are warning signs.

How should this be addressed? It should be addressed through having national standards for independent redistricting commissions so that the citizens of the United States across the entire United States get fair representation in Congress and for the ridding of gerrymandering in the United States of America.

In 2016, North Carolina Republicans had 53 percent of the State's popular vote in House races but 77 percent of the congressional seats. That is a sign of gerrymandering. The same year, Pennsylvania Democrats won 48 percent of the popular vote in their State but only had 27 percent of the House seats.

So these are signs of a rigged system, and if you want to drive cynicism, keep a rigged system.

The House of Representatives is supposed to stand for equal representation for people, not for a biased, corrupted, rigged system that we get from gerrymandering.

So we need to take the power for redistricting out of the hands of partisan

elected officials and put it in the hands of independent commissions to draw fair, competitive congressional districts to truly reflect the voters' voices.

Now, as for that Pennsylvania gerrymandered seat that I referred to, after the 2016 election, the State supreme court stepped in and redrew the district lines to make them more fair and representative.

So what happened? Let's compare 2016 to 2018.

In 2016, you had the Democrats receiving 48 percent of the popular vote and 27 percent of the congressional districts, a gap of more than 20 percent. After the redrawing, you had Democrats receiving 53 percent of the popular vote across the State and winning 50 percent of the contested seats. So a gap of 21 percent goes down to a gap of just 3 percent. That is a sign that the State has been more fairly drawn to reflect the distribution of voters. It shows that the voters are being heard and that the corruption of gerrymandering is being ended. But it shouldn't just be ended in Pennsylvania. It should be ended across the country.

Now, the U.S. Supreme Court has punted on gerrymandering. In fact, it has been at the heart of each of these three corrupting practices: unleashing dark money through Citizens United; striking down the Voting Rights Act of 1965, allowing an unlimited set of strategies—a huge set of strategies—for voter suppression and voter intimidation; and never taking on the issue of gerrymandering.

Maybe the U.S. Supreme Court should read the Constitution and realize what Jefferson was talking about and realize that it is their job to defend the integrity of the United States of America and take on these corrupting forces that they themselves have unleashed in two instances and failed to take on in the third.

Well, voter suppression and voter intimidation are certainly alive and well as corrupting forces. That is why the Blueprint for Democracy calls for the passage of Senator LEAHY's Voting Rights Advancement Act. The bill would restore and modernize the Voting Rights Act of 1965, which the Supreme Court tore down in 2013 with their decision in *Shelby County v. Holder*.

Now, realize that the Voting Rights Act reauthorization had vast bipartisan support here in the Senate. This wasn't a partisan bill. The voting right is the fundamental foundation of our democratic republic, and it had broad bipartisan support, as it should. But the Supreme Court, in the interest of the powerful and privileged, tore down—they are no longer the defenders of the vision of our Constitution but the destroyers of the "we the people" vision of our Constitution. That should concern every Member in this body.

We have seen rampant voter suppression in our national elections used to

block entire groups of people from exercising their constitutional rights at the ballot box.

Just this last November, we saw thousands of Native Americans living on Tribal reserves in North Dakota kept from casting a ballot. In Georgia, we saw the former secretary of state, who was running for Governor, attempt to block 53,000 Georgians, predominantly African Americans, from voting because of what were described as minor clerical inconsistencies. We saw thousands of Ohio voters purged from voting rolls on the order of the secretary of state of Ohio, and done so in a way disproportionately benefiting one party over the other.

That is just scratching the surface of the list of deplorable schemes to disenfranchise American voters.

There was one positive development that was in Florida, where Florida restored the ability of felons to vote after they have served their sentences.

Now, this process of taking away the ability of felons to vote has a deep, deep history of racism in our country. It was used after the Civil War to disenfranchise Black Americans so that White Americans could control areas that were predominantly African American.

So this use of the felon disenfranchisement—failure to restore the right to vote after you have served your sentence—is something that has to be put away, and Florida set a great example in doing so.

There is much more that we can do. We can have a polling place protection act, because the manipulation of polling places is just an irresistible strategy for election clerks. They move the polling places. They cut the hours of polling. Disinformation is put out about where they are. You have a process where some polling places that serve predominantly one community that may vote primarily on one party suddenly don't have enough clerks or enough voting machines so they have long lines here and short lines there to warp the outcome of an election.

So how about a polling place protection act? Isn't that something Democrats and Republicans can come together and do?

How about predatory purging of voter lists, where you analyze the voting list and decide for rules on purging voters in order to disproportionately favor one party over the other? Why not have standard policies across the country so that purging in a predatory partisan fashion is done away with? Shouldn't that be something on which Democrats and Republicans can come together and defend the integrity of American elections?

How about requiring paper ballots so that every election can be recounted? I always heard about these electronic voting machines with no paper ballots. Now, out in Oregon, we insist on paper ballots. We want people to have confidence that the election has not been messed with, that the voting machines have not been hacked.

I remember listening to a radio news story where a person went in and hacked the voting machine while they were on the radio with the reporter and changed the vote totals.

So shouldn't we require paper ballots that can be recounted to give confidence in America that the vote is not being hacked? Isn't that something that Democrats and Republicans can come together to support? Isn't it something that helps to make sure that foreign agents—Russian agents, Chinese agents, who knows whom—are not trying to hack our elections?

While we are at it, how about a national standard for early voting to ensure that people have the flexibility to come to the polls, to make sure the hours are not manipulated in a fashion to try to favor one party over the other.

