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Senate

(Legislative day of Thursday, January 24, 2019)

The Senate met at 12 noon on the expiration of the recess 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 God, You stand behind life's shadows, keeping watch over those who call on Your sacred Name.

Lord, our help comes from You, and we need Your sufficient grace to bring an end to this partial government shutdown.

Lord, don't permit the weapons formed against America to prosper, for You remain our refuge and fortress. May our lawmakers not be found wanting in this challenging hour of national turmoil. Help them to courageously contend for what is right, as You give them the ability to understand Your unfolding providence.

We pray in Your strong Name. Amen.

The PRESIDENT pro tempore. Please, God, help us.

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.

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

RESERVATION OF LEADER TIME

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

The PRESIDING OFFICER. The Senator from Illinois.

GOVERNMENT FUNDING

Mr. DURBIN. Mr. President, the announcement this morning that air operations in major cities in this country on the east coast and other places could be delayed or are interrupted comes as no surprise.

This last week, I met with air traffic controllers in St. Louis and in Aurora, IL. We have over 600 air traffic controllers in Northern Illinois because of O'Hare, Midway, and so many other important airports in that region, and, of course, in St. Louis, with Lambert airfield and others. They have quite extensive air operations.

They explained to me what is going on with air traffic controllers. It shouldn't have worried us before the shutdown. It should frighten us at this moment.

Currently, air traffic controllers work 10-hour shifts. It is a stressful job—an important, stressful job. There is hardly any person more on the front-line of public safety than an air traffic controller. They are expected to concentrate—to concentrate exclusively—for 10 straight hours on each shift. Because of a shortage of air traffic controllers, they now are working 6 days a week.

If you can only imagine for a moment what it is like, and, if you have been to an air traffic control tower, you know what it is like—at least from an outside observer's point of view. There they are, with a screen full of dots. In each one of them is an airplane, and in each airplane tens, maybe even hundreds of lives, and they are trying to make certain that nothing terrible occurs.

Imagine the added burden they face now on the 35th day of this government shutdown. As of today, they will have missed two pay periods. The last paycheck came last year. I listened to these air traffic controllers explain what it meant to them. For some of

them, it has gotten down to the basics. In the St. Louis area, one of the air traffic controllers has to drive a long distance each day. They didn't have the cash for gasoline. He sold his plasma in order to fill the tank to go to work.

At another air traffic control meeting in Aurora, one of the controllers came to me and said that one of his colleagues, who had been working for some time, came to him and said that he only had 5 days left that he could continue doing this—working for nothing—and then he would have to go look for other jobs and possibly jeopardize his future in air traffic control.

The stories came to me one after another. There was a young family where a little child of the family is suffering from medical illnesses of a serious nature. Luckily, they still have health insurance when they are not being paid. When it comes to the out-of-pocket expenses and copayments, they don't have money for it.

Those are the realities these men and women face. They are the realities that have to be on their minds every waking moment. We pray, as passengers in these aircraft, that the only thing on their mind is their job. Instead, for many of these people, it is just basically getting by, keeping their family together.

A lady came up to me at the airport at O'Hare and told me that she and a lot of friends run a food pantry in Oak Park, which is west of the city of Chicago, and she said to me: We have problems. The Federal employees who are coming around now are in desperate need of help, and we are running out of supplies at our food pantries.

Has it come to that in America, where we have to rely on food pantries and charity for men and women who are performing such a vital function as air traffic control? That is the reality of the situation.

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



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Yesterday we had two votes on the floor of the Senate. I know that every Federal employee and their families were tuned in, in the hopes that this shutdown would end yesterday, that we would muster the courage and political will to come together on a bipartisan basis. We didn't. We fell short of the 60 votes needed on both of the measures that were called.

There is a ray of hope but only a small one. The conversations at the highest level continued last night and even into today. My only hope is that the President will decide that this shutdown has to come to an end.

He alone stood in the beginning and said he was proud to claim that he was the author of this shutdown. I don't see how anyone can be proud of what has happened in this country. It is time to put it behind us. It is time to move forward with serious negotiations about border security and other issues but not at the expense of 800,000 Federal employees.

VENEZUELA

Mr. President, last year, my staff prevailed on me to make a trip which I really wasn't sure I should do. It was to Caracas, Venezuela. I had never been to that country, and I was visiting there at the invitation of their government. Nicolas Maduro was the President of Venezuela, and he did not enjoy the very best of reputations, but yet he was willing to see me.

So for several days I went down to Venezuela, met with President Maduro, met with the opposition, met with the American who was being held prisoner by the Maduro regime, and in matter of a few days, got an impression of what was happening in Venezuela.

It is hard to imagine that 30 years ago, Venezuela was one of the most up-and-coming countries in South America. It was considered one of most prosperous. Their oil industry was generating money in amounts they had never imagined before. The lifestyles of people were improving. There were a lot of things to be said on the positive side of the ledger, but over the span of the next 20 or 30 years, things became tremendously worse.

Last year, as I had this opportunity to travel in Venezuela and meet with then-President Maduro, I met also with members of the elected National Assembly, civic and humanitarian groups, medical professionals, and the exceptional men and women who were working at the U.S. Embassy.

What I found was that this once-proud and relatively wealthy democracy, last year was on the verge of political, economic, and humanitarian collapse.

The stories I learned in that short period of time were heartbreaking—of children fainting at school because they were hungry, the return of diseases that had once been eradicated, a massive outflow of millions of refugees from Venezuela to neighboring countries, some rates of infectious disease being rivaled only by war zones in this

world. So many children were going so hungry while the government cronies were siphoning off millions of dollars from the state food aid program. It was infuriating and disgusting.

I walked down the streets of Caracas and saw firsthand Venezuelans emaciated, waiting in long lines at ATM machines, and I asked: Why is it every hour of the night and day there is a long line at the ATM machine? Inflation was so bad in that country that people had to wait patiently in line to max out each day's withdrawal from their accounts so they would have enough money for a roundtrip bus ride the next day.

I walked through one of the private hospitals, and I heard of unimaginable shortages of key medicines, shortages even worse in the state hospitals, where simple blood tests were no longer possible.

In fact, just this week, a collaborative and brave Venezuelan media effort entitled "Petrofraude" released a devastating investigation. It details how the Venezuelan Government decimated the nation's oil supply to enrich the cronies of President Maduro and attempt to buy diplomatic support, all while its people were dying of malnutrition, and inflation was soaring beyond 1 million percent.

When I met President Maduro last year, I told him—this was in April—that if he proceeded with the planned, rigged election, he would find himself even more isolated in the world, and he would bring even greater suffering on his people. He ignored me, and of course, sadly, that is what happened.

In May, he went forward with a bogus election whose illegitimate results were not recognized by many countries in the region.

Maduro also then kicked out America's top diplomats at the time—two of our finest whom I have had the pleasure of meeting and working with on the trip.

Yet, during my visit, I was also inspired and found some hope. There were brave civic leaders who were looking for public service for the right reason—healthcare workers, doing the best they could with almost nothing, and the next generation of young elected members of the National Assembly, the only legitimate democratic body left in the nation of Venezuela.

These young leaders had notably won election in areas that once supported Hugo Chavez, supposedly the patriarch of the country and the godfather of Maduro, but they had prevailed in districts that had gone for Chavez in previous elections because the people in those areas had grown disillusioned with the years of corruption, repression, and movement toward dictatorship by Mr. Maduro.

Among this group of patriotic elected officials were some extraordinary leaders with whom I managed to have dinner one evening.

