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.

Eternal Savior, You have been with this Nation from its birth. Use our lawmakers to protect and preserve it against all enemies, foreign and domestic.

Give our Senators kind hearts and humble spirits; help them to aspire to become instruments of Your purposes. Lord, guide them to find in each problem and perplexity the prelude to greater understanding and usefulness. May they seek daily to maintain their ethical, moral, and spiritual fitness.

And, Lord, sustain those who are suffering most because of this partial government shutdown.

We pray in Your Holy 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.

RESERVATION OF LEADER TIME
The PRESIDING OFFICER (Mr. CREAMER). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS
The PRESIDING OFFICER. Morning business is closed.

DISAPPROVING THE PRESIDENT’S PROPOSAL TO TAKE AN ACTION RELATING TO THE APPLICATION OF CERTAIN SANCTIONS WITH RESPECT TO THE RUSSIAN FEDERATION—Resmotion

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 2, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 2) disapproving the President’s proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided between the two leaders or their designees.

Mr. GRASSLEY. 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. MCConnell. Mr. President, I ask unanimous consent that the motion for the quorum call be rescinded.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

The PRESIDING OFFICER. The majority leader is recognized.

BORDER SECURITY
The PRESIDING OFFICER. Mr. MCConnell, Mr. President, one dollar—one dollar—that is the amount that the Speaker of the House said she would be willing to invest in physical barriers at our southern border—one dollar. Talk about serious, good-faith negotiations. Talk about taking borders seriously.

The men and women on the ground have been unambiguous about the crisis they are facing: the entry of criminals, aliens and gang members into our country, the drugs that go on to infect our communities, the ongoing humanitarian crises that are fueled by our government’s mixed signals and our inability to enforce our own laws.

According to Speaker PELOSI, these urgent issues are worth about 33 cents each—33 cents. As we all know, that is because the Speaker has recently defined a brand new dilemma for the Democratic Party: Actually enforcing our immigration laws with the help of physical barriers is “an immorality”—an immorality.

That is quite the indictment of her fellow Democrats’ past positions. Recent years have seen Democrats vote for billions—billions—of dollars in physical walls and fencing. Recent years have seen a Democratic administration build the same steel barriers—the very same steel barriers—that this President now wants to expand.

But these days, it seems that Democrats are happy to take their cues from the gentile lady from San Francisco and her extreme, fringe position that walls have now become immoral. Really?

Yesterday, President Trump issued yet another bipartisan invitation for Members of Congress to meet at the White House and actually negotiate. Yet, again, only Republicans came to the table.

For the American people, who deserve both a functioning government as well as a secure border, that really is not a promising sign. For Federal workers who are now stretching every dollar until Democrats lose interest in dead-end political games, the Speaker’s $1 punchline is not very entertaining.

So for everyone’s sake, I hope our Democratic colleagues will reverse course and work seriously with this White House to reach an agreement that can become law and fulfill our promises to our country.

In the meantime, as the White House made clear just yesterday, cherry-picking continuing resolutions that fail to
address the border crisis will not receive the President’s signature. They are not going to.

The only way out of this impasse is a bipartisan agreement, and as the Democratic leader and I have both stated on this floor, only an all-corners bipartisan agreement will receive a vote here in the Senate.

S.J. RES. 2

Mr. President, on another matter, before the Senate today is a resolution from the leader that would override career civil servants at the Treasury Department and fire from the hip on one of the top foreign policy concerns of the United States.

This is the pending business, despite the fact that the Democratic leader had previously proclaimed he would not let the Senate address any business—any—during this partial government shutdown. Apparently there is an exception to that.

Remember, that was the reason the Democratic leader gave for leading a Democratic filibuster of a bipartisan package that would have reaffirmed our commitment to defend our allies in Israel, Jordan, and Assad’s rogue regime.

On one day, they insist we shouldn’t do any business; on another, it is time to bring up an unrelated resolution of their own. At the end of the last Congress, they said they would support bipartisan legislation to shore up our allies in the Middle East and deliver justice for the victims of Assad’s regime.

These twists and turns are pretty hard to follow, confusing, until you remember the one key to our Democratic colleagues’ thinking these days—political spite for the President comes first, ahead of everything else.

Your administration isn’t opposed to these bipartisan, urgent bills to back Israel, Jordan, and the Syrian people. President Trump, we expect, would sign these bills. We might actually make a law, which is what people sent us here to do, presumably.

Naturally, the Democratic leader isn’t interested. Democrats in Congress don’t think working with the President to accomplish things suits their political goals these days.

The Democratic leader’s new resolution, which he has been happy to prioritize ahead of Israel and the Syrian people, offers him a chance to make a political splash. It overrides the careful actions of career civil servants at Treasury and blows up a nuanced decision the current law actually requires. Current law actually requires what they do.

Supporting Israel? It is not too interesting to my friends across the aisle, but picking a political fight with the President, boy, they are up for that one every day.

This is the key to understanding this unusual moment. This is the central principle. Democrats have made a marketing decision to obstruct President Trump at all costs, even if it hurts substantive priorities they used to support. That is not an act of bipartisanship. It overrules the current law, which they used to brag about supporting. That is why Senate Democrats have decided that aid for Israel and help for the people of Syria are not worthy of this body’s time but are happy to spend more time trying to blow up a highly technical Treasury Department decision that current law actually requires.

Let me say that again. They are happy to spend floor time trying to blow up a highly technical Treasury Department decision that current law actually requires. Political obstruction is their top priority. Everything else follows from that.

NOMINATION OF WILLIAM BARR

Mr. President, on a final matter, even in the midst of this political climate, the President’s nominee for Attorney General has delivered an impressive performance during the first day of his hearings before the Judiciary Committee.

Senators were reminded exactly why he won bipartisan admiration for this body in 1991 and was confirmed as President Bush 41’s Attorney General with no opposition—none.

Now, as Mr. Barr himself acknowledged in his testimony yesterday, times have changed, but the core principles that our Nation’s Attorney General must uphold haven’t changed. As the nominee testified yesterday, “the American people have to know that there are places in the government where the rule of law—not politics—holds sway . . . the Department of Justice must be such a place.”

Those are the words of the right man for this job. His testimony made clear what he sees as key priorities for the Department of Justice: building on past progress in fighting violent crime, enforcing and improving our Nation’s immigration laws, and protecting the integrity of our electoral system.

He stated definitively where his loyalties lie: with “the rule of law, the Constitution, and the American people. That is how it should be. That is how it must be. And, if you confirm me, that is how it will be.”

Experience, integrity, and total commitment—the President has made an outstanding choice. The Judiciary Committee continues its hearings today. I look forward to their continuing review of this nomination and, then, to its prompt return to the floor. The American people deserve the very best. That is just what Attorney General Bill Barr will be.

I suggest the absence of a quorum. The Sergeant at Arms 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

Mr. SCHUMER. Mr. President, I just heard Leader MCCONNELL, my good friend, rail on and on. First, he doesn’t agree with Nancy PELOSI on the wall. This is a surprise. Second, he doesn’t like the fact that we want to get a vote to open up the government before we move forward on S. 1. We know that. His arguments are getting kind of old and stale.

I will say to the leader, very simply—you may disagree with us: Open the government. Open the government. You can do it. Leader MCCONNELL. All your blaming and flailing isn’t going to open the government. We all know Donald Trump is the obstacle here. You know it. I know it. We all know it. The only way to help all the folks who need help is to open the government.

There are a good number of Republicans on your side who have advocated this already. To hold the government hostage, you are losing the argument. You are losing it with the public. An overwhelming majority of Americans think the government should not be shut down over a wall. Even a substantial number of people who support the wall say: Don’t shut down the government to get the wall.

We have problems on the border. A lot of Americans don’t think it is a crisis that demands hurting our economy and our government.

Leader MCCONNELL, we know you disagree with Leader PELOSI and me on what should be border security. We know you think we should pass S. 1 before we open up the government. Leader PELOSI and I—you—you—can open the government. That is what the American people want, and I dare say that is what most of your colleagues want, at least if they talk to you privately.

It seems that every day the Trump shutdown drags on, we read another story about a new way it is hurting our economy. Eight hundred thousand public servants have been without pay, including thousands of veterans who work for the Federal Government. Some of those who have a different story about how the shutdown is hurting them and their families. As nine essential Cabinet Departments remain shuttered, we are learning that the effects of the shutdown are even more widespread and continue to worsen. Yesterday, President Trump’s own White House Council of Economic Advisers doubled their projections of how much economic growth is being lost each week during the shutdown.

Let me repeat that. The Trump administration’s own economic advisers have just said that the Trump shutdown will substantially hurt our economy—twice as much as they originally
predicted. Growth is down. Economic and consumer confidence is down. Billions of dollars have been pulled out of our economy. Some of the leading financial leaders in the country are now saying we might even go into contraction in the first part of this year if this shutdown continues.

Do you think, Leader McCOMNELL, that is benefiting Donald Trump? Do you think, Leader McCOMNELL, that is benefiting the Republican Party, who the Americans know own the shutdown of the government and then debate our differences on border security and whatever else.

Why is our country suffering self-inflicted damage? Because President Trump is using the American government as leverage in an attempt to extract taxpayer money for a border wall he promised Mexico would pay for.

He says: You know, I hear Rush Limbaugh and Sean Hannity; he promised this in the campaign.

No one promised a wall that Mexico would pay for. He never said once, that I can recall, in the campaign: But if Mexico doesn’t pay for it, we will pay for it.

Of course people voted for it—or sometimes more than one. This is ridiculous. The President makes a campaign promise. He twists the campaign promise around and now shuts down the government so he can show he is keeping not the promise he made but a different one. It would sound ridiculous and absurd if it weren’t the reality.

The fact of the matter is that eight Cabinet Departments not named Homeland Security have absolutely nothing—nothing—to do with our disagreements over border security. That is why Democrats have offered, and continue to offer, to reopen the government while we debate border security.

Again, three words for Leader McCOMNELL again: Open the government.

Three words to my Republican colleagues: Open the government.

Three words to President Trump: Open the government.

Then, we can have all the discussion and debating, as we are supposed to do, on these issues where we don’t agree.

Democrats have made entirely reasonable proposals. We proposed to open the government by passing Republican spending bills from the last Congress so that we can end this suspension of government operations. There are not bills the Democrats put together. These are bills the Republicans put together with some Democratic input. Leader McCOMNELL voted for every one of them—every one of them.

As for this idea that he will not move unless Trump agrees, that may have made sense in the first week or two. It makes no sense now because President Trump is adamantly all over the lot, and seems unwilling and unable to tie himself out of his own knots to get the government unshuttered.

In our side, we are willing to step in. Where is Leader McCOMNELL? Where are the Republicans?

The American people support passing our bills—bills that we have asked unanimous consent for by wide margins—two to one, including nearly 40 percent of Republicans. Forty percent of Republicans support passing our bills and then debating.

So, Mr. President, even your prized base—a good chunk of it, about a third—is turning away from you on this issue.

When will the President and my Republican colleagues wake up to the hardship being inflicted on so many people across the country? It is time that the Senate act on House-passed bills to open the government.

The President, we know, is inflexible. He is “proud,” as he said, to have shut down the government. He is, amazingly—never seen a President like this—impervious to the pain and suffering of Federal workers and the American people. He makes stuff up: Oh, the Federal workers want the wall. Who? Two people on FOX News all the time who are part of a Border Patrol union? That is it, not the average worker.

The President has refused all entreaties to open up the government by Democrats, Republicans, like my friend Senator GRAHAM—one of the President’s biggest allies in this Chamber.

His deputies are hardly even empowered to negotiate with the Hill since President Trump retracts their offers almost as soon as they are made. Everyone—everyone—can see how fruitless it is to try and negotiate with this President at the moment.

My friend Leader McCOMNELL is the one who can break the impasse. He has declared before that “he is the guy who gets us out of shutdowns.” He was proud of that. I wish he were still proud of it.

I think we are all ready for that, Leader McCOMNELL, because so long as Leader McCOMNELL hides behind the President and the President’s absurd and destructive shutdown strategy, the Senate will be unable to vote on broadly popular legislation to reopen the government.

The longer Leader McCOMNELL allows this to continue, the more he and Republican Senators will be tied to the President and the President’s disgraceful tactic of government by extortion.

Mr. President, last night, the Senate voted to proceed to the resolution to disapprove the Treasury Department’s plans to relax sanctions on Russia, and 11 Republicans—I am proud of that, proud of them—joined with every Democrat to advance the resolution, which will face a cloture vote today. Two or three more Republican votes will ensure cloture is invoked and the passage of the resolution achieved. So I would like to make a direct appeal to my Republican friends who are wondering about this.

This resolution is about a very simple thing. Do you believe America should take a tough line on Putin or do you think we should go easy on Putin and his cronies? From where I am standing, that is an easy choice.

The past half decade has seen Putin expand his malign activities around the world, from invading Ukraine and Georgia to annexing Crimea, to prop-ping up the brutal Assad regime in Syria, to directing nerve agent attacks on foreign soil. Russian intelligence has tried to de-stabilize Western democracies at every opportunity—France, England, many other European countries, and most obvi-ously here in the United States. As proof positive, they go online, they try to sow dissension in America, this beautiful country.

As Leader McCOMNELL said yesterday—confusingly, before voting against the resolution—“We have long seen Vladimir Putin for the KGB thug that he is.” Those are strong words but accurate.

In the face of this global assault on Western democracies, of course we have seen that the Trump administration has been shut down and suspiciously weak on President Putin. The President has avoided criticizing Putin at every turn. When asked about President Putin’s brutal tactics against his opponents, President Trump demurs.

When this body, near unanimously, passed the Russian sanction legislation, President Trump contemplated vetoing it.

When President Putin told President Trump he didn’t interfere in our 2016 elections the President reportedly said: I believe you.

Last weekend, we learned that President Trump has expressed a desire to withdraw from NATO this summer—the past summer is when he expressed the desire. That is Putin’s dream—Putin’s dream. All the advice of our military and diplomatic leaders were against it. Somehow, the President wants to do it, and who benefits the most? Putin. Who loses the most? The West.

Now, with this proposed sanctions relief, we have another example of President Trump trying to lighten the burden on Putin’s oligarchs. We should not allow it.

For a very long time, the Republican Party predicated its foreign policy on taking a tougher line against Russia and Putin. In so many campaigns for the White House, we Democrats were accused of not being tough enough on the Russians. I have always felt we have to be tough on the Russians, but it seems acquiescence to the President, a fear of breaking with the President, has held back too many of my Republican colleagues from supporting this resolution.

The resolution, just to repeat, is sort of—I know Treasury made an effort, although I don’t have much faith in the strength. I think the Secretary of Treasury is an honest man but he never stands up to Trump, and I don’t have any faith in his strength in standing up this time. So if Trump wanted a
It is particularly easy to turn our backs in the case of abortion because the injustice of abortion is hidden. It happens out of the public view behind closed doors, but we must not forget that every day in the United States, unborn babies are being killed.

The March for Life is a spectacular tradition in American politics, a mass demonstration of joy. Despite its size and the diversity of its participants—sometimes north of 100,000 souls, born and unborn—the march is typically ignored by the mainstream media.

The marchers also know that the Supreme Court, rightly, is not supposed to be swayed by public opinion one way or another. Yet they march January after January, after January, cheerfully and proudly, bundled up against the cold, with babies in their strollers, and wearing smiles on their faces.
I have been, and I can confirm that the March for Life is the happiest protest you can see because they march not principally in outrage over the lives lost to the scourge of abortion but in abiding hope for the lives yet to be saved.

The March for Life is often seen as the pro-life movement’s response to the Supreme Court’s 1973 decision in Roe v. Wade. In truth, it is a continuation of the march of human dignity and equality that defined American history since we first declared “that all men are Created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life—yes, life—Freedom and the pursuit of Happiness.”

Raised from the crib on the Declaration of Independence, Americans sometimes take for granted the Declaration’s words for granted, but these truths, which are self-evident, remain as revolutionary today as they were when they were penned in 1776. From the dawn of time, powerful men have dehumanized women, the poor, the sick, the disabled, the young and the old, those who thought differently, looked differently, loved differently, or worshipped differently.

Whether enforced by tribal taboos, corrupted science, or judicial fiat, these experiments in dehumanization are the darkest chapters in human history—including the original sin of our Republic, the monstrous evil of slavery.

The story of American history is the story of our Nation standing up to oppression of our coming to the defense of the vulnerable in our laws and with our very lives. From Independence Hall to the Bill of Rights, from the abolition of slavery to universal suffrage, to the triumphs in the Civil Rights Movement, American people have fought through prejudice and pride to assert and to defend the equal dignity of every single member of the human family.

For all the powerful forces arrayed against it, the right to life remains a part of who we are—a common heritage and, I believe history will prove, a part of who we are—a common heritage that has defined American history for more than 200 years.

Abortion is evil, but so is indifference. Human dignity impels us to transcend both, not merely by changing laws but by changing hearts, starting, of course, with our own. It is not enough to restore a legal regime of life; we must also endeavor to forge a new culture of life that is broader and runs deeper than the law.

Those of us who call ourselves pro-life have a particular duty to exercise the very right we fight to win back for the unborn: the right to live, the right to grow and to become more fully the person God made us to be. A culture of life can be built only one hopeful soul at a time, one by one. We have a long way to go, of course, but the work is well underway. To see what it looks like, stop by the march.

The struggle for life is just the latest battle in America’s long, noble crusade for justice, for equality, for freedom and liberty, and, of course, for dignity. It is another fight worth having, another fight worthy of our heritage, another fight worthy of our children. One day soon, we are going to win this fight. We are going to win this fight, too, just as we have won others. Until that day, America will continue to march.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

Mr. LEAHY. Mr. President—and I welcome the distinguished Presiding Officer, who has probably presided before, but this is the first time I have been on the floor and have seen him preside. I do not respond, but I welcome him to the Senate.

Mr. President, for 26 days, President Trump has held funding for our Federal Government hostage, using it as leverage to force Congress to provide $3.7 billion to build his ill-conceived, expensive, and unfortunately totally ineffectual wall on the southern border. We knew this was coming because for months during the campaign, he railed up his base with chants of “Build the wall. Build the wall.” He ignored a crisis at the southern border and then told supporters that only he could solve it. He gave his word over and over again that Mexico would pay for the wall so American taxpayers would not have to.

That was over 2 years ago, and I think he is feeling the pressure now as he shutters himself in the White House. Having failed to convince both Republicans and Democrats in Congress that the campaign slogan was actually good policy, and having failed, as we all knew, to get Mexico to pay for the wall, he turns to a negotiation tactic that he seems to have mastered—bullying. He has shut down the government of the most powerful Nation in the world, making us a laughing stock around the rest of the world, and he says he will keep us shut down until he gets what he wants. It is the height of irresponsibility. It certainly destroys the effectiveness in other parts of the world.

He is the President of this country. We all—Democrats and Republicans—accept that he is the President. But that also means he is supposed to lead the Nation, not run it into the ground like so many of his businesses that had to declare bankruptcy. But he sits in the White House tweeting and watching television all day, ignoring the damaging effect his actions are having on millions of Americans of whatever political persuasion around the country.

The shutdown not only hurts our Federal workers, it is hurting America’s economy. The President’s own Council of Economic Advisers estimates that gross domestic product will slow by .1 percent for every 2 weeks the government is shut down. Today, there are reports that this estimate is too low and that the true impact could be .3 percent for every week the government is shut down.

Those are numbers, but let me tell you a story and give an example. Small businesses employ more than 59 million people in this country. These small businesses in this country are one of the main drivers of economic growth, but every day the government is closed is a day small businesses can’t get Small Business Administration-backed loans to invest and grow their companies.

Last week, I heard from a woman who runs a small sign company in Essex Junction, VT. Essex Junction is in Chittenden County outside of Burlington, VT. It is a beautiful community. It survives by small businesses that expand. She is trying to grow her business, and she is trying to acquire another one, but the SBA backs the space she is trying to purchase, and so she can’t bring the sale to finality during the shutdown. As a result, the seller is threatening to just move on. He can’t get an answer from the SBA. And, of course, that would throw her expansion plans into jeopardy.

We have many excellent craft breweries in Vermont. They bring in a lot of revenue. They hire a lot of people. They are a key part of our tourism. I heard from one of the head brewers from one of these major craft breweries. He depends upon the Alcohol and Tobacco Tax and Trade Bureau to approve his license applications, formulas, and the labels he puts on his beer. He has been brewing the beer and it is ready to be labeled, but the office is closed due to the government shutdown. They are not processing applications.

I am one of the millions of voters whose livelihood depends on the government operating. . . . Every day that passes without the
AT&T up and running is another potential day of lost sales.

Farmers across the country and in Vermont are also feeling the pain of the shutdown. Just a few weeks ago, we passed the bipartisan farm bill. I was one of those on that bill. I praised Senator PAT ROBERTS, Republican from Kansas, and DEBBIE STABENOW, Democrat from Michigan. They put together this bipartisan bill, and the President took credit when he signed it.

We have a 5-year farm bill, and now the President, right after signing the farm bill, has shut the U.S. Department of Agriculture field offices that help farmers implement the law. Farmers need information now as the new planting and growing season looms. How long will it affect operations heading into the planting year? Most of the staff are on furlough. If you are a farmer in the Midwest and you are preparing your crops, you can’t say: Well, you know, we can wait a few months—maybe past the growing season—to find out what the rules are going to be, and then we will plant. The decisions have to be made now.

It also means that farmers can’t apply for much-needed loans. They need these loans because the drop in commodity prices brought on by the President’s tariffs has hit many farmers hard. They need loans to help pay their bills. Many banks are not willing to lend to farmers, so they have to rely on the Department of Agriculture as a lender of last resort.

Guess what happens in these multiple whammies. Offices that issue these loans are closed due to the shutdown. They need the loans because of the Trump tariffs. But as of December 28, there is no one left to connect to the USDA office to ask, but it is closed.

Just this week at the Farm Bureau convention, the President loudly proclaimed that he is providing assistance to farmers to help mitigate the effects of the Trump tariffs, but he hasn’t received the second installment because of the Trump shutdown. The second installment is needed to help pay her bills.

She says that she will be in much better shape when the new Dairy Margin Coverage Program from the new farm bill is implemented. Again, I applauded Senator PAT ROBERTS and Senator DEBBIE STABENOW for ushering that through. Unfortunately, no work is being done to get the program up and running because of the government shutdown. She is frustrated. She is worried about her future. She is looking for help. She is an honest, hard-working person, and she is stymied. I don’t blame her.

Implementation of the farm bill, which I spent more than a year working on—I was on the committee con- fering on that—was for our Nation’s farmers on a wide range of key priorities, especially our struggling dairy farmers. It is now on hold during the shutdown with nearly every USDA Agency furloughed. This is life in an agriculture community.

The President says that shutting down the government, paralyzing our country, is necessary to address a growing crisis on our southern border. The only crisis we have in our country right now is that caused by the Trump shutdown. The crisis we face is not at our southern border but at kitchen tables, on family farms, and in small businesses across the country as families hurt by the Trump shutdown try to figure out how to make ends meet.

The President talks of hordes of illegal immigrants rushing across our borders, but border apprehensions have dropped 75 percent since 2000, and the majority of illegal entries at borders today are families—women and children—fleeing violence in their own country. They deserve our compassion, not vitriol.

More people are in this country illegally as a result of visa overstays than from illegal border crossings. This wall does nothing to address that. To address our complex immigration issues, we need comprehensive legislation based on facts, not bumper sticker slogans.

We all support strong border security—every Democrat, every Republican. Does working on a bipartisan basis in the last fiscal year, Democrats and Republicans supported $31.1 billion for border security and immigration enforcement. This follows a similar investment we made in fiscal year 2017.

As vice chairman of the Appropriations Committee, I know that we invested in our ports of entry, including the purchase of nonintrusive inspection equipment to detect illegal and illicit contraband. We invested in aircraft to monitor our sprawling border from above and quickly respond to emergencies. We invested in video surveillance, radar systems to detect movement in remote locations. These are solutions that work. These are smart uses of taxpayer dollars. A 30-foot wall that Mexico will not pay for is not a good solution.

This shutdown is not about border security. If this were about border security, we would be done with it today. The Trump shutdown is the President trying to distract America from his failures as a leader and shore up the support of his base. It is shameful.

It is clear that President Trump will not do the right thing on his own, so it is time for Senate Republicans to step up. Just yesterday morning, Democrats asked unanimous consent to take up two bills that would get this government back open—a six-bill minibus that has bipartisan support, including four bills that passed the Republican-controlled Senate 92 to 6—virtually every Republican voted for it—and a final minibus that would get this government back open.

Leader MCCONNELL has brought up these bills. Let’s vote to end this national nightmare.

I yield the floor.

The PRESIDING OFFICER (Ms. MCSALLY). The Senator from Washington.

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

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

Mrs. MURRAY. Madam President, I come to the floor today with a number of my colleagues on the 26th day of this deeply damaging and completely unnecessary Trump shutdown. We are here today to lift up the voices and stories of the people who are being hurt by President Trump and his Senate Republican allies and to once again call on Republican leaders here in the Senate to finally allow a vote and work with us to end this crisis. While President Trump is very focused on his political game, actual people, their families, and their communities are paying the price.

People we represent—moms and dads, workers, small business owners, people who did not do anything wrong, who just want to work, do their job, serve their communities—all of them have been pulled into President Trump’s chaos and dysfunction, and it needs to end.

I am very proud to kick off another effort here in the Senate by those who want to make sure that President Trump and Senate Republican leaders
don’t forget whom this is about and understand who is being impacted by their refusal to act.

I want to start with a few from my home State of Washington, where there are nearly 13,000 workers who have been caught up in this Trump shutdown.

Lauren is a furloughed FAA employee who shared her story with me through my website. She told me she supports her family with one income, and now that paycheck has been frozen. She said she has been losing sleep trying to figure out how to cut her own expenses and pay her bills since the Federal Government isn’t meeting its obligation to pay her.

I heard from Adam, also from my home State, who is buying his first home with his fiance. What should be a very exciting time is now filled with unnecessary stress because Federal loans through USDA and FHA are held up. As if closing a home isn’t stressful enough, Adam doesn’t know where or even if a loan is going to come through. As Adam described to me, home buyers are now caught in the middle, and that is just wrong.

I also heard from a woman by the name of Lauren, who has taken now a minimum-wage job to help with the family’s finances. Her family is currently living off of money she makes from babysitting and the help from her retired father, and this is on top of the fact that her family into an economic tailspin.

Their family is currently living off of the money she makes from babysitting and the help from her retired father, and this is on top of the fact that her family into an economic tailspin.

As Adam described to me, home buyers are now caught in the middle, and that is just wrong.

I am not the only one, by the way, who is hearing from people in Washington State about how President Trump’s unnecessary shutdown is impacting their lives. These stories are everywhere.

Every week this week, the wife of a furloughed FHA employee with a 6-year-old daughter told the Seattle Times about how the shutdown has thrown her family into an economic tailspin. Their family is currently living off of money she makes from babysitting and with the help from her retired father, who has taken now a minimum-wage job to help with the family’s finances. She worries how they are ever going to make it if this shutdown continues.

The number of the countless stories coming out of my State and from around the country about how President Trump’s reckless government shutdown is hurting real people.

They are people in every one of our States in the country. They are people on every side of the border debate. They are people who heard President Trump say he would be “pride” to shut down the government. They are people who simply do not understand why they are being asked to bear the burden, and this is because President Trump and Republican leaders in the Senate have boxed themselves into a political corner.

They are people who are getting angrier and angrier, more and more desperate with every day that goes by, who are going to make their voices heard, and who are going to make their voices heard. We are fighting by their side to end this shutdown. I am going to keep making sure they have a voice in the Senate.

I am proud to be with a number of my Democratic colleagues today. We are going to lift up their stories until President Trump and Republicans here in the Senate agree to end this crisis they started.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Ms. HARRIS. We are now 26 days into the longest government shutdown in American history, and 800,000 workers—800,000 Americans—are going without pay. Half of them are working anyway.

Let’s be very clear about how we got into this mess. The Senate unani-
mously passed a bill to open the government right before the holidays. The vote was 100 to 0. There was such jubilation on this floor, that, literally, Members of the Senate were singing Christmas carols.

Yet 2 weeks ago, the House, doing its job, then passed a bill to reopen the government. They sent six bills over to the Senate. This body needs to hold a vote on that legislation and send it to the President and ask him to sign it.

The real obstacle to ending this shutdown is in the White House. The President is holding up American people hostage over his vanity project on the southern border and peddling his usual propaganda to distract from a crisis of his own making.

The President has said that “most of the workers not getting paid are Demo-
crats.” As if that is true or if that should matter. He has said that “many of the people that we’re talking about . . . agree with what we’re doing.” It has been said that the workers have said to “stay out until you get the funding for the wall.”

Well, that is contrary to what we have been hearing and what I have been hearing. Last week, for example, I heard from a woman by the name of Trisha. Trisha and her husband are both air traffic controllers with nearly 40 years of Federal service combined. Trisha’s husband served in the Navy. He now has to work long hours of overtime to compensate for the workers who are absolutely furloughed and he is not being paid.

Trisha’s job was deemed non-essential, so she is also not being paid. Neither parent in this family is being paid. They have three young children, and that is the last thing that Trisha and her family have already endured hardship these past few months as victims of the Thomas fire.

As she wrote me:

On December 5th of last year, our home was completely destroyed in the Thomas fire. We have used every resource available to us to work towards rebuilding our home.

While their home is being rebuilt, Trisha’s family moved into a rental home, and they are currently evacuated from that rental home due to the flood and mudslide risks that are currently an issue in California.

Trisha said:

We have small children that we are most concerned about (with the uncertainty of our careers as Federal employees and the incredibly long road ahead in rebuilding our home but most importantly our livelihood).

She writes:

We will continue to stand with our NATCA Brothers and Sisters in ensuring the safety of the National Airspace System, but without the support staff working, it is a daunting task.

