

Nos. 5 and 6 during Thursday's session of the Senate and that cloture motions filed on both amendments during Thursday's session of the Senate be treated as if they were filed during today's session of the Senate and ripen at 2:30 p.m. on Thursday, January 24, 2019, in the order filed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### STRENGTHENING AMERICA'S SECURITY IN THE MIDDLE EAST ACT OF 2019—MOTION TO PROCEED—RESUMED

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate resume consideration of the motion to proceed to S. 1.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

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

#### ORDERS FOR WEDNESDAY, JANUARY 23, 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 11 a.m., Wednesday, January 23, 2019, and that following the prayer and pledge, the time for the two leaders be reserved for their use later in the day.

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

#### ORDER FOR RECESS

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess, under the previous order, following the remarks of the Democratic leader.

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

#### GOVERNMENT FUNDING

Mr. SCHUMER. Mr. President, I thank the Republican leader.

The Republican leader has just announced an agreement we have reached about the schedule for the two votes on Thursday, both of which will be amendments to the House-passed continuing resolution. First, the Senate will vote on the President's proposal, and then we will vote on an amendment that is identical to the underlying bill.

The President said his proposal was a reasonable compromise. In fact, it is neither reasonable nor a compromise. There was no serious negotiation with any Democrat about what went into the proposal. That is because the proposal was never intended to pass. It is only a thinly veiled attempt by the President to save face. Anyone who

looks at the legislation can tell it was designed to fail. In exchange for the wall, the President offers only limited temporary protections for DACA and TPS—protections he single-handedly removed. So it is sort of like bargaining for stolen goods. On top of that, he has proposed new, radical changes to our asylum system without consulting any Democrats—changes that controvert our Nation's most fundamental and precious values. I hope that it will be roundly defeated on Thursday.

The good news is that after that vote, we will have a second amendment that could break us out of this morass we are in. The Senate will proceed to an amendment to the House bill that is identical to the underlying legislation. In other words, for the first time, we will have a vote on whether to open up the government without any decision, one way or the other, on border security. The proposal also adds necessary disaster aid to several States that were recently ravaged by natural disasters.

People are asking: Isn't there a way out of this mess? Isn't there a way to relieve the burden on the 800,000 Federal workers who are not getting paid? Isn't there a way to get government services open first and then to debate what we should do for border security?

There is a way, and that will be the second vote that will occur on Thursday. It would reopen all of the portions of the government until February 8—open them briefly, but open them it will—and it would allow workers to get paid and get their backpay. It would allow us to then debate—without hostage-taking, without temper tantrums, without anything—how we can best do border security. We would get that done, hopefully, by February 8 and keep the government open.

If you are looking for a way to open up the government, this is the way. I hope my Republican colleagues—many of whom were circulating a letter that does, basically, the same thing as does this proposal but without the disaster aid—will sign, will vote yes. The American people are looking for a solution. I am glad that we will have a vote that will bring us nearer to that solution, much closer to that solution. That will be the second vote here, which will open up the government and then will allow us to debate border security.

Again, I urge enough of my Republican colleagues to join us Democrats in voting for the proposal, which has already passed the House, that could open up the government.

I yield the floor.

#### MEASURES PLACED ON THE CALENDAR

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

H.R. 268. An act making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-141. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, a legislative proposal entitled "Consumer Financial Protection Bureau Amendment to the Consumer Financial Protection Act to Clarify Bureau Authority to Exercise Its Supervisory Authority to Assess Compliance with the Military Lending Act"; to the Committee on Banking, Housing, and Urban Affairs.

EC-142. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Elimination of Form 80 and Revision of Regulations on Recreational Opportunities and Development at Licensed Hydropower Projects" (Docket No. RM18-14-000; Order No. 852) (RIN1902-AF51)) received in the Office of the President of the Senate on January 17, 2019; to the Committee on Energy and Natural Resources.

EC-143. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Financial Resources, Department of Health and Human Services, received in the Office of the President of the Senate on January 17, 2019; to the Committee on Finance.

EC-144. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, received in the Office of the President of the Senate on January 17, 2019; to the Committee on Finance.

EC-145. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to Japan to support the integration, installation, operation, training, testing, maintenance, and repair of the IBIS III System in the amount of \$100,000,000 or more (Transmittal No. DDTC 18-063); to the Committee on Foreign Relations.

EC-146. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services, to Belgium to support the design, development, integration, and installation for the North Atlantic Treaty Organization (NATO) Alliance Ground Surveillance (AGS) program in the amount of \$100,000,000 or more (Transmittal No. DDTC 18-055); to the Committee on Foreign Relations.

EC-147. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms abroad controlled under Category I of the U.S. Munitions Lists of 5.56mm rifles to Qatar for use by their Internal Security Force in the amount of \$1,000,000 or more (Transmittal No. DDTC 18-061); to the Committee on Foreign Relations.