We went to a somewhat secret location on the second floor of a neighbor-

hood restaurant. There were five of them. They were on the opposition side from President Maduro. They were careful not to meet or be seen too much in public, and I sat and talked to them about why they were in politics. They weren't even being paid. Maduro had decided to stop paying them after they were elected, and yet they continued to try to serve.

At one point, one of them said to me: Senator, if you come back next year, I can tell you that of the five of us, two will likely be in prison, two will be exiled, and one may have disappeared. That is what happens when you oppose the Maduro regime.

I thought to myself, there is a heavy price to pay for politics in our country, but it doesn't get close to what these young people were facing.

Seated at that table that night was a young 35-year-old man. His name was Juan Guaido—the same Juan Guaido who was recently chosen as President of the Venezuela National Assembly.

This last Wednesday, he did a courageous and dangerous thing. He announced that under the Constitution, he believed he had the power to take control and to call for a free and credible election, and he announced that he would be the interim President of Venezuela under that Constitution.

It was a dramatic move. Guaido now finds himself as the interim Venezuelan leader—35 years old.

What has happened since he made that announcement? The United States has recognized him, as has Canada, and virtually every other country in South and Central America, save three, and I will spell them out: Bolivia, Cuba, and Nicaragua which refuse to recognize him.

The Secretary General of the Organization of American States has also recognized him.

Under article 233 of the Venezuelan Constitution, if the Presidency of the country is deemed unfilled by a vote of the National Assembly, then the National Assembly President "shall take charge of the Presidency" and lead a timely transition back to a legitimate government.

This is what has happened on the streets of Caracas because of his courage: The National Assembly passed a measure finding that the Office of the Presidency was vacant due to a clearly stolen election.

So Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Panama, Paraguay, Peru, the United Kingdom have all recognized Guaido as Venezuela's legitimate leader, in addition to the United States and Canada, I might add.

Earlier this week, I also joined in support of his effort, calling on him to fulfill his constitutional role to help Venezuela return to the community of democracies and to do so with a thoughtful and timely transition to a credible election in which the Venezuelan people can once again choose their leaders through a fair, transparent process.

Yesterday I had the privilege to speak at length with President Guaido and offer my support for his transition. Just as when I met with him last year in Caracas, he was deeply thoughtful and expressed his love of his country that he serves. That couldn't have been more clear in our conversation.

He knows how much the Venezuelan people have suffered, how the Maduro regime bankrupted the nation and destroyed its democracy and economy, and how desperate the people of this country are to rejoin the community of democracies.

I told him we in the United States stand ready to help, and the Venezuelan people need our help to rebuild their country's democracy and economy and to help return the millions of Venezuelan refugees safely.

Yesterday the administration pledged \$20 million of humanitarian support to the opposition, to those who are in the streets trying to reclaim democracy in that country.

I support that \$20 million and hope other countries will join us. It is just the beginning of the help they will need.

This once-proud country can return to the community of democracies. It can start to restore the faith of the people in their government. It can start to answer the basics.

To think of what they are going through, to think that children are fainting in school because of malnutrition and that basic antibiotics are not even available in the hospitals, these are unthinkable developments in any modern country in our hemisphere. I hope this effort, as dangerous as it may be for the new interim President, leads to a credible free election and the restoration of democracy in Venezuela.

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

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

GOVERNMENT FUNDING

Mr. CASSIDY. Mr. President, obviously, the news that is dominating Washington, DC, and indeed the Nation is the shutdown.

Yesterday, I joined in a colloquy with other colleagues, both Democrats and Republicans, asking that we find some middle way. The President clearly has moved. He has offered to reopen the government, I am told, if only a downpayment will be made to construct the wall, and has come forward with a good-faith effort. Ms. PELOSI—I would ask that she, as the Speaker, who seems to be the chief negotiating partner, do the same.

I myself have two pieces of legislation that I will be offering today or Monday that will ease the burden on those Federal workers who are still

working and not getting paid—and we thank them so much for doing so—as well as come up with an alternative way to perhaps fund the wall.

NFC CHAMPIONSHIP CONTROVERSY

Mr. President, with the seriousness of that, I also want to address one other issue that is particularly serious to folks in Louisiana. I hope it doesn't seem out of place with the shutdown, but I can state that to the folks back home, it is something that continues to disturb them.

I would like to bring up the NFC championship game. The State of Louisiana is outraged because of what happened in the Superdome last Sunday. Televisions were broken, Super Bowl boycott concerts scheduled, billboards were put up in Atlanta, and fans filed lawsuits. My colleague in the House of Representatives is calling for the NFL commissioner, Roger Goodell, to testify in front of Congress on the travesty that occurred 5 days ago.

What happened, in my belief and the belief of many, was the most blatant and consequential blown call in NFL history. For those who missed it, on Sunday night during an NFC championship game, the score was tied with less than 2 minutes to go. It is third and long, and the Saints are in position to score. Drew Brees throws a pass, which is right there. There is the ball, there is the receiver, and there is the defender.

For those not familiar with football—and I know the Presiding Officer played at the University of Arkansas; not a bad school, even though it is not a Louisiana school—the defender is not looking back at the quarterback. He is not looking to intercept. He is only looking to plow through the receiver.

Every drunk sitting on a stool in every bar throughout the Nation looked up at that TV and said: There is interference.

What you don't see from this picture I am showing, though, is there is also helmet-to-helmet contact, which is also a penalty.

It was a twofer. On one play, the Los Angeles Rams defender committed two egregious penalties, and everybody in the Superdome and everybody watching knew it happened—except for him, the referee.

I don't mean to pick on this referee. I am sure he is a nice man, a good family man, et cetera. But he missed a call with less than 2 minutes that everyone agrees would have changed the course of the game. The Saints would have had a first down automatically, they would have drained the clock, they would have then kicked a field goal, and the game would have been over.

LeBron James, Dez Bryant, Melvin Gordon, Richard Sherman, J.J. Watt, and even Hulk Hogan took to Twitter to call out this absurd call.

The defender said: I interfered with him.

He admitted it.

I thought I was going to get called, but I didn't.

The pass interference was not called, and now the Rams will play in the Super Bowl against the Patriots instead of the Saints, which is kind of a shame. It really is a taint upon the Super Bowl. It won't be the two best teams; it will be the two teams that got there, at least in one case, because someone did not see an obvious call.

Now, I don't just mean to kvetch—and obviously all Saints fans continue to be upset—but it is actually, if you will, about the integrity of the game. If you speak of the NFL, it almost becomes a metaphor for that which is the most competitive, the highest quality, where coaches and athletes dedicate themselves, honing their skills to the absolute highest level. As folks say, if you can win in the NFL, you can win anywhere. It is a metaphor. The Saints—every football team invests heavily in this. Football fans really come to town on this.

So the question is to the NFL. We have a few questions for you.

How are the officials selected for this game? For example, they grade officials after every game. Were the best officials sent to this game, or was it just a rotation? If it is just a rotation, how did the referees who officiated this game grade?

I don't want this to be too personal, but if somebody commits a penalty during a football game, the referee will say: No. 74 was offside, and the NFL has accountability in the performance of everybody in the game. So I think Saints fans would like to have an accountability for the referees.

Did people look into conflicts of interest? It has been pointed out that the referee who missed the call lives in Los Angeles. Is he a diehard Rams fan?

Again, how did these referees get scored in this game? After every game, the referee is kind of given a grade. Was it an A-plus or a C-minus? And if it is a lower score, what was the comment on this particular play?

Saints coach Sean Payton said the senior vice president of officiating admitted to him in a private phone call that the official messed up, but there is still no official statement from the NFL. Perhaps they can answer these questions in an official statement.