Trisha’s message is one of nearly 20,000 phone calls, emails, and letters my office has received since the shutdown started 26 days ago—all pleading with us to reopen the U.S. Government.

They are 2 of the 42,300 workers who are currently being furloughed in California. I don’t know which of them are Democrats or Republicans, and it doesn’t matter. What matters is the people who are being hurt and the critical government functions that are going undone. These are the TSA agents who protect our flights and the air traffic controllers who help to land our planes. They are park rangers and FBI agents and Coast Guard members. They inspect our food and provide loans to our farmers. They conduct lifesaving research. Right now, though, they are being told to pay their bills by babysitting or selling their belongings on craigslist.

These Americans need the government to do its job. They don’t need a wall. They need paychecks. Congress is a coequal branch of government. We don’t need a permission slip before we can vote on a bill.

On behalf of Trisha and hundreds of thousands of Americans like her, let’s talk. The legislation that we have already approved. Let’s send it to the President, and let’s end this pointless shutdown as soon as possible—right away, now.

I yield back my time.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I thank Senator MURRAY, Senator HARRIS, and my colleagues who are on the floor.

I want to point out that we are now on day 26 of this outrageous and dangerous partial shutdown that was totally avoidable. It has been caused by one person—President Trump—and is now being assisted by the Republican leadership in this body by its not allowing the U.S. Senate, which is a coequal branch of government, to take up legislation that would reopen government—legislation that has previously passed this body and would, clearly, pass on a vote if the majority leader would allow a vote on it. We could then reopen the government.

The unanimous consent request that I offered yesterday with my colleague

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from Maryland, Senator Van Hollen, would allow the appropriations bills that have nothing to do with this current dispute with the President to be fully functional, and it would allow for a continuing resolution for the Department of Homeland Security. We could then have a government that works, to deal with border security and immigration issues. Yet the majority leader objected to the Senate’s taking up that legislation, and the shutdown continues.

There are 800,000-plus citizens who work for the Federal Government who are being denied the ability to either get paychecks for the work that they do or are being furloughed without pay. In each one of those cases, there is a hardship that is having an impact that goes well beyond just the 800,000.

There are businesses in Baltimore that are wondering whether they can keep their doors open because they depend on Federal workers to come in and use their services. Whether it is a laundry, a cleaner, a restaurant, or a supplier, they know their sales depend on people having checks to pay their bills. The Federal workforce does not. So it is affecting secondary employment. There have also been a lot of layoffs by those who depend on the contract services of the Federal Government.

There are many individual stories, and Senator Van Hollen and I have traveled throughout our State and have met with government workers. We have heard the account of one person who was supposed to close on a new home, his first home. He is not going to be able to do that because he doesn’t have a paycheck that shows the wages necessary in order to support the mortgage because his most recent paycheck is zero.

We have heard from a person in my office who is an air traffic controller. Her husband is also an air traffic controller. They are responsible for relatives who are dependent on them. One needs a medical procedure, but they are not going to be able to move forward with that medical procedure because they don’t have the out-of-pocket costs that are going to be necessary to pay for that. The list goes on and on and on of hardship—of people wondering whether their credit scores are going to be affected, which could affect their employment because they are going to be late in paying their mortgage payments. That is assuming they get paychecks in the next couple of months because, then, their homes could well be foreclosed on.

I could put a face on each one of these 800,000, but let me just share an account by Lamar Cobb, who is a lead transportation security officer at BWI Marshall Airport. I was there earlier this week, meeting with the government workers keeping our airports and our air traffic safe. These are dedicated people who are working without pay. He came forward.

One of the reporters there asked: Can you give us an individual hardship that you have actually confronted?

He explained that he has a 10-year-old daughter whom he describes as his heart and pride and joy. He had to take her to get a second opinion for a health issue because he thought he could not pay for it while he works at BWI without receiving a paycheck. Then he said something that, I think, really hit us all. He said at the press conference: It may not seem like the end of the world, but to a 10-year-old, it is pretty big.

These are the circumstances in which we are putting our fellow citizens by saying: Work without pay or be furloughed without pay.

It makes no sense at all. We should never have had the shutdown. We could end it now by the Senate’s carrying out its constitutional responsibility as a coequal branch of government. Let’s vote on the legislation that can reopen government. Let’s do what we are responsible to do—let’s end this shutdown.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. BALLIN. Madam President, I rise to address the Trump shutdown and the real consequences that have occurred since 800,000 Federal workers, including nearly 3,000 Wisconsinites, have been furloughed or forced to work without pay.

The President said this week that his administration is setting records. It is true that he now holds the record for the longest government shutdown in our Nation’s history, but every day that it continues, the Trump shutdown is causing real pain for hard-working people in my State.

I recently read the heartbreaking story of Mallory Lorge. Mallory lives in River Falls, WI, and works for the Department of the Interior. On Friday, Mallory and another 800,000 Federal workers did not receive a paycheck. Mallory has type 1 diabetes. Without her paycheck, she can’t afford her $300 copay to get the insulin she needs to manage her diabetes and stay alive. Mallory said she is rationing the two vials of insulin she has left. Her blood sugar rose to a high level last week, but she said she felt forced to ignore it. Instead, she said, I just went to bed and hoped I would wake up.

Think about that for a minute. Because President Trump and the Republicans in Congress refuse to support bipartisan legislation to end this shutdown and reopen the government, Mallory can’t afford to get the insulin she needs to live. The House has done its job in passing bipartisan legislation to end the shutdown. Now it is time for Senate Majority Leader McConnell to stop blocking a vote in the Senate so that we can fund the government.

We are 26 days into the Trump shutdown. It is not just hurting Federal workers and contractors. It is also hurting small businesses and entrepreneurs across the country. In Wisconsin, we make things—cheese, brats, and, yes, beer. Milwaukee is often called Brew City, but thanks to the government shutdown, there are craft brewers across our State that can’t make or sell new beer.

Russ Klisch is the President of Lakefront Brewery in Milwaukee. Lakefront has been making beer in Wisconsin for more than 30 years. The Alcohol and Tobacco Tax and Trade Bureau approves licenses for new beers and new breweries as well as new labels for beers that are sent out of State, but the Agency is not currently serving craft brewers due to the Trump shutdown.

Lakefront Brewery has plans to introduce a brand-new beer in mid-February, but those plans are now on hold. This government shutdown threatens to cut its beer sales and hurt its ability to grow its business and support the economy. Other breweries across Wisconsin are impacted as well.

Mosinee Brewing Company opened its doors just last November, but it can’t get approval to start making and selling its new beer until the government reopens. New “Made in Wisconsin” beer is also on hold until we reopen the government.

President Trump and Majority Leader McConnell can and should end this shutdown today and ensure that Federal workers like Mallory can finally get paid and so that small business owners like Russ can keep growing their businesses.

We should vote in the Senate today on House-passed legislation, and the President should sign it so we can finally end this useless shutdown that is preventing our country from moving forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I join my colleagues this morning to share the stories of the people in New Hampshire who are currently enduring hardships because of this Trump shutdown. This shutdown has been termed by a number of my colleagues as the longest government shutdown in U.S. history.

I have here a picture of Andre and his wife Maria and their three beautiful children, from Derry, NH. Andre is an air traffic controller who works at the Boston Terminal Radar Approach Control facility in Merrimack, NH. It is sounds like it would be in Boston, but it is not. It is in New Hampshire, where he has hundreds of his traffic controllers and FAA personnel.

Andre works at the center to keep the airways safe for passengers who are flying over the Granite State. He also represents and talks to a number of other air traffic controllers in the New England region to hear what they have to say.

With what he is hearing right now regarding the shutdown, Andre writes:

Air traffic controllers have remained on the job, dedicated to ensuring safety of every flight, but we don’t know when we will receive our next paycheck. My colleagues and
I have suffered the sudden loss of our income due to the government shutdown. It’s going to be hard for me to meet all of my financial obligations.

What I am most impressed by with regard to the Federal workers with whom I have met is their dedication to their jobs. All of those air traffic controllers understand that the safety of the skies in the United States depends on them, and they are there. They are not going to pay. They are experiencing hardships like Andre is talking about, but they are there and are doing everything they can to make sure that the American public can fly safely.

In Andre’s story, I have heard from nearly 100 other air traffic controllers in New Hampshire who are all calling for an end to the shutdown—air traffic controllers who are protecting our safety and who are working without pay. I want to read an excerpt from a letter that I received from Jamie in Auburn, NH, because I think it so exemplifies where we are and how the American people are feeling about this government shutdown.

Jamie writes:

Dear Senator Shaheen, there are many stories to be told regarding the effects of the government shutdown on Federal employees—the stress of financial uncertainty, the inability to take necessary time from work to care for our families, and the continued degradation of FAA resources. These are but a few examples shared amongst us, but there is something that tears at the very fabric of who we are. We take deep pride in serving and providing safety and most efficient air traffic control system in the world. We do so with an unwavering sense of duty and a deep understanding of the trust bestowed on us by the American people. To be used as pawns in a political chess match not only disrespects us as dedicated Federal employees, but it serves to weaken our democracy. A government that must rely on its citizens to pay its bills or buy groceries.

Sadly, that is what President Donald Trump is doing. It is holding hostage hundreds of thousands of Federal workers, and he is being enabled in this effort by the Republican leadership in this Senate who is unwilling to bring forward the bills that would open the government today. We could pass them today.

These are just two examples that I think articulate the very real impact this shutdown is having on many hardworking Americans and their families.

Mark P.

Attached, I ask unanimous consent to have printed in the RECORD these letters that I have received from air traffic controllers.

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

DEAR SENATOR: I am writing to you today because of the effects of the government shutdown on my profession and family. My coworkers and I are dedicated to the safety of every flight despite the concern of when our next paycheck will come. The government shutdown has affected us all in nearly every way, but it is affecting me and my family the most.

My husband and I are both air traffic controllers and we have 6-month-old twins. We go to work normally like any other day and we pay for childcare. It is going to be hard to meet all of my family’s financial obligations without knowing when our next paychecks will be. My family is one income while the government remains shutdown.

The shutdown affects us all in many ways, but the other major way it is affecting me is professionally. During the shutdown FAA Academy is closed and there are current controller staff that are unable to be trained. There are more hires needed for the FAA Academy to be re-opened.

There are colleagues being forced to retire because of age, but with the shutdown replacements cannot be trained. We are at a 30-year low in staffing and every day the FAA Academy is closed the more set back the FAA is. We have 800,000 Federal employees to go without the certainty of their paychecks. This uncertainty is adding undue stress to ourselves and our jobs because of financial obligations.

As an air traffic controller and constituent, I want you to know how the partial government shutdown is affecting me. For the last two weeks, other controllers and I have remained on the job, dedicated to the safety of every flight. Yet, we don’t know when we will receive our next paycheck. The shutdown affects us all in many ways, but it is affecting me and my family the most.

The shutdown ends the current controller staffing crisis. The number of fully certified air traffic controllers is now at a 30-year low. Please do whatever you can to end the government shutdown without delay.

Sincerely,

DEAR SENATOR SHAHEEN: As an air traffic controller and constituent, I want you to know how the partial government shutdown is affecting me. For the last couple weeks, air traffic controllers have remained on the job, dedicated to the safety of every flight. Yet, we don’t know when we will receive our next paycheck. My colleagues and I have suffered the sudden loss of our income due to the government shutdown. Post-secondary education is very expensive, and my family and I currently have student loans that continue to accrue interest.

As such, we are air traffic controllers who are being asked to work without pay. We are being asked to stretch every last penny to meet all our financial obligations. If this shutdown continues for much longer, we do not know how to make ends meet.

We ask you to end this shutdown immediately.

Sincerely,

DEAR SENATOR SHAHEEN: As an air traffic controller and constituent, I want you to know how the partial government shutdown is affecting me. For the last couple weeks, air traffic controllers have remained on the job, dedicated to the safety of every flight. Yet, we don’t know when we will receive our next paycheck. My colleagues and I have suffered the sudden loss of our income due to the government shutdown. Post-secondary education is very expensive, and my family and I currently have student loans that continue to accrue interest.

As such, we are air traffic controllers who are being asked to work without pay. We are being asked to stretch every last penny to meet all our financial obligations. If this shutdown continues for much longer, we do not know how to make ends meet.

We ask you to end this shutdown immediately.

Sincerely,

Joshua (New Boston, NH).

DEAR SENATOR SHAHEEN: I am writing to let you know that the government shutdown is negatively impacting me, my wife and family.

As the shutdown continues my wife and I are having to make some difficult financial decisions. We have two daughters, one just out of college and the other in her senior
year at UVM. Along with all of our regular monthly bills we have student loan payments and tuition due.

Not knowing when to expect our next paycheck is causing undue stress on me, my wife and family. I would like to see you help end the shutdown as soon as possible!

Ronald (Brookline, NH).

Dear Jeanne Shaheen: First, thank you for all that you do for our state and country. I am writing you today with regard to the government shutdown. As an air traffic control trainee, my job security is something I have to worry about until I certify. Unfortunately, the shutdown has me worrying about my income and financial obligations as well. Morale is notably down at work, and the staffing only gets worse as the more senior controllers approach retirement. Anything you can do to assist in the swift cease of this shutdown would be greatly appreciated by air traffic controllers nationwide. Thank you for your time.

Sincerely,

Kristine (Nashua, NH).

Dear Jeanne Shaheen: I am writing to you in regards to the government shutdown. If this shutdown continues it will put a huge financial burden on my family. At this time I am the sole income for my household. My husband is a small business owner in New Hampshire and is currently not collecting income to keep his business going. We have two children. A two-year-old boy and a five-month-old daughter. Since there is currently no paid maternity leave I had to live off of my savings while out with my new born, which is also eating up all of my funds. I no longer have any savings to cover all of our expenses during this shutdown. Going into debt because I can't pay for the childcare I use (while still working) is not an option. Please find a way to stop this shutdown.

Lanna (Nashua, NH).

Dear Senator Shaheen: Please, put an end to the government shutdown. I soon will have used my entire savings to pay my current bills. I now, don’t have the down payment to buy a house for my children. I was ready to buy. I’ve had to pass up on a vacation this month, skiing in NH, in fear that I won’t get paid.

Please Senator Shaheen, put an end to this government shutdown. After 30 years of service in the USAF and FAA, this is a slap in the face.

James (Manchester, NH).

The Honorable Jeanne Shaheen: Please end the shutdown! I am a 30-year controller, and I don’t think I will be employed at the end of January.

The financial impact of the shutdown is a burden that I should not have to deal with at this stage in my career. Staffing has dropped so low, it has ever been and a continued shutdown will have negative effects on the air traffic system for years!

Please work to end the shutdown!!!

Maurice (Derry, NH).

Dear Honorable Shaheen: I am writing to you today to inform you of the impact the partial government shutdown is having on me, as an air traffic controller, and my family. For the last two weeks, I have worked air traffic, not knowing when I’d be paid next. I am dedicated to the safety of every flight. This sudden loss of income as well as paid leave is impacting my life multiple ways. First, I missed paid time off that was prescheduled, which leaves the holiday with my family. With one child, a patient at Mass General, and another at Boston Children’s Hospital, I have had to miss out on paid/earned sick leave for both their appointments. Lastly, as a support for the training department, I am seeing a direct impact on future control training.

Please end the government shutdown immediately!

Sincerely,

Seth (Hollis, NH).

Mrs. Shaheen, I know every Member of the Senate has heard from constituents who are facing significant hardships as a result of the shutdown. I know how the partial government shutdown has affected me. As an air traffic controller I work a job that is 24/7, 365 days a year. We plan and budget 15 months in advance. However, because I am an excepted employee engaged in life-saving activities, my vacation time was reduced. And New Year’s was canceled. I had to work over the holidays and missed this time spent with family. This combined with uncertainty of when my next paycheck will come is adding stress that is not needed.

Please end the government shutdown immediately!

Sincerely,

Emily Nering (Basking Ridge, NJ).
mortgage or rent, keep up with their other bills, and even put food on the table for their families. Some are even cashing out their savings while others consider taking out high-interest payday loans, risking their good credit just to stay afloat.

It is not just Federal workers who were suffering. Entire families have had the rug pulled out from under them because of this reckless shutdown.

While I was in Reno, I had the opportunity to meet Brianna. She talked to me about her family. She is a stay-at-home mom. She has two beautiful daughters—as you can see—and her husband works in the Coast Guard. He is a coastguardsman. Right now, he is reporting to work without pay for the duration of this shutdown.

Brianna told me that without their sole source of income, her family would struggle to make ends meet. She told me they are weighing the decision to pull their daughter out of school and to move in with her parents until the shutdown is over. That is outrageous.

I can’t tell you how many letters and emails I have also received in the office. One is from a veteran in Reno. He said:

I applaud you for standing up to Trump and not wasting taxpayer money on a stupid wall that he promised Mexico would pay for. However, as a Federal employee who is also a disabled vet, I am asking that you support legislation to assure that we do not lose pay and benefits because of this shutdown. We are currently scheduled to receive our normal pay on December 31, but after that, we have no more checks coming until the shutdown is over. Despite what others on the Hill have said, many Federal employees depend on those checks and face real economic impacts when the government shuts down. We are tired of being demonized by the right as parasites and parasites, and it is ridiculous that the President wants to freeze our pay and stop all of our pay raises. The Federal Government is the largest employer of veterans, and we continue supporting our country throughout our Federal service.

No family or individual in the United States of America should have their life upended like this. So we ask that the Federal Government reopen and that the majority leader bring the bill to the floor so we can open this government on behalf of Federal workers not only in Nevada but across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Thank you, Madam President.

I join my colleagues today in calling for a simple, commonsense solution to one of the most vexing, unnecessary, and avoidable crises in recent history. The present paralysis of Agencies’ essential governmental functions is intolerable and unacceptable. It is shameful and embarrassing to every Member of this body, but it should be most shameful and embarrassing to the Chief Executive of the United States, who is singularly responsible for it by insisting on a wall and agreement to it as a condition for reopening the government.

President Trump is singlehandedly blocking progress toward providing the American people with the services and the essential public functions they need and deserve.

The impact is on the consumers of those functions. We are all consumers. We all fly and depend on the air traffic controllers and the TSA. We all eat food and depend on inspections by the FDA. We all consume drugs, and the approval of essential pharmaceuticals and medicines are vital to all of us. We all need and deserve the protection provided by the U.S. Coast Guard, whose brave men and women are receiving no pay—none.

Many of those 800,000 workers going without pay are also working without pay. I have sponsored a measure that will enable them to avoid foreclosures and repossessions of their cars and other financial crises through measures similar to the Servicemembers Civil Relief Act. I have sponsored and supported calls for providing them with unemployment compensation. The ones who work need the compensation and the benefits to put food on the table and make sure they stay in their homes.

These 800,000 workers are experiencing real pain. They are real people with real lives going through financial hardships.

On Monday, I met with many of them at Bradley International Airport in Windsor Locks. I heard them share their personal stories about how the shutdown is causing them real harm. I also heard about their dedication to doing their job and how the air controllers and—

The PRESIDING OFFICER. The Senator’s time is expired.

Mr. BLUMENTHAL. The TSA are overtired and need that help. I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Madam President, I respect the rights of the Senator. We have a number of Senators and a limited amount of time. So if he could finish quickly, we would all appreciate it. Thank you.

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

Mr. BLUMENTHAL. Let me just finish by citing Adrian Pellot, one of those workers whom I met on Monday. Adrian is a behavior detection officer. He has done it for more than a decade. He is one of those workers going without pay. I will just leave you with this thought.

Mr. Pellot: We have no income right now. We’re bleeding money. Just day-to-day things. Food. I still have to pay the bills.

So do all of those 800,000 workers. I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, let me tell you about the impact the Trump shutdown is having on one couple from my home State of Vermont.

Kelly and Ricky Klein own Groennfell Meadery in Colchester, VT. In fact, this is Kelly with her very pretty little daughter, Nora.

Groennfell Meadery is part of a growing industry in Vermont. We are a small State. We have the most craft breweries per capita in the Nation, and they create jobs. They support small businesses. They bring people to Vermont from all over the country.

Business has been good. Kelly and Ricky have been planning an expansion. Recently, they were approved for a $1.3 million Small Business Administration loan. They were going to buy three new stainless steel fermenter tanks. They were going to move to a bigger facility, double their production, hire additional people, and bought additional supplies in anticipation of it. What happened? Their loan from the SBA is now on hold because of the shutdown. It is not clear if it will ever come through. So instead of expanding, they have to use their own money. They have to use their stockpiles of mead. They have to take out a loan to make payroll. They are really treading water, but they are doing one thing, even in this difficult time.

Even in this difficult time, they said they were more concerned for people who have lost paychecks and lifesaving benefits and with others in their industry who have across the country. This is a sense of community and empathy. I wish President Trump had that same sense of empathy and caring that they do.

We have to end this shutdown. I call on the majority leader—the Republican leader—to bring up the bills, which we have already passed by an overwhelming majority, that would reopen this government. Democrats and Republicans have voted for them. All we need is for the Republican leader to bring them up.

Stop the shutdown. Let people go back to their businesses.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Madam President, I rise today to talk about a New Mexico family who is severely impacted by the shutdown, and I think there are probably hundreds of thousands of families like this across the country.

This is Leah Teresa Ornelas, her husband Ervie, and their sons Ian and Zachary. They are all from Carlsbad, NM. Zachary, their youngest—in the middle—had a brain tumor and has undergone two surgeries. Zachary is now disabled and requires constant care. Ervie, his stepfather, reduced his work as a daycare teacher by 75 percent to take care of Zachary. Leah is a public nurse, and her paycheck goes to their high insurance costs and medical bills. They have had to move in together to save on expenses. Their older son, Ian, is now the main provider for the family. Ian works for the Department of
Jessica and her family benefit from all we can run our business.

Farmers! We need the government to open so we can grow on our family vineyard. . . . We are a small business. They planned to open as a family every single day.

Youngbloods are launching a winery. This year, they finally had grapes to harvest so that they could launch their small business. They planned to open their winery on their farm and start selling their wine on Memorial Day weekend. Unfortunately, the government shutdown threw a huge roadblock in front of this homegrown Michigan business.

The Ornelas family has made tremendous sacrifices as a family. They can make no more adjustments, as the President callously advised.

This Trump shutdown must end now. The President and Senate majority must end the government shutdown and begin holding Federal workers and their families hostage to force funding for an expensive, ineffective, and unpopular border wall.

That is 26 days of working without pay for hundreds of TSA and Customs and Border Patrol officers in my State of Michigan and across the country. That is 26 days of Federal workers wondering how they will pay their mortgage and keep their lights on. That is 26 days of grocery stores, restaurants, and other local businesses watching their sales dry up.

This shutdown is also hard on Michigan farmers, including Jessica Youngblood, whom I want to take a moment to talk about.

She and her husband David, who is a veteran, are raising their three young children on their farm in Macomb County. Like many farmers, Jessica is also a small business owner; the Youngbloods are launching a winery. For 3 years, they have poured all of their time and they have poured all their money into their 25 acres of wine grapes. I have had the opportunity to walk with Jessica and her children through the rows of grapevines, and I have seen how hard they are working as a family every single day.

This year, they finally had grapes to harvest so that they could launch their small business. They planned to open their winery on their farm and start selling their wine on Memorial Day weekend. Unfortunately, the government shutdown threw a huge roadblock in front of this homegrown Michigan business.

The Ornelas family is scared to death that the Youngblood family can open their small business. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Ms. STABENOW. Madam President, as my colleagues have said, it has now been 26 days since President Trump shut down the government and began holding Federal workers and their families hostage to force funding for an expensive, ineffective, and unpopular border wall.

That is 26 days of working without pay for hundreds of TSA and Customs and Border Patrol officers in my State of Michigan and across the country. That is 26 days of Federal workers wondering how they will pay their mortgage and keep their lights on. That is 26 days of grocery stores, restaurants, and other local businesses watching their sales dry up.

The Ornelas family of families across the Nation—and for hundreds of thousands of families across the Nation—and open our government now. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

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The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAIN. Madam President, I stand to tell the story of a great Virginian named Vidisha. This is a picture of Vidisha and her son Ayan, who came to a Federal employee roundtable that I did last Friday morning.

I have told stories on the floor about Virginians who are affected personally—worrying about missing mortgage payments, having to reschedule medical appointments, having to draw money out of an IRA and pay a tax penalty because of the shutdown. But I wonder how the man in this photograph came in and talked just a little bit about her own anxiety and the anxiety of everybody she works with. But what she really wanted to talk about was how the shutdown hurts the American public.

She works for probably the smallest Agency in the Federal Government, the Chemical Safety Board, with 40 employees and a budget of $11 million or $12 million. This is a small Agency, and they have one job: Investigate chemical spills—not to find fault, not to help a lawyer, but investigate chemical spills so that they can determine what went wrong, to prevent future chemical spills that are going to hurt Americans. Because of the shutdown, she and her colleagues—those 40—are not doing that job.

President Trump tweeted last weekend that the reason he is forcing the shutdown is he promised to protect the safety and security of the American public. He is hurting the safety and security of the American public.

Vidisha said that during the shutdown there has been a major chemical spill in Houston, TX. Normally, the investigators would be on it immediately to do the investigation, to give recommendations, and to reduce the risk of a spill at that facility or any other. But because of the shutdown, Vidisha and her staff are not investigating.

How does this protect the safety and security of the American public—by leaving a major chemical spill with potentially life-threatening consequences uninvestigated and unresponded to?

This President’s claim that he is helping the safety and security of the American people is a flat-out lie. You are hurting the security of the American people when you disable people investigating chemical spills, from interdicting drugs if you are a Coast Guard, ATF, or DEA agent, or from doing law enforcement investigations if you are an FBI agent.

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I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Madam President, I have a simple request for my Republican colleagues, and that is this: Open the government. Open the government. There have been many people suffering for too long for this to go on any further.

One of those people is named Scott Pekalib. He lives in Hilo, HI, and works for the U.S. Geological Survey. He has had a rough few months.

In October, his husband Jay went into the hospital for a routine surgery that went horribly wrong. He went into cardiac arrest and was in an induced coma for several days. He had to be flown to another island to receive the care that was necessary. Scott and Jay spent all of their savings to get through this ordeal. After paying for medicine, hotels, and airfare, they were living paycheck to paycheck.

Now, this government shutdown, Scott’s paycheck reads zero. He doesn’t know how he is going to buy gas to take his husband to the doctor or how they are going to pay the bills that are due. Scott is making impossible choices between buying the prescription drugs he needs and the ones that his husband needs. All of this pain and suffering is because the Senate will not vote to reopen the government.

So I ask my Republican friends to call for a vote, and if the President vetoes the bill, let’s act like a separate, coequal branch of government and override that veto. That is our prerogative in the United States, and that is our obligation in the U.S. Senate—to do what is best for the Nation, for the health, safety, and economic security of all of our constituents.

Let’s reopen the government.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mrs. MURRAY. Madam President, we have heard from a number of our colleagues today about personal stories that are happening to real live people in their home States—people who have not received a paycheck and are facing fear about what they are going to do in the coming days.

We have a responsibility—and I think I speak on behalf of Republicans and Democrats both here. We need to open government. We do have disagreements about the quien pay for the security of airports. We do have disagreements about the mechanism to do it. We already do it in every way you can cross the border to our ports, our airports, and our highways—and we have for years. We have trust funds, like Harbor Maintenance Trust Fund and things like that. People come across our borders all the time. In Smuggler’s Gulch in San Diego, they come in on an eight-lane highway, flooding into America in the morning to go to work and flooding out of America in the afternoon to go home to bed, and we charge for that.

A constituent of mine called me last night. A constituent who knows very well, who is a very successful businessperson. He said: JOHNNY, you all are fighting over this border wall or how you fund it or who gets credit for it. I saw your speech. Have you ever thought of this?

I listened. I listened, I thought, and I said: You know, I haven’t.

I got my staff to get me the information, and it all works. It makes sense, and I think it would make sense to the American people, and it would make sense to the President of the United States, the Democratic Party, and the Republican Party as well. If we all start tonight, even, and decide whether we want to sign it or not, we can do it together. Who gets the credit for it stops, and we fight over something that makes more sense fighting over than having a border that leaks and an immigration program that doesn’t work.

Here is the idea. We establish a fee in the United States of America through our ports, through our airports, through all the different ways you come here. You create a trust fund for that money to go into, and it is designated for the security of our borders—our Canadian border and our Mexican border.

That is it. They charge. Someone entering the country pays. If it is a bus that comes in 10 times a day, you know what? It doesn’t times the amount that somebody comes in once a day. We will figure that out, but create a mechanism.

If you use the current mechanisms that are being used to collect moneys today in our Departments, we would raise $2.5 billion a year doing that. Did you hear me? $2.5 billion. If we had $2.5 billion, we wouldn’t have a problem anymore.

You could argue over what you build. That doesn’t matter when we have security. Security is what we want. This Senate and House can get together at the White House, get in a room, and we say: What do we want to charge? To whom do we want to give the responsibility? What is the goal?

The goal is to secure the border—a mechanism to fund securing the border—and to get off this argument of who is right, whether it is Democrats or Republicans. We are just arguing about something that doesn’t matter.

What matters is the American people. What matters is how their Representatives are handling their problems. What matters is what you and I are going to do to get this whole argument that is going on and put it aside.

I am here to tell you, I am throwing an idea out that I think is a good idea. A very smart man gave it to me. I didn’t think of it. I thought about it all last night. I couldn’t think of anything wrong with it. I am sure somebody will be able to come up with something that is wrong with it.

It pays for it. We decide where the money goes, and it goes for security. We don’t argue over what type of security. We will then decide whether that is to the issue. The issue is we want it secure.

What we have had is that we have had a couple of leaders who argued about how you secure it, not whether or not you can secure it. You can always argue about how. I like pink better than purple, but I don’t let that stop me from buying a black shirt if it is the only shirt I can get.