Better yet, how about Senator WYDEN's Vote By Mail Act? In Oregon, we have a special affection for this. Back when I was first running for the Oregon House of Representatives 20 years ago, in my first election, half the people of Oregon voted by mail and half at the polls, and I started going door to door to campaign, and I didn't really like this whole vote-by-mail idea because I felt it was important for the community to do something together on election day.

As I knocked on one door after another, one senior after another said: No, I really love this ability to vote by mail, because if it is rainy or icy in November, if there is snow that makes it hard to get to the polling place, it is no problem.

They said: And moreover, I really love to be at the kitchen table with my children or with my grandchildren and have the ability, then, to talk with them about these issues as we vote and inculcate them with the civic responsibility of voting.

Another said: You know, here in Oregon we have initiatives that can be very complicated. I love to sit at my kitchen table and study these initiatives and vote.

So I realized how popular it was. So there it was—vote by mail, a very important contribution to the possibility of high integrity in elections of the United States of America.

This last November, we had nationwide about 47 percent of the eligible adults voting—about 47 percent. That was better than 2014, when we had 37 percent. So that is pretty good—47 percent.

In Oregon, with vote by mail, we had 68 percent of the eligible adults voting—20 percent over the national standard. So that gives you a little sense of how automatic voter registration and vote by mail can make a difference in enabling people to fully participate.

If you believe in the vision of a democratic republic, don't you want to be on the side of voter engagement—not voter intimidation, not voter suppression?

A fourth area is equal representation. So we have had a number of elections where we created a discrepancy between the popular vote and the outcome for President—another factor driving citizens. The whole electoral college was set up in a world in which communication was very difficult. It might take weeks to get the votes to the Capitol, but that is not the world we live in any longer.

So isn't it time to go to a direct vote?

Back in the 2000 election, 48 percent of the voters picked Al Gore for President, and that was a majority, but we had 8 years of George Bush.

The electoral college is antiquated—an antiquated idea based on a historical factor of communication that no longer exists.

So let's move to direct vote, either through the national popular vote, which can be done State by State by State by sending their electoral votes to the candidate who wins the majority, or through a constitutional amendment.

And while we are at it, let's give voting representation in the House and Senate to the 4 million people who currently are American citizens who do not have a vote in the Presidential election.

While we are at it, let's give voting representation in the House and Senate to the 4 million people who currently are American citizens who do not have a vote in the House or Senate. For the people of Puerto Rico, Guam, a number of other Territories, and the Virgin Islands, shouldn't there at least be one person in this Chamber representing them?

I went down to Puerto Rico 8 months after the big hurricane to look at the restoration, and the restoration program was horrific. I came away thinking, if there was somebody who stood in this Chamber with a vote or in the House Chamber with a vote and could speak to the abysmal restoration of infrastructure after that hurricane, it

would not have been such a disaster. We would all have listened and responded and helped. But there was nobody here that represented them. A number of us tried to carry their message, their plea, but it is different than having somebody who carries a vote.

So let's figure out a system—some system. No system will satisfy everyone, but give at least a vote in the Senate and a vote in the House for the portion of the population of those American citizens who do not have a vote.

So our constitutional system is in very deep trouble. When I came into political life we had a Voting Rights Act that had taken on the issue of voter intimidation and voter suppression. We don't have it today, thanks to the Supreme Court. Corruption is inhabiting our “we the people” Constitution.

When I came in we had a system that was much more transparent with people making donations to candidates, and today we have vast dark money corrupting the system.

Gerrymandering has been with us for a long time. Isn't it time that we address that? Shouldn't it be a situation in which voters pick their representatives, not representatives picking their voters? Isn't it time to address a national popular vote?

We have allowed so much to happen. We haven't pushed back the failure of the Supreme Court to defend our Constitution. When they struck down the Voting Rights Act, they said Congress can repass another one. But have we done so? Have we had a vote on the floor of the Senate since the Voting Rights Act was struck down? Do we have bipartisan buy-in that it is our responsibility to protect voters to have a fair process? If not, why not? It is way past time. So let each of us ponder the vision of our Constitution—the “we the people” vision of our Constitution. Let's remember that we took an oath to honor this vision and that we are failing. Now, in recognition of that, let's come together—Democrats and

Republicans, House Members and Senate Members—and take on this vast corruption that is destroying the fundamental vision on which our Nation was founded—a vision I love, a vision that will produce laws by and for the people, a vision that produces laws the reflect, as Thomas Jefferson said, the will of the people.

Thank you, Mr. President.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:44 p.m., adjourned until Thursday, January 10, 2019, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

COMMODITY FUTURES TRADING COMMISSION

HEATH P. TARBERT, OF MARYLAND, TO BE CHAIRMAN OF THE COMMODITY FUTURES TRADING COMMISSION, VICE J. CHRISTOPHER GIANCARLO.

HEATH P. TARBERT, OF MARYLAND, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2024, VICE J. CHRISTOPHER GIANCARLO, TERM EXPIRING.

NATIONAL TRANSPORTATION SAFETY BOARD

MICHAEL GRAHAM, OF KANSAS, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2020, VICE EARL F. WEENER, TERM EXPIRED.

JENNIFER L. HOMENDY, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2024. (REAPPOINTMENT)

ENVIRONMENTAL PROTECTION AGENCY

ANDREW WHEELER, OF VIRGINIA, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE SCOTT FRUITT.

DEPARTMENT OF THE TREASURY

GEOFFREY WILLIAM SELJI OKAMOTO, OF CALIFORNIA, TO BE DEPUTY UNDER SECRETARY OF THE TREASURY, VICE RAMIN TOLOUI.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. MICHAEL X. GARRETT