Football is not only a game; it is part of our culture. I would state that the NFL has a responsibility to the millions of fans across the country to ensure the integrity of the game and to answer these questions and perhaps a few others.

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

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

GOVERNMENT FUNDING

Mr. SCHATZ. Mr. President, this morning the FAA grounded planes at

LaGuardia Airport, averaging more than 1,000 flights a day. They made this decision because of a shortage in air traffic control staff, who are not being paid because the President fulfilled his promise to shut down the government 35 days ago.

The FAA's website crashed as people looked for information. Stocks for airlines took a hit, and air traffic in other airports, including Philadelphia and Newark, were delayed because of staffing shortages. We will continue to see the ripple effects of this today. It is not like if travel in and out of LaGuardia is disrupted, it will be business as usual at other airports. More flights will be delayed. LaGuardia has resumed operations, but what is clear is that the ATC, or the air traffic control staff, is thin, and they are making game-time decisions—go, no go.

Apparently, we need another reminder that this shutdown is stupid and dangerous, that it leaves communities and commerce on the edge, because the voices of those affected already—Native Americans, Coast Guard servicemembers, FBI agents, IRS employees, National Park Service workers, and domestic violence victims—weren't enough. The FAA is unique because they have an obligation and the authority under the law to make a go-no-go decision based on safety. They can look at their staffing numbers and say: We can't do this safely, so stop. But the FBI and the Coast Guard don't get to say: Hey, hold off, everybody.

TSA agents and the TSA itself does not have the authority to make a similar call. They can raise the alarm, but they do not have the authority to stop people from coming through checkpoints. They just have to make do. The same goes for all of the families affected by the shutdown. There is no "go-no-go" decision. They just have to try to make it work.

The FAA decision demonstrates what is happening throughout the government and throughout society right now. People are right on the edge. Some of them have fallen off that edge. Today, the shutdown became an inconvenience to the very small percentage of Americans who fly regularly, but, more importantly, today is an indicator of what is happening to the government, of who matters to the government.

I certainly hope, as lots of pundits, and journalists, and politicians have mentioned, that once air traffic starts to slow, once airports get snarled, we are at the end of this process and the shutdown will end shortly. I don't know if that is true, but I sure hope it is true.

On another level, it should precipitate a little shame, a little introspection about how we got here, because to fix this now, when airports are snarled, is to say we were OK with people not getting food stamps, we were OK with Native American health clinics running out of medicine, Federal workers working without two paychecks, and

Coast Guard men and women deployed without paychecks, so long as the President can build his wall. But if flights are delayed, if the elites are imperiled or inconvenienced in any way at the all, game over, and shame on us if that is what it takes to shut down this shutdown.

This entire time, as funding has run out for food banks and domestic violence shelters, everyone has been focused on whether or not Speaker PELOSI will win the State of the Union exchange with the President, and what are the polling numbers, and how are Democrats and Republicans positioning this, and will these polling drops matter in 2020?

But the moment the elite of this country have a moment of inconvenience, this thing seems to be wrapping up, and shame on us.

Everyone is focused on this slow, horrible train wreck that they can watch with some distance. Suddenly, air travel stops and everybody freaks out. Shame on us. It is day 35. People have gone without—without food, medicine, gas in their car, paychecks—but delayed flights is the straw that breaks the camel's back.

This has to end. But it should never have even started. It shouldn't have taken a day like this to be, possibly, maybe not the end, maybe not the beginning but the beginning of the end of this shutdown.

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

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

NINETY-FIRST SENATE PRESIDENT PRO TEMPORE

Mr. GRASSLEY. Mr. President, I come to the floor today to offer a few reflections in these opening days—now opening weeks—of the 116th Congress.

On January 3, I was honored to be sworn in as the 91st Senate President pro tempore. As many of you know, I love history. I studied to be a history teacher, and I have devoted six decades of my life to public service where, maybe, I helped make a little history along the way. I have represented the people of Iowa as a legislator since 1958.

At the age of 25, as the youngest legislator in the Iowa State House, I never dreamed that one day I would be named a constitutional officer in the Senate.

For the last 38 years, it has been my great privilege to serve and represent the people of Iowa as a Senator. It is with great pride on behalf of my home State that I step into this leadership role and follow in the footsteps of my predecessors as President pro tempore of the Senate. In fact, one of those predecessors is from my home State. It was 100 years ago exactly that Iowa Re-

publican Senator Albert Baird Cummins became the 68th Senate President pro tempore. He served as President pro tempore from 1919 until 1925.

In my nearly four decades here in the Senate, I served alongside seven Presidents pro tempore: Senator Thurmond, of South Carolina; Senator Stennis, of Mississippi; Senator Byrd, of West Virginia; Senator Stevens, of Alaska; Senator Inouye, of Hawaii; Senator LEAHY, of Vermont; and Senator Hatch, of Utah. Each served with honor and distinction, bringing their own style and substance to this office.

When Senator Byrd was elected to this office, he noted that "the election of a Senator to the office of the President pro tempore has always been considered one of the highest honors offered to a Senator by the Senate body."

I am proud to join the ranks of this impressive and respected group of public servants and legislators. Article I of the Constitution directs that a President pro tempore be chosen by the Senate. The President pro tempore serves as the President of the Senate when the Vice President is unavailable and serves a number of other ceremonial and ministerial functions.

I appreciate the support of my colleagues who elected me to this position. In Federalist No. 62, James Madison considered it a virtue that Senators have "more advanced age and a longer period of citizenship." Traditionally, the President pro tempore has also served as a senior statesman for the Senate, standing up for the values that make the Senate the world's greatest deliberative body. Perhaps that is why it is customary for a Senator of the majority party with the longest record of continuous service to become President pro tempore.

When you have been here as long as I have, you learn some very valuable lessons. You learn that you have to work hard, put your constituents first, and stand up for your principles. That is also how you happen to get reelected by the people of your State. Because the Senate is not a majoritarian body, you also learn that in order to get anything important done, you have to seek consensus and develop relationships, and develop those relationships on both sides of the aisle. You have to learn the art of negotiation and bipartisan compromise, something that seems to be missing right now as the government is shut down. You also learn that it is not enough to pass laws. You also have to make sure that those laws are followed and that the taxpayer dollars are spent appropriately according to what Congress intends in the law.

The humorist Will Rogers once said that about all he could say about the Senate is that it opens with a prayer and it closes with an investigation. In my experience, that is not always a bad thing because it is by conducting oversight and investigations that we hold the executive branch responsible to the

taxpayers—no matter which party is in power. That is why I have always dedicated a significant amount of resources to oversight, even when I was a new Senator. That is why, when some have suggested that Agencies should only respond to the oversight requests of committee chairmen and ranking members, I have fought back—even when 2 years ago, the new administration under Trump tried to say that only chairmen and ranking members should get this information—because I believe that every Senator has a duty to the taxpayers who sent us here to take an active part in congressional oversight efforts.

The Supreme Court observed in *Watkins v. United States* that “the power of Congress to conduct investigations is inherent in the legislative process.” Oversight helps us to write better bills and to be wiser with taxpayer dollars. It is also how we make the Agencies accountable to the American people.

Over time, as our government has grown in size, Congress has delegated more and more power to the executive branch—probably more power than we should have. Some of the delegation is necessary for the government to function efficiently, but there is an inherent danger whenever Congress delegates power to the executive branch, especially if we delegate legislative authority.

When they drafted the Constitution, the Founders of our Nation were rightfully concerned that those in power would be tempted to abuse power in favor of their own interests. As we all studied in high school government, to prevent this, the Founders divided power among three branches of government and set up a system of government in which, to paraphrase James Madison in *Federalist No. 51*: Ambition [is] made to counteract ambition. It is through this system of checks and balances between ambitious branches of government that our fundamental liberties are protected. The concentration of too much power in the executive branch upsets the careful balance of the separated powers that was envisioned by our Founders.

As legislators, it is our duty then, as the Founders rightfully intended, for us to protect and defend the interests of our branch of government. So, when we write laws, we must be careful not to cede too much authority to the executive branch, and we must make sure that if we have delegated authority, we conduct rigorous oversight to make sure it is being used appropriately. It is only through rigorous oversight that we make sure that the government of the people and by the people then works for the people.

As President pro tempore, I will assure my colleagues and my constituents that I will bring the same Iowa work ethic, decency, and integrity to this job that I have cultivated throughout my years of public service. Like my President pro tempore predecessors, I will work to uphold the dig-

nity and decorum of this body and to defend the Senate’s institutional interests. It is what our Founders expected and the American people deserve.

Each Member of the Senate is privileged to serve. I especially welcome nine of the newest Members to the Senate. There are seven Republicans and two Democrats who are new: Senator BLACKBURN of Tennessee, Senator BRAUN of Indiana, Senator CRAMER of North Dakota, Senator HAWLEY of Missouri, Senator MCSALLY of Arizona, Senator ROMNEY of Utah, Senator ROSEN of Nevada, Senator SINEMA of Arizona, and Senator SCOTT of Florida.

To my newest colleagues whom I have just named and, of course, to all of my colleagues who have been around here for quite a while, I want you to know my door is open. As I tell a lot of new colleagues—and I can repeat it for older colleagues—if you want to know anything about what CHUCK GRASSLEY is thinking or doing, just ask me. I will bet, 99 percent of the time, I will be able to tell you exactly what it is. If I can’t, I will be glad to tell you why I can’t tell you. I look forward to working with each of you in the weeks, months, and years ahead.

With great honor and, of course, humility, I look forward to my service as President pro tempore. Like my good friend and our most recent President pro tempore, ORRIN HATCH, I look forward to opening the people’s business each day in the Senate. I will then work the rest of that day to deliver on my commitment to find solutions to our country’s most pressing problems, to seek common ground with my colleagues on both sides of the aisle, and to exercise rigorous oversight over the other branches of government. Our Nation’s most pressing problem today is that of getting the government opened up.

I thank my colleagues.

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

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

RECESS

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate recess subject to the call of the Chair.

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

Thereupon, the Senate, at 1:30 p.m., recessed until 2:44 p.m., and was reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

STRENGTHENING AMERICA’S SECURITY IN THE MIDDLE EAST ACT OF 2019—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senate will come to order.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

GOVERNMENT FUNDING

Mr. MCCONNELL. Madam President, for weeks, I have continuously said I wouldn’t let the Senate become a theater for show votes and messaging stunts from either side. We would only vote on plans that stood an actual chance of being signed by the President and, thus, obviously becoming law.

So I was glad to hear today the President’s announcement that he and our Democratic colleagues have reached an agreement that will immediately reopen the government while providing the room to negotiate a funding bill for the Department of Homeland Security. Further, negotiations on DHS will be prioritized over the consideration of any other funding bill. With cooperation, we can pass legislation opening the government, and we can send the DHS appropriations bill to a conference today with the House.

I am glad the closed portions of the Federal Government will reopen and get back online. I am glad the dedicated men and women of the Coast Guard, law enforcement, the TSA, and all of the other Federal employees will not have to go longer without pay for their work and will receive their backpay. I know the pain this episode has caused for many Kentuckians and for people all over our country. They deserve this resolution.

In going forward, I hope our Democratic friends will stay true to the commitment they have stated constantly over the past weeks that once the government was reopened, they would be perfectly willing to negotiate in good faith on full-year government funding that would include a significant investment in urgently needed border security measures, including physical barriers.

After all, the only way Federal workers are going to have stability and certainty beyond the next 3 weeks and the only way our border is going to have real security is if the Democrats will stop playing partisan games and get serious about negotiating with the President on a long-term compromise.

The days ahead will tell us whether our Democratic colleagues are actually serious about securing our Nation—whether they actually mean what they say. The President has called on the Senate to act on these proposals, and now that there has been an agreement between the Democrats and the White House, we can make that happen.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Madam President, the longest shutdown in American history will finally end today. The President has agreed to our request to open the government and then debate border security, which is great news for 800,000 Federal workers and millions of Americans who depend upon government services. I thank President Trump and Leader MCCONNELL.

As just outlined, we have agreed to pass a clean 3-week continuing resolution to reopen the government. Also, we will pass legislation in the Senate that will be related to the Department of Homeland Security so the House and Senate can participate in a conference committee on that legislation. In the conference, Democrats and Republicans will have the opportunity to negotiate the details of the Homeland Security bill, which will include issues of border security, humanitarian aid, drug inspection technology, and many others. We expect the continuing resolution to clear the House and be signed by the President today.

As soon as the President signs the legislation to open the government, we in Congress will roll up our sleeves. I genuinely hope this process will produce something that is good for the country and acceptable to both sides. We don't agree on some of the specifics of border security—the Democrats are against the wall—but we agree on many things, such as the need for new technology and the need to strengthen security at our ports of entry, and that bodes well for our coming to an eventual agreement.

I believe there is good faith on both sides to reach an agreement, and we will work diligently to achieve one. Because we have set this up as a conference, Democratic and Republican leadership from the House and Senate will be involved, as will the appropriators from those committees.

Most importantly, this agreement means the government will reopen and that 800,000 Federal employees will finally get paid. After over a month of increasing desperation, our dedicated public servants will get the relief and paychecks they are entitled to, including backpay.

From the bottom of my heart, I thank the Federal workers who have worked so selflessly this past month. They should never have to go through this again. We will do everything we can to make sure they will not have to.

The past month has proven just how vital government services are to the American people, whether they be air traffic control, food safety inspections, the Coast Guard, national parks, and so many others. With this agreement, the TSA, the Border Patrol, and FBI agents will all be paid again for protecting our country. Our airports will get back on track, and we will resume the maintenance of our cherished national parks. The IRS will be able to issue tax refunds in a timely manner—all critical for the well-being of the American people.

As Democrats have said all along, the solution to this impasse was to separate funding the government from our disagreements over border security. This agreement endorses that position. It reopens the government without preconditions, and it gives Democrats and Republicans an opportunity to discuss border security without holding hundreds of thousands of American workers hostage.

Hopefully, it means a lesson has been learned—shutting down the government over a policy difference is self-defeating. It accomplishes nothing but pain and suffering for the country and the American people. That is a lesson we all must bear in mind when this next continuing resolution expires, which will make its success more likely. We can never hold American workers hostage again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, government shutdowns are never justified, and I have opposed every one of them. This shutdown—the longest in our Nation's history—has caused real harm to 800,000 Federal employees and their families.

Just today, I heard from a Federal employee in Belfast, ME, who has worked for the U.S. Fish and Wildlife Service for 32 years. He has two children with type 1 diabetes, and with the soaring costs of insulin, he was beginning to worry about how he would be able to afford insulin for his children. He was concerned that a prolonged shutdown would have an adverse impact on his insurance coverage.

The shutdown has also hurt Americans' access to Federal Agencies and threatened housing assistance for low-income families, our seniors, and people with disabilities. It has harmed small businesses that have contracts with Federal Agencies for certain services but that have not been getting paid. Thus, their employees have been at risk of being laid off.

That is why I voted twice this week to end the shutdown and reopen the government. Although neither proposal received enough votes to pass, we saw glimmers of hope that have produced results. I note that after the failed votes, a bipartisan group of 16 Senators came to the floor, and each one of us indicated a willingness to compromise.

I am pleased that today there is real progress. The President and Senate Republicans and Democrats have come together and agreed to reopen government until February 15, while negotiations on border security issues continue. That is so important. As the Presiding Officer is chair of the Appropriations Subcommittee on the Department of Homeland Security, I know she will be playing a key role in this area.

Let each of us on the Democratic side of the aisle, on the Republican side of the aisle, and in the administration pledge that we will negotiate in good faith and work to hammer out a compromise on border security so we will not face the same situation again on February 15.

I, for one, will keep working with my colleagues and with the White House to ensure that hundreds of thousands of hard-working, patriotic public servants will stay on the job; that this will not just be a temporary reprieve that will allow backpay to be made to them as early as the beginning of next week but

rather that it will lead to a permanent solution so we can reopen government beyond February 15 and through the end of the fiscal year—that is, until September 30—and so that in the future, we can avoid ever resorting to the shutdown of government again. It is never good policy.

Let us work together over these next 3 weeks to come up with a compromise on border security, and let us show the American people that we can govern effectively.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, obviously, this is a happy and positive day not only for Federal employees but for the American people as we reopen the government, but we should also indicate there is something absolutely pathetic about what has happened.

Let us not forget for a second that 5 weeks ago, the U.S. Senate unanimously—every Republican, every Democrat—voted for essentially the same legislation that will likely pass today and that 5 weeks ago we voted to keep the government open. Then President Trump responded to FOX television and other rightwing outlets and announced that he would shut down the government unless he got his wall.

For 5 weeks, think of the suffering, of the uncertainty, of the pain that hundreds of thousands of Federal workers have been forced to experience—workers who have worried about whether they will be able to pay their mortgages, whether they will be able to feed their kids, whether they will be able to go to the doctor when they get sick, worried about what kind of damage will have been done to their credit ratings. That is a result of Trump's shutdown. If my ears heard correctly—and I think they did—Trump, even today, just a few minutes ago, announced that he is prepared to shut down the government again unless he gets his way.

I think the time is long overdue for the American people to tell this President that he is not a dictator, that he is not a King, that he is not the despotic ruler of Saudi Arabia, that he is not his authoritarian friend Vladimir Putin of Russia. He is the President of United States, and he cannot and must not continue to threaten to shut down this government and hold hundreds of thousands of Federal workers hostage.

While I am delighted that the government is going to be reopened and delighted that Federal employees will get their backpay, I remain concerned about the over 1 million contract employees—often folks who work for low wages—who not only have lost pay but, at this point at least, are not protected by any legislation to make sure they get their backpay. That is something I hope we can address.

The truth is that despite what the President tells us, there is nobody in the Senate or in the House who is not concerned about border security. Some of us believe that spending, as a downpayment, \$5.7 billion on a wall, with

many billions more to come, is not an effective use of tax dollars when we talk about border security. There are better ways to do it and more cost-effective ways to do it.

There is no debate that border security is an important issue, but one of the things that concerns me very much—and I say this to the Presiding Officer, who is chairman of the Health, Education, Labor and Pensions Committee—is that border security and a wall are not the only issues facing the American people. There are 30 million Americans who have no health insurance, and many more who are underinsured. By far, we pay the highest cost for prescription drugs of any people on the face of the Earth.

Border security is important, and it must be dealt with, but we also have to deal with a dysfunctional healthcare system and, in my view, do what every other major country does, which is to guarantee healthcare to all people as a right.

Border security is an important issue, but so is the fact that tens of millions of workers in this country are working for starvation wages. I was just in South Carolina the other day, and I talked to a waitress. She receives \$2.25 pay, plus tips. Millions of workers in this country are working for starvation wages of \$8 or \$9 or \$10 an hour. We have to raise the minimum wage to a living wage.

I am proud that in the House—I expect they will pass a minimum wage bill of \$15 an hour, and when that bill comes to the Senate, I hope we can do the same.

Border security is an important issue, but so is the fact that the scientific community tells us we have a very short window of opportunity to address the global crisis of climate change. What the scientists have told us is that if we do not boldly reduce carbon emissions over the next 12 years by transforming our energy system away from fossil fuel to energy efficiency and sustainable energy, this country—and, in fact, countries all over the world—will suffer irreparable damage from climate change.

We have to address the crisis of climate change. Border security is important. We have to deal with it, but we also have to deal with climate change.

We have to deal with a broken criminal justice system, which, today, creates a situation where, in America, we have more people in jail than any other country on Earth.

Obviously, if we have learned anything in recent weeks, we have to deal with an immigration system that everybody acknowledges does not work, and we have to pass comprehensive immigration reform.

My point is that I hope very much we will not continue to be held hostage by this President, who, once again, just an hour ago, has threatened another government shutdown in 3 weeks if he doesn't get his way. I hope very much that there will be serious discussions

on border security—a very important issue.

President Trump, stop holding the American people hostage. Stop threatening to shut down the government. Stop telling hundreds of thousands of Federal employees that they have to come to work when they will not get paid. Stop denying or threatening to deny the American people access to the vital services that they need.

Today is a good day in the sense that I hope and expect that the government will be reopened, but how sad it is that after all of the suffering and all of the uncertainty our Federal employees have faced, we are back to exactly where we were 5 weeks ago when this body voted unanimously—every Republican and every Democrat—to keep the government open.

Thank you.

THE PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I think it is good that we are standing here on the Senate floor and acknowledging the news the President has just announced—that the government will reopen as early as today and that those good, dedicated, and hard-working Federal employees who have either been furloughed or who have been working without pay for 35 days now will be able to get back to work and will be able to receive just compensation for their work. This is important news. This is good news. This is long-awaited news.

In fairness, this never should have happened. I concur with my colleague from Maine that there is never a good reason to have a government shutdown in the first place. We have demonstrated that we can do it, but it sure isn't something that should be done.

I think the men and women who have been so directly and immediately impacted are not only relieved this afternoon, but they are saying: For heaven's sake, Congress, make sure you don't put us through this again.

Count me in that camp of working to make sure we don't put these men and women and their families through this again.

I have been holding Skype sessions with the spouses of our active Coast Guard in Alaska. Last evening, I had an opportunity to connect with the spouses from Sitka. It is absolutely gut-wrenching to hear a young wife, who has a baby who is now less than 1 year old, and her husband, who has been out at sea for 5 months—he has just come home—relay the conversation of the two of them crying in bed as they are discussing whether she should leave Sitka with their baby to go back and live with either his parents or her parents because they cannot afford to stay in the Coast Guard community that they are in.

I am scheduled to have yet another Skype session with the spouses of our Coast Guard men and women from Cordova and Petersburg just 40 minutes from now. I think it is going to be a

much better conversation with them than with the spouses from Sitka yesterday because we will be able to share the good news.

It was interesting to see, as I have visited with them and have heard their very direct stories, that they are pretty selfless. They are pretty selfless in saying: As hard as this is on us and as much as we want to be paid, we want to make sure that others who serve as public servants—our Federal employees, whether they are air traffic controllers, whether they are FAA, whether they are TSA, whether they are NOAA, whether they are NIMS—will also get paid because they, too, are our friends and our neighbors, and they, too, are hurting. Again, we need to make sure we are doing right by all of those who serve our country, who serve all of us through the good work they do through the Agencies.

This has been a harsh and a difficult time, and it has been particularly painful for me, coming from a State where we are feeling the direct impacts of this partial shutdown, perhaps more so than any other State out there. I am told that, per capita, there are more Federal employees in Alaska who are directly impacted by this partial shutdown than in any other State, so I hear the urgency. It is not just from our Coast Guard men and women; again, it is from so many Agencies that have a presence.

I got a readout just yesterday from those in the fishing industry who are concerned that because permits can't get issued, because comments can't be published in the Federal Register, the impact to their fisheries and being able to move forward with the black cod fishery or to move forward with the pot cod—they are not going to be able to do it. So today's news allows everyone to breathe a sigh of relief. But I don't want them—whether they are fishermen or whether they are that Coast Guard wife—thinking, am I going to be able to breathe now for only 3 weeks? What happens after that?

We owe it not only to our Federal workers, but we also owe it to all of America to take the anxiety out of this process.

I have supported my colleague the Senator from Ohio in his legislation that would permanently end government shutdowns. As an appropriator, I am not convinced, the way it is drafted, that it is something I am entirely good with, but I want us to take this off the table. In fact, I believe it was the Presiding Officer who used the terminology that a shutdown is like the chemical warfare agent when it comes to political weapons.

At the end of the day, these are people's lives we are dealing with. These are people's lives we are messing with when we say that we are going to shut down the government for this period of time while we try to advance priorities. We cannot mess with people's lives this way.

We have our work cut out for us, and I believe we will rise to this occasion.

We must rise to this occasion. I look forward to doing that.

I thank the President for his announcement today. I thank him for giving us the 3 weeks that we requested. I thank the majority leader and the minority leader for coming together to help advance this.

It is going to take all of us—it is going to take the President; it is going to take the leadership—working together.

As a member of the Appropriations Committee, I look forward to my continuing role in this, but know that we owe it to the country. We owe it to the country to get this right and get it right quickly.

This is a good start today, and I look forward to working with my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I was just listening and paying close attention to my colleague from Alaska describing the uselessness and the misery march of a government shutdown, particularly one that has lasted longer than any one that has occurred over the history of this country. I couldn't agree more, and I associate myself with her comments, having had many conversations, as many of us have, with our TSA agents and with our Coast Guard—yes, West Virginia has a Coast Guard presence; I would like to emphasize that—with our prison guards and others who have had just foisted upon them, through no fault of their own, some very difficult decisions and sleepless nights, I am sure.

So while we want to celebrate, there is really little cause to celebrate. I think it is more of a breath of fresh air or a deep sigh of relief. Probably, in the minds of the veterans whom I was with at the Martinsburg Medical Center this morning, it is a deep breath and: Well, no kidding. Let's get back to the business of governing and making decisions and making good decisions for the country.

I chair the Subcommittee on Homeland Security in the Senate as part of the Appropriations Committee. I am very pleased that the President has made this announcement that our leaders, both Senator MCCONNELL and Senator SCHUMER, have come together with a commonsense, breathable solution to give us some space to work through what we call here regular order. For people listening who don't understand what that is, it is what we should be doing every day, where I sit down as the chair of the committee, with Senator TESTER from Montana, who is the ranking member on the committee, and other members of the committee, and we work things out. I want this, and he wants this. Well, maybe pick in the middle, or maybe I will give you this if you give me that.

So I look forward, with the bold leadership of Senator SHELBY and Senator LEAHY, as chair and ranking member of

the full committee, and the leadership, certainly, of our leaders, with the President, to working out a good solution here.

I firmly believe that border security is important. That is reflected in the bill we passed out of our subcommittee that the Chair and the Senator from Tennessee both voted on in the full committee. We had 10 Democrats who voted for that bill, which had border security, a pedestrian fence, wall, technology, and the polar security cutter for our Coast Guard, which is something very important to Alaska and the Arctic and to us as Americans for our safety, and a lot of very reflective priorities in there for the rest of the country.

We can't lose sight that homeland security is more than about one structure or the one placement of a structure. It is about a full-out array of ways of looking at protecting our country internally, in our transportation sector, in our energy sectors, and in others.

While it sounds like a steep mountain, I embrace this. I embrace the ability to play a role and to find a reasonable solution, and we have been granted until February 15 to work this out. With that, I have rolled up my sleeves. I am getting ready to go to work with many, many others here in this body and across the way and at the White House.

To the American people, I agree that shutdowns are useless. They are painful. Nobody wins. The big discussion is, Who is winning here? It is pretty clear the American people aren't winning, and in the end, I don't think anybody is winning.

With that, I yield my time, and look forward to getting to work and to finding the right solution.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I am glad the Senator from West Virginia is on the floor because if someone were to ask where do we go from here, her work is the best example of that.

Let's stop and think about this just a minute. The issue is whether we should include in a plan for border security some physical barrier. That is the issue. How do you resolve that issue? That is what we do.

I remember, I went to see Johnny Cash when I was Governor of Tennessee, and I didn't quite know what to say to him so I said: How many nights are you on the road?

He said: Oh, about 200.

I said: Why do you do that?

He looked at me and said: That is what I do.

This is what we do. Our job is not to take a position or to make a speech. We could do that at home. We could get a radio program or a television show. No one might watch it, but we could get one. It takes very little courage and very little skill to take a position or make a speech, but what the Senator from West Virginia has shown

that she is able to do is to take issues of border security and do what we are supposed to do, which is to put different views together and get a result.

Now, this wasn't that long ago, what she just described. It was just last summer that the full Appropriations Committee of the Senate, which is about a third of all of us—almost equally divided, Republicans and Democrats—considered President Trump's budget request for border security. It included a request that included physical barriers—a wall.

What was the result? If I have my numbers right, I believe the committee recommended about \$5.7 billion for border security, including \$1.6 billion for a physical barrier, which is a wall. At least ten Democrats voted for that. You didn't read about that in the afternoon news as a big problem because we considered what a comprehensive border security plan would be for our southern border under the leadership of the Senator from West Virginia, and she responded to the President's request.

He is, after all, the President. I have read the Constitution. He does have to sign the bill for it to become a law. So we respected the President's request, considered it, and voted for it. That is where we were on the Senate floor as late as last summer.

Then the President came along more recently and said: We have a crisis on the southern border. We need more money for border security, and part of that money ought to include physical barriers.

That should surprise no one. The last four Presidents have said the same thing—President Obama, President Clinton, President George W. Bush, and President George H.W. Bush. We think they were pretty effective Presidents. They all asked for money to build physical barriers on the southern border of the United States—it is 1,954 miles long—those four Presidents who came before President Trump. Those Presidents asked for and Congress approved—Democrats and Republicans—654 miles of wall along the southern border.

This issue has gotten blown way out of proportion. As the President just said a few moments ago, he is not asking for a wall from sea to shining sea, and what this Congress has shown, under four Presidents of the United States, and more recently under the leadership of the Senator from West Virginia, is that we can take a President's request—either a Republican President or a Democratic President, in the case of Clinton and Obama—for border security and come up with a comprehensive recommendation that attracts the bipartisan support of U.S. Senators and make it a law, and that is what we should do in the next 3 weeks.

Boy Scouts shouldn't get a merit badge for telling the truth, and U.S. Senators and Presidents shouldn't get a merit badge for keeping the government open. That is what we are supposed to do. But it is good that it is

open, and it is important for the people to know that we know what to do with it. We know what to do with it because we do it all the time.

There are two things wrong with the last few weeks. One is that the government was shut down. As the Senator from Alaska said, as the Senator from West Virginia said, and as I have heard almost every Senator say on both sides of the aisle, we should never ever shut down the government. Shutting down the government should be as off limits in budget negotiations as chemical warfare is in real warfare. I should not be able to say to the Senator from Alaska: If I don't get my way, I am going to shut the government down, whether it is on Planned Parenthood or military spending or a road in Alaska or a road in Tennessee or a coal mine in West Virginia. We have our strong opinions, but we don't say we are going to take our football and go home. We should say: We were elected to make the government work for taxpayers, not to shut it down, and we know how to do that. We know how to do that.

The first thing that was wrong with the last few weeks is we accepted the idea that shutting down the government is an acceptable bargaining chip in a budget negotiation, and it should never ever be, and we should resolve that that should never ever happen. If this President or the next President or this Speaker of the House or the next the Speaker of the House tries to do it, we should in a bipartisan way say: No, you can have your strong view, but we are not going along with your threat to shut the government down in order to get your policy goals.

The second thing that was wrong with it was that we didn't give the job to the people whose job it is to work these things out. For example, the Senator from West Virginia showed in her leadership of the Appropriations Homeland Security Subcommittee that she knows how, with her committee members, to work out differences of opinion on border security.

Instead, we were having a high decibel debate back and forth between the President and the Speaker of the House. He would say one thing on TV, and she would come out of her office and refute it in 5 minutes. That is not the way you get an agreement. That is not the way we ever get an agreement. They should leave that to what we call the regular order and allow us to have our discussions.

We began to make progress yesterday when we did something that we know how to do, which is to vote. The second thing that happened is the Republican leader, Senator McCONNELL, and the Democratic leader, Senator SCHUMER, walked back to Senator McCONNELL's office and they began to talk. And here we are, less than 24 hours later, with apparently a result. I commend Senator McCONNELL and I commend Senator SCHUMER for taking this issue, going back in the room and talking about it, and getting the Senate back

to the business of doing what it is supposed to do.

I see other Senators on the floor, and I want them to have a chance to speak. I thank the Senator from Alaska, who has kindly presided when I was supposed to be so I would be allowed to speak.

I am glad the President did today what he said he would do. The government should be open, and we should be solving the problem. As I said, Boy Scouts and Girl Scouts should not get merit badges for telling the truth, and Senators and Presidents shouldn't get it for keeping the government open. But it is good that it is open, and now there is a chance for us to work together.

The Senator from West Virginia has been one of the leaders in the last few days, along with the Senators from Alaska and West Virginia, saying: Let's open the government. Let's go to work, and let's take the proposal for comprehensive border security and make a result.

It is not that unusual for the President—any President—in the middle of a year to say: We have an unusual need. The country needs more money. It might be a disaster. It might be a hurricane. It might be a flood. It might be a war. It might be a crisis on the southern border. Let's not get hung up on this wall talk. Let's remember that the previous four Presidents asked for and we approved the building of 654 miles along the 1,954-mile southern border of the United States. That is Democrats and Republicans over 20 years.

Let's not forget that last summer, under the leadership of the Senator from West Virginia, the Senate Appropriations Committee considered the President's request and approved \$5.7 billion for border security, including \$1.6 billion for a physical barrier. Let's have the same sort of discussion again in the next 3 weeks. Let's let the Senators and the House Members, whose job it is to do it, do it.

I am glad to see this happen. I am glad that when I go back to Tennessee or fly out from Tennessee, I am not walking through the TSA and seeing one of 54,000 TSA workers who have been working without pay—in our State, cheerfully, never complaining, never saying an angry word to me. One did say he could use some money because he wasn't getting his check, and I appreciated that.

I am glad that is over. It shouldn't happen again. Let's get back to work. I thank the Senators on the floor—all three of them—from Alaska, Virginia, and West Virginia, for their leadership in getting us where we are today.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Virginia.

Mr. WARNER. Mr. President, let me first of all echo the comments of my friend, the Senator from Tennessee. We will never fully know what was the

proverbial straw that broke the camel's back, but I do believe that under the leadership of the Senator from Alaska 16 of us came to the floor yesterday and made these comments, with Senators on the Republican side saying: Please, let's reopen the government, and Senators on the Democratic side, like myself, saying: I am open to increasing the dollar amount on border security.

After the Presiding Officer's comments, I rise to welcome the news that sanity has prevailed—at least temporarily. After 35 painful days, we are finally poised to reopen the government and pay our hard-working Federal employees. It is not a moment too soon because under normal circumstances, today is supposed to be a Federal payday, but this morning, thousands of Federal employees went to work one more day knowing full well they would not be getting the paychecks they earned. Thousands more have been furloughed, waiting for the President and my colleagues to come to their senses to let us reopen the government.

For the last 35 days, 800,000 Federal workers have been held hostage through no fault of their own. Frankly, that is just scratching the surface of this destructive shutdown. That number of 800,000 doesn't include the hundreds of thousands of Federal contractors who are not getting paid.

I know I have talked to my friend the Senator from Alaska and appealed to the common sense and good sense of the Presiding Officer. We have some legislation that may not be perfect but would look at trying to make at least partially whole those low-paid Federal contractors—folks under \$50,000—who, if we don't find a way to take care of them, will come out of this—more than 1 month of their annual salary—with nothing at all to show for it.

We also know—and the Senator from Alaska raised this issue with me—that even if we were to move toward low-salaried contractors, the solution that we announced today and that hopefully will be signed later today really will do nothing to take care of the small businesses whose customers were furloughed or working without pay.

I am thinking about the Senator from Alaska, who had the powerful picture on the floor of the brewery in Kodiak, AK. I copied her efforts and went to Port City Brewery in Alexandria—I believe it was yesterday—where not only were they down dramatically in terms of customers, but they had five new brews they were trying to bring to market, and none of those were approved.

The truth is, the damage to those folks in the private sector is done, and I am not sure there is much we can do to rectify it. Candidly, thinking about here locally, there is no way we can undo the harm to the food truck owners—some have had their food trucks repossessed—who sit outside the Smithsonian waiting for the tourists to come. Those losses are permanent, as

they are in my State and the Presiding Officer's State for those restaurants and campgrounds that are outside the Great Smoky Mountains or outside the Shenandoah Valley. As a matter of fact, there is no way we are going to be able to make whole the contractor who told me he was closing his doors and laying off 72 workers because he just couldn't meet the payroll during the shutdown.

Frankly, it is too late for the President or any of us to help those folks. The only thing we can do now is to end the shutdown, get the Federal workers and contractors back to work, and try our darnedest to make sure this never happens again.

We also need to make sure those folks get backpay. Again, I would especially urge that we take a hard look at making sure those low-wage contractors, who are suffering so badly right now, get an opportunity to get their backpay as well. I am cosponsoring legislation sponsored by the Senator from Minnesota, and I hope all my colleagues on both sides of the aisle will look at that legislation.

By reopening the government temporarily, we now finally have the opportunity to take a timeout and give both parties the space to negotiate a compromise. We are clearly not there yet, but there is room for common ground.

Over the weekend, the President proposed additional funding for screening vehicles and cargo coming across the border at points of entry. The DEA says this is how the majority of illegal drugs come into our country. It is something we can work on together. If the White House wants to seriously discuss providing real, long-term security for Dreamers and TPS recipients, let's have that conversation as well. I think we can do it, but it will take time. In the meantime, let's make sure the President signs today the legislation that will allow our Federal employees and contractors to get back to work.

Before I close, I want to take a moment for self-reflection on what has happened over the last 35 days.

In many ways, we are right back to where we were in December, right back to where we were when this body nearly unanimously passed legislation that would have prevented this stupid crisis. For 35 days, this body has refused to fill its role as a part and coequal branch of government. We can't let that happen again.

I hope the White House will take some lessons from this crisis as well. They can start by realizing that no one wins a shutdown. If you shut down the government, the only thing we know for a fact is that the American people lose. I hope the President will also realize that you need to empower those around you to help make a deal. The Vice President came to the Senate with a deal in mid-December. I don't think he even left Capitol Hill before the President basically took back the Vice President's deal. Senator GRAHAM proposed almost exactly this deal that

we came to 3 weeks ago, but unfortunately, again, the President cut off his good friend at that point.

It is my hope that in the coming weeks, we can have a good-faith negotiation where both sides have an opportunity to come out ahead. Imagine that—a win-win proposition coming out of the Halls of Congress. But to do that, we have to have enough of the stunts and the political tit-for-tat that we have seen over the past few weeks.

In a moment of optimism, if there is anything good that can come from this shutdown, let's make it the last time that a President or a Congress uses shutting down the government as a negotiating tactic.

I have legislation, and it took some hard work to come up with the acronym, but the legislation is called the Stop STUPIDITY Act. That will make sure that Congress and the White House are the only ones who suffer when the Congress and the White House can't come to a funding agreement. Maybe the particulars of that legislation can change, or maybe even responsible Members like the Presiding Officer would think we don't need to put into law something called the Stop the STUPIDITY Act, so I am open to changing the name. But the final language in any deal that comes out 3 weeks from now should put strong provisions and strong penalties in place to prevent this tactic from being used by either party or any White House or Congress in the future.

In my mind, perhaps the best and easiest way to do that would be—and I know there is Republican legislation on this—to continue to fund government. In my idea, it would say that the only people who would actually be the victims of a shutdown going forward would be the Congress and our staff and the White House and its staff. A little bit of common sense tells me that we wouldn't be here 35 days into this shutdown if all our staff were experiencing the same kind of shortfall and economic distress that 800,000 of our fellow Federal workers experienced.

The truth is, our Federal workers need to get those paychecks. The truth is, our country can't afford another self-inflicted disaster. Let's go ahead and get that CR passed. Let's go ahead and sit down and negotiate in good faith on border security. Most importantly, let's make sure we are never back in this circumstance again.

With that, Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, no matter how intractable something might

seem, the Senate is the Senate, and we should be the conscience of the Nation, and we can work things out.

One of my closest friends in this body is the distinguished senior Senator from Alabama, Mr. SHELBY. He and I were talking just a couple of minutes ago. We know that we can get these things done. The Senate can be the conscience of the Nation. There are 100 men and women of both parties who are here because they love this country, and they want it to be better.

Now let's just sit down and do our work. Senator SHELBY and I got every single appropriations bill last year through our committee, virtually unanimously in most cases. It worked. We proved it could work. It hadn't been done for years. We proved it could be done.

We did not do it with press conferences. We did not do it with gimmicks. We did not do it with histrionics. We did it with hard work, sometimes late into the night.

I say that in light of what we have seen during the Trump shutdown. For 35 days, President Trump robbed hundreds of thousands of American families of their paychecks and forced dedicated public servants—professionals—to turn to food banks and unemployment benefits to feed and support their families.

For 35 days, President Trump denied millions of taxpaying Americans access to public services. For 35 days, President Trump inflicted pain on the American people.

Anyone who has taken the time for the briefing knows it has compromised our national security. And for what?

The rest of the world looks at us and sees us as being weak. Our enemies have been able to exploit the fact that we have had this shutdown. And for what?

All of this pain and suffering is going to end now, right where it began.

On December 19 of last year, the Senate passed a bill by voice vote to fund the government to February 8. Virtually every Republican and every Democrat supported it, and it is nearly what the President has proposed today. We in the Senate did that back on December 19. The President was going to support it. He was then criticized by some in the conservative media, and he thought he had to break his word and precipitate this national crisis.

Dozens of Vermonters have contacted my office to share the pain the Trump shutdown inflicted on their lives.

Northfield, VT, is one of our prettiest towns. It is not far from where I was born. A number of my ancestors settled in that area.

A Vermont family there found they could not complete their U.S. Department of Agriculture 502 direct home loan, and that closed the door on the American dream of owning a home, something so many Vermonters dream of.

A small business owner in Brattleboro, who employs Vermonters

and shows entrepreneurship is alive and well in our small State, wrote my office. What happened? He could not get the Department of Agriculture—because they were not there—to approve the packaging on their new products, and it crippled their growth in a competitive market.

A Vermonter in the Coast Guard was worried about how he and his shipmates would make ends meet.

These are real people who have suffered real consequences, and for what? For what?

The shutdown was the American crisis. It was our national emergency—not the southern border, where apprehensions have dropped 75 percent since 2000, and the majority of the people apprehended at our borders today are families—women and children feeling violence in their own countries.

In this great country, which we are all proud to serve, the Trump shutdown should never have happened, and it never should have dragged on for 35 days.

I hope the President is learning that Congress is a coequal branch of government. The American people are not pawns to be played with for political gain.

I told Chairman SHELBY that I will continue my bipartisan work with him to make responsible investments in the American people and border security, and I pray that President Trump does not repeat this national embarrassment.

I am proud to be an American. I am proud to be a U.S. Senator in a body that should be the conscience of the Nation. But I see how people around the world are laughing at our country when the most powerful—the most powerful—Nation on Earth is being crippled because of a whim and a tweet. That is not the America I know and love. We are a great country. Only we can make it less great.

The shutdown has damaged us. It has damaged us internally. It has damaged our security. It has damaged our reputation around the rest of the world.

So I hope we will promptly vote to reopen the government and end this national nightmare. I am prepared to work. As dean of the Senate, as Vice Chairman of the Appropriations Committee, I am willing to work with my colleagues, both Democrats and Republicans, to make sure this foolish escapade doesn't happen again.

I see other Senators on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Mr. President, today is a bittersweet day. I am assuming we are going to vote along with this deal—as I am—to reopen this government, to end the 35-day-old hostage crisis, and that truly is the best way to describe it.

It is a bittersweet day. It is sweet because our dedicated and committed Federal workers and contractors will be going back to work. It is bitter because, as I think everyone in this body

who has spoken today has said, it should never have happened. I believe we have an obligation to those folks to do a better job, to make it even sweeter.

Last week, Congress passed the Government Employee Fair Treatment Act of 2019, which would require that all impacted Federal employees receive compensation for wages lost during the government shutdown—35 days' worth of government wages paid back.

While that is an important step, the shutdown has forced many of our Federal workers to incur additional costs associated with loans, late bill payments, and other effects of their missing paychecks—paychecks they depended on for their daily living.

That is why today, along with Senators BALDWIN, CARDIN, HIRONO, VAN HOLLEN, KAINE, KLOBUCHAR, SHAHEEN, WARNER, and WYDEN, I have introduced the Back Pay Fairness Act. If the Federal Government can charge you interest for being late on your taxes, then we should be paying interest to those employees from whom we have borrowed hard-earned dollars over the last 35 days. That is only fair.

I am requesting in this bill that all interest be paid to the Federal workers whose paychecks were withheld. The more than 5,500 Federal workers in Alabama did not ask for this shutdown and should not be punished for it. It is only fair that the government pay them back with interest for putting them out of work indefinitely or forcing them to work without pay.

Federal law often recognizes the importance of timely payments when it benefits the Federal Government. When it is the government's money, we demand that people pay on time. For example, if you don't pay your taxes on time, you can count on a notice letter from the Internal Revenue Service—at least when they are open—demanding that you pay interest, interest for the lateness of your payments. It doesn't matter when it is. If you go past a certain date, they tack on a penalty on top of that—not just interest.

Well, when the Federal Government owes its Federal workers money, it is only reasonable, responsible, and fair that interest accrues as well. The interest rate in this legislation would be equivalent to the rate that Federal Agencies must pay vendors when they are late. The rate, known as the Treasury prompt payment rate, is currently