It is time we decide what it is we want. We want security. We want to go on and put it as work. We want the American people to get the benefits they deserve, and we want a mechanism to do it—that is, a simple mechanism to do it. We already do it everywhere. We do the passenger facility charge.

The distinguished speaker sitting in the Chair today knows that. He flies here every week and pays $7.50, I think, per ticket here and per ticket out. It pays for the security of airports. We do that all over the place. Let’s do it here. When you pay anybody what is probably the biggest problem in America, they say the biggest problem is that the American Senate and the American
I yield the floor.

Mr. CRUZ. Mr. President, I rise today to give tribute to a great American, a great Texan, and a 32-year veteran of this institution who has dedicated her career to serving the needs of her fellow citizens. Her name is Joyce Sibley. She has led my team of caseworkers in Texas for the last 6 years, and she is now retiring. Joyce started working in the Senate office of John Tower of Texas, answering the phones at his Austin office.

Since then, Joyce has become a living legend among Texas caseworkers because she simply doesn’t take no for an answer, and she always goes the extra mile and more to help someone in need. Indeed, her work has extended so many extra miles beyond our State boundaries that it is difficult to comprehend.

"To move mountains" is a figurative expression, but when I say Joyce has moved battleships, I mean it literally. During the Albanian civil war of 1997, Joyce got the 6th Fleet to come ashore and help rescue nearly 100 Americans on a beach, including several Texans.

The office of my predecessor, Senator Kay Bailey Hutchison, was in communication with the Texans throughout that scary night in which the American evacuees were huddled at the Port of Durres in Albania, having been sent there by the U.S. embassy. The Albanian Task Force at the State Department reported that everyone had been evacuated, but the Americans still trapped there disagreed and started calling offices in Houston and Austin.

Joyce and her team had give up on the State Department’s part and, instead, they transferred a cell phone call from that beach in Albania directly to a Pentagon duty officer who contacted the Texans and connected them with the 6th Fleet. Together, they coordinated a Zodiac evacuation and help rescue near 100 Americans on a beach, including several Texans.

The PRESIDING OFFICER. The Senator from Texas.

TRIBUTE TO JOYCE SIBLEY

Mr. CRUZ. Mr. President, I rise today to give tribute to a great American, a great Texan, and a 32-year veteran of this institution who has dedicated her career to serving the needs of her fellow citizens. Her name is Joyce Sibley. She has led my team of caseworkers in Texas for the last 6 years, and she is now retiring. Joyce started working in the Senate office of John Tower of Texas, answering the phones at his Austin office.

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Joyce was instrumental in organizing their escape.

There was another occasion, when a soldier was wrongfully convicted of counterfeiting in South Korea, after copying and printing Korean currency in order to test the quality of his new printer. There was no intent and no evidence of any attempt to distribute fake Korean currency.

After being convicted and imprisoned for months, largely abandoned by his command, the Texas office asked the
Korean Government to take another look at the case, and the conviction was reversed. The airman returned to serve with distinction in San Antonio, thanks in part to the amazing case-work skills of Joyce Sibley.

Likewise, when the earthquake hit Haiti, there were several Texans buried in the rubble at one of the local hotels. Joyce and others stayed in touch with the family members, set up regular briefings with the State Department, and kept the family closely informed until all were found and accounted for.

The Haitian Government even arrested a group of Texas missionaries and charged them with kidnapping for providing relief and housing to orphaned Haitian children. A few tense weeks followed, but they were all freed once Joyce helped to turn up the heat.

There are too many stories to list about Joyce’s helping families with heartbreaking international adoption situations in Romania, Russia, Haiti, China, Korea, Guatemala, and Ethiopia.

Here is one of my favorite stories. Last fall, a heart surgeon contacted our office on a Thursday evening. He had been traveling out of the country. When he was coming back to Houston, he realized he had lost his passport. He was supposed to travel to Houston overnight and go straight to the hospital to perform several surgeries. Joyce, working with other members of our staff, was able to get a government official to meet his plane to confirm his identity and to get him through customs at 6 a.m. on Friday morning.

He called me when he was on the way to the hospital and said that thanks to our office, thanks to Joyce, he was able to make it there on time to perform lifesaving surgeries.

There are quite literally thousands of Texans whose lives have been made better by Joyce’s decision to stay in Texas, to devote her professional skills to helping families who need help, often in times of great stress. Dealing with the Federal Government, the often maddening Leviathan of Federal bureaucracy, Joyce was an expert at getting that leviathan to move and helping Texans who were frustrated and needed relief.

Whether it has been handling an international crisis or ensuring that a veteran gets his or her paycheck, Joyce has been tireless on behalf of Texans in need of help and guidance. The hallmark of a great caseworker is knowing the system, having great contacts at the multitude of Federal Agencies, and pushing back whenever she heard the word “no.” Instead, she would ask, isn’t there something else we could do to help this soldier, to help this veteran, to help this Texan? So many times, thinking of the “something else we can do” was exactly what was needed.

Joyce has been an irreplaceable asset to the U.S. Senate and to the people of Texas. The good news is that everyone who has worked with her has her spirit in their blood now, has been trained directly, hands-on, by Joyce. It is in her DNA now to go that extra mile and to try to get to yes, no matter the obstacles, when they are looking out for and fighting for Texans. That is her legacy—a team inspired by her leadership. And I know that legacy will endure.

Joyce starts a new adventure at the end of this month as she begins her well-earned retirement. My team will be a little bit poorer for having lost her, for the Senate, the people of Texas, and thousands of families she has assisted over the course of nearly five decades are much richer for having had her on their team.

Thank you, Joyce, for your work, your passion, your patriotism, and most of all, your shining heart. It has been a pleasure, an honor, and a privilege to serve the people of Texas alongside you. God bless.

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. President, 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 PRESIDING OFFICER. Pursuant to rule XXII, the Clerk says before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S.J. Res. 2, a joint resolution disapproving the President’s proposal to take an actual or potential military action pertaining to the application of certain sanctions with respect to the Russian Federation.


The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S.J. Res 2, a joint resolution disapproving the President’s proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER (Mr. ROMNEY). Are there any other Senators in the Chamber wishing to vote or to change their vote?

The yeas and nays resulted—yeas 57, nays 42, as follows:

[Roll Call Vote No. 6 Leg.]

YEAS—57

Baldwin Gillibrand Murray
Bennet Harris Peters
Blinnenthal Hassan Reed
Booher Hawley Rosen
Boozman Heinrich Rubio
Brown Hirono Sasse
Cantwell Johnson Schatz
Cardin Kaine Schumer
Carper Kennedy Shaheen
Casey King Simmons
Collins Klobuchar Smith
Cocoa Leahy Stabenow
Cortez Masto Manchin Tester
Cotton Markley Udall
Daines McAuliff Van Hollen
Duckworth Menendez Warner
Durbin Merkley Warren
Feinstein Moran Whitehouse
Gardner Murphy Wyden

NAYS—42

Alexander Fischer Portman
Barrasso Graham Risch
Blackburn Grassley Roberts
Bipro Hoven Romney
Braun Hyde-Smith Rounds
Burr Inhofe Scott (FL)
Capito Insko Johnson Shelby
Cassidy Isakson Koons
Cornyn Lankford Sullivan
Crabber Lee Tester
Crapo McConnell Tillis
Cruz Markowski Toomey
Ezzi Paul Wicker
Ernst Perdue Young

NOT VOTING—1

Sanders

The PRESIDING OFFICER. Mr. President, I announce that the Senators have voted, the yeas are 57, the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, cloture not having been invoked, S.J. Res. 2 is returned to the calendar.

The Chair recognizes the majority leader.

NO TAXPAYER FUNDING FOR ABORTION AND ABORTION INSURANCE FULL DISCLOSURE ACT OF 2019—Motion to Proceed

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 11, S. 109.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

The motion to proceed to the consideration of S. 109, a bill to prohibit taxpayer funded abortions.

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk on the motion to proceed.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the
First, in terms of how the numbers show it is that illegal crossings are climbing, last year, Border Patrol stopped more than one-half million people trying to enter the country illegally—more than 100,000 in October and November, a huge increase from the same 2 months in 2017. Second, apprehensions don’t account for all illegal crossers. The Homeland Security Department estimates that about 5,000 of our crossers enter, which means about 104,000 illegal immigrants entered in 2018 alone. Third, the U.S. illegal immigrant population right now is massive. Currently, over 12 million illegal immigrants reside here, comparable to the entire population of countries like Chile, the Netherlands, and Syria. Fourth, illegal crime levels are higher than expected. The Center for Immigration Studies has found that noncitizens accounted for more than 20 percent of Federal convictions, although they represent only 8.4 percent of the population. Fifth, Presidents Reagan through Obama have acknowledged the crisis. In 2005, then-Senator Barack Obama said: “We simply cannot allow people to pour into the United States undetected, undocumented, unchecked.” In 2014, President Obama described the border situation as a crisis, but he failed to fix it.

Even President Obama’s last Border Patrol Chief, Mark Morgan, supports President Trump. He was actually on television saying he didn’t keep him in the job, but Morgan says that building the wall is key to solving the security crisis, and the President should, as he says, “stay the course.”

Still, Democrats refuse to negotiate with this President, so we can’t recidivists accounted for more than 20 percent of Federal convictions, although they represent only 8.4 percent of the population. Fifth, Presidents Reagan through Obama have acknowledged the crisis. In 2005, then-Senator Barack Obama said: “We simply cannot allow people to pour into the United States undetected, undocumented, unchecked.” In 2014, President Obama described the border situation as a crisis, but he failed to fix it.

Even President Obama’s last Border Patrol Chief, Mark Morgan, supports President Trump. He was actually on television saying he didn’t keep him in the job, but Morgan says that building the wall is key to solving the security crisis, and the President should, as he says, “stay the course.”

Still, Democrats refuse to negotiate with this President, so we can’t fix the border situation—over 800,000 people across this country have been sent home or are working without pay. Senate Democrats are here to share the stories of people whose lives are being upended. I want to thank Senator Murray for organizing these speeches and Leader Schumer for leading our efforts to reopen the government.

I am speaking today on behalf of 8,200 Federal workers in Massachusetts who have been affected, including TSA workers at Logan airport, servicemembers, border traffic controllers, healthcare providers, and staff at our national parks.

Janelle, one of my constituents, works at Native American Lifelines of Boston, an urban Indian health program. This program does crucial work helping to meet the health, dental, and behavioral health needs for Native people in the Boston metropolitan area. It is a contract site with the Indian Health Service, and one whose funding has been cut off by the shutdown. Janelle loves her job, and she cares deeply about the people she serves. She doesn’t want them to go hungry. She doesn’t want them to miss their appointments. She doesn’t want them to be unable to fill their prescriptions, but she worries about what will happen if the government doesn’t open up soon. A prolonged shutdown would be a major hardship for Janelle, but it could mean a health emergency, even life or death, for her clients.

Don, another constituent, is helping Coast Guard families in Massachusetts make ends meet. His organization, the Massachusetts Military Support Foundation, has distributed over 5,200 pounds of food since the start of the shutdown. He knows that if the shutdown continues, he will have to start draining his organization’s budget, and that could mean he will not be able to help the 1,000 families afford food supplies come September.

Janelle’s and Don’s stories are just two examples of how President Trump...
is holding Massachusetts families hostage while he demands a border wall.

Let’s be perfectly clear about what the President is doing. The shutdown is not about border security. It is not about protecting anyone. It doesn’t make sense, period that President Trump has padlocked the doors at the Department of Homeland Security or that he is asking our Coast Guard, our FBI agents, our airport security, and even our Border Patrol agents to work without pay.

No. the shutdown is a manufactured crisis that the President is using to fan the flames of racism and bigotry—all so he can distract the American people from demanding a government that works for them.

This isn’t a new playbook. It is one the Republicans and the President have been using for years. Over and over again, they try to pit White working people against Black and Brown people, gay people against straight people, young people against older people, people born in the United States against people who came here in search of a better life—pit them all against each other so they don’t band together, so they don’t demand real change.

Here is the deal: The American people are onto this twisted strategy. They know that this government works just great for the rich and the powerful but not for everyone else.

Across this country, people are insisting that the government that is not just open for business but a government that actually works for them—a government that expands healthcare coverage instead of ripping it away from grandparents and newborns, a government that tackles the skyrocketing cost of prescription drugs instead of selling out to giant drug companies that put profits ahead of patients, a government that ends the stranglehold that money has on Washington instead of stacking the government with public officials who are more interested in lining their own pockets than serving the public. I could go on and on with this list.

I came to the U.S. Senate 6 years ago to fight for working families and to tackle these problems head-on, to end a rigged system that created a bit more angst than a usual tax filing season.

The Treasury Department and IRS have been proactive in taking steps to minimize the burden of the shutdown on taxpayers. They recently announced that tax season will start as planned, on January 28. The IRS has confirmed that taxpayers can expect refunds to be sent out as usual should this shutdown drag on. Of course, this is the right course to take when the right call is for the taxpayers, as I had an opportunity to tell IRS Commissioner Rettig when we spoke recently.

Congress has explicitly provided for a permanent appropriation for the IRS to pay refunds. This makes perfect sense. A tax refund represents the taxpayer’s money—not Congress’s, not the government’s but the taxpayers’. Despite what some people in Congress seem to think; that this money belongs to the government to be returned then in a timely fashion and, thank God for their decision, that is going to be the case.

With around 75 percent of individuals receiving a tax refund on an annual basis, many have come to look to their refund to make important purchases, whether that is to replace an old water heater, make a downpayment on a refrigerator or whatever that is necessary.

The ranking member of the Finance Committee, Senator Wyden, raised this concern in a letter to Commissioner Rettig on January 3, requesting that penalty relief be granted. I generally agree with the ranking member and would support IRS taking action to impose undue financial strain on families across the country because Congress and the President can’t get their act together.

As we continue to work through our differences, the least we can do is return to taxpayers their own money.

This tax season, of course, is a little different, not only because of the shutdown, but also because it is the first tax filing season under the new tax laws and tax cuts enacted in the Tax Cuts and Jobs Act. A lot of work has gone on to get us here. Treasury and the IRS have been working diligently and swiftly to ensure taxpayers have the information they need. In a little over a year, they have put out 18 proposed regulations, 2 final regulations, 45 notices, 21 revenue procedures, and updated countless forms, publications, and other guidance—all of this geared towards implementing the law and addressing taxpayer questions.

Right out of the gate, Treasury and IRS went to work updating the annual withholding tables so taxpayers could immediately begin seeing the benefits of lower taxes in their paychecks. Of course, whether a taxpayer had less or more withheld from their paycheck is not the final word on whether one received a tax cut.

Also, due to changes in withholding, a smaller or larger refund than usual may not tell the whole story. I encourage taxpayers to compare their 2019 tax return with that of the previous year to see the difference. At the end of the day, the vast majority of taxpayers will see that less of their hard-earned money is going to the government.

A chief priority for the new withholding tables was, of course, accuracy. Extensive analysis was done to help taxpayers get the right amount withheld from their paycheck—not too much, not too little. However, as we all know, no withholding table will ever be perfect. Every taxpayer may be affected a little differently under the new law based on their personal circumstances. The IRS continues to consider whether future improvements to the withholding structure may be necessary, which I support and will be monitoring as chairman of the Finance Committee.

The IRS has also embarked on an extensive campaign to alert taxpayers to check and update their withholding. This included establishing an online withholding calculator to help taxpayers determine what, if any, adjustments to their withholding may be necessary.

That said, there are still going to be some taxpayers who may discover that they were underwithheld or overwithheld due to changes in the law and owe taxes at the end of the year. A subset of these taxpayers could be subject to a penalty for underpayment.

Moreover, just because a taxpayer was underwithheld as a result of the changes in the law, and not through the fault of their own, the IRS should consider what actions the Agency can take to provide penalty relief, but the issue of underwithholding due to the passage of tax reform should not be exaggerated.

Yes, as the ranking member claims in his letter to the Commissioner, it is estimated that as many as 30 million taxpayers may have had taxes underwithheld from their paychecks, but what hasn’t been said is that 30 million is actually only about a 3-percentage point increase from how many taxpayers would be underwithheld under the old law.

Moreover, just because a taxpayer was underwithheld during the year does not automatically mean they will be subject to a penalty tax. Safe harbors have long been in place to protect taxpayers whose withholding is slightly off from being penalized.
It is quite possible that some issues will arise this filing season that we did not anticipate and will need to be fixed as we go forward. We already identified a number of those issues, which I am hoping my Democratic colleagues will allow us to fix to further help as many more constituents as possible.

That doesn’t detract from the fact that we have delivered real tax relief to middle-income families, small business owners, and the family farmer, nor does it undermine the fact that we modernized our outdated international tax system and improved America’s business competitiveness in the global economy. Of course, that is going to benefit the American worker.

These efforts have contributed to a strong and growing economy. The unemployment rate is at a half-century low. Wages are rising at the fastest rate in nearly a decade. Workers, employers, and small business owners are all more optimistic than ever.

I am also not interested in eliminating the cap on property of State and local taxes, backtracking on our move toward a more territorial tax system, or raising tax rates on pass-through business owners and farmers or corporations, all of which would undermine critical jobs and contribute to economic growth across the Nation.

For the first time in probably about 30 years, our businesses are competitive with the rest of the world. When we have a 35-percent tax rate—as we do—we are plowing ahead, setting a standard for the rest of the world.

Lower tax rates, with businesses and individuals making decisions on where they earn their money, how much they are going to spend, and how much they are going to save, is a lot better than 535 Members of Congress making that decision. When we make decisions about stuff like this, they are political decisions. When most of the individual taxpayers and the corporations of America make decisions, it is strictly economic and does much more economic good.

Another one that I don’t want to mess with is efforts to weaponize the authority of tax-writing committees to address tax returns for political purposes. Such an action would be unprecedented.

I am optimistic that we can continue to make progress helping Americans improve their lives by keeping more of their hard-earned wages, taking the chance of starting a new business or continuing to expand an existing one— in short, building an opportunity economy. I invite my colleagues to join me. I look forward to hearing from you.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor to join my colleagues who are speaking earlier today about the many U.S. citizens who are Federal employees who are impacted by the shutdown. Coast Guard PO2 Amy-Erin Hamilton, stationed in Seattle, WA, is one of those individuals. She is the mother of three children: Sienna, age 10; Tucker, age 9; and Annabella, age 5. Amy-Erin is married to Dan Hamilton, who is also an Active-Duty member.
Amy-Erin is a shining example of the service and leadership we see in our Coast Guard today. In December, she was given a meritorious advancement, which is rare and an incredible honor. Despite this, though, she is working without pay and has had to seek outside income to support that family just mentioned.

This is the 26th day of a Federal Government shutdown. Yesterday, 55,000 Coast Guard personnel did not receive their paycheck. The Coast Guard Commandant issued a letter to the workforce explaining what was happening, explaining that this is the first time that a branch of our military has not been paid during a government shutdown.

There are 41,000 Active-Duty members, 6,200 Reservist members, 8,500 civilians, and 50,500 Coast Guard retirees. That is the U.S. Coast Guard family. Thirty-one percent of the Coast Guard families do not have enough emergency savings to make it through the shutdown. A junior enlisted Coast Guard member with less than 2 years of service makes only $23,200 a year in base pay. That is below the poverty level. Coast Guard families are struggling, and those members being deployed overseas—they could be in a combat zone—and these members are not receiving pay.

I hope our colleagues will take into consideration the paycheck issue with our Coast Guard families. They are working hard to provide great care for us throughout our country and overseas. When I think about the fact that a Coast Guard member could be deployed overseas in an area that has seen combat, in an unstable region of the world, and that they are not even receiving the childcare subsidy and support to make sure their families are taken care of while they are going taking care of us, that is just wrong.

So I come here to join my colleagues who were here earlier today on the floor giving examples of Americans throughout the United States who are working without pay. It is the time of year to get them their paycheck and continue to support them so they can support us.

I know my colleague from Connecticut is here and would like to speak as well, and I thank him for allowing me to fit in this time to talk on behalf of the Coast Guard families.

I hope the Commandant’s letter can now be seen as an example of why we need to act. We need to act to give these Coast Guard families their pay and to make sure we are addressing the shutdown and reopening government.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow the Senator, our neighbor from across the country. We share a common interest and commitment to one of the great military services in this country, the U.S. Coast Guard.

Connecticut is proud to be the home of the Coast Guard Academy and numerous Active-Duty-serving Coast Guard men and women. Not only are we proud of them, but we are deeply mindful of the debt we owe them. It is a debt that is immeasurable in dollars and cents. It is a debt we owe them for the safety and security they provide this country. It is a debt they have shed in defense of the country.

Failing to pay them is a moral failure, and that is why I am proud to be joining the Senator from Washington as we yield the floor giving examples of Americans working hard for us. It is time we work to provide payment for the Coast Guard, and I hope we will meet this obligation as soon as possible.

We also have an obligation to other Federal workers because they are suffering and sacrificing during this shutdown, now 26 days long. One of them, among the workers I met last Monday, is Adrian Pelto. He served in the Air Force. He has worked as a behavior detection officer for more than a decade. He is also one of the TSA workers at Bradley not receiving pay.

He said to me: “We have no income right now. We are bleeding money. Just day-to-day things. Food, gas, [and] diapers for the baby. The electric company, the cell phone company—they don’t care. They are brutal. To feel like we are poker chips or leverage is very, very infuriating. We are people—we have lives—not just a number to throw around. I want the government to reopen.”

Nothing I say here expresses more eloquently and powerfully the obligation we are failing to meet.

I will be proposing legislation to provide workers like Adrian unemployment benefit compensation. States like Connecticut now must seek approval from the Department of Labor of the United States to provide unemployment compensation for workers who are on the job but unpaid.

The workers who are furloughed and unpaid can receive that compensation. The folks showing up to work, keeping us safe in the skies, assuring that our cities are on the job but unpaid.

Let us reopen the government. Let us meet our obligation. Let us do our job, and the man down the street on Pennsylvania Avenue in the White House ought to be doing his job too.

In the meantime, let’s help them meet their bills and save them from debts which may not do servicemembers with their relief fund; another legislative measure I will be advocating and advancing. We owe it to them. We owe it to the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. R. Ernst. Mr. President, I am pleased to be joined on the floor by Senator BLUNT, Senator WICKER, and Senator FISCHER to speak about the importance of protecting and celebrating life.

This Friday, Americans from every State in our Nation, from our tiny rural towns to our bustling urban centers, will gather in Washington, DC, to participate in the 46th annual March for Life.

Each year, I am amazed and inspired by the immeasurable strength, compassion, and support demonstrated by the participants in the March for Life. The thousands of its members come to Washington, DC, and tirelessly work to protect the most vulnerable in our society—the unborn.

As members of the Senate Values Action Team, throughout the year, we are blessed with the opportunity to work with and hear from so many who are committed to protecting human life at all stages.

I thank my colleagues for sharing this message of life today, and at this time I would like to thank Senator Ernst for yielding and for her leadership in these issues.

The March for Life is one of the events here today are here at a time when thousands of people from around the country, including hundreds from Missouri, will be here to participate in the annual March for Life. They see it, as we do, that an unborn child is not a potential person, but it is a person with potential, a whole living, distinct human being.

Polling reflects that the American people understand that in a significant way. It is not a celebration but a powerful reminder that we value life as people come here this time of year. More Americans are coming all the time to support life. We just had a meeting with someone who was going through the recent Knights of Columbus and Marist poll. Three in four Americans say abortion should be limited to, at most, the first 3 months of pregnancy. These numbers continue to move in the direction of understanding that life begins at conception, and more and more people believe that life deserves to be protected just like any other life would.

A majority of Americans oppose using taxpayer dollars to pay for any...
abortion at any time. Seventy-five percent of Americans oppose using taxpayer dollars to fund abortion overseas. This includes 64 percent of self-identified, pro-choice Democrats who say they are not for spending taxpayer dollars to fund abortions overseas. Fifty-six percent of Democrats and 80 percent of Independents comprise that as well, as I said before, 64 percent of pro-choice individuals collectively say they are not for that.

Preventing taxpayer funding for abortion is not just about upholding law and has had a bipartisan consensus until just recently. Now, this is an important issue that the country disagrees on, but the one thing we reached agreement on is, those people who think there is nothing wrong with abortion shouldn’t force the tax dollars of people who believe it is the most fundamentally wrong thing you can do to be used for abortion.

So the Hyde amendment prevents taxpayer funding for abortions or abortion coverage in various Federal healthcare programs, including Medicaid and Medicare and the Children’s Health Insurance Program. All of those programs are, in effect, walled off from Federal support if abortion is involved.

A bill I initially passed as chairman of the Labor, Health and Human Services Appropriations Committee, renewed again this year the Hyde amendment, as it has been renewed every year since 1976 by Republicans and Democrats in the White House.

Recent calls to repeal the amendment, however, in the Democratic Party platform and from a number of my friends on the other side of the aisle, are just simply out of touch with where a majority of Americans are and where 100 percent of the people coming here for the March for Life are.

Instead, far from being repealed, the Hyde amendment as the Hyde amendment was passed, as the Hyde amendment was passed, it needs to be made permanent, and it needs to be applied across the entire Federal spending spectrum, as it was initially anticipated. I am proud to be an original cosponsor of the No Taxpayer Funding for Abortion Act, which would do just exactly that.

I also want to take a moment to recognize the efforts of what has become one of the most pro-life administrations in our Nation’s history.

One of Executive orders President Trump signed was to reinstate and expand the Mexico City policy. In fact, he wanted to expand it to the point that he even wanted to title it to the Protecting Life in Global Health Assistance policy. The policy prevents Federal tax dollars from funding foreign NGOs—foreign nongovernmental organizations—that perform or promote abortion.

I also want to call attention to the efforts the administration has taken proposing regulations that would forbid all of prevent title X family planning grantees from colocating with abortion clinics or from promoting or referring clients for abortions. None of that money was ever to be used for those purposes, but it is pretty hard when you are in the same facility, funded by the same overall group, not to suggest there is some connection.

President Trump and his administration have said that would not be allowed. They have passed regulations to further protect the right of conscience. In a famous letter written in the last year of his Presidency, President Jef ferson said, the right of conscience—the right to fervently believe what you believe is the right thing—should be the right we hold the most dear, and the President is trying to be sure that applies in every possible case to Federal law as well.

They also voted to separate payment requirements from abortion coverage in ObamaCare and have really continued to do exactly what the President said he would do.

I know we all also want to encourage those who are participating in the March for Life on Friday. Every human life matters. The advocacy of people who come here year after year or perhaps are coming for the very first time makes a difference.

So for the efforts of the thousands who defy the weather—and the anniversary of the decision just happens to be in what almost always turns out to be the worst weather we have in Washington during the year, but that doesn’t seem to deter those who are marching here or those who are speaking to those who come here to defy the weather and defend for Life.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. On the Senate from Iowa’s time, let me join her and the Senator from Missouri, and I associate myself with their remarks and their support, not only for the March for Life, which will occur on Friday, but also for the No Taxpayer Funding for Abortion Act, which I am proud to be the principal cosponsor of, which which which will, we hope, have a vote on the Senate floor by tomorrow afternoon.

I was a pretty young staffer for then-Congressman Trent Lott in 1981 when I first became aware that there was such a thing as the March for Life. I can assure you that it will be much more massive this year than it was back in those early days when Americans were struggling with what Roe v. Wade meant and when they weren’t quite so sure about what science was about this practice of abortion.

As each year passes, as more and more parents see that sonogram, as more and more grandparents—and I am a grandparent to six now; I am buddies with five; and I see the sonograms early on and we see the feet and we see the heartbeat and we see the faces of these children, we realize as Americans—and more and more Americans are coming to the realization—that every human being that deserves protection.

Senator BLUNT was accurate in saying we have good polling. Polling is coming around to our way. Even if some people consider themselves to be pro-choice, when you delve down into the figures and ask them the questions, it turns out they are not quite so pro-abortion as we might think.

I ask the question that the No Taxpayer Funding for Abortion bill goes to centrally—Do you support taxpayer funding for abortion?—the polls show that 24 percent oppose and 30 percent strongly oppose. A majority, or 54 percent of Americans—some of whom actually say that they are pro-choice—say no, we shouldn’t go so far as to provide taxpayer funding for abortions. That is what this legislation, which tomorrow afternoon will be considered on the floor of the Senate, would do.

When asked another question: Should abortions be banned after 20 weeks, with the exception of risking the life of the mother? And 59 percent of Americans say yes, they strongly support the ban on abortion after the 20th week.

So I would say that the March for Life is working, year after year, step after step, and I hope we get a good vote on the floor of the Senate tomorrow.

Do I think this is going to sail through the House of Representatives and be sent by NANCY PELOSI’s House to the President for signature? Probably not, but we make the case. We welcome the vote for life each and every year, and we appreciate what they have done to move the needle of public opinion and to protect those innocent people who have no way of protecting themselves.

I see that we are joined by my distinguished colleague, the senior Senator from Nebraska, and perhaps she might have some remarks to say.

I will yield the floor at this point.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I rise today in support of the thousands of people who will travel to our Nation’s Capital this week to join us in the March for Life. Marching proudly among them will be many, many Nebraskans—families, neighbors, student organizations, and church groups. They are going to brave the snow and freezing temperatures to march along the National Mall as part of a peaceful rally that draws attention to pro-life and pro-women policies.

Since I started my career in public service, I have supported commonsense pro-life measures that protect women and unborn children. All too often, women are faced with unplanned pregnancies, and they experience condemnation instead of compassion. These women shoulder despair, pain, and judgment when they should receive comfort, assistance, and reassurance. These mothers should always know that they have support as they face challenging years ahead.

In the Senate, I am proud to pledge my support for several pro-life bills.
This afternoon, I would like to highlight a few of them.

Once again, I am cosponsoring the Pain-Capable Unborn Child Protection Act. This legislation would prohibit abortions after 20 weeks unless it is necessary to save the life of the mother or the pregnancy is a result of rape or incest. Twenty weeks, as advances in science and medical technology tell us, is the point at which an unborn child is capable of feeling pain.

When I served in the Nebraska Legislature, we passed the first ban on abortions after 20 weeks. Republicans and Democrats, pro-choice and pro-life Senators, voted in its favor because it is sound policy. We should enact this commonsense legislation at the Federal level as well.

I am also a cosponsor of the Protect Fund for Women’s Health Care Act. This bill would prevent the Federal funding of Planned Parenthood and all of its affiliates. In 2016, Planned Parenthood received nearly $544 million from the Federal Government. I believe that Congress must redirect this funding to where it belongs, and that is to our own centers.

In Nebraska we have seven community health centers, with 44 clinic sites all across our State. I have had the opportunity to visit these sites, and I have seen firsthand the high-quality, compassionate care they provide to women in need. Our patients in Nebraska would be better served if this Federal funding were directed toward these centers and also these clinics, which serve all Nebraskans—both Nebraskans everywhere in our State—not Planned Parenthood.

The Protect Fund for Women’s Health Care Act is another commonsense solution that will protect life and help provide comprehensive health care for women. Finally, I will once again support the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act, introduced by the senior Senator from Mississippi. Since the 1970s, the Hyde Amendment has prohibited Federal funds for abortions, but it requires a yearly passage through Congress. This measure would permanently establish in statute the protections of the Hyde amendment. These are a few of the important pro-life policies that I am working on in the Senate.

Again, I want to welcome all of the Nebraskans who are traveling over 1,000 miles to take part in the March for Life. I look forward to seeing the pro-life movement building such momentum. More and more young people are joining the cause and standing tall for this timeless value, and I want to thank each and every one of them for their courage and doing what they believe in and for what science tells us.

They march not with anger or condemnation, but with love and hope. They will be living out the direction of Mother Teresa, when at the 1994 National Prayer Breakfast she said:

A sign of care for the weakest of the weak—the unborn child—must go out to the world. . . . then really you will be true to what the founders of this country stood for.

So to all of the Nebraskans and to all Americans who will gather here in Washington for the March for Life, please know that I support your every step.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

(The remark of Ms. Ernst pertaining to the submission of S. 141 are printed in today’s RECORD under “Submitted Resolutions.”)

Ms. Ernst, 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. Sasse. 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. Sasse. Mr. President, I am going to speak again shortly to the floor, but, very briefly, I want to associate myself with the comments of my senior Senator, Sen. Fischer from Nebraska, who just spoke and welcomed Nebraska’s pro-life students to the Capitol here. It is wonderful to be associated with a movement that is fundamentally about love and is about the dignity of every baby.

So I join my senior Senator in welcoming Nebraska’s pro-life students to the Capitol and to Washington, DC, for the March for Life this Friday.

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

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

GOVERNMENT FUNDING

Mr. Merkley. Mr. President, I was just over in the Russell Senate Office Building, and a group of freshmen from the House intercepted me and handed me this piece of paper, this document, and asked that it be made part of the RECORD of the Senate, and I have come to do that.

Let me explain that these freshmen House Members want to see the Senate engaged in debate on how to end this shutdown of our government. They see in their home districts across this country tremendous damage occurring in all kinds of fashions—damage to security; damage to the economy; damage to families trying to get a home mortgage, and they can’t get their FHA approval; damage to farmers who are seeking that loan that is necessary to prepare for the next farming season; damage to all of our preparedness for next summer’s forest fires.

I have been hearing about this from my home State. In Oregon, we just had a training for fighting fires canceled. We have prescribed burns that need to be done during the winter that are being canceled. We have thinning, which makes the forest more fire-resistant, that is being canceled. We have the reduction of fuels on the forest floor that add to the intensity of fires—the removal of those—being canceled. These just add more to the list of so many ways that folks are being affected across the country.

I am going to share this letter with the Presiding Officer and our colleagues. It says:

Dear Senator McConnell:

We write as Members of the Freshman Class of the 116th Congress, an historic group that has the distinction of being the first Congress to be seated in the midst of a partial government shutdown.

We as a legislative branch have the power to end this shutdown now. In December, the Senate unanimously passed legislation that would have kept the government open. In January, the House passed the same bipartisan bills and sent them to the Senate. If the Senate were to pass these bills, we would be able to reopen the government and move forward on immigration reform and border security.

However, it is impossible to have a meaningful policy discussion while the executive branch holds public servants hostage. We respectfully request that you allow the Congress to work its will and allow a vote on this bipartisan legislation to end this shutdown so that we can end this manufactured crisis and allow our devoted federal workers to get back to work for the American people.

Sincerely Susie Lee, Member of Congress; Adam Schiff, Member of Congress; Michelle Lujan Grisham, Governor;专卖店; Mikie Sherrill, Member of Congress; Mike Levin; Jahana Hayes; Lori Trahan; Katie Hill; Ayanna Pressley; David Trone; Ed Case; Gill Cisneros; Rashida Tlaib; Kendra Horn; Angie Craig; Joe Cunningham; Chris Pappas; Andy Levin; Susan Wild; Sylvia Garcia; Katie Porter; Debbie Mucarsel-Powell; Ilhan Omar; Madeline Dean; Haley Stevens; Greg Stanton; Josh Harder; Lucy McBath; Abigail Spanberger; Chrissy Houlahan; Donna Shalala; Lauren Underwood; Alexandria Ocasio-Cortez; Veronica Escobar; TJ Cox; Dean Phillips; Jahana Hayes; and then a few more people who have added their names in script that I may not be able to read accurately.

In total, there are an estimated 46 signatures on this letter addressed to Senate Majority Leader Mitch McConnell.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

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

CONGRESSIONAL RECORD
WASHINGTON, D.C., January 16, 2019.

Hon. Mitch McConnell, Majority Leader, U.S. Senate, Washington, DC.

Mr. Alexander McConnel: We write as Members of the Freshman Class of the 116th Congress, an historic group that has the distinction of being the first Congress to be seated in the midst of a partial government shutdown.

We as the legislative branch have the power to end this shutdown now. In December, the Senate unanimously passed legislation that would have kept the government open. In January, the House then passed
those same bipartisan bills and sent them to the Senate. If the Senate were to pass these bills, we would be able to re-open the government and then proceed to a debate about immigration and border security.

However, it is impossible to have a meaningful policy discussion while the executive holds public servants hostage. We respectfully urge the Congress to allow the Committee to work its will and allow a vote on this bipartisan legislation to end the shutdown so that we can end this manufactured crisis and allow our devoted federal workers to get back to work for the American people.

Sincerely,

Susan Lee, Abby Finkenauer, Miki Sherrill, Mike Levin, Jahana Hayes, Lori Trahan, Katie Hill, Ed Case, Gil Cisneros, Rashida Tlaib, Kendra Horn, Angie Craig, Chris Pappas, Andy Levin, Susan Wild, Sylvia Garcia, Katie Porter, Ilhan Omar, Madeleine Dean, Josh Harder, Debra A. Haaland, Lucy McBath, Abigail Spanberger, Chrissy Houlahan, Donna Shalala, Lauren Underwood, Alexandria Ocasio-Cortez, Veronica Escobar, TJ Cox, Dean Phillips, Elaine G. Luria, Tom Malinowski, Stephanie Bice, Sharice Davids, Joe Neguse, Cynthia Axne

Mr. MERKLEY. Mr. President, the freshmen of the House are speaking a lot of common sense in this letter. They are saying: Here we are, looking at bills that the Senate passed under Republican leadership and that the House has passed under Democratic leadership. That is the foundation for going forward. Let not the Senate leadership be the obstruction to common sense. Let not this Chamber sit empty, sit quiet, and sit without votes on these bills to put our government back to work.

They want to see the Senate have the courage to take positions, to be here and argue, to say yes or no, but we don’t say yes or no if there is no bill before us, and that must confound these 46 freshmen, who kind of expected that after more than 200 years of organizing, we would have a Senate that could reformally operate as a legislative body, not sit here vacant and quiet in the midst of a national catastrophe—a catastrophe of the Trump shutdown affecting so many families.

There are 800,000 families of Federal workers, hundreds of thousands more families of contractors, millions of Americans who simply want a core government service so that they can proceed with their lives—a business permit, a home mortgage, an agricultural loan, a driver’s license, a boat registration, forest fires, and a compromise to our national security in terms of our Coast Guard and our TSA agents. It makes no common sense for us to sit here without action.

I join the House freshmen for bringing a fresh, intense, commonsense view to the conversation on Capitol Hill. Let their words be heard in this Chamber.

Thank you.

THE PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF WILLIAM BARR

Mr. WYDEN. Mr. President, I come to the floor today to discuss the nomination of William Barr to be Attorney General.

Today, I want to make clear that I will be opposed to this nomination for several reasons. I am just going to outline some of my key concerns that really haven’t been addressed much over the past few weeks.

I am specifically concerned about his view that the President of the United States is effectively royalty, in his book, and he seems to believe that the President is accountable to the laws of our Nation or to the normal constraints imposed by the Congress. Today, I am going to focus on what I consider to be Mr. Barr’s dangerous views on surveillance and his contempt for surveillance laws and the Fourth Amendment.

It is my view this is not a partisan issue. There has been, for some years, a bipartisan coalition in the Senate that has battled to protect the privacy and constitutional rights of Americans, but Mr. Barr’s views, after I have laid them out today, ought to frighten every Member of this Senate. What Mr. Barr has said is that whether the Congress supports broader or narrower surveillance authorities and regardless of whether or not there are more checks and balances and oversight, it really doesn’t matter. He has made the judgment, based on the proposition which he has stated very clearly, that the President can essentially do what he wants.

This nominee, in my view, poses a unique threat to the rule of law and the Fourth Amendment. His long-held views, which presumably he would put into practice if confirmed, threaten the very notion that Congress or the courts have any say in who in America gets spied on. If he is confirmed as Attorney General, he could take us back—and not just 12 years to an era of warrantless wiretapping. As Mr. Barr himself has made clear, it should be taking us back 40 years, to an era before the Church Committee, when neither Congress nor the courts had any role at all in checking or overseeing an abusive, out-of-control government.

Before the reforms of the 1970s, as has now been well documented, the government committed one horrific abuse after another. It spied on hundreds of thousands of innocent Americans. It spied on Dr. Martin Luther King Jr. It made claims that would be taking us back 40 years, to an era before the Church Committee, when neither Congress nor the courts had any role at all in checking or overseeing an abusive, out-of-control government.

Unfortunately, as we now know, the government violated the law when it implemented its warrantless wiretapping program in 2001. The program included warrantless collection of the content of private communications, including millions of warrantless targeting of phone numbers and email addresses of people in our country. The program also included the bulk collection of phone and email records of enormous numbers of innocent, law-abiding Americans. All of this occurred in secret, without warrants or any judicial oversight at all, and almost no one—not one in the Congress, nor even most members of the Intelligence Committee—knew about it.

The secrecy didn’t even end when the bulk phone and email record programs were moved under the Foreign Intelligence Surveillance Act. The Obama administration, just like the Bush administration, kept secret programs and the secret legal interpretations behind it from the American people, even lying about it in public testimony.

How did these abusive and illegal programs get their start? With secret determinations made at the Department of Justice that the law didn’t matter and that the President can do what he wants.

That brings us to Mr. Barr. His dangerous views on Executive power have long been consistent—consistent throughout his writings at the Department of Justice in the late 1980s to the present, but in October of 2003, he laid out in public testimony his position that, in Mr. Barr’s view, the President is not accountable to surveillance laws and that the President enjoys huge loopholes in the Fourth Amendment.

October of 2003 was shortly after Congress had passed the PATRIOT Act, legislation that many in Congress have come to view as granting too much authority to the President, and, from Mr. Barr’s perspective, the PATRIOT Act was too limiting and too constraining, and that wasn’t even the most troubling part of his testimony. Right up front, he asked himself the question of whether the law was adequate to fight terrorism. Here is what he said. He said he wasn’t worried about the law, and this is a direct quote: “The critical legal powers are granted directly by the Constitution itself, not by Congressional enactment.” In other words, Mr. Barr’s view of surveillance is that the laws passed by Congress do not matter. If the President wants to violate them, it is Mr. Barr’s position that he can just go out and say he has constitutional authority and do it.

Here is a direct quote from Mr. Barr’s testimony. Talking about laws going back to the 1970s, he said: “Numerous statutes were passed, such as [the Foreign Intelligence Surveillance Act], that purported to supplant Presidential discretion with Congressionally crafted schemes whereby judges become the arbiter of national security decisions.”

I am going to unpack that sentence for a minute. From Mr. Barr’s perspective, decades of laws passed by the U.S. Congress are nothing but schemes—secret schemes—secret schemes about the Foreign Intelligence Surveillance Act, a fundamental framework of checks and balances that Congress has relied on.
for four decades to ensure congressional and judicial oversight of surveil-

lance. He is talking about every modi-
fication of the Foreign Intelligence Surveillance Act, from the PATRIOT Act to what is called section 702, reau-

thorized last year, to the USA Freedom Act, which made stop the collection of millions of innocent Americans’ phone records. Whatever you think of these statutes, they are how Congress determines the extent of the government’s surveillance powers and how it ensures that it respects the rights of Americans. Mr. Barr notwithstanding, these duly enacted laws of Congress are not mere schemes.

Worse still, it is Mr. Barr’s conten-
tion that all of these laws only purport to have any effect. The President, says Mr. Barr, has the discretion to ignore them. By definition, if you are saying that the President can just ignore the laws, in effect, that is a position that is in favor of tyranny. This is as dan-
gerous as I have heard in congressional testimony. It is very similar to the language that was con-
coced in the Department of Justice to justify warrantless wiretapping—and these are the views coming from the man who might be Attorney General of the United States.

Mr. Barr is correct that the Foreign Intelligence Surveillance Act gives judges some say in when the government can spy on Americans. It is a se-
cret system, one that greatly ad-
vantages the government and almost al-
ways precludes challenges from those who are spied on. The Foreign Intel-
ligence Surveillance Act has been abused through secret interpretations of law, but the Foreign Intelligence Surveillance Act does involve judges considering the Fourth Amendment rights of Americans, and that is what Mr. Barr objects to.

Based on his own testimony, it is clear that Mr. Barr has fundamental problems with the Fourth Amendment or at least its application to anything the President might unilaterally decide involves national secu-

rity. He believes that if the govern-
ment determines there is a threat, there is no need to ask a judge for a warrant.

The Fourth Amendment protects the rights of the people to be secure against unreasonable searches and sei-

zures unless there is a probable cause warrant. That is what the Constitution says. Mr. Barr, however, has found two very big loopholes in the Fourth Amendment.

First, he insists that if the govern-
ment decides a foreigner in the United States is “apparently acting as a ter-
rorist,” then he or she is not one of the “people,” and the government can just throw out the Fourth Amendment.

Second, Mr. Barr argues that so long as the government says that a threat search is not unreasonable, and the warrant require-

ment under the Fourth Amendment simply doesn’t apply.

At the core of Mr. Barr’s philosophy is that no one—not Congress and cer-
tainly not judges—has any business as-

sessing the government’s assertion about threats.

Here is another quote from Mr. Barr: These are “assessments judges are not competent to make or responsible for making under the Constitution.”

For 40 years, judges of the Foreign Intelligence Surveillance Act Court have been making these determina-
tions, but, from Mr. Barr’s perspective, the government is not required to decide who gets spied on; only the President gets that power.

Some might ask whether Mr. Barr has had a change of heart, particularly since Congress has passed additional surveillance authority in the year since his testimony. I hope we see in the days ahead where he stands, wheth-

er he now believes that spying on Americans and people in the United States has to be consistent with the laws passed by Congress and his 2003 testimony suggests that even new, sweeping, bipartisan laws that have passed wouldn’t satisfy him.

A little over a decade ago, Congress created section 702 of the Foreign In-
telligence Surveillance Act, that al-

lows for warrantless spying on for-

eigners overseas. I have said our coun-

cy faces real threats from foreigners overseas, so I stipulate that is some-

thing that is important to the safety of the nation. Certainly, people whom we all represent. I have had serious concerns about the number of innocent Ameri-
cans who are spied on. The Foreign Intel-
ligence Surveillance Act Court that is to show the FISA Court that the records are relevant to an investiga-
tion. There is no requirement for a proba-
ble cause warrant.

That information is, this view has ac-
tually been rejected recently by the U.S. Supreme Court. What Mr. Barr has been saying is actually out of sync even with the current thinking of the Supreme Court. The Supreme Court most recently held that the Fourth Amendment rights of the government’s collection of location data from wireless carriers.

Apparently, yesterday Mr. Barr said he had not read that Supreme Court decision. Colleagues, I think that might be rural territory for Members of this body. We are talking about location data. Location data can be a personal safety and national secu-

rity nightmare.

We saw what happened just last week. In 2018, the wireless companies all made promises to me that they wouldn’t make available precise loca-
tion data to hedge funds, bail bonds-
men—all kinds of bottom feeders just looking to make a buck. What hap-
pened was, in 2018, those wireless com-
panies said they wouldn’t make that data available any longer to location-

trackers and bail bondsmen and the like, and then last week, a bounty hunter got 300 bucks and found out those 2018 promises to me meant noth-

ing. So last week, the wireless compa-
nies promised again that they wouldn’t make location data available to all of these financially interested parties. I appreciate their saying it, but I will tell you, I will believe it when I see it, because we got a promise in 2018 that they would be serious about protecting location data, and we saw last week that they weren’t.

We have the Supreme Court now making it clear that the Fourth Amendment applies to the govern-

ment’s collection of location data from wireless carriers, which is part of the PATRIOT Act. There are serious concerns about 215. It was abused for years to carry out a secret program that swept up the phone records of millions of in-

nocent, law-abiding Americans. Even after the USA FREEDOM Act, which was intended to end bulk collection, it has been used to collect hundreds of millions of phone records. All the govern-

ment needs to collect these records is to show the FISA Court that the records are relevant to an investiga-
tion. There is no requirement for a proba-
ble cause warrant.

This important law sunsets this year, so the Congress will have a debate about whether these authorities are too broad, whether there is a need for more checks and balances. I see my colleague from Texas, who also serves on the Intelligence Committee, we are going to have a debate on it. That is the way it ought to be.
Today, we are talking about what I consider to be dangerous views espoused by Mr. Barr. What Mr. Barr believes is that the government shouldn’t have any court oversight at all when it comes to collecting the records on Americans. He thinks the government should just unilaterally issue a subpoena and collect those records and that there would be no oversight whatever. The foundation of Mr. Barr’s beliefs when it comes to surveillance is that the President can do whatever he wants if he believes national security is at stake.

I am going to close by simply talking for an additional minute or two about what it will mean if Mr. Barr is confirmed as Donald Trump’s Attorney General.

Right now, the President is openly considering a declaration that he, Donald Trump, has emergency powers to override the will of the Congress, and he is doing this while relying on a baseless assertion that there is a national security crisis.

Until he was fact-checked, he was making very far-fetched claims about terrorists coming over the border. He also regularly calls journalists “enemies of the people” and calls for investigations of his political enemies.

I would oppose the nomination of anyone with William Barr’s views on Executive power regardless of who was President, but the kinds of threats I am talking about are too serious to ignore.

Donald Trump has openly said and said specifically how much he would enjoy unchecked surveillance power. During the 2016 campaign, when the Russians were hacking his opponents, the President of the United States, our current President, said: “honestly, I wish I had will of the Congress, and he is doing this while relying on a baseless assertion that there is a national security crisis.”

If Donald Trump decides that national security is at stake and William Barr is the Attorney General, it would be Mr. Barr who might give him the power he would use with no oversight from the courts and without regard to what Mr. Barr has dismissed as “the schemes”—our laws—of Congress.

In case anyone thinks Mr. Barr would himself serve as a check on the President, he has also written that that is not the Attorney General’s job. Just last year, he wrote that all Executive power rests in one and only one person—President—and that the President doesn’t have to convince his Attorney General that his orders are legal.

Let me be clear. The issues I have raised with respect to Mr. Barr’s views on surveillance are not kind of a jurisdiction or possible theories. What I have been talking about this afternoon are the views outlined in Mr. Barr’s own testimony. I hope every Member of this body will take the time to read Mr. Barr’s testimony and consider what is at stake.

There are Members in both political parties in this Chamber who have long been concerned about the expansive surveillance authorities under the Foreign Intelligence Surveillance Act and the possible abuse of that law. Those concerns are, in my view, small potatoes compared to what Mr. Barr has proposed, which is that the law need not constrain the President whatsoever. For example, some Members of this body have expressed concern about Foreign Intelligence Surveillance Act warrants in connection with the Russia investigation and whether all relevant information provided to the FISA Court. Consider a world in which the government doesn’t need a warrant and doesn’t have to justify its surveillance to any court. Consider the possibility of abuse in that world. That is the world Mr. Barr has testified he wants.

I also would appeal to my colleagues with whom I have had some pretty vigorous debates over the years about surveillance and who may have no concerns about the framework of our laws. We can have our disagreements about how to write the law. Here in the Senate, we do agree that the laws passed by the Congress mean something. They are binding, and they may be not, as Mr. Barr has stated, “schemes” that the President can just ignore whenever he feels like it.

This nominee has been more than clear about where he stands. He believes that the President alone decides when there is a threat and that when there is a threat, he has no duty to worry about Congress, judges, or the laws, or the Constitution. In my view, that is a prescription for trouble, a prescription for more abuses—abuses that Congress may or may not even be told about. But we have been warned. We have been warned by Mr. Barr’s testimony.

I also would like to note that I have concerns about Mr. Barr that relate to classified matters, and I am currently seeking declassification of those matters and I hope that this will be resolved prior to any votes on the nominee.

I see colleagues are waiting. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, yesterday the Senate Judiciary Committee began to hear witnesses on the nomination of Bill Barr to be the next Attorney General of the United States. We heard first, of course, from Mr. Barr himself all day yesterday and today from additional witnesses.

By any standard, Mr. Barr is an exceptionally qualified individual, in part because 27 years ago, he was Attorney General, nominated and confirmed unanimously—named by President George Herbert Walker Bush. Under his leadership at the time, the Department of Justice focused on some of the most important law enforcement challenges facing our country at that time. They included combating the drug epidemic, both of which continue to do great harm to communities across the country still today.

As significant as the work done under his leadership was, I was more impressed with the fact that after 27 years, he was willing to take on the task of becoming Attorney General once again. He said he was sort of semiretired. He and his wife were looking forward to spending more time with their children and grandchildren. But he answered the call to public service, and I am grateful that he did. He knows that our Nation needs a strong law-and-order Attorney General at the Department of Justice.

When he spoke at his confirmation hearing more than 2½ decades ago, he said:

The Attorney General must ensure that the administration of justice—the enforcement of the law—is above and away from politics. Nothing could be more destructive of our system of government, the rule of law, or the Department of Justice as an institution, than any toleration of political interference with the enforcement of the law.

He repeated that commitment yesterday, and I think the need for that sort of strong statement is more important today than ever.

I believe Mr. Barr will be a good Attorney General, assuming what is one of the most challenging positions in the Cabinet because you are a political appointee but you are also the chief law enforcement officer in the country. That sometimes can be difficult to navigate.

As the nominee noted, doing the job and doing it well sometimes requires being prepared to burn your political capital in order to preserve the rule of law. I believe this is the most fundamental quality of a good Attorney General, and having a leader at the helm of the Department of Justice with the right temperament and a fundamental understanding of this responsibility is critical now and forever.

In recent years, we witnessed the Attorney General carrying out actions that repeated times crossed it.

Under the Obama administration, the Department of Justice began to veer increasingly away from the impartial administration of law and toward politics. That shift undoubtedly occurred at the hands of President Obama’s Attorneys General who were in the driver’s seat during his administration, Eric Holder and Loretta Lynch.

Mr. Holder’s and Ms. Lynch’s conduct has come under a great deal of scrutiny—even now, after they have left—and for good reason.

For example, under then-Attorney General Holder, there was something called Operation Fast and Furious in which the Bureau of Alcohol, Tobacco, and Firearms and the Department of Justice purposefully allowed the illegal sale of firearms in Mexico in the hopes of being able to track them. Unfortunately, there were a number of casualties, including Brian Terry, who was killed with one of those firearms in 2010. Attorney General Holder never accepted responsibility
for Brian Terry’s death or ever admitted that allowing these guns to walk into Mexico, into the hands of some criminal organizations, was a terrible mistake.

Under his watch, the IRS targeting controversy in which politically aligned groups applying for tax-exempt status faced official oppression based upon their political affiliation.

Then, of course, more recently, let’s not forget then-Attorney General Loretta Lynch and the Clinton email scandal—something even former FBI Director James Comey, the FBI Director, objected to—along with her famous so-called tarmac meeting with former President Bill Clinton when his wife was under an active FBI investigation. The conduct of both Holder and Lynch undermined the public’s confidence in the impartial administration of justice and law at the Justice Department.

Under the leadership of my friend and our former colleague, Jeff Sessions, the Department of Justice has begun to right the ship and again separate politics from the impartial administration of the law, and I am confident that Mr. Barr will continue to do the same.

During his confirmation hearing, Mr. Barr reaffirmed that politicians should not interfere with criminal investigations, and he likewise committed not to interfere with the special counsel’s investigation. He assured us that his allegiance will be to the rule of law, to the Constitution, and to the American people, and that, above all else, he will work to protect the professionalism and integrity of the Department of Justice and the thousands of dedicated public servants who work there.

Not only is Mr. Barr exceptionally qualified for the job, he is prepared on day one to step in and lead with distinction.

The Senate unanimously confirmed his nomination to three different positions at the Department of Justice, and I hope we can work expeditiously to get this fine man to the Department of Justice once again.

I thank Mr. Barr and his entire family for agreeing to bring his talents and his temperament to the Department of Justice at a time when those qualities are so desperately needed, and I look forward to voting yes on his nomination.

REMEMBERING HERB KELLEHER

Mr. President, on another matter, I want to share a few words about the passing of one of the airline industry’s most unconventional and most successful executives. That would be Herb Kelleher, who co-founded Southwest Airlines.

Herb was born in 1931 in New Jersey, and his young life and early career kept him on the east coast. He graduated from Wesleyan University and New York University School of Law and served as a law clerk for 2 years at the New Jersey Supreme Court and then joined a law firm in Newark. But as fate intervened in this promising young lawyer’s career, he met his wife Joan, a native Texan, and they decided to move to the Lone Star State, something he later referred to as the greatest business decision he ever made.

Building America’s largest domestic airline carrier, and never on Herb’s to-do list. In the late 1960s, there was an attorney in San Antonio, when one day his client approached him with an idea about a low-fare airline serving three Texas cities. Tired of spending so much time in the car traveling between San Antonio and Dallas, he believed they could make point-to-point intrastate travel faster and much cheaper by flying, and also cheaper than other airlines.

Getting their innovative idea off the ground wasn’t easy. These men who founded Southwest Airlines struggled through years of legal battles before the airline operated its first flight. Their vision not only led to the creation of a budget airline but also drove down the prices of their competitors, as competition will do.

To maintain their edge, Southwest tried some interesting ideas along the way. After another airline ran an ad calling Southwest a cheap carrier, Herb Kelleher placed a commercial公益广告 where he wore a brown paper bag over his head and promised that the airline would gladly provide one to any customer too embarrassed to be seen flying on Southwest Airlines.

At original prices, America was able to compete with the low fares of other airlines. Southwest started a program to keep customers, and they said: You can either pay the lowest fare or pay full fare and get a full premium bottle of liquor in the process. Well, apparently it worked, and for a short time, I am told, Southwest was the largest liquor distributor in the State of Texas.

I think one of the most distinctly Herb Kelleher stories is of a battle called “Plane Smart.” In 1992, Southwest Airlines and another company realized their slogans—“Plane Smart” and “Just Plane Smart”—were similar. Rather than settling the matter in court, they settled it by holding a public arm wrestling match.

The 61-year-old, with the cigarette fixed between his teeth, gave his much younger competitor a run for his money, but he couldn’t pull off a win. At the end of the match, the two men made donations to each other’s chosen charities. They agreed to share the slogan and called it a day.

Each of these stories has Herb Kelleher written all over it. He was known for his gregarious personality, his incredible work ethic, and his penchant for the nontraditional, not to mention his affinity for Wild Turkey.

I first met Herb when I represented him in a lawsuit early in my legal career in San Antonio. He had a larger-than-life personality, and it was a pleasure to know him.

We can all learn a lesson from Herb about the importance of working hard, treating people with respect, and not being afraid to have a little bit of fun along the way. His entrepreneurial spirit was credited with democratizing the skies by disrupting the airline industry, and I believe he was one of the most consequential leaders in American history and we have all benefited from that.

So I join Herb’s wife Joan, his children, his grandchildren, his many friends, and, of course, his beloved Southwest Airlines family in mourning this loss of this larger-than-life figure.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

MENTHOL CIGARETTES

Mr. BURR. Mr. President, I also mourn Herb’s loss. It is odd that I would be here to protect his ability to have that cigarette in his mouth as he was negotiating.

I rise today to discuss the recent announcement by the Food and Drug Administration with respect to its ban on menthol cigarettes. This announcement, to say the least, is surprising.

In an administration claiming to decrease regulation on the American people, this announcement works completely counter to that goal—increasing regulation and decreasing the choices for adult consumers in America.

Making matters worse, the announcement comes from an Agency that was negotiating with a settlement with a tobacco company. This settlement was negotiating with a tobacco company. They trust them to make decisions based upon the most sound and reliable science available. Unfortunately, the FDA has not provided a sound scientific argument to move forward with the ban on one type of product that Americans consume understanding fully the risk.

On November 30, 2018, I raised this concern with the Food and Drug Administration. As a part of their announcement, the FDA claimed that their regulatory actions are based on information released by the Centers for Disease Control and Prevention, or CDC.

When I asked for the data supporting this menthol decision, I was informed that this data would be made available later this year. I also asked the FDA to explain to me whether the Agency has determined that menthol cigarettes make more children try smoking or whether these products make it more difficult for children to stop smoking.

I pause here because I am sure the President Officer is remembering that it is illegal for people under 18 to purchase tobacco products.

The FDA simply informed me that the information I requested would be part of a proposed rule available for stakeholder comment.

Now, I think you would agree that it is highly unusual for a science-based Agency to refuse to provide the data informing its regulatory decisions to a seated Member of the U.S. Congress. This should set off alarm bells. Any product regulated by the FDA might
Let me state that again. The CDC’s own data shows that there has been a 12-percent reduction in the percentage of children trying traditional cigarettes since 2011.

Now, this is good news. The use of cigarettes by children has also declined, decreasing 3 percent since 2011.

Even the FDA’s own data shows the decline in children’s use of traditional cigarettes.

Now, this chart I have basically shows that traditional cigarettes have fallen 12 percent since 2011, compared to the latest survey data of 2017. It is probably difficult for some to see, but the red arrow pointing down certainly indicates a decrease. The red arrow points to an increase. Now, up—that was alarming, and it is an area that we will talk about in a second.

But the solution here is simple. Data released by the CDC and the FDA provide a clear marker that the FDA’s focus should be where children’s use is increasing rather than in areas where we are already making significant progress.

I might pause and say that if a product is illegal for somebody under 18, I didn’t need a report to tell me that. I believe that it wasn’t already banned if it was illegal.

The FDA’s decision does not pass the commonsense test. It is time for the FDA to focus on the things where there is an increase for children. I give them examples: marijuana, opioids, fentanyl, meth. We have debated it on the floor of the Senate. While we are looking at one thing and the FDA has got us focused on it, look at how many children’s lives are devastated in this country—again, with illegal products.

One can only conclude by what we are doing, which is banning menthol, that we are emulating Canada. Several years ago they banned menthol, and last year they legalized marijuana. That may be the route we are on. I am not sure. Nothing surprises me anymore in Washington.

June of this year will mark the 10th anniversary of the Tobacco Control Act, and the FDA, in alignment, using the CDC’s highly regarded public health data to inform the FDA’s approach to regulate these products. The information it released on November 18, 2018, shows a steep increase in the use of all tobacco products. However, the FDA has not provided the data to show that traditional cigarettes have contributed to this increase from 2017 to 2018 in any way or that menthol played a part in this increase. If it had—I will take you back to the original chart—we would see a significant change in the trend line of menthol usage of youth.

I would bet my colleagues today that when you get to 2018, you will continue to see a decline in menthol. It begs the question of whether the leadership at FDA is making decisions with any regard for years of public health data, coming at the cost of choices for the American people.

This argument comes down to whether you believe Americans have a right to choose. As long as I am an elected official, I will advocate for adult consumers to have these products. I realize this is the floor of great debate, and I am not scared to have a debate on whether tobacco is a legal product. As long as it is a legal product, why would we encumber the consumer with choices? And, in fact, we see a trend line like this as it relates to youth?

So I say to the FDA and I say to my colleagues: Don’t hide behind our children and tell us that is the reason, because the data doesn’t support it. The data says that what we are doing in education, what we are doing as parents is convincing the next generation
that this is not a product they want to use. But when you ban menthol cigarettes, you take many adults who choose to purchase and to use a legal product with full understanding of the risk and tell them: No, we are going to eliminate the choice of this product.

That is wrong. It is wrong for Congress to do; it is wrong for a regulatory Agency to do; and it is a blemish on this administration to announce that they are reducing regulation when, in fact, they are going out and instituting some of the most onerous regulations on America’s consumers, the American people who choose.

I urge my colleagues to become educated on this. I will give them an opportunity on multiple occasions for the balance of this year to hear more about this industry.

I yield the floor.

The PRESIDING OFFICER (Mrs. Blackburn). The assistant Democratic leader.

GOVERNMENT FUNDING

Mr. DURBIN. Madam President, last Saturday was a historic day in Springfield, IL, my hometown. It was the biggest snowfall in one day in our city’s history. I spent that Saturday not shaking hands with my constituents, but shaking hands with my shovel, trying to shovel snow away. It was a historic day in Springfield but, sadly, it was a historic day for America too.

Saturday marked the longest shutdown of the U.S. government in American history. As of today, the shutdown has continued for 26 days. Day by day, the harmful effects of this government shutdown are getting worse. Alarming, the President seems not to really understand or appreciate the real-life impact this shutdown is having on many Americans.

In all, more than 8,000 Federal workers in my home State of Illinois are going without a paycheck during this shutdown—8,000 people who are concerned about paying their bills, who are working families are. These are hard-working Americans.

I want to show you a photo of one of them. He happens to be a friend of mine. His name is Toby Hauck. This is Toby here. Toby is a veteran of the U.S. Air Force. His job in Aurora, IL, is to make sure that my plane, when it arrives at O’Hare, lands safely. Toby Hauck is an air traffic controller. Air traffic controllers have some of the most important and most stressful Federal jobs in America, and this shutdown is a kick in the gut to Toby Hauck and all of these air traffic controllers.

Many air traffic controllers, like Toby, are already working 6 days a week. I am not happy to report that. Pushing them to the limits of physical exhaustion isn’t in the best interest of safety when it comes to our aircraft, but because of staffing shortages, that is what they are faced with, working 6 days a week. The shutdown is making staff shortages in the air traffic control facilities across the United States even worse.

The shutdown has closed down the FAA academy where new air traffic controllers are trained and has stopped training in each facility to implement new procedures and new equipment.

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might have been a great response several hundred years ago to build a wall—not so much today. There are better ways to make America safe, other than building a wall. Yet the President said: It is my wall or a shutdown.

If we have a debate about border security, I want to be a part of it, but we shouldn't do it while holding the Government of the United States hostage. Every day of the government shutdown is another day that President Trump is harming American security by preventing hundreds of thousands of Americans from getting their paycheck and millions more from getting access to vital Federal services.

We should reopen this government and we ought to do it this afternoon and we can. One phone call from the President to Senator Mitch McConnell, Republican leader of the Senate, is all it takes. Nancy Pelosi, the new Speaker of the House, has already passed bills to open the government. She did it last week. She sent them over here. They are sitting at the desk up here. We are not touching them because Senator McConnell said: I am not going to solve this problem until the President gives me permission. A little reminder to my colleague Senator McConnell, under the Constitution, we are a separate branch of government. We don't wait for a permission slip from the President of the United States to do the job we were elected to do.

Today we had a vote earlier, and I looked at the other side of the aisle and talked to a number of my Republican colleagues. I wasn't a bit surprised to find so many of them fed up with this government shutdown. They want it to end today, and so do I. Then we can sit down and negotiate border security and do it the right way, not with a gun at our head—I should say, a gun at their head. 800,000 Federal employees. Let's reopen the government and then continue to negotiate. House Democrats have given us the bills we need to do that. Now it is up to Senator McConnell. Will he come forward through that door onto the floor, call the President to Senator Mitch McConnell. Will he come forward and then continue to negotiate. House Democrats have given us the bills we need to do that. Now it is up to Senator McConnell. Will he come forward through that door onto the floor, call the President to Senator McConnell. Will he come forward and then continue to negotiate. House Democrats have given us the bills we need to do that. Now it is up to Senator McConnell. Will he come forward through that door onto the floor, call the President to Senator McConnell. Will he come forward and then continue to negotiate. House Democrats have given us the bills we need to do that. Now it is up to Senator McConnell. Will he come forward through that door onto the floor, call the President to Senator McConnell. Will he come forward

As chairman of the Strategic Forces Subcommittee, I understand I carry the solemn responsibility to make sure the nuclear forces that have deterred conflict, safeguarded our livelihoods, and preserved our National security for decades continues to protect the next generation of Americans. While U.S. Strategic Command is located in Sarcy County, NE, it is a national asset with a global mission—over 300,000 soldiers, sailors, airmen, marines, civilians are working every day around the world in support of the command’s mission.

During this Congress, I am looking forward to working with my colleagues on both sides of the aisle on this key priority and continuing our work in providing for a strong national defense. Thank you.
I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

GOVERNMENT FUNDING

Mrs. MURRAY. Madam President, we are 26 days into President Trump's completely unnecessary government shutdown—26 days of pain and uncertainty; 26 days of missed paychecks and missed bills—26 days, the longest in our country's history.

I have heard from so many constituents in my home State of Washington who have been impacted by this shutdown. These are heart-wrenching stories of workers who do not know how much longer they can make it without a paycheck. Members of our U.S. Coast Guard—the very men and women who stand ready 24/7 to make harrowing rescues and keep our country safe—didn't get paid yesterday. They did not get paid yesterday, marking the first time ever that servicemembers have not been paid because of a shutdown.

There are small business owners who don't know when their SBA loans will come through; people who are dedicated to our national parks—our national treasures—who are in despair as they hear about trash piling up and improper amputations being done; people waiting in lines at airports; people worried about food inspections; worried about losing their homes or their cars or their jobs. Entire families, entire communities are impacted, uncertain, and scared.

In my home State of Washington and in every State in this country, I have come to the floor time and again to share these stories, along with many of my Democratic colleagues. We have called on Republican leaders to stand with us, stand with their constituents, and schedule a vote to end the shutdown. All it would take is a vote. We know it would pass, and we can move it through the House and send it to the President.

What have Republican leaders done, instead of scheduling a vote to help workers and families and small business owners and our economy; what have they done, instead of standing with their constituents to reopen this government and end this madness? Well, they have done what they have always done when they don't know what else to do. They scheduled a vote to attack women and their healthcare. I am not sure I believe it when they don't know when their SBA loans will come through...
I am going to do something that is a little unusual because I am going to read some Scriptures to you. It is not totally unprecedented in this body. In fact, I have done it many, many times.

The distinguished Senator from West Virginia does it quite often. I was talking about Bob Byrd. We remember Bob Byrd. He is deceased now, but this was 1997, and he read Scriptures every day on the floor of this Senate.

So I would like to read a couple of Scriptures, just for those who care. Anyone who does not, just don’t listen.

First of all, I have used this a number of times. Jeremiah 1:35 says: “Before I formed you in the womb I knew you; Before you were born I sanctified you.” The 189th Psalm, no matter which interpretation you use, makes it very clear when life begins. Life begins at conception.

Then I was, not too long ago, at the U.S. Holocaust Memorial Museum. I had been to the museum in Jerusalem, and I found the same thing was printed on the last brick as you are going through. This is Deuteronomy 30:19. It said: “I call heaven and earth as witnesses today against you, that I have set before you life and death, blessing and cursing; therefore choose life, that both you and your descendants may live.”

Last, I am also concerned that something that is as dramatic and as significant as this issue is going to go unnoticed; there are already out there who are not really into this issue, and they might want to vote the party line or they might want to say, well, maybe there aren’t as many of these procedures out there, so they just really are not knowledgeable on the subject. So I will read Proverbs 24:11–12:

Rescue those who are unjustly sentenced to death; don’t stand back and let them die. Don’t hide from responsibility by saying you didn’t know about it. For God, who knows all hearts, knows yours, and He knows you knew.

That is pretty specific.

Mr. President, I was listening to the Senator from Massachusetts who said it does not do any good if we pass this because the President is going to veto it anyway.

That was actually in 1997. The President, if you remember, at that time, I advised the chairman, was Bill Clinton.

But I suggest to you that the President may not veto it, and if he does veto it, maybe some people will come over who were not here a year ago on this side of the aisle.

See this was 1997. It was pretty close back then. It could have gone either way.

One individual at the time was Ron Fitzsimmons, who just last year insisted that the number of partial birth abortions were a relative handful now admitted, “I lied through my teeth.” He was lying. So if the President is predating his decision to veto this ban on the basis of what was told to him by Ron Fitzsimmons, there is every reason to believe he could turn around on the issue. I suggest also that we are talking now not just about a procedure but a culture.

I have a very good friend by the name of Charles Colson. He is a person I know—Chuck Colson. He is the guy who started the Campus Crusade for Christ. He gave these remarks upon winning the prestigious Templeton Prize for a contribution to religion. Listen very carefully. He puts it all together, not isolating one procedure or one issue. He said:

Courts [like to] strike down even perfunctory prayers, and we are surprised that schools, bristling with barbed wire, look more like prisons than prisons do. Universities reject the very idea of truth, and we are shocked when their best and their brightest loot and betray.

Celebrities mock the traditional family, even revile it as a form of slavery, and we are appalled at the tragedy of broken homes and millions of unwed mothers. The media celebrates a class without responsibility, and we are horrified by plagues. Our lawmakers justify the taking of innocent lives in sterile clinics, and we are terrorized by the disregard for life on the streets.

I think that puts into context what we are now approaching—that it is not just a normal type of abortion.

I have a great deal of respect for one of the most intellectual Members of this body. Keep in mind that this is 1997. He is a very good man. He is from New York. Not many people know that he actually lived in his early years as my neighbor in Tulsa, OK. Again, at that time, nobody knew it until I mentioned it.

He was a self-proclaimed pro-choice Senator. He said: “And now we have testimony that it is not just too close to infanticide; it is infanticide, and one would be too many.”

That is Patrick Moynihan. He is thought of and respected as one of the great liberal scholars of this body.

This is where we get the numbers game. I heard it said on the floor many times that we are talking about maybe 1 percent or that maybe talking about those who are in the ninth month may be an infinitesimal number, but in fact, one is too many. It was said on the floor that we may be only talking about 200 lives being taken during the normal delivery process. That is when a baby is given a natural birth and, yet, they take the life by using this barbaric procedure. We have all kinds of documentation that it is being done in the ninth month and during the normal birth process. They say only 200—or only 100 lives.

I agree with Patrick Moynihan. I am totally in a different philosophy than he is, but one is too many.

I am from Oklahoma, and some of you remember that we lost 168 lives in the Murrah Federal Office Building bombing. We had a domestic terrorist attack in American history. Did anybody say that is only 168 lives that were lost in Oklahoma City? No, the entire Nation came with compassion and mourned with us.

One life—I agree with Senator Moynihan—is too many.

One other issue that has not been discussed in this debate this year—keep in mind that is 1997—is that of pain. Rather than go into it—I do not think anyone refutes the fact that a small baby, if that baby is certainly past the second trimester, feels pain every bit as much as anybody who is in here, as any Member of the U.S. Senate would feel pain.

There was a study conducted in London, and I have the results here, but I think everyone understands that this is something that is very real—that these babies do feel pain.

My junior Senator gave an excellent speech on the floor, and he talked about all of these issues in a different way, but he is doing it currently, and we are talking about now quite a number of years ago.

I have a picture of a good friend of mine with me. His name is Jase—James Edward Rapert.

Back when people our age were having babies—I am talking about myself now. Kay and I have been married 59 years, and we have 20 grandchildren. We know a little bit about this. Back at that time when they were having babies, they wouldn’t even let you in the hospital, let alone the delivery room.

When my daughter Molly called up and said, “Daddy, would you come over? There is a guy here; could you come over?” I went over to the hospital, and she said: Would you like to come into the delivery room?

I said: Yes, I would.

I saw for the first time what many of you in this room have seen and many of the women have experienced firsthand. I was there when this little guy was born. It is hard to describe to some of the men here who have not been through that experience of seeing this wonderful life begin. If I can remember when, in that room where the delivery took place, it occurred to me that when baby Jase, my grandson, was born, that is the moment when they could have used this procedure inflicting all of the pain you have heard described so many times: going into the cranium with the scissors, opening the skull, and the skull collapses.

That is pain, and there are individuals who want to keep a procedure like this legal. If you did that to a dog, they would picket in front of your office. Somehow, we have developed a culture that puts a greater value on the lives of critters than human life. I watched that baby Jase being born. I suggest to those of you who are concerned about choice that this is really the choice. It is either that choice or this choice, and these choices we are facing today.

This is something on which I agree with the Senator from Pennsylvania. I was talking at that time about Rick Santorum.

We should not be having to talk about it. To think that 100 years from
now they may look back and talk about that barbaric society that killed their own young, and here we are just trying to save a few lives from a very painful death. Nonetheless, that is the issue we are faced with today.

I gave in 1996 and again in 1998 and year after year until we won the battle and finally ended the practice of partial-birth abortion in 2003—a ban that was upheld by the Supreme Court in 2007. There is still much more that needs to be done to end abortion on demand.

President Trump gets this. He was the first sitting President to speak at March for Life, and his administration has made real progress to advance the pro-life agenda. He has reinstated the Mexico City policy. We remember what that was. It was the one that bans taxpayer money from funding abortions abroad and directed the Justice Department to formally investigate Planned Parenthood.

President Trump also directed the Department of Health and Human Services to expand religious and conscience exemptions to protect individuals' religious liberty.

I am working in Congress to end the practice of taking lives. President Trump has dedicated the United States to curbing the worst injustices through tubing that is plugged to life.

This week I have joined my colleagues in introducing five common-sense bills that prevent you from eating or drinking—simple enough. I am pleased that Majority Leader McConnell has set up a procedural vote for this bill today.

There is the Life at Conception Act, which Senator Paul has, which would recognize that life begins at conception.

The Title X Abortion Provider Prohibition Act, led by Senator Blackburn—one of our brand-new freshman Senators—would prohibit title X family planning funds. Those are taxpayer funds now being used to subsidize abortions.

You might be wondering how that is different from the one just talked about. Here is how: Every year, Planned Parenthood receives nearly $60 million from the American taxpayer through title X family planning programs. The program is intended to assist low-income women with family planning services. Unfortunately, this money is being used to subsidize massive organizations that engage in abortion activities, such as Planned Parenthood, and we need to stop that.

The Protecting Women's Health Care Act, led by Senator Ernst, would prohibit all Federal funding of Planned Parenthood.

I also cosponsored the Child Interstate Abortion Notification Act, led by Senator Ruscho, which would prohibit individuals from taking minors across State lines where they have lax laws just to have an abortion, stopping their States from having the jurisdiction.

Finally, and perhaps most importantly, I am cosponsoring Senator Graham's Pain-Capable Unborn Child Protection Act, which would prohibit abortions from being performed on unborn babies after 20 weeks, when we know that pain can exist. Only five countries allow abortions after 20 weeks, including the United States and North Korea, and that is unacceptable.

I wish to acknowledge a very important day. Religious Freedom Day is today. It is clear that our Founding Fathers recognized and enshrined the importance of religious liberty—one of our most precious and foundational religious freedoms, which allowed them to live their lives according to the teachings of the Bible.

I have long been a strong advocate of the basic human right to freely worship, and I am glad we can take a moment today to recognize that.

Anyway, all from speeches from 1992 and 1997—as true today as it was then. We are ready to start saving lives instead of taking the most vulnerable little lives, and we are ready now.

With that, I yield the floor.

The Presiding Officer. The Senator from Oregon.

Mr. WYDEN. Mr. President, a few minutes ago, I got off the phone with Jasmine Tool, who is an Oregonian living with an inoperable brain tumor. As the shutdown lingers on, I want to share her story because she has been bearing the unthinkable consequences of her illness.

I am going to start today by asking: How can a country as rich and good as the United States of America let Jasmine Tool suffer this way?

She is a 34-year-old mother of two young children. She lives in Lake County, a rural community in south central Oregon. She is a public servant, an employee of the U.S. Fish and Wildlife Service. She has been living with an inoperable brain tumor. The cancer has caused related debilitating conditions. She is in and out of hospital emergency rooms. Her digestive system is impaired. The medical care provided by a home health worker, she takes in liquids and nutritional infusions through tubing that is plugged into her abdomen.

Because she lives in a rural area, her treatment can require long-distance travel. That is hard to deal with when you are suffering from the flu. Just imagine how hard it is with a brain tumor, a broken digestive tract, and feeding tubes attached to your body that prevent you from eating or drinking normally.

She is confronting this health challenge with remarkable bravery, and I don't believe there is a single Member of the U.S. Senate who would wish Jasmine's struggle on their very worst enemy.

Then comes the government shutdown.

Jasmine was due to travel to Nevada this month for treatment related to her tumor, but last week, as she was prepared to go, she was informed that her health insurance had lapsed. Initially, she thought she would be all right with insurance—kind of a recent hiccup or recent problem, something that could be corrected quickly.

This week, she learned that it lapsed in October—October, months ago—and her insurance company told her that only her employer could fix it.

Jasmine’s employer is shut down. Nobody is answering the phones. Right now, Jasmine Tool is suffering—this mother of two—and is unable to determine what caused the lapse in her coverage or what can be done to get it fixed.

The most immediate threat is this: Jasmine was told that her home health assistant cannot continue to help her if she doesn’t have insurance. That means that within days this 30-year-old mom will not be able to get the infusions she needs to stay alive.

Now, if that isn’t enough, Jasmine has been failed by the government on multiple occasions. Shortly after she went on medical leave in early 2017, she began the process of applying for disability—disability retirement. She worked with the appropriate human resources official to prepare the paperwork to send to the Office of Personnel Management. She thought, as anybody would, that the process was underway and she would hear back soon about the results of her application.

She just learned last night that the official who prepared the documents retired without sending them in. For a year and a half, while Jasmine fought cancer and was just hoping to get some positive news, her disability retirement application sat in an unused office—just sat there collecting dust.

She had to travel to that office against her doctor’s orders to finalize the paperwork once more and prevent a loss of benefits. But the Office of Personnel Management—that is shut down too. Jasmine hasn’t been able to learn where her benefits stand.

It is too cruel already that thousands and thousands of American workers are going without paychecks. This shutdown is making victims of those who do public service. But consider what it is doing to this young mother of two, a woman who is currently fighting for her life right now.

None of this shutdown, she can’t figure out how to restore her health insurance. She can’t get the status of her disability application. She could be cut off—I just talked to her—from her nutritional supplements in a matter of days. That means Jasmine could starve. That is what she just told me.

So I have been talking to people who have suffered from health challenges
No matter how difficult the problem, we should never resort to shutting down government. It harms too many innocent Federal employees—including many American firefighters. In this case, $800,000 Federal employees and their families—and it hampers the ability of American citizens to deal with their everyday problems.

At the same time, we do have a problem at our southern border. We do need to strengthen our border security and fix our broken immigration system. We need to address the issue of the Dreamers population, those young children who could have their lives destroyed. We need to decide now which of their own who are now, often, young adults and who are going to school or working or otherwise serving in the military or contributing to our country.

The pathway out of this shutdown is clear. The House passed this legislation. The Senate has no plan to end this shutdown.

Let me state unequivocally, we must end now.

Our country is going to spend $3.5 trillion on healthcare—$3.5 trillion on healthcare—this year. It is not a lack of money that is causing this nightmare. What if you were to receive a call from Maine. Jasmine Tool from rural Oregon. Will you answer? How would your answer be different? Things would be very different for Jasmine. There would be somebody on the other end of the phone line to tell Jasmine what happened to her insurance, and because of the professionalism of those in those positions, I think they could tell her how to renew that insurance. There would be somebody to tell her what is happening with her disability application. Jasmine could bring back her home slide and get the infusions she needs to survive.

So I am asking the Senate, how can this be allowed to continue? How can this be allowed to continue? The Senate passed a bipartisan government funding bill just last month in the previous Congress. I see Senator Collins. She has a longstanding interest in these healthcare issues. Senator Sass, also, I know from our conversations, has a heart for people.

The House passed this legislation. The pathway out of this shutdown is right in front of us if the majority leader would decide when to bring up the legislation again, and we could do it tonight. Jasmine Tool could get the lifesaving healthcare that she needs, based on our conversation, by week’s end, so she will not starve.

Otherwise, unless the majority leader calls it up, it seems to me the White House is taking the long way out and to end this shutdown. So I just think it has to end right here—right here in the U.S. Senate, where all of us say: This cannot go on any longer.

I just spoke to a young mom in rural Oregon who is in a fight for her life, a fight for her survival.

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I just spoke to a young mom in rural Oregon who is in a fight for her life, a fight for her survival.

Colleagues who are here, I am sure Jasmine Tool is not the only such case in America. Jasmine Tool—my guess is, they are plenty of others in communities across the country. Jasmine Tool was the luxury of time. I am going to go back to my office. My staff here, my staff folks in Oregon—we are just going to be pulling out all the stops now because it really is a matter of hours to get Jasmine the help she needs. We do it recognizing that there is only one immediate solution: The shutdown must end, and it must end now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine, such a shameful way?

Ms. COLLINS. Mr. President, government shutdowns are never the answer. No matter how difficult the problem, other equally necessary expenditures or they find themselves going deeply in debt.

The Affordable Care Act increased the income threshold for taxpayers to deduct their medical expenses from 7.5 percent to 10 percent of income at the end of 2017. Opposed that provision of the ACA. For individuals under 65, the increase went into effect in 2013, but for those over 65, individuals would have been exposed to this higher threshold for the first time in 2017. Fortunately, in 2018, they were able to receive a two-year phase-in over age 65.

When the ACA increase was phased in, many individuals struggling with serious health conditions saw their financial health worsen. For example, a 2018 study estimates that parents, including many with limited means, already provide nearly $36 billion annually in uncompensated medical care at home to children with special healthcare needs, such as muscular dystrophy and cystic fibrosis. A 2016 study of cancer survivors showed that one-third go into debt, and of those, more than half incurred more than $10,000 in unreimbursed expenses.

For seniors with significant long-term care needs, this helps with the cost of home health or personal care services or, when needed, the cost of a long-term care facility, such as a nursing home. The deduction can also be used for other expenses that Medicare generally does not cover, including dental treatment, vision care, and certain transportation costs.

Some seniors find that their savings become rapidly depleted. They may spend down their financial resources in order to receive the services and support they require through the Medicaid Program. According to Genworth’s 2018 Cost of Care Survey, home health aide services can cost $50,000 annually, while a private room at a nursing home can cost nearly $100,000. By retaining a lower threshold for the medical expense tax deduction, some families would be able to continue to pay these essential costs themselves.

Some erroneously believe that this deduction only benefits the wealthy. Some erroneously believe that this deduction only benefits the wealthy. When, in fact, it is mainly lower and middle-income Americans who have been hurt. According to AARP, nearly 70 percent of taxpayers taking the deduction in 2014 reported incomes of $75,000 or less, and nearly half reported incomes of $50,000 or less. In Maine, according to AARP, almost 96,000 of our middle-income claimants claimed in 2014, and nearly 19,000 of these individuals reported an income of $50,000 or less.
That is why, during the tax reform debate in 2017, I introduced a successful amendment that rolled back the income threshold to 7.5 percent for taxpayers to deduct their medical expenses in 2017 and 2018. My amendment expanded upon the efforts of Senators ROB PORTMAN and SHERROD BROWN, who had worked to prevent this increase from going into effect for individuals over 65. As I said, my amendment was incorporated into the new tax law, and thus, for 2017 and for 2018, the threshold for deducting out-of-pocket medical costs was 7.5 percent of income. But at the end of last year, that expired.

The AARP and 44 other consumer groups have strongly endorsed the effort undertaken by Senator CANTWELL and me, stating that “it provides important tax relief which helps offset the costs of acute and chronic medical conditions for older Americans, children, pregnant women, disabled individuals and others as well as the costs associated with long-term care and assisted living.”

This is a step we can take to reinstate an expired tax deduction that will make a real difference to people who are struggling with high out-of-pocket medical costs.

I urge my colleagues to support our legislation that will help our families cope with high medical costs by making sure that this important deduction remains available for future, tax yearsal. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from AARP dated January 15, 2019, endorsing the Collins-Cantwell legislation.

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

AARP.

WASHINGTON, January 15, 2019.

Ms. COLLINS, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

EXPRESSING THE SENSE OF THE SENATE THAT DISQUALIFYING A NOMINEE TO FEDERAL OFFICE ON THE BASIS OF MEMBERSHIP IN THE KNIGHTS OF COLUMBUS VIOLATES THE CONSTITUTION OF THE UNITED STATES

Mr. SASSE. Mr. President, I rise today to offer a very basic resolution. I want Senators to unanimously reaffirm our oath of office to a Constitution that explicitly rejects religious bigotry.

It is useful to regularly remind ourselves that Americans are First Amendment people. Each of the five freedoms in the First Amendment—speech, press, religion, assembly, and protest—defines who we are. In America, we talk, we read, we argue, and we march and worship without fear. Because of this fundamental celebration of human dignity and human freedom, America is big enough to welcome a whole bunch of meaty and messy fights on everything from whom you vote for to whom you call God.

Just as the First Amendment prohibits the government from dictating anyone’s religious beliefs, so, too, the Constitution explicitly rejects religious tests for Federal office. Our Constitution implicitly rejects religious tests for Federal office. This isn’t a Republican belief; this isn’t a Democratic belief; this is an American belief. But, tragically, over the last couple of years, some strange things have been happening in this body, and we seem to be forgetting those basic 101 American civics truths.

I want to tell you a story. Brian Buescher from my State was recently nominated by the President to be a Federal judge for the District of Nebraska. This is an honor for him and his family, a celebration of his brain, work ethic, and his integrity. By the way, Brian is also Catholic and an active member of the Knights of Columbus.

The Knights of Columbus, for those of you who don’t know, is the largest Catholic fraternal service organization in the world. The Knights’ 1.6 million members of the organization raise millions of dollars for charity every year, and they contribute millions of hours of volunteer service.

Like a lot of guys back in Nebraska, Brian joined the Knights of Columbus to give back and to also be involved in a bunch of fish fries. This is not the stuff of headlines, but it is the stuff of basic neighborliness.

This is where the story gets weird because at Brian’s confirmation hearing before the Senate Judiciary Committee a few weeks ago, one of my colleagues on the Judiciary Committee called the Knights of Columbus an “extremist organization.” Huh? It got worse. Brian then got a letter from a Member of this body asking him if he would resign his membership in the Knights of Columbus if he were confirmed to the Federal bench to “avoid the appearance of bias.”

This is nuts. We are talking about the largest Catholic fraternal organization in the world. The Knights are an extremist organization and a nominee for the Federal bench being asked to resign from this organization so that he can serve without the appearance of bias. The clear implication here was that Brian’s religious beliefs and his religious affiliations—in this case, an affiliation with a Catholic organization that invests countless hours and millions of dollars annually serving special needs kids—Brian was supposedly therefore potentially unqualified for Federal service. This is the same kind of garbage that was thrown at a Member of this body, John F. Kennedy, 60 years ago when he was campaigning for the Presidency.

So today I have introduced a resolution—a 101-level, basic resolution—that simply reaffirms the belief of this body in American religious liberty. The resolution simply says that it is the sense of the Senate that disqualifying a nominee for the Federal bench on the basis of his Catholic beliefs or membership in the Knights of Columbus violates the no religious test clause of the Constitution. It seems obvious on its face.

In this resolution, we are simply reaffirming with President Kennedy and with countless other Americans across 230 years—Protestant, Catholic, Jew, Muslim, Hindu, Buddhist, Agnostic, Atheist and others—we are simply reaffirming the idea that America is big enough to welcome everyone.

Stated differently, we are saying that we believe the U.S. Government is not in the business of trying to resolve debates about...
Heaven and Hell; rather, the business of the U.S. Government is to preserve peace and order so that you and your neighbors can precisely wrestle about things such as Heaven and Hell or sports loyalties or dietary preferences. America's challenge is to maintain a principled pluralism and honesty, serious debate.

This resolution ought to have the support of every single Member of this body. After all, each of us took an oath to defend this very idea when we first came here. This is what America is actually about.

The text of the resolution before us states:

Expressing the sense of the Senate that disqualifying a nominee to Federal office on the basis of membership in the Knights of Columbus violates the Constitution of the United States.

Whereas, throughout the history of the United States, the religious liberty protected by both the First Amendment and the No Religious Test Clause of the Constitution of the United States has been at the heart of the American experiment;

Whereas, in 1960, the presidential candidacy of John F. Kennedy was met with significant anti-Catholic bigotry;

Whereas, then-Senator Kennedy responded to the bigotry with these timeless words: "For while this year it may be a Catholic against a Protestant, in a few years it may be a Jew or a Quaker or a Unitarian or a Baptist. . . . Today I may be the victim, but tomorrow it may be you, until the whole fabric of our harmonious society is ripped at a time of great national peril;"

Whereas the Knights of Columbus (in this preamble referred to as the "Knights") constitute the largest Catholic fraternal service organization in the world;

Whereas the Knights have a proud tradition of standing against the forces of prejudice and oppression, such as the Ku Klux Klan and Nazi Germany;

Whereas the Knights are founded on the principles of charity, unity, fraternity, and patriotism; and

Whereas, in 2017, the Knights made more than $185,000,000 in charitable contributions and volunteered more than 75,600,000 service hours, thereof!

Resolved, That it is the sense of the Senate that disqualifying a nominee to Federal office on the basis of membership in the Knights of Columbus violates the First Amendment clause of article VI of the Constitution of the United States, which establishes that Senators "shall be bound by Oath or Affirmation, to support the[e] Constitution" and "no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States."

Period. Full stop.

If a Senator has a problem with this resolution, they are probably in the wrong line of work because this is what America is. This is a super basic point. No religious tests. If someone has a problem with this resolution, what other parts of the Constitution are they against? Freedom of the press? Women's right to vote? Freedom of speech?

This isn't hard. There are no religious tests for serving on the Federal bench. We in this body should rebuke these anti-Catholic attacks.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 19, submitted earlier today.

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

The roll clerk read as follows:

A resolution (S. Res. 19) expressing the sense of the Senate that disqualifying a nominee to Federal office on the basis of membership in the Knights of Columbus violates the Constitution of the United States. There being no objection, the Senate proceeded to consider the resolution.

Mr. SASSSE. I seek unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 19) was agreed to.

The preamble was agreed to.

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

Mr. SASSSE. I thank the Members of this body for reaffirming basic constitutional 101 stuff today. I will report back to Brian Buescher, the nominee for the Federal Bench for the District of Nebraska, that he can ignore those questions he received about whether he would resign his membership in the Knights of Columbus before this body proceeds to vote on his confirmation.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

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

The PRESIDING OFFICER. The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions."

Mr. SASSSE. I thank the Members of this body for reaffirming basic constitutional 101 stuff today. I will report back to Brian Buescher, the nominee for the Federal Bench for the District of Nebraska, that he can ignore those questions he received about whether he would resign his membership in the Knights of Columbus before this body proceeds to vote on his confirmation.

The PRESIDING OFFICER. The majority leader.

REMEMBERING TOM WEISNER

Mr. DURBIN. Mr. President, Aurora, IL, is blessed with a long history of visionary leadership. The first public school district in my State was founded in Aurora in 1851. Aurora was a center of abolitionist activism before the Civil War.

In 1881, Aurora, of Chicago's northwest suburbs, became one of the first cities in America to line its streets with electric lights, and people began to call it a City of Lights—Paris on the Plains.

Sadly, last month, 2 days after Christmas, one of Aurora's brightest lights was extinguished. Former Aurora mayor Tom Weisner died after a long, brave, and public struggle with cancer. He was 69 years old.

Tom Weisner spent his earliest years in nearby Batavia, IL. He came to Aurora in the 1960s to attend Marmion Military Academy. It was during his time at Marmion that Tom met his future wife, Marilyn Hogan, who was then a student at Marmion's "sister school," Aurora Madonna High School.

What a great pair. As a young couple in the 1980s, Tom and Marilyn served together in the Peace Corps, helping rainforest dwellers in the highlands of Guadalcanal in the Solomon Islands. They were married for 46 years.

Tom Weisner completed his Federal service in 1986. Tom and Marilyn returned to Aurora, and Tom was hired by the city's then-mayor, David Pierce, to be Aurora's director of emergency services. Over the next 18 years, he headed a number of city agencies, including the departments of police, fire, public safety, environmental services, and community services and organizational development.

"It was in his three terms as Aurora's mayor, from 2005 to 2016, that Tom Weisner left his greatest mark. His keen understanding of organizational efficiency, his commitment to public service, and his passion for children, for a vibrant, sustainable economy, for the arts and environment, and many other concerns he helped to make Aurora a better place to live, own a business, and raise a family.

There is one statistic that says a lot about the kind of leader Tom Weisner was: In his 11 years as mayor, Aurora created 11 bridges. At a time when government at all levels is struggling and often failing to maintain basic public infrastructure, Aurora repaired 11 bridges in 11 years. The strengthened bridges helped spur a rebirth of Aurora's downtown.

The Fox River is one of Aurora's greatest economic and cultural assets. Mayor Weisner authorized the city's first long-term plan for the river. He oversaw the removal of a dam on the Fox River, which opened up space for bike paths and new commercial ventures, and he helped organize a regional coalition of communities to improve the southern portion of the Fox River.

Tom Weisner championed new conservation and sustainability policies that made Aurora a greener city. At the same time, he supported changes that made it easier and faster to obtain city building and other permits.

He oversaw the construction of a new police headquarters, with new tools and more resources, and crime in Aurora decreased.

Children were a special concern of Mayor Weisner. Under his leadership, Aurora created a new program called SPARK to help children from birth to age 5 prepare for kindergarten. SPARK stands for "Strong, Prepared, and Ready for Kindergarten." It is a collaboration involving Aurora's public schools and public library, the local United Way, and other groups. Nearly 5,500 children and their families have benefited from its services.

Next year, a new Paramount School of Performing Arts will open and offer young people a chance to study under some of the best teaching artists and professionals in the country. Tom helped raise money to make this happen.
The DuPage Mayors and Managers Conference honored Tom in 2015 as its Governmental Leader of the Year. The American Public Works Association awarded him its Exemplary Service Award in 2017, the year after Tom retired.

Tom Weisner’s public achievements are even more remarkable, given the private pain that he and Marilyn endured during his years as mayor. In 2006, they lost the younger of their two sons, Thaddeus, to complications of cerebral palsy. The following year, Tom was first diagnosed with colon cancer. He continued to serve the people of Aurora through two surgeries and long bouts of treatment. When his cancer became public, he used his own health challenges as a public service reminder, urging people to get colonoscopies and early treatment.

In 2013, Aurora welcomed RiverEdge Park, a tremendous new waterfront open space and concert venue. Years earlier, Mayor Weisner had threatened to derail the project, Mayor Weisner helped ensure that it continued. In 2016, the Aurora city council voted unanimously to rename the park in Tom Weisner’s honor. It is a fitting tribute to a leader who loved more than enjoying music in his city’s parks, dressed in a brightly printed Tommy Bahama shirt and sandals.

Loretta and I offer our condolences to Tom’s wife Marilyn, their son Anthony, their two grandchildren, and to Tom’s many friends. He ran the race, he fought the good fight. Now he is gone, but the light he left will continue to shine for a long while.

TRIBUTE TO RON POWELL

Mr. DURBIN. Mr. President, I want to take a minute to thank Tommy Powell, who has worked for nearly 60 years to create a strong economy built on pride, progressive values, and shared prosperity for all Americans.

Ronald Powell is the legendary president of Local 881 of the United Food and Commercial Workers International Union. He is also a vice president on the UFCW International Union and a vice president of the Illinois State AFL-CIO. He is retiring this month after nearly 50 years as a proud union member and leader.

You may not be familiar with the initials UFCW, but you almost surely benefit from the good work of its members. The men and women of the UFCW include grocery store workers and bakery clerks, hospital and nursing home employees—even barbers and beauty shop employees.

When Ron Powell joined the United Retail Workers union, a forerunner to Local 881, in 1961, the union had fewer than 5,000 members. Fifty-eight years later, UFCW Local 881 represents more than 34,000 working men and women in Illinois, northwest Indiana, and parts of Missouri and Kentucky. The growth of Local 881 in an age when the labor movement is under relentless attack and many unions are losing members is a testament to Ron Powell’s leadership and his commitment to dignity and fairness for working people.

In addition, under Ron Powell’s leadership, Local 881 has raised hundreds of thousands of dollars for the Leukemia and Lymphoma Society, with the hope to find a cure. It has also raised funds for the Jackson Park Hospital in Chicago and for the Little City Foundation, which helps Chicago-area children with developmental disabilities.

Ron Powell believes in that same, proven plan for economic growth and justice. Working families in my State of Illinois and far beyond are better off because of his decades of service on their behalf. I am honored to join those families in honoring Ron Powell on his distinguished career, and as a former member of UFCW’s early unions, I wish him the very best as he begins the next chapter in his remarkable life.
hearing or executive session. In the case of an executive session, the text of any bill or joint resolution to be considered must be provided to the chairman for prompt electronic distribution to the members of the committee.

Rule 9.—The committee or a subcommittee shall require all witnesses heard before it to file with the committee a copy of their proposed testimony at least 24 hours before a hearing, unless the chairman and the ranking minority member determine that there is good cause to waive this requirement, and to provide oral presentation to brief summaries of their arguments. Testimony may be filed electronically. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize a print of the statute or the part or section of the bill or joint resolution to be considered, the committee report from the time the majority makes the proposed text of the committee report available to the minority.

Rule 17.—(a) The chairman of any subcommittee, or any member designated by the majority, may withdraw the measure from such subcommittee and report that fact to the committee for final consideration, the clerk of the committee shall, as far as practicable, utilize a print of the statute or the part or section of the bill or joint resolution to be considered, the committee report from the time the majority makes the proposed text of the committee report available to the minority.

(d) Any witness summoned to testify at a hearing may be accompanied by counsel of his own choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(e) No confidential testimony taken or material presented in an executive hearing, or any report of the proceedings, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee, or by the ranking minority member.

Rule 18.—Presidential nominees shall submit a statement of their background and financial interests relating to the nomination of the individual, which shall consist of a detailed summary of the purpose and impact of each section. If the committee determines that such information bears directly on the nomination of the individual, it shall be made public when the committee determines that such information bears directly on the nomination of the individual.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended or added at any time and in such manner as the committee determines that it is not relevant to the nature of the position. Information relating to background and financial interests (part II) shall not be required of nominees for less than a majority of the entire membership.

Committee action on a nomination, including hearings or meetings, to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chairman, with the concur-

RULES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO THE N nomee submits the form required by this

RULES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO THE NOMINATION OF THE INDIVIDUAL, WHICH SHALL CONSIST OF A DETAILED SUMMARY OF THE PURPOSE AND IMPACT OF EACH SECTION. IF THE COMMITTEE DETERMINES THAT SUCH INFORMATION BORES DIRECTLY ON THE NOMINATION OF THE INDIVIDUAL, IT SHALL BE MADE PUBLIC WHEN THE COMMITTEE DETERMINES THAT SUCH INFORMATION BORES DIRECTLY ON THE NOMINATION OF THE INDIVIDUAL.
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
RULES OF PROCEDURE

Mr. WICKER. Mr. President, the Committee on Commerce, Science, and Transportation has adopted rules governing its procedures for the 116th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Senate Committee on Commerce, Science, and Transportation be printed in the Record.

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

RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
116TH CONGRESS

RULE I—MEETINGS OF THE COMMITTEE

1. IN GENERAL.—The regular meeting dates of the Committee shall be the first and third Wednesdays of each month. Additional meetings may be called by the Chairman as the Chairman may deem necessary, or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. OPEN MEETINGS.—Meetings of the Committee, or any subcommittee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings of the Committee, or any subcommittee, on the same subject for a period of not more than four hours, may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee, or any subcommittee, to determine whether the matter to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of the national defense;

(E) will disclose information relating to the trade secrets of, or financial or commercial information pertaining specifically to, a government person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

3. STATEMENTS.—Each witness who is to appear before the Committee or any subcommittee, shall be given the opportunity to attend and participate in the taking of any deposition.

4. FIELD HEARINGS.—Field hearings of the full Committee, and any subcommittee thereof, shall be given the opportunity to attend and participate in the taking of any deposition.

5. COUNSEL.—Witnesses may be accompanied at a public or executive hearing, or the taking of a deposition, by counsel, to advise them of their rights. Counsel retained by or any witness shall be permitted to be present during the testimony of the witness at any public or executive hearing, or the taking of a deposition to advise the witness, while the witness is testifying, of the witness’s legal rights.

In the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association or by...
counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during testimony before the Committee by personal counsel not from the government, corporation, association or by personal counsel not representing other witnesses. This paragraph shall not be construed to excuse a witness from the duty of attending the event when the witness’s counsel is ejected for conducting himself or herself in such manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of a hearing or the taking of a deposition. This paragraph may not be construed as authorizing counsel to coach witnesses or to represent other witnesses. The failure of any witness to secure counsel shall not excuse the witness from complying with a subpoena.

3. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings and depositions. If testimony given by deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief counsel of the Committee, the chair of the subcommittee, or as a witness’s testimony, whether in public or executive session or in a deposition, shall be made available for inspection by the witness or the witness’s counsel under Committee supervision. A copy of any testimony given in public session, or that part of the testimony given by the witness in executive session of the Committee and subsequently quoted or made or part of the record in a public session, shall be provided to the witness at the witness’s expense if so requested. Upon inspection within a time limit set by the Clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors. The witness may also bring to the attention of the Committee errors of fact in the witness’s testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman or a member of the Committee staff designated by the Chairman shall rule on such requests. RULE VI—BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any subcommittee thereof, shall be televised or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

RULE VII—SUBCOMMITTEES

1. HEARINGS.—Any member of the Committee may sit with any subcommittee during its hearings.

2. CHANGE OF CHAIRMANSHIP.—Subcommittees shall be considered de novo whenever there is a change in the chairmanship, and seniority on the particular subcommittee shall not necessarily apply.
Happy New Year! Well, for most of us it should be—unless you are fighting to protect our courts. New year, same old tactic by conservatives, who are hoping to insulate narrow-minded judicial nominees from scrutiny by smearing people who ask critical questions about their records and rhetoric.

This dishonest “religious bigotry” strategy has been a long time coming. It is the organized effort to shift the federal judiciary to conservativism and reverse decades of precedent that protect Americans’ legal and constitutional rights. (In the past, for example, these groups have charged some Catholic senators with wanting to keep Catholics off the federal bench.)

The latest smear is being pushed by the notoriously right-wing editorial board of the Wall Street Journal, which has run an attack on Senator Kamala Harris and Mazie Hirono. The Journal’s editorial board is an overtly religious wino response to written questions submitted by Sens. Harris and Hirono to federal court nominee Buescher about his commitment to upholding legal equality for Americans of all races and religious beliefs and values on others in society by those who would seek to impose anti-discrimination laws the way people are protected from racial or ethnic discrimination.

That means judges, regardless of their religious or personal beliefs, must be counted on as a federal judge to fairly and impartially apply all United States Supreme Court and Eighth Circuit Court of Appeals precedent on all issues, including Roe v. Wade. Buescher has a long record as a purveyor of anti-LGBTQ Americans and American women’s legal right to abortion.

In their questions, the senators noted Buescher’s long-time membership in the Knights of Columbus, a Catholic fraternal organization that does much laudable charitable work but which was also a top funder of anti-marriage-equality efforts and supports restrictions on federal family-planning funds. Before the 2016 election, the group’s influence seemed to have declared that Catholics cannot vote for candidates who support abortion rights.

Given these facts, the senators asked Buescher whether he could assure litigants by him to deal with these issues fairly and impartially as a federal judge. (Buescher’s answer stated that while he had run for political office as a “pro-life candidate,” as a judge he would “faithfully apply all United States Supreme Court and Eighth Circuit Court of Appeals precedent on all issues, including Roe v. Wade” and Obergefell.)

The Journal’s editorial board responded to the senators’ reasonable line of questioning with an editorial that called the senators’ questions were “about silencing believers of any kind whose views differ from the progressive view on social issues.” It unhesitatingly suggested that opponents of Buescher’s confirmation would be voting to deny his chance to be a public servant based on his baptism in the Catholic Church.

These inflammatory charges are designed to create distraction. It is not only objectionable, but necessary for senators to explore whether a nominee for a powerful lifetime job as a federal judge will uphold every Americans’ rights. In the case of Buescher this is doubtful, given that as an unsuccessful candidate for attorney general of Nebraska, he has expressed doubt whether LGBT Americans should be protected by anti-discrimination laws the way people are protected from racial or ethnic discrimination.

It was at this time that he declared that he supported the “complete reversal” of Roe v. Wade. Buescher has a long record as a partisan ideological warrior, an additional reason cited by the Leadership Conference on Civil Rights in opposing his confirmation.

Religious freedom is a core constitutional principle, and as the Constitution makes clear, there is no religious test for public office. We rely on the federal courts to enforce all Americans’ constitutional rights. That means judges, regardless of their religious or personal beliefs, must be counted on as a federal judge to respect the rights of all Americans.

“Thank you, Senators Harris and Hirono! It’s a new year, and it’s time to retire this old discredited tactic of silence and attempts to shame. Let the questions be asked and let them be answered.”

Letter to the Editor

(By Michael Keegan)

Regarding your editorial “Kamala Harris’s Dark Knights” (Jan. 3): Sens. Harris and Mazie Hirono’s questions for Brian Buescher were focused on appropriate and important questions, namely whether the nominee could be counted on as a federal judge to recognize and protect the legal equality of LGBTQ Americans and the right of American women to have access to safe and legal abortion.

You charge that such questioning is about trying to “banish” people from public life for their religious beliefs and associations. In reality, protecting the legal rights of all Americans of all faiths by ensuring that nominees for powerful lifetime seats on America’s federal courts are committed to enforcing them is one of senators’ most important responsibilities, one that the current Republican majority has abandoned in its rush to achieve ideological domination of the courts.

ADDITIONAL STATEMENTS

TRIBUTE TO KORI KELLER

• Mr. DAINES. Mr. President, this week I have the privilege of celebrating Kori Keller of Yellowstone County for her impact on the Billings community, through her work at the Ramsey Keller Memorial.

Mrs. Keller, a Billings native, has dedicated her time to aiding parents who have undergone the hardship of losing a child too young. Mrs. Keller and her husband lost their precious daughter Ramsey soon after she was born.

As a way of honoring their daughter, Kori and her husband founded the Ramsey Keller Memorial. The Ramsey Keller Memorial is dedicated to helping families who have lost children under the age of 1 year old. The foundation raises money through both an annual race and a pink-tie affair to pay for the funerals of Montana infants that have passed away before their first birthday.

Since then, Kori has been an advocate and provided comfort for numerous parents going through the same hardships she experienced.

I congratulate Kori on her growing role in the State of Montana. She has been a constant source of hope and aid to families going through similar hardships she has endured. I look forward to seeing the success of the Ramsey Keller Memorial grow so that it can pour into Montana family’s lives.

REMEMBERING EUCARIO BERMUDEZ

• Mr. RUBIO. Mr. President, I would like to honor the life and legacy of Colombian-American journalist and broadcaster, Eucario Bermudez. Bermudez, a beloved south Florida radio legend amongst the Hispanic community, died earlier this month at the age of 79. Mr. Bermudez devoted his life to sharing his talent and providing comfort for numerous parents going through similar hardships she experienced.

I look forward to seeing the success of the Ramsey Keller Memorial grow so that it can pour into Montana family’s lives.

RECOGNIZING INDIAN PASS RAW BAR

• Mr. RUBIO. Mr. President, today I would like to highlight the hard work and unique entrepreneurial spirit that can be found across my home State of Florida. As chairman of the Senate Committee on Small Business and Entrepreneurship, each week I recognize a small business that exemplifies hard work and dedication toward the local
community. Today, it is my distinct privilege to honor Indian Pass Raw Bar from Port St. Joe in Gulf County, FL, as the Senate Small Business of the Week.

Indian Pass Raw Bar has deep historical ties to the Florida Panhandle along the coastline of the Gulf of Mexico, tracing its roots to a commissary store founded in 1903, for workers in the then-booming turpentine industry. It is located in the same building as the original Indian Pass Trading Post that opened in 1929, where Mrs. Gypsy McNeil established her talent with heroic, fresh seafood gumbo.

In 1986, Hurricane Kate struck the Florida Panhandle and destroyed the McNeil family’s business. The McNeil family showed resilience after the storm and recovered by converting the general store into an oyster bar, setting the stage for business to skyrocket.

Twenty-three miles from Apalachicola, FL, Indian Pass Raw Bar serves the panhandle’s world-famous oysters and iconic seafood dishes, such as steamed shrimp and crab legs. Drinks are served on an honor system where customers keep their tabs to turn in at checkout. Customers are trusted friends. It has become a renowned location for Floridians and tourists alike to enjoy time with family. Southern Living magazine once described Indian Pass Raw Bar as “quite possibly the best seafood shack in existence.” It has also received praise from the Garden & Gun magazine as one of Florida’s “Hidden Hotspots.” Indian Pass Raw Bar’s success continued with the opening of a second location in June 2017, in downtown Port St. Joe, FL.

In October 2018, category 5 Hurricane Michael devastated the Florida Panhandle, including Gulf County. The storm severely damaged Indian Pass Raw Bar, as high winds blew off the front door, forcefully removed the air-conditioning system, and threw its iconic street sign hundreds of yards away. However, just as they did after the 1986 storm, the McNeil family is rebuilding and looks forward to continuing to serve their world-famous oysters again this spring. Upon reopening, they will welcome visitors to the gulf coast of Florida for their 90th year in business.

The Indian Pass Raw Bar became what it is today partly because of Hurricane Kate in 1986. The McNeil family understands how devastating these storms truly are and the impact they can have on small business and working families. To help their community, the McNeil family enthusiastically opened their facilities as emergency supply distribution centers to their neighbors in need, despite having their own difficulties. Meredith McNeil said in October 2018: “This whole area, the whole Gulf, we’ve done this before. We’re all resilient.”

This is the kind of commitment to community that is unique to American small business. During a catastrophe, the Indian Pass Raw Bar helped bring their fellow citizens together by offering emergency supplies in order to help their customers and to give back to the community that has supported their business. Indian Pass Raw Bar is an example of Florida entrepreneurship, continuing a 90-year history, being resilient and innovative in its approach to challenges, and giving back to the community during a time of need. I would like to congratulate the McNeil family and all the employees at Indian Pass Raw Bar for being named the Senate Small Business of the Week for the week of January 14 to 18, 2019. I wish them continued success in their future endeavors.

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 President of the United States submitted sundry nominations which were referred to the appropriate committees.

(Please see the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 12947 OF JANUARY 23, 1995, WITH RESPECT TO TERRORISTS WHO THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS—PM 1

The President laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency declared in Executive Order 12947 of January 23, 1995, with respect to foreign terrorists who threaten to disrupt the Middle East peace process, is to continue in effect beyond January 23, 1999.

I wish them continued success in their future endeavors.

DONALD J. TRUMP

MESSAGE FROM THE HOUSE
At 10:28 a.m., a message from the House of Representatives, delivered by Mr. Novotny, 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. 136. An act to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes.


H.R. 247. An act to amend chapter 36 of title 44, United States Code, to make certain changes relating to electronic Government services, and for other purposes.

MEASURES REFERRED
The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 113. An act to require the purchase of domestically made flags of the United States of America for use by the Federal Government.


H.R. 136. An act to amend title 5, United States Code, to protect unpaid interns in the Federal Government from workplace harassment and discrimination, and for other purposes.


H.R. 247. An act to amend chapter 36 of title 44, United States Code, to make certain changes relating to electronic Government services, and for other purposes.
Federal Government from workplace harassment and discrimination, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 202: To amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General; to the Committee on the Judiciary.

H.R. 231: To amend chapter 36 of title 44, United States Code, to make certain changes relating to electronic Government services, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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 Mrs. SHAHEEN (for herself, Mrs. GILLIBRAND, Ms. KLOBUCHAR, and Mr. SCHATZ):

S. 137. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to establish a pre-natal care incentive for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Mr. ALEXANDER (for himself and Mrs. BLACKBURN):

S. 138. A bill to modify the boundary of the Shiloh National Military Park located in the States of Tennessee and Mississippi, to establish the Tennessees Bend Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself and Mrs. BLACKBURN):

S. 139. A bill to designate the bridge located in Blount County, Tennessee, on the Foothills Parkway (commonly known as “Bridge 2” ) as the “Deane Stone Bridge”; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself and Mrs. BLACKBURN):

S. 140. A bill to require the Secretary of the Interior to study the suitability and feasibility of designating each President and Mrs. K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. ERNST (for herself, Mr. LANKFORD, Mr. BLUNT, Mr. RISCH, Mr. COTTON, Mr. GRASSLEY, Mr. ROUNDS, Mr. CRAMER, Mr. BLACKBURN, Mr. SASSE, Mrs. HYDE-SMITH, Mr. RUBIO, Mrs. FISCHER, Mr. MORA, Mr. KENNEDY, Mr. THUNE, Mr. ENZI, Mr. HAWLEY, Mr. CASSIDY, Mr. ROMNEY, Mr. GRAHAM, Mr. HOBVEN, Mr. ROBERTS, Mr. Daines, Mr. CORNYN, Mr. CRUZ, Mr. PAUL, Mr. BOOZMAN, Mr. CHAMBER, Mr. BARRASSO, and Mr. SCOTT of South Carolina): S. 141. A bill to prohibit Federal funding of Planned Parenthood Federation of America; to the Committee on Commerce, Science, and Transportation.

By Ms. ERNST (for herself, Ms. HANSEN, Mr. PORTMAN, Mr. GARDNER, Mr. KING, and Mr. HEINRICH):

S. 143. A bill to authorize the Department of Defense to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ENZI (for himself and Mr. BARROTTI):

S. 144. A bill to designate the mountain at the Devils Tower National Monument, Wyoming, as Devils Tower, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SCOTT of South Carolina (for herself, Mr. McCONNELL, Mr. ALEXANDER, Mr. BOOZMAN, Mr. CRUZ, Mr. CORNYN, Mr. RUBIO, Mr. SASSE, Mrs. BLACKBURN, and Mr. BRAUN):

S. 145. A bill to expand opportunity through greater choice in education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself and Mr. WYDEN):

S. 146. A bill to amend the Internal Revenue Code of 1986 to provide for Move America bonds and Move America credits; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PAUL (for himself, Mr. LIEE, and Ms. ERNST):

S. 147. A bill to amend title 31, United States Code, for automatic continuing resolutions; to the Committee on Appropriations.

By Mr. PAUL (for himself, Mr. LIEE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. LANKFORD, Mr. PORTMAN, and Mr. YOUNG):

S. 148. A bill to create a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself and Mr. MORAN):

S. 149. A bill to establish a Senior Scans Prevention Advisory Council; to the Committee on Commerce, Science, and Transportation.

By Mr. SANDERS (for himself, Mrs. MURRAY, Mr. SCHUMER, Ms. BALDWIN, Mr. BLMUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Ms. FEINSTEIN, Mr. GRAHAM, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HARRIS, Ms. HIRONO, Mr. KAIN, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARNEN, Mr. WARNEN, Mr. WYDEN, and Mr. WYDEN):

S. 150. A bill to provide for increases in the Federal minimum wage, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself and Mr. MARKEY):

S. 151. A bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COTTON (for himself and Mr. VAN HOLLEN):

S. 152. A bill to direct the President to impose penalties and codenial orders with respect to certain Chinese telecommunications companies that are in violation of the export control or sanctions laws of the United States; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 153. A bill to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER (for himself, Mr. BAUMANN, Mr. MURRAY, Mr. KAIN, Mr. BENNET, and Ms. SINEMA):

S. 154. A bill to amend title 38, United States Code, to improve oversight of contracts for services and financial processes of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans Affairs.

By Mr. JONES (for himself, Ms. HANSEN, and Mrs. GILLIBRAND):

S. 155. A bill to improve the financial literacy of secondary school students; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN:

S. 156. A bill to prevent conflicts of interest that stem from executive branch employees receiving bonuses or other compensation arrangements from non-Government sources, from the revolving door that raises concerns about the independence of executive branch employees, and from the revolving door that casts aspersions over the awarding of Government contracts and other financial benefits; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CUEZ (for himself, Mr. JOHN-SON, Mr. SASSE, Mr. PAUL, Mr. BLUNT, Mr. COTTON, Mr. TOOMY, Mr. LANDFORD, and Mr. LEE):

S. 157. A bill to amend the Internal Revenue Code of 1986 to permit kindergartners through grade 12 educational expenses to be paid from a 529 account; to the Committee on Finance.

By Mr. PAUL:

S. 158. A bill to prohibit Federal funding of Planned Parenthood Federation of America; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself, Mr. INHOFE, Mr. CRAPO, Mr. RISCH, Mrs. HOBVEN, Mr. SCOTT of South Carolina, Mr. ROUNDS, Mr. PERDUE, Mr. CRAMER, Mr. KENNEDY, Mr. THUNE, and Mr. BOOZMAN):

S. 159. A bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each unborn person; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. RUBIO, Mr. BARRASSO, Mr. BLUNT, Mr. RISCH, Mr. LANKFORD, Mr. PORTMAN, Mr. GRASSLEY, Mr. TILLIS, Mr. HOEVEN, Mr. KENNEDY, Mr. CRAPO, Mr. BRAUN, Mr. CORNYN, Mr. SASSE, Mr. INHOFE, Mr. ENST, Mr. JAEGER, Mr. FISHER, Mr. CRAMER, Mrs. BLACKBURN, Mr. ROUNDS, Mrs. HYDE-SMITH, Mr. PERDUE, Mr. MURRAY, Mr. SULLIVAN, Mr. YOUNG, Mr. ENZI, Mr. BURR, Mr. CASSIDY, Mr. ROMNEY, Mr. ISAKSON, Mr. JOHNSON, Mr. DAINES, Mr. SLIGHTS of South Carolina, Mrs. ROBERTS, Mr. COTTON, Mr. LEE, Mr. PAUL, Mr. McCONNELL, Mr. TOOMY, and Mr. THUNE):

S. 160. A bill to term out 7:48 United States Code, to protect pain-capable unborn children, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN:

S. 161. A bill to require the Comptroller General of the United States to conduct a study and submit a report on filing requirements under the Universal Product Code; to the Committee on Commerce, Science, and Transportation.
The Committee on Finance.

By Ms. SMITH (for herself, Mr. Brown, Mr. Van Hollen, Mr. Warner, Mr. Cardin, Mr. Kaine, Mr. Markley, Ms. Klobuchar, Ms. Warren, Ms. Hassan, Mr. Jones, Ms. Harris, Mr. Udall, Mr. Heinrich, Ms. Duckworth, Mr. King, Ms. Hirono, Mr. Menendez, Mr. Schatz, Mr. Thompson, Mr. Portman, Mr. Whitehouse, and Mr. Blumenthal):

S. 162. A bill to provide back pay to low-wage contractor employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SULLIVAN (for himself and Ms. Murkowski):

S. 163. A bill to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DAINES (for himself, Mr. Manchin, Mr. Crapo, Ms. Baldwin, Ms. Capito, Mr. Tester, Mr. Blackman, Mrs. Shaheen, Mr. Moran, Mr. Jones, Mr. Horven, and Mr. Rosen):

S. Res. 6. A resolution to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefits plan under chapter 89 of title 5, United States Code; to the Committee on Armed Services.

By Mr. BLUMENTHAL (for himself, Ms. Harris, and Mr. Murphy):

S. 165. A bill to amend chapter 85 of title 5, United States Code, to clarify that Federal employees excepted from a furlough are eligible for unemployment compensation; to the Committee on Finance.

By Mr. Young:

S. 167. A bill to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. Young (for himself and Mr. Braun):

S. 188. A bill to retitle Indiana Dunes National Park as Indiana Dunes National Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Mr. Portman, Mr. Carper, Ms. Klobuchar, and Mrs. Capito):

S. 189. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for civil damages as a result of having a trauma-informed approach to the handling of crimes of domestic violence, dating violence, sexual assault, and stalking by incorporating a trauma-informed approach into the initial response and investigation of such crimes; to the Committee on the Judiciary.

By Mr. GARDNER (for himself, Mrs. Shaheen, Mr. Barrasso, Mr. Jones, Mr. Scott of South Carolina, and Ms. Kaine):

S. 172. A bill to delay the reimposition of the annual fee on health insurance providers until after 2021; 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. Sasse:

S. Res. 19. A resolution expressing the sense of the Senate that disqualifying a nominee to Federal office on the basis of membership in the Knights of Columbus violates the Constitution of the United States; considered and agreed to.

By Mr. Menendez (for himself, Mr. Isakson, Mr. Boozman, Mr. Cardin, and Mr. Coons):

S. Con. Res. 1. A concurrent resolution calling for credible, transparent, and safe elections in Nigeria, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 20. At the request of Mr. Wyden, the name of the Senator from Michigan (Ms. Stabenow) was added as a cosponsor of S. 20, a bill to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 39. At the request of Mr. Braun, the names of the Senator from West Virginia (Mrs. Capito) and the Senator from Florida (Mr. Scott) were added as cosponsors of S. 39, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 47. At the request of Ms. Murkowski, the names of the Senator from Utah (Mr. Romney) and the Senator from Maine (Mr. King) 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.

S. 69. At the request of Mr. Cornyn, the name of the Senator from Indiana (Mr. Young) was added as a cosponsor of S. 69, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 83. At the request of Mr. Rubio, the name of the Senator from Wyoming (Mr. Enzi) was added as a cosponsor of S. 83, a bill to amend section 203 of Public Law 94–305 to ensure proper authority for the Office of Advocacy of the Small Business Administration, and for other purposes.

S. 92. At the request of Mr. Paul, the name of the Senator from Mississippi (Mrs. Hyde-Smith) was added as a cosponsor of S. 92, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

(At the request of Ms. Klobuchar, the name of the Senator from Ohio (Mr. Brown) was added as a cosponsor of S. 96, a bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, and for other purposes).

S. 98. At the request of Mr. Johnson, the name of the Senator from Texas (Mr. Cruz) was added as a cosponsor of S. 98, a bill to authorize the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II.

S. 104. At the request of Mr. Portman, the name of the Senator from Pennsylvania (Mr. Toomey) was added as a cosponsor of S. 104, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 106. At the request of Mr. Blunt, the names of the Senator from Massachusetts (Ms. Warren) and the Senator from Arkansas (Mr. Boozman) were added as cosponsors of S. 106, a bill to reauthorize and extend funding for community health centers and the National Health Service Corps.

S. 133. At the request of Mr. Johnson, the names of the Senator from Missouri (Mr. Blunt), the Senator from Wyoming (Mr. Enzi) and the Senator from Pennsylvania (Mr. Toomey) were added as cosponsors of S. 113, a bill to appropriate funds for pay and allowances of excepted Federal employees, and for other purposes.

S. 139. At the request of Mr. Rubio, the names of the Senator from Indiana (Mr. Braun), the Senator from Tennessee (Mrs. Blackburn) and the Senator from Louisiana (Mr. Kennedy) were added as cosponsors of S. 119, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 120. At the request of Ms. Klobuchar, the name of the Senator from New Hampshire (Ms. Hassan) was added as a cosponsor of S. 120, a bill to protect victims of stalking from gun violence.

S. 130. At the request of Mr. Cassidy, the name of the Senator from Utah (Mr. Lee) was added as a cosponsor of S. 131, a bill to amend title XIX of the Social Security Act to prohibit Federal Medicaid funding for the administrative costs of providing health benefits to individuals who are unauthorized immigrants.
Constitution of the United States relative to balancing the budget.

STATMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. ERNST (for herself, Mr. LANKFORD, Mr. BLUNT, Mr. RISCH, Mr. COTTON, Mr. GRASSLEY, Mr. ROUNDS, Mr. CRUZ, Mr. PAUL, Mr. BOOZMAN, Mr. CRAMER, Mr. BARRASSO, and Mr. SCOTT of South Carolina):

S. 141. A bill to prohibit Federal funding of Planned Parenthood Federation of America; to the Committee on Health, Education, Labor, and Pensions.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Thank you very much to my colleagues, the Senator from Nebraska, the Senator from Mississippi, as well as our other colleague, the Senator from Missouri. Thank you for joining us on the floor today to express our support for those who march for life. Thank you so much.

As my colleagues can attest, the invaluable message being shared by the pro-life community this week has implications far beyond that of simply the March for Life. As I travel across my home State of Iowa, I see this life-affirming message in our pregnancy resource centers, maternity homes, and adoption agencies. These comprehensive services provide women and families with service options that are changing and saving lives every single day.

These life-affirming services are the foundation of the pro-life movement across our Nation, and I sincerely thank those centers and agencies for their critical work to fight for vulnerable lives throughout the year.

I see the same message in the remarkable stories of individual families, such as the Pickering family from Newton, IA. I have had the opportunity to share the phenomenal story of Micah Pickering on the Senate floor before. As you may recall, Micah was born at just 20 weeks postfertilization. He was only about the size of a bag of M&M’s—the size of the palm of my hand. That was Micah. Yet Micah was also a perfect, fully-formed baby boy, with 10 fingers and 10 toes. In fact, no one makes his case more eloquently than Micah himself.

When I first met Micah, I had a picture of him displayed in my office from the day that he was born—again, the size of the palm of my hand. Micah immediately ran up to that picture. He pointed at it, and he said: “Baby.”

Micah recognized right away that even at just 20 weeks postfertilization, the humanity of the child was undeniable.

Micah’s parents and the doctors and nurses at the University of Iowa Hospitals & Clinics recognized this humanity, as well, and were dedicated to his survival. Today Micah is a happy, healthy, and energetic 6-year-old boy.

Stories like Micah’s are extraordinary reminders that the life-affirming services, for which the pro-life community marches, have real and significant impacts on the lives of families across America.

Since coming to Congress, I have also tried to do my part to ensure that this message from those in my home State of Iowa and from other communities across the country is heard across the hall that led to the back and turned into action in Washington. For me, that has meant supporting crucial pro-life initiatives, such as the Pain-Capable Unborn Child Protection Act, which would prevent abortions after 20 weeks of development. The very same age at which Micah was born.

Another critical piece of legislation, the Born-Alive Abortion Survivors Protection Act, would create concrete enforcement provisions to hold abortionists accountable if they do not provide basic care to a baby who survives an abortion as they would any child born naturally premature at that same age.

Fighting for commonsense legislation that protects innocent life has been a priority of mine in the Senate. But Congress must also do more to ensure that taxpayers are not forced to subsidize abortion or the abortion industry giants, such as Planned Parenthood.

During the 115th Congress, I led the fight in the Senate to pass critical legislation, which was signed into law in 2017, that ensures States are not forced to provide entities like Planned Parenthood, the Nation’s single largest provider of abortions, with Federal Title X dollars.

I am grateful to have worked with former Congresswoman Diane Black, my Senate colleagues, and President Trump to make sure States are not forced to fund Planned Parenthood with taxpayer dollars like title X family planning grants.

As I have stated time and again, taxpayers should not be forced to foot the bill for roughly one-half billion dollars annually for an organization like Planned Parenthood, which exhibits such disrespect for human life. With that in mind, today I reintroduced legislation that would defund Planned Parenthood while still protecting vital healthcare services for women’s healthcare.

I believe it is clear, in light of the facts, that Planned Parenthood is not the Nation’s preeminent provider of women’s healthcare. In fact, Planned Parenthood facilities do not even perform in-house mammograms; something so simple is not performed by Planned Parenthood.

On the other hand, just as my colleague the senior Senator from Nebraska pointed out, community health centers continue to greatly outnumber Planned Parenthood clinics nationwide and provide more comprehensive preventive and primary health services, including cervical and breast cancer screenings, diagnostic and radiology services, well childcare, prenatal and postnatal care, immunizations, and so much more. Access to comprehensive health services is absolutely critical to women and families across this Nation, and federally qualified health centers offer such services, regardless of a person’s ability to pay.

A recent GAO study that I requested, along with many of my colleagues in both the House and the Senate, showed that over a 3-year period, federally qualified health centers served 23 million individuals compared to only 2.4 million individuals that Planned Parenthood served. That is more than 10 times more people served by those healthcare centers.

As a recent Marist poll shows that 54 percent of Americans do not support taxpayer dollars going toward abortions. While there are Federal regulations that prevent Federal dollars from directly covering abortions, the Nation’s single largest provider of abortions continues to receive funding and are applied to all Federal programs and are governed by a complicated patchwork of policies and funding riders that must be reapproved during the appropriations process every single year.

Since 1976, the Hyde amendment has been attached to appropriations bills in order to block Federal funds from paying for abortions. However, this policy, which once drew widespread bipartisan support, has recently been under attack. For the first time ever, the Affordable Care Act authorized and appropriated funds that bypassed the Hyde amendment funding restrictions. In 2016, the Democratic Party added the repeal of the Hyde amendment protections to its Presidential platform.

The Hyde amendment is a longstanding and critical provision that protects Federal dollars and ensures that taxpayers are not footing the bill for abortion procedures. That is why I support the No Taxpayer Funding for elective abortion or Planned Parenthood Act, Full Funding Disclosure Act of 2019, which was recently reintroduced in the Senate. This legislation would permanently codify the Hyde amendment, ensuring that funding restrictions remain in place and are applied to all Federal programs. Furthermore, it takes important steps to eliminate certain tax benefits related to abortions and improve disclosure requirements related to insurance coverage of abortion.

Preventing our taxpayer dollars from paying for abortion procedures—a position that a majority of Americans agree with—should not be a complicated process vulnerable to partisan
attack. Congress must take steps to ensure that permanent protections apply governmentwide.

As such, I urge the Senate to consider the No Taxpayer Funding for Abortion and Abortion Insurance Disclosure Act, which requires, on the floor in order to protect not only our taxpayer dollars but the innocent lives of our most vulnerable.

I appreciate all of the marchers who will be coming to Washington, D.C. in the following days and spending their time in a most worthy effort, which is our annual March for Life. God bless them all. Of course, God bless my Iowans for that journey.

Thank you very much.

By Mr. THUNE (for himself and Mr. MARKEY):
S. 151. A bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 151.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the "Telephone Robocall Abuse Criminal Enforcement and Deference Act" or the "TRACED Act".

SECTION 2. FORFEITURE.
(a) IN GENERAL.—Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(i) in subsection (b), by adding at the end the following:

"(4) CIVIL FORFEITURE.—

(A) IN GENERAL.—Any person that is determined by the Commission, in accordance with paragraph (3) or (4) of section 503(b), to have violated any provision of this subsection shall be liable to the United States for a forfeiture penalty not to exceed $10,000.

(B) VIOLATION WITH INTENT.—Any person that is determined by the Commission, in accordance with paragraph (3) or (4) of section 503(b), to have violated this subsection with the intent to cause such violation shall be liable to the United States for a forfeiture penalty determined under this subsection that is twice the amount determined under subparagraph (A).

(C) RECOVERY.—Any forfeiture penalty determined under subparagraph (A) or (B) shall be recoverable under section 504(a).

(D) PROCEDURE.—No forfeiture liability shall be determined under subparagraph (A) or (B) against any person unless such person received notice or demand of a proposed forfeiture liability determined under paragraph (3) or (4) of section 503(b).

(E) STATUTE OF LIMITATIONS.—No forfeiture penalty shall be determined or imposed with respect to a violation occurring more than 3 years prior to the date of issuance of the required notice or notice of apparent liability; and

(ii) under subparagraph (B) if the violation charged occurred more than 3 years prior to the date of issuance of the required notice or notice of apparent liability.

(F) RULE OF CONSTRUCTION.—Notwithstanding any law to the contrary, the Commission may impose a forfeiture penalty on a person under both subparagraphs (A) and (B) based on the same conduct; and

(ii) by striking subsection (h).

(b) APPLICABILITY.—The amendments made by this section shall not affect any action or proceeding commenced before and pending on the date of enactment of this Act.

(c) DEADLINE FOR REGULATIONS.—The Federal Communications Commission shall prescribe regulations to implement the amendments made by this section not later than 270 days after the date of enactment of this Act.

SECTION 3. CALL AUTHENTICATION.
(a) DEFINITIONS.—In this section:

(1) STIR/SHAKEN AUTHENTICATION FRAMEWORK.—The term "STIR/SHAKEN authentication framework" means the secure telephone identity registration and enforcement system, established using public key infrastructure and utilizing tokens and tokens standards proposed by the information and communications technology industry to enforce the caller identity of each call, to prevent the caller from being misidentified, and to enable the recipient to verify the calling party.

(2) VOICE SERVICE.—The term "voice service" means any service that is interconnected with the public switched telephone network and that furnishes voice communications to an end user using resources of the customer premises equipment (commonly known as "CPE") and the service provider's interconnection with such equipment and the telephone network.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), not later than 18 months after the date of enactment of this Act, the Federal Communications Commission shall require a provider of voice service to implement the STIR/SHAKEN authentication framework in the internet protocol networks of voice service providers.

(2) IMPLEMENTATION.—The Federal Communications Commission may extend any deadline for the implementation of a call authentication framework under subsection (b) in whole or in part, on the information provided by the call authentication framework under subsection (b); and

(c) SAFE HARBOR AND OTHER REGULATIONS.—

(1) IN GENERAL.—The Federal Communications Commission shall promulgate rules—

(A) establishing when a provider of voice service may block a voice call based, in whole or in part, on information provided by the call authentication framework under subsection (b); and

(B) establishing a safe harbor for a provider of voice service from liability for unintentional misidentification of the level of trust for individual calls based, in whole or in part, on information provided by the call authentication framework under subsection (b).

(2) CONSIDERATIONS.—In establishing the safe harbor under paragraphs (A) and (B), the Federal Communications Commission shall consider limiting the liability of a provider based on the extent to which the provider blocks or identifies calls based, in whole or in part, on the information provided by the call authentication framework under subsection (b).

(3) REPEAL.—Nothing in this section shall preclude the Federal Communications Commission from regulating the use of the call authentication framework under subsection (b) and (c).

(d) RULE OF CONSTRUCTION.—Nothing in this section shall preclude the Federal Communications Commission, in issuing a rulemaking pursuant to its existing statutory authority.
SEC. 4. PROTECTIONS FROM SPOOFED CALLS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and consistent with the call authentication framework under section 3, the Federal Communications Commission shall initiate a rulemaking to help protect a subscriber from receiving unwanted calls or text messages from a caller using an unauthenticated number.

(b) CONSIDERATIONS.—In promulgating rules under subsection (a), the Federal Communications Commission shall consider—

(1) the Government Accountability Office report on combating the fraudulent provision of misleading or inaccurate caller identification information; and

(2) the best means of ensuring that a subscriber or provider has the ability to block calls from a caller using an unauthenticated North American Numbering Plan number;

(3) the impact on the privacy of a subscriber from unauthenticated calls;

(4) the effectiveness in verifying the accuracy of caller identification information; and

(5) the availability and cost of providing protection against unwanted calls or text messages described in subsection (a).

SEC. 5. INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—The Attorney General, in consultation with the Chairmen of the Federal Communications Commission, shall convene an interagency working group to study Government prosecution of violations of section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)).

(b) DUTIES.—In carrying out the study under subsection (a), the interagency working group shall—

(1) determine whether, and if so how, any Federal laws, including regulations, policies, and practices, or budgetary or jurisdictional constraints inhibit the prosecution of such violations;

(2) identify existing and potential Federal policies and programs that encourage and improve coordination between countries in the prevention and prosecution of such violations;

(3) examine existing and potential international policies and programs that encourage and improve coordination between countries in the prevention and prosecution of such violations;

(4) consider—

(A) the benefit and potential sources of additional resources for the Federal prevention and prosecution of criminal violations of that section;

(B) whether to establish memoranda of understanding regarding the prevention and prosecution of such violations between—

(i) the States;

(ii) the States and the Federal Government; and

(iii) the Federal Government and a foreign government;

(C) whether to establish a process to allow States to request Federal subpoenas from the Federal Communications Commission;

(D) whether extending civil enforcement authority to the States would assist in the successful prevention and prosecution of such violations;

(E) whether increased forfeiture and imprisonment penalties are appropriate, such as extending imprisonment for such a violation to 2 years;

(F) whether regulation of any entity that enters into a business arrangement with a common carrier regulated under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) for the specific purpose of carrying, routing, or transmitting a call that constitutes such a violation would assist in the successful prevention and prosecution of such violations; and

(G) the extent to which, if any, Department of Justice resources are used in the prosecution of violations causing economic harm, physical danger, or erosion of an inhabitant’s peace of mind and sense of security in the prevention or prosecution of such violations.

(c) MEMBERS.—The interagency working group shall be composed of such representatives of Federal departments and agencies as the Attorney General considers appropriate, such as—

(1) the Department of Commerce;

(2) the Department of Homeland Security;

(3) the Department of the Treasury;

(4) the Federal Communications Commission;

(5) the Federal Trade Commission; and

(6) the Bureau of Consumer Financial Protection.

(d) NON-FEDERAL STAKEHOLDERS.—In carrying out the study under subsection (a), the interagency working group shall consult with such non-Federal stakeholders as the Attorney General determines have the relevant expertise, including the National Association of Attorneys General.

(e) REPORT TO CONGRESS.—Not later than 270 days after the date of enactment of this Act, the interagency working group shall submit to the Congress a report on the findings of the study under subsection (a), including—

(1) any recommendations regarding the prevention and prosecution of such violations; and

(2) a description of what progress, if any, relevant Federal departments and agencies have made in implementing the recommendations under paragraph (1).

SEC. 6. ACCESS TO NUMBER RESOURCES.

(a) IN GENERAL.—

(1) EXAMINATION OF FCC POLICIES.—Not later than 180 days after the date of enactment of this Act, the Federal Communications Commission shall commence a proceeding to determine whether Federal Communications Commission policies regarding access to number resources, including number resources for toll free and not-toll free telephone numbers, could be modified, including by establishing registration and compliance obligations, to help reduce access to numbers by potential perpetrators of violations of section 227(b) of the Communications Act of 1934 (47 U.S.C. 227(b)).

(2) REGULATIONS.—If the Federal Communications Commission determines under paragraph (1) that modifying the policies described in that paragraph could help achieve the goal described in that paragraph, the Commission shall prescribe regulations to implement those policy modifications.

(b) AUTHORITY.—Any person who knowingly, through an employee, agent, officer, or otherwise, directly or indirectly, by or through any means or device whatsoever, is a party to obtaining number resources, including number resources for toll free and not-toll free telephone numbers, from a common carrier regulated under title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), in violation of a regulation prescribed under subsection (a), shall, after, notwithstanding section 503(b)(5) of the Communications Act of 1934 (47 U.S.C. 503(b)(5)), be subject to a forfeiture penalty under section 205 of title 47, United States Code, and such forfeiture shall be in addition to any other penalty provided for by law.

By Mr. DAINES (for himself, Mr. MANCINI, Mr. CRAPO, Ms. BALDWIN, Mrs. CAPITO, Mr. TESTER, Mr. BOOZMAN, Mrs. SHAHEEN, Mr. MORAN, Mr. JONES, Mr. Hoven, and Ms. ROSEN):

S. 164. A bill to amend title 10, United States Code, to remove the prohibition on eligibility for TRICARE Reserve Select of members of the reserve components of the Armed Forces who are eligible to enroll in a health benefit plan under title 5, United States Code, to the Committee on Armed Services.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 164
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “TRICARE Reserve Improvement Act”.

SEC. 2. MODIFICATION OF ELIGIBILITY FOR TRICARE RESERVE SELECT OF CERTAIN MEMBERS OF THE SELECTED RESERVE COMPONENTS OF THE ARMED FORCES.

Section 1076a(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking “(1) Except as provided in paragraph (2), a member” and inserting “A member”;

(2) by striking paragraph (2).
Whereas the Knights are founded on the principles of charity, unity, fraternity, and patriotism; and
Whereas, in 2017, the Knights made more than $185,000,000 in charitable contributions to persons and volunteered more than 75,600,000 service hours; Now, therefore, be it
Resolved, That it is the sense of the Senate that discussions disseminated to Federal office on the basis of membership in the Knights of Columbus violates clause 3 of article VI of the Constitution of the United States, which establishes that Senators shall be bound by Oath or Affirmation, to support the Constitution and “no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States”.

SENATE CONCURRENT RESOLUTION—CALLING FOR CREDIBLE, TRANSPARENT, AND SAFE ELECTIONS IN NIGERIA, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. ISAKSON; Mr. BOOZMAN, Mr. CARDIN, and Mr. COONS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 1

Whereas it is in the national interest of the United States to maintain a strong bilateral relationship with a politically stable, democratic, and economically sound Nigeria that can play a leadership role in the region and the continent more broadly;
Whereas Nigeria’s 2019 presidential elections scheduled for February 16, 2019, and gubernatorial and National Assembly elections scheduled for March 2, 2019, could further consolidate democratic gains achieved in Nigeria over the last two decades since the transition from military to civilian democratic rule; and
Whereas a 2017 survey conducted by Afrobarometer found that 72 percent of Nigerians agreed that democratic elections are the best means of choosing their country’s leaders, thus indicating that the country’s citizens are deeply committed to democracy;
Whereas collaboration between civil society actors and the international community was a key factor that contributed to successful elections in 2015; and
Whereas successive elections in Nigeria have increased the degree of vigilance and political stability that can be achieved by the transition from military to civilian democratic rule; and
Whereas there have been deeply concerning instances of incitement to violence in Nigeria by members of both the ruling coalition and the opposition inciting supporters to ethnic violence as a means by which to gain electoral advantage, intimidate electoral rivals, or suppress voter turnout;
Whereas during the Ekiti and Osun gubernatorial elections in July 2018 and September 2018, respectively, there were concerning incidents in which some elements of Nigeria’s security agencies displayed partisanship and a lack of objectivity, which risks escalating tensions within the country; Whereas Nigeria’s Independent National Electoral Commission (INEC) has improved the voting process, notably through the introduction of continuous voter registration, the adoption of simultaneous accreditation and voting to combat the secret ballot and the ballot, and the advancement of smart card reader technology; and Whereas the statement of the September 2018 Joint National Democratic Institute/International Republican Institute Pre-Election Assessment Mission to Nigeria cited remaining challenges and concerns such as delays in finalizing the legal framework for the elections, delayed release of funds for the elections, security threats in the Middle Belt and North East, intimidation of voters,   and incitement to violence and disinformation; and Whereas ensuring transparency in electoral preparations and building public confidence in the electoral process is vital for the success of the upcoming elections in Nigeria; Now, therefore, be it
Resolved by the Senate (the House of Representatives concurring), That the Senate—
(1) reaffirms that the people of the United States will continue with the people of Nigeria in support of peace and democracy;
(2) calls on the Government of Nigeria and all political parties and actors to—
(A) take actions to facilitate elections that are credible, transparent, and peaceful in order to support the will of the people and advance the consolidation of democracy and the stability of the broader region;
(B) condemn in the strongest terms the use of speech that incites to violence, and refrain from any rhetoric that seeks to demonize or delegitimize opponents, sow division among Nigerians, or otherwise inflame tensions;
(C) seek to resolve any disputes over results peacefully, including through the legal system as necessary; and
(D) respect the impartiality of the Independent National Electoral Commission;
(3) calls on the Government of Nigeria to—
(A) refrain from deploying security forces in a partisan manner;
(B) ensure that security services maintain the highest level of professionalism and impartiality in facilitating the electoral process, enable accredited observers and journalists to perform their work, and protect the right of citizens to exercise their votes freely;
(C) move expeditiously to finalize the proposed reforms to the legal framework for the 2019 elections; and
(D) enforce laws against election malfeasance, including vote buying, and ensure equal and robust application through such measures as the establishment of the Electoral Offences Prevention Tribunal;
(4) urges all Nigerians to fully and peacefully engage in the electoral process, insist on full disenfranchisement, reject inflammatory or divisive rhetoric or actions, and seek to resolve any disputes over results through the legal system;
(5) calls upon the Independent National Electoral Commission to sustain confidence and trust in its management of the electoral process by—
(A) taking concrete measures to combat vote buying, including police investigations to expose campaign, enforcement of laws against vote inculcation, and a nationwide ban on cell phones in the voting cubicle;
(B) releasing specimen ballots well in advance of Election Day so that civil society and other electoral stakeholders can conduct sufficient education to orient voters;
(C) making adequate arrangements to ensure the participation in the election of internally displaced persons (IDPs); and
(D) taking steps to clean the voter roll and ensure timely production and distribution of the Permanent Voter Card to new voters;
(6) encourages political parties in Nigeria to adhere to and enforce existing codes of conduct that commit parties to democratic electoral standards regarding campaign use of resources, engagement of voters, peaceful resolution of disputes, and acceptance of verifiable election results;
(7) condemns any efforts on the part of any politician or political party in Nigeria to politicize the security and law enforcement agencies;
(8) encourages civil society organizations in Nigeria to—
(A) promote the peaceful participation of citizens in the electoral process and draw on existing inter-religious and peacebuilding bodies to enhance their efforts;
(B) disseminate information about citizen-based observation findings and analysis to increase public knowledge and understanding about the conduct of the elections; and
(C) continue leading important early warning and response mechanisms to mitigate election-related violence, including monitoring efforts to incite violence or further inflame tensions;
(9) supports efforts by the Department of State, including the Bureau of Conflict and Stabilization Operations in Nigeria, including through programs focused on conflict mitigation; and
(10) calls on the United States Government and other international partners, especially election-focused nongovernmental organizations, to—
(A) continue to support efforts by the Government of Nigeria to address the remaining electoral preparation challenges and identify gaps in which additional resources and diplomatic engagement could make important contributions to the conduct of the elections; and
(B) support civil society organizations and media organizations working towards transparency and accountability in the use of state resources around the election period.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. KAINE (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 2, disapproving the President’s proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation; which was ordered to lie on the table.

SA 2. Mr. KAINE (for himself, Mr. VAN HOLLEN, and Mr. MOORE) offered an amendment intended to be proposed by him to the bill S. 109, to prohibit taxpayer funded abortions; which was ordered to lie on the table.

SA 3. Mr. MCCONNELL (for Mr. JOHNSON (for himself and Mr. PEETERS)) proposed an amendment to the bill H.R. 251, to extend by 15 months the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.

SA 4. Mr. MCCONNELL (for Mr. JOHNSON (for himself and Mr. PEETERS)) proposed an amendment to the bill H.R. 251, supra.

TEXT OF AMENDMENTS

SA 1. Mr. KAINE (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 2, disapproving the President’s proposal to take an action relating to the application of certain sanctions with respect to the Russian Federation; which was ordered to lie on the table; as follows:

SEC. 2. APPROPRIATIONS FOR FISCAL YEAR 2019. The provisions of the following measures of the 116th Congress are hereby enacted into law:
(a) The provisions of the following measures of the 116th Congress are hereby enacted into law:

(1) H.R. 21, as passed by the House of Representatives on January 3, 2019.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the measures referred to in subsection (a) of this section and the text of any other measure enacted into law by reference by reason of the enactment of this Act.

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SEC. 3. APPROPRIATIONS FOR FISCAL YEAR 2019.

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(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the measures referred to in subsection (a) of this section and the text of any other measure enacted into law by reference by reason of the enactment of this Act.

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(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the measures referred to in subsection (a) of this section and the text of any other measure enacted into law by reference by reason of the enactment of this Act.

SEC. 5. APPROPRIATIONS FOR FISCAL YEAR 2019.

(a) The provisions of the following measures of the 116th Congress are hereby enacted into law:

(1) H.R. 21, as passed by the House of Representatives on January 3, 2019.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the measures referred to in subsection (a) of this section and the text of any other measure enacted into law by reference by reason of the enactment of this Act.


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AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, January 16, 2019, at 10 a.m., to conduct an Executive Session.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, January 16, 2019, at 10 a.m., to conduct a hearing on the nomination of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, January 16, 2019, at 10 a.m., to conduct a hearing on the nomination of William Pelham Barr, of Virginia, to be Attorney General, Department of Justice.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, January 16, 2019, at 10 a.m., to conduct a closed briefing.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Wednesday, January 16, 2019, at 9:30 a.m., to conduct a hearing entitled “Fighting Elder Fraud: Progress Made, Work to be Done”.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Celine Wolff, have privileges of the floor for the remainder of the day.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 99–93, as amended by Public Law 99–151, appoints the following Senators as members of the United States Senate Caucus on International Narcotics Control The Honorable DIANNE FEINSTEIN of California (Vice Chairman); The Honorable SHELDON WHITEHOUSE of Rhode Island; The Honorable JACKY ROSEN of Nevada.

The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 100–458, sec. 114(b)(2)(c), the appointment of the following individual to serve as a member of the Board of Trustees of the John C. Stennis Center for Public Service Training and Development for a six-year term: Thomas Daffron of Maine.

CHEMICAL FACILITY ANTI-TERRORISM STANDARDS PROGRAM EXTENSION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 8, H.R. 251.

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

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.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Johnson amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, the Johnson title amendment be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 3) was agreed to as follows:

(Purpose: To extend by 15 months the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security)

On page 2, line 7, striking “6 years” and insert “5 years and 3 months”.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time. The bill (H.R. 251), as amended, was passed.

The amendment (No. 4) was agreed to as follows:

(Purpose: To amend the title)

Amend the title so as to read: “An Act to extend by 15 months the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes.”

ORDERS FOR THURSDAY.

JANUARY 17, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m. Thursday, January 17; 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, following leader remarks, the Senate resume consideration on the motion to proceed to S. 109; finally, notwithstanding the provisions of rule XXII, there be 30 minutes of debate equally divided between the two leaders or their designees, and upon the use or yielding back of that time, the Senate vote on the motion to invoke cloture on the motion to proceed to S. 109.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of Senator MERKLEY.
The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Oregon.

GOVERNMENT FUNDING

Mr. MERKLEY. Mr. President, the most important words of our Constitution are the first three: “We the People.” Those three words, written in big, bold, beautiful script, convey the mission of our Constitution. We are a nation, as Abraham Lincoln opined, “of the people, by the people, and for the people.” That was the mission.

Our Constitution also lays out how our Founding Fathers intended to be a nation of, by, and for the people to be governed by coequal branches, with the branch carrying the weight of policy development being Congress: the House, and the Senate. The Executive is to have quite a different role in executing policy; that is another role in weighing whether the laws are in accordance with the parameters of the Constitution—the principles of the Constitution.

So there we are, the branch of government: the House, with the power of the purse, with the responsibility for laying out the governing vision and rules for our Nation.

Yet, one-quarter of our government goes unfunded for a fourth week. Why is this Chamber not full of Senators? Why are we not debating funding bills? Why is there not a bill before the Senate right now? It is because the rhythm of the floor in this Chamber is guided by the majority leader. The majority leader refuses to put the bill on the floor so we can go about our work, putting the government back in business and ending this shutdown.

The majority leader has refused to have the Senate fulfill its responsibility and, indeed, has said: “. . . will not take up any proposal that does not have a real chance of. . . getting a Presidential signature.”

In the Constitution, we have the ability to set law without a Presidential signature. It is certainly not a waste of time to be here debating proposals for funding the government. In fact, this is a complete abdication of our responsibility. It is an abdication at a time when 800,000 American families have a mother or father who is not getting paid, and tax cut contractors are not getting paid. Millions of Americans are seeking government services and finding there is no one to answer their phone call or their letter or process their online application, whether for an FHA mortgage, whether for an agricultural grant or loan for the next farming season, whether it is any of a host of hundreds of roles the government plays in facilitating the commerce and life of this Nation.

President Trump and the Senate majority are holding seven funding bills hostage. Hostage-taking is not the wisest move. Only one of these hostages has anything to do with the battle over the border. So why not release six of these hostages? Why not end the Trump-McConnell shutdown and release six of the seven hostages and on the seventh do a continuing resolution so we can continue debating the issues to which you all have staked your future back to work. That is a pretty good idea.

Here is the genius of the idea, which is, these are bills that already have support in the Senate. If we were to look at that support, we would find it was substantial. It was came through in a bipartisan fashion under a Republican-led Senate. You have the Republican endorsement from here and you have the Democratic endorsement from the House. That is the making of a path forward.

Yet we need to remind the Members how our Constitution is constructed. Article I section 7 says in an abbreviated format: “If he approve he shall sign it, but if not he shall return it, with his Objections, and it goes back to the House and Senate, whichever body first initiated it. . . and if approved by two-thirds. . . it shall become a Law.”

Let’s recognize that the vision of our Constitution was not for us to sit on some chair or bench somewhere waiting for someone far down Pennsylvania Avenue to tell us what to do. That is not fulfilling our job. The President is supposed to implement the laws we pass—the Vice-President not for us to sit here doing nothing, waiting for the man in the Oval Office to tell us he has some message from on high on what we are supposed to do. No, that is not the vision of our Constitution.

It is disturbing that a responsibility we all signed on to—we took our oath at and have sworn to—do is being neglected in this Chamber at this moment, when so many Americans are suffering as a result.

Those funding bills that I was speaking of and that partisan support, how strong it was—the Agriculture bill, Interior, Financial Services, General Government, Transportation, Housing, and Urban Development. Those passed this floor just a few weeks ago on a 92-to-6 vote. How much more bipartisan does it get?

The State and Foreign Operations bill passed out of the Republican-led Appropriations Committee 31 to 0. The Commerce, Justice, and Science spending bill passed 30 to 1 in our spending committee. Homeland Security passed out 25 to 5.

So these have a powerful imprint of overwhelming bipartisan support in this Chamber, and yet we sit here afraid to take action and lay out the vision we have a responsibility to lay out.

I hope every Member will say back home that they invited the feedback of their constituents; that they will hold themselves accountable to us. I hope we all hear what I hear, which is that is an absurdity. It is an irresponsibility. It is a failure of leadership. It is a neglect of duty, and that is not what this Chamber should be about. It is not a proud moment to have such dysfunction in the heart of the Senate.

I am reminded of the historical reference: “While Nero fidles, Rome burns.” It is a reference to the year A.D. 64 when the Romans burned the ground. The historian Suetonius records that Nero was responsible for the fire, and he watched it from a tower while playing an instrument and singing about the destruction of a different place—the destruction of Troy.

Here we sit today with our leadership’s fiddling while our Nation suffers, while our leadership watches from afar from the tower, playing some fiddle for its amusement, instead of taking action here on the floor of the Senate.

While the Republican Senate leadership fiddles, our farmers aren’t getting the funds or assistance they need to get through the winter to prepare for the next season because the Department of Agriculture is closed for business.

While the Republican leadership of this Chamber fiddles, firefighters whom we ask to risk their lives in fighting massive infernos in our Nation’s forests are missing out on critical training and preparation time for the next fire season. In addition, the work being done to thin the forests, to make the forests more fire resistant, is suspended. The work getting the fuel off the forest floors to make them more fire resistant is suspended. The prescription burns being done to make the forests more fire resistant are canceled. Yet this is the time they have to happen. While the leadership fiddles, it is setting the stage for more savage forest fires to wreak havoc on the Western States in the United States in the summer to come.

While the Republican leadership of this Chamber fiddles, 100,000 low-income tenants are at risk because there is no staffer in place at Housing and Urban Development to renew the 1,100 affordable housing contracts that expired last month.

While the leadership fiddles, small, rural economies, like that of Lakeview, OR, are stuck in limbo and are unable to move forward on critical projects. According to the South Central Oregon Economic Development District’s director, they are working at trying to give a loan to a small business in Lakeview, but they need EPA staff approval to be able to use the grant funding for an environmental assessment before they can borrow funds to buy a building. So they are up the creek while the Republican leadership fiddles.

The real victims in this misguided standoff are the hundreds of thousands of Federal workers who aren’t being paid and the contractors who might get paid and then can’t pay them. What do they have to say about this? Are they writing and saying: “Love this dysfunction in the Senate. Love

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the failure of leadership. Love the in-competence. Love the fact that nobody is working here to solve the problem”? No, that is not what they are saying.

Erin, a furloughed Forest Service employee of Sandy, OR, writes that both she and her husband are Forest Service employees who have been furloughed in the Mt. Hood National Forest, and they are terrified about their personal finances.

Erin writes:

I have two boys that I will still have to continue to pay daycare for so I do not lose their spot. That’s $1,400 a month alone.

She went on to write:

We have to be smart on how we balance our finances because the cost of living is going up, but our salaries have not been increased besides a minor cost-of-living adjustment last year. So I am very worried what a long shutdown means for my family and my coworkers.

Erin and her husband have every right to be worried about what is in the future for their family. They are suffering the effects of this shutdown through no fault of their own.

Steven, of southeast Portland, writes:

I am writing as a constituent, residing in southeast Portland, and as a furloughed Federal employee. I do not in any way support President Trump’s efforts to build a wall along our southern border. The proposed wall is unneeded. It would be a wantonly wasteful use of taxpayer money. It would be environmentally destructive, and it would further the inhumane disregard of the rights of those seeking asylum.

Steven is a Federal worker who is not being paid, and he doesn’t support this shutdown.

Julie, the wife of a firefighter in Redmond, OR, wrote last week that her husband “isn’t able to work because of the government shutdown.” In just over a week, they are supposed to hire all of their seasonal firefighters for the summer. If they can’t work, the hiring will not happen, which will put communities at serious risk this summer from wilderness fires. This risk for this coming summer is very real in our State of Oregon.

Julie writes:

In no way is it OK to let the government shut down. . . . Don’t participate in holding our own country hostage.

Dr. Genevieve Grady, of Sheridan, OR, wrote:

I am a licensed clinical psychologist who is working for the Bureau of Prisons in Sheridan, OR. I am also a single mom with two children under the age of 5. As an essential Federal employee, I am required to continue to work without being paid. As a licensed psychologist, I could cultivate outside work with Agency permission to supplement my income. However, I am unable to do this due to having to continue working full time. Given that I am a single mother of two small children, I must provide care for my children during all other hours of the day. In order to pay the rent over my head and children’s heads, I have had to contact my Federal student loan company to seek relief. Unfortunately, they cannot alter my student loan status until March 8 of next year, said I may continue going to work with out pay, is an in-home provider with three teenaged children of her own. I cannot ask her to go without pay as she too needs to continue keeping her family financially stable.

She writes:

There are very few expenses in my life that can go without money: food, daycare, gas to get to work, car insurance to drive legally, a phone required for my job to contact me in an emergency, and medical expenses. Both of my kids have been sick during this furlough and I have had to see the doctor to get medication. After 26 days without pay, these bills continue and I continue to wonder how much longer I should keep coming to work or when I should look for another job.

Linnea from Roseburg, OR, writes:

The unrepentant hostage holding of people’s wages is cruel and shows just how removed the Trump administration is from the American people. I live in a single-income household in which the only breadwinner is a government employee, my mother. This means that we went through the holidays not knowing when the next paycheck was going to come.

Brett, a furloughed IRS worker who was proud of his government service and called it his small way of participating in our democracy, writes:

My savings is small and will not last through an extended shutdown. I have already applied for unemployment insurance compensation, but that process takes several weeks before I actually receive any money. I have never had to file for unemployment before, and it’s distressing that I am forced to resort to government aid.

Like so many other Oregonians in a State that is 20-percent National Forest, Brien, of Pendleton, OR, writes:

As a United States Forest Service employee, I am waiting for relocation reimbursement on a current move. I used most of my savings to move duty stations 2 months ago, and with the current furlough, I cannot afford to miss a pay period even if I will get it in the end. I am currently paying interest on my move that was to be covered by the Forest Service. If the furlough lasts longer than January 13, it will be extremely difficult to avoid late payment charges on utilities, mortgage, and other bills. Don’t hold me and my middle-class family hostage to the inhumane disregard of the rights of those seeking asylum.

This is another example of the pain. Here is a parent who feels the medical affliction of his child is being stalled or damaged by this callous, inhumane shutdown.

Trevor Stokes, of Hillsboro, OR, and his wife are veterans of the U.S. Navy. They certainly are no strangers to sacrificing for their country.

In fact, in his letter, Trevor writes:

Over the past few weeks of this Trump-McConnell shutdown, I have worked both Christmas and New Year’s as well as their eves. I was not able to spend time with my family, which is a necessary sacrifice. Then he writes:

Now our financial future is uncertain due to a potentially long unpaid period. I’ve had to withdraw from mutual funds just to cover my monthly financial obligations. My family and the families of my air traffic colleagues have suffered from the sudden loss of income. Please end the shutdown.

We ask so much of these people. We ask them to work hours and days in the name of protecting us as travelers. Shouldn’t we also be looking out for them in their time of need?

Why don’t we reopen the Department of Transportation and make sure our air traffic controllers start getting paid? All of these individuals are saying: Do your job. Do your job. Do your job. Senate leadership, do your job.

Put the bills that have passed the Senate already back on the floor so our air traffic controllers can start getting paid. Let’s not also be looking out for them in their name of protecting us as travelers. Shouldn’t we also be looking out for them in their time of need?

This Trump-McConnell shutdown, this inaction of the Senate, abdicating
its responsibility— isn’t that exactly parallel to Nero fiddling while Rome burned? That fire here in America is touching the lives of so many. There are 800,000 workers without pay. Thousands more are contractors. Millions of Americans are caught in limbo in the midst of an important transaction—applying for an agricultural loan, trying to get a mortgage, signing up for help from the Small Business Administration to launch their business, getting their paperwork processed in one of 1,000 different places. And, the leadership fiddles while the American public suffers. It is wrong.

It may not be comfortable to have a debate on the spending bills. It may not be comfortable to vote on these bills. It may not be sweet to support or oppose a particular amendment, but do you know what is worse? What is worse is doing nothing. That is what this Chamber is doing now. It is doing nothing, despite our responsibility to millions of Americans to act. Let’s change that. Let’s change it now.

I understand that the majority is going on a retreat. Instead of going on a retreat to play the fiddle, how about you be here on the floor and put these bills on the floor? Let’s get all 100 Senators on the floor to actually talk to each other, to actually wrestle with the issues, to actually make our arguments, and to actually take the votes instead of going off somewhere to party with the minority. I encourage the majority leader to read the letter that was sent to him today from the freshmen from the House of Representatives down the hall. The freshmen haven’t been here long enough to become cynical. They haven’t become trapped in the partisan boundaries and warfare that seem to ensnare so much of this Chamber and the Chamber across the way. No, they are fresh, from other occupations and other responsibilities, still full of confidence and passion to do what is right for the American people. So let’s listen to them.

Today they sent a letter to Majority Leader McCONNELL, which I read on the floor earlier today, and they said: Put the bills on the floor. Put the spending bills on the floor—the bills that have already passed here in the Republican-led Senate or that passed overwhelmingly by the Republican-led Appropriations Committee, endorsed by the Democratic House. Put them on the floor and act.

Let’s listen to the freshmen down the hall. They are reminding us that we have a responsibility to act, and let’s do so immediately. Thank you.

ADJOURNMENT UNTIL 4 P.M. TOMORROW

THE PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 4 p.m. tomorrow.

Thereupon, the Senate, at 6:35 p.m., adjourned until Thursday, January 17, 2019, at 4 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

MINDY BRASHEARS, OF TEXAS, TO BE SECRETARY OF AGRICULTURE FOR FOOD SAFETY, VICE ELIZABETH ANN HATCHER.

NAOMI C. EARF, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE JARED J. SCOTT HUTCHINS.

DEPARTMENT OF ENERGY

WILLIAM BOOKLESS, OF CALIFORNIA, TO BE PRINCIPAL DEPUTY SECRETARY for national nuclear security administration, VICE MADelyn R. Creeden.

DEPARTMENT OF DEFENSE

VERONICA DARGLE, OF VIRGINIA, TO BE AN ATTORNEY OF DEFENSE, VICE FREDERICK VOLLBAECHER, Resigned.

DEPARTMENT OF DEFENSE FUSILIER SAFETY BOARD

JOSEPH BRUCE HAMILTON, OF TEXAS, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD, FOR A TERM EXPIRING OCTOBER 18, 2022, VICE DANIEL J. SANTINO.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SHERI DANIEL APPLETON, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE KATHERINE M. O’REGAN.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SPINDEL RAGHURAM S III, OF ALABAMA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2023, VICE PATRICIA M. LOUI.

DEPARTMENT OF TRANSPORTATION

THELMA DRAKE, OF MARYLAND, TO BE A FEDERAL TRANSPORTATION ADMINISTRATOR, VICE PETER M. ROGOFF, Resigned.

DEPARTMENT OF THE TREASURY

DINO FALASCHETTI, OF MONTANA, TO BE DIRECTOR, OFFICE OF FINANCIAL RESEARCH, DEPARTMENT OF THE TREASURY, FOR A TERM OF SIX YEARS, VICE RICHARD B. BRINES, Resigned.

NATIONAL CREDIT UNION ADMINISTRATION

RODEN HOO, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING AUGUST 2, 2024, VICE RICHARD T. MITTSCHR, TERM EXPIRED.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ROBERT HUNTER KURTZ, OF GEORGIA, TO BE A DEPUTY ADMINISTRATOR, VICE MARK R. ROSEKIND.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

JEFFREY NADASHEL, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE SANDRA BROOKS HENRIQUEZ, Resigned.

DEPARTMENT OF COMMERCE

JUDITH ROBERT, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY FOR ECONOMICS, VICE RICHARD H. OLSON.

DEPARTMENT OF COMMERCE

LINDA W. MANNING, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY FOR COMMERCIAL INTELLIGENCE, VICE JAMES A. LAMBERT.

DEPARTMENT OF STATE

BRUCE M. RAMER, OF CALIFORNIA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD, FOR A TERM EXPIRING OCTOBER 18, 2022, VICE JOSEPH BRUCE HAMILTON, TERM EXPIRED.

DEPARTMENT OF THE INTERIOR

JANICE MIRIAM HELLREICH, OF HAWAII, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING JANUARY 31, 2023, VICE HOWARD ASH RUSICK, TERM EXPIRED.

DEPARTMENT OF TRANSPORTATION

MICHAEL L. BRANDTENBERG, OF WISCONSIN, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE ANTHONY R. PRINCE, Resigned.

DEPARTMENT OF TRANSPORTATION

THE ADVANCED RESEARCH PROJECTS AGENCY–ENERGY, VICE ALBERT DICLEMENTE, TERM EXPIRED.

DEPARTMENT OF TRANSPORTATION

DOROTHEA D. LANE, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, VICE JOHN W. O’LEARY, Resigned.

DEPARTMENT OF TRANSPORTATION

ANN MARIE BUERKLE, OF NEW YORK, TO BE A COMMISSIONER OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, VICE CHRISTOPHER D. MOFFIT.

DEPARTMENT OF TRANSPORTATION

MICHAEL J. SCHEIDER, OF COLORADO, TO BE THE DEPUTY ADMINISTRATOR, NATIONALLY ACQUIRING AGENCY, VICE ROBERT C. BELSHE.

DEPARTMENT OF TRANSPORTATION

BRUCE M. BAKER, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2021, VICE HOWARD ABEL HUSOCK, TERM EXPIRED.

DEPARTMENT OF TRANSPORTATION

DANIEL C. ELKINS, OF WYOMING, TO BE THE DEPUTY ADMINISTRATOR, BUREAU OF AIR RESEARCH AND TECHNOLOGY, VICE JOSEPH R. LINDSEY.

DEPARTMENT OF TRANSPORTATION

ANNELISE ALABACK, OF WISCONSIN, TO BE AN OFFICER OF THE DEPARTMENT OF TRANSPORTATION, VICE JANICE MIRIAM HELLREICH, Resigned.

DEPARTMENT OF TRANSPORTATION

ANN MARIE BUERKLE, OF NEW YORK, TO BE A COMMISSIONER OF THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, VICE JOHN W. O’LEARY, Resigned.

DEPARTMENT OF TRANSPORTATION

THOMAS H. McCAFFREY, OF MONTANA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE JONATHAN WOODSON, Resigned.

DEPARTMENT OF TRANSPORTATION

LISA VICKERS, OF TEXAS, TO BE AN OFFICER OF THE DEPARTMENT, VICE J. GEORGE WILSON.

DEPARTMENT OF TRANSPORTATION

LINDA W. MANNING, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION, VICE JAMES A. LAMBERT, Resigned.

THE BOARD OF DIRECTORS OF THE EXPORT–IMPORT BANK OF THE UNITED STATES, VICE CHRISTOPHER D. MOFFIT.

The board of directors of the Export–Import Bank of the United States for a term expiring January 20, 2021, VICE ROBERT S. MULVEY, TERM EXPIRED.

CONSUMER PRODUCT SAFETY COMMISSION

ANY MARI BUCKLE, OF NEW YORK, TO BE A COMMIS- SIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION, FOR A TERM OF SEVEN YEARS FROM NOVEMBER 22, 2019, VICE WILLIAM SHAW MCDERMOTT, TERM EXPIRED.

AMTRAK BOARD OF DIRECTORS

RICK A. DEARBORN, OF OKLAHOMA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE JEFFREY R. MORELAND, TERM EXPIRED.

AMTRAK BOARD OF DIRECTORS

JOSEPH ROGERS, OF FLORIDA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE ALBERT H. DICKMAN, TERM EXPIRED.

CORPORATION FOR PUBLIC BROADCASTING

DON MUNCE, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2024, VICE Loretta CHRYSLER SUTLFF, TERM EXPIRED.

AMTRAK BOARD OF DIRECTORS

ANN MARIE BUERKLE, OF NEW YORK, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE SEAN ROBERT MULVANEY, TERM EXPIRED.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

WILLIAM SHAW MCDERMOTT, OF MASSACHUSETTS, TO BE THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2024, VICE NINA MITCHELL WILLIAMS, TERM EXPIRED.

DEPARTMENT OF ENERGY

WILLIAM COOPER, OF MARYLAND, TO BE GENERAL COUNSEL, DEPARTMENT OF ENERGY, VICE STEVENV. CRELLIN, Resigned.
OVERSEAS PRIVATE INVESTMENT CORPORATION

DIVING BAILEY, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION EXPIRING IN DECEMBER 17, 2021. VICE MATTHEW MAXWELL TAYLOR KENNEDY, TERM EXPIRED.

MISSION CHALLENGE CORPORATION

ALEXANDER CRENSEARCH, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS. VICE MARK GREN, TERM EXPIRED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

LOUIS DEJOY, OF NORTH CAROLINA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2021. VICE JAMES M. DEMERS, TERM EXPIRED.

MISSION CHALLENGE CORPORATION

GEORGE M. MARCUS, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF TWO YEARS. (RE-APPOINTMENT)

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

RICHARD C. PARKER, OF NORTH CAROLINA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT. VICE T. CHARLES COOPE, TERM EXPIRED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

CHRISTOPHER P. VINCI, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2021. VICE TODD A. FISHER, TERM EXPIRED.

DEPARTMENT OF STATE

JOHN P. ABEYSA, OF NEVADA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SAUDI ARABIA. (RE-APPOINTMENT)

STEPHEN A. AKARD, OF INDIANA, TO BE DIRECTOR OF THE OFFICE OF FOREIGN MISSIONS. WITH THE RANK OF AMBASSADOR. VICE GUYOT C. SMITH, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

JOHN BARROS, OF FLORIDA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT. VICE MARCELIA ESCOBAR.

DEPARTMENT OF STATE

PAMELA BAYES, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT. WITH THE RANK OF AMBASSADOR. VICE MARSHALL HILLINGSELA, OF VIRGINIA, TO BE AN UNDERSECRETARY FOR ECONOMIC AFFAIRS AND CONSUMER SECURITY, UNESCO, HUMAN RIGHTS, AND HUMANitarian EFFORTS, VICE SARAH SELWALL, RESIGNED.

LYNDA BLANCHARD, OF ALABAMA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SLOVENCIA.

INTER-AMERICAN FOUNDATION


UNITED NATIONS

ANDREW P. BREMBRE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE OFFICE OF UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA. WITH THE RANK OF AMBASSADOR. VICE MARSHALL HILLINGSELA, RESIGNED.

BRIAN J. BULATAO, OF TEXAS, TO BE AN UNDER SECRETARY OF STATE (MANAGEMENT). VICE PATRICK FRANCIS KENNEDY.

KATH MARY EVINES, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ASSISTANT AMBASSADOR EXTRAORDINARY AND PLIOPTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF EL SALVADOR. (RE-APPOINTMENT)

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

SEAN CAIRNCROSS, OF MINNESOTA, TO BE CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE CORPORATION, VICE DARYL M. BROADEN, TERM EXPIRED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

IVAN JOHNSON, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION EXPIRING DECEMBER 17, 2023. VICE MARK GREN, TERM EXPIRED.

MISSION CHALLENGE CORPORATION

ALEXANDER N. HARRIS, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS. VICE JAMES M. DEMERS, TERM EXPIRED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

LUCAS W. SHEPHERD, OF MAIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2021. VICE JAMES M. DEMERS, TERM EXPIRED.

MISSION CHALLENGE CORPORATION

MARK S. BARR, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF TWO YEARS. (RE-APPOINTMENT)
INTERNATIONAL PARTNERS OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

TERM EXPIRED.

EXPIRING JANUARY 26, 2022, VICE PAULA BARKER DUFFY, NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JULY 13, 2020. (REAPPOINTMENT)

TERM EXPIRING JANUARY 26, 2020, VICE MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2024, VICE MANFREDI ROSARIO JACKSON, TERM EXPIRED.

TERM EXPIRING SEPTEMBER 3, 2022, VICE MARIA REEDER, JR., RESIGNED.

OF THE UNITED STATES OF AMERICA TO ROMANIA.

INTERNATIONAL JOINT COMMISSION, UNITED STATES OF AMERICA TO THE REPUBLIC OF MEXICO.

VICE THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MALTA.

VICE THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JORDAN.

VICE THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONGOLIA.

IN THE UNITED STATES OF AMERICA TO JAMAICA.

IN THE UNITED STATES OF AMERICA TO ROMANIA.

OF THE UNITED STATES OF AMERICA TO JAMAICA.

OF THE UNITED STATES OF AMERICA TO MEXICO.

OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MEXICO.

OF THE UNITED STATES OF AMERICA TO MALTA.

OF THE UNITED STATES OF AMERICA TO JORDAN.

OF THE UNITED STATES OF AMERICA TO MONGOLIA.

AN ASSISTANT SECRETARY OF STATE (NEAR EASTERN AFFAIRS), VICE ANNE W. PATTERSON, RESIGNED.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

VICE ROBERT F. COHN. TERM EXPIRED.

OF HOMELAND SECURITY, VICE L. REGINALD BROTHERS, JR. RESIGNED.

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VICE ROBERT F. COHN. TERM EXPIRED.
TERM OF SIX YEARS, VICE PATRICIA CUSHWA, TERM EXPIRED.

FEDERAL ELECTION COMMISSION
JAMES E. TRAINOR III, OF TEXAS, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2023, VICE MATTHEW S. PETERSEN, TERM EXPIRED.

GOVERNMENT PUBLISHING OFFICE
ROBERT C. TAPPELLA, OF VIRGINIA, TO BE DIRECTOR OF THE GOVERNMENT PUBLISHING OFFICE, VICE DAVITA VANCE-COOKS.

SMALL BUSINESS ADMINISTRATION
DAVID CHRISTIAN TRYON, OF OHIO, TO BE CHIEF COUNSEL FOR ADVOCACY, SMALL BUSINESS ADMINISTRATION, VICE DARRYL L. DEPRIEST, RESIGNED.