EC-148. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

section 36(c) and (d) of the Arms Export Control Act, the certification of a proposed license for the manufacture of significant military equipment abroad and the export of firearm parts and components, including technical data and defense services, abroad controlled under Category I of the U.S. Munitions Lists to Italy and Qatar to support the manufacture, integration, assembly, operation, training, testing, and maintenance of 5.56mm upper receivers in the amount of \$1,000,000 or more (Transmittal No. DDTC 18-073); to the Committee on Foreign Relations.

EC-149. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services, to Switzerland and the United Kingdom to support the integration, installation, upgrade, operation, training, testing, maintenance, and repair of the F/A 18 Tactical Operational Flight Trainer (TOFT) in the amount of \$50,000,000 or more (Transmittal No. DDTC 18-064); to the Committee on Foreign Relations.

EC-150. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services, to Switzerland and the United Kingdom to support the integration, installation, upgrade, operation, training, testing, maintenance, and repair of the F/A 18 Tactical Operational Flight Trainer (TOFT) in the amount of \$50,000,000 or more (Transmittal No. DDTC 18-064); to the Committee on Foreign Relations.

EC-151. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to the United Kingdom to support the integration of the MK 41 vertical launch system (VLS) on three Type 26 Global Combat Ships for the use by the United Kingdom's Ministry of Defense in the amount of \$25,000,000 or more (Transmittal No. DDTC 18-079); to the Committee on Foreign Relations.

EC-152. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, for the manufacture of significant military equipment abroad to Taiwan to support the manufacture of the AR-1500 International 1-Channel Airborne Radio (Transmittal No. DDTC 18-046); to the Committee on Foreign Relations.

EC-153. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, Secretary of Labor's response to the Office of the Ombudsman's 2016 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-4. A petition from a citizen of the State of Texas relative to salaries of Members of Congress during full or partial federal

government shutdowns; 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 Mr. HEINRICH (for himself, Mrs. FEINSTEIN, Mr. LEAHY, Mr. UDALL, Mr. BLUMENTHAL, Mr. CARPER, Ms. HARRIS, Mr. WHITEHOUSE, Mr. MURPHY, Mrs. GILLIBRAND, Ms. WARREN, Mr. MERKLEY, Ms. CORTEZ MASTO, Mr. WYDEN, Mr. BOOKER, Ms. KLOBUCHAR, Mr. CARDIN, Mr. REED, Mr. SANDERS, and Mr. MARKEY):

S. 197. A bill to provide for the confidentiality of information submitted in requests for deferred action under the deferred action for childhood arrivals program, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER:

S. 198. A bill to provide for continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, other than for the legislative branch and the Executive Office of the President; to the Committee on Appropriations.

#### ADDITIONAL COSPONSORS

S. 30

At the request of Ms. BALDWIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 30, a bill to require the Secretary of Defense to develop and implement a plan to provide chiropractic health care services for certain covered beneficiaries as part of the TRICARE program.

S. 145

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 145, a bill to expand opportunity through greater choice in education, and for other purposes.

S. 172

At the request of Mr. GARDNER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 172, a bill to delay the reimposition of the annual fee on health insurance providers until after 2021.

S. 178

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5. Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

SA 6. Mr. SCHUMER proposed an amendment to the bill H.R. 268, *supra*.

#### TEXT OF AMENDMENTS

SA 5. Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; as follows:

Strike all after the word "appropriated," on line 1 and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "End the Shutdown and Secure the Border Act".

##### SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.
- Sec. 6. Availability of funds.

##### DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Agricultural Programs

Title II—Farm Production and Conservation Programs

Title III—Rural Development Programs

Title IV—Domestic Food Programs

Title V—Foreign Assistance and Related Programs

Title VI—Related Agency and Food and Drug Administration

Title VII—General Provisions

##### DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of Commerce

Title II—Department of Justice

Title III—Science

Title IV—Related Agencies

Title V—General Provisions

##### DIVISION C—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2019

Title I—Department of the Treasury

Title II—Executive Office of the President and Funds Appropriated to the President

Title III—The Judiciary

Title IV—District of Columbia

Title V—Independent Agencies

Title VI—General Provisions—This Act

Title VII—General Provisions—Government-wide

Title VIII—General Provisions—District of Columbia

##### DIVISION D—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2019

Title I—Departmental Management, Operations, Intelligence, and Oversight

Title II—Security, Enforcement, and Investigations

Title III—Protection, Preparedness, Response, and Recovery

Title IV—Research, Development, Training, and Services

Title V—General Provisions

##### DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of the Interior

Title II—Environmental Protection Agency

Title III—Related Agencies

Title IV—General Provisions

##### DIVISION F—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2019

Title I—Department of State and Related Agency

Title II—United States Agency for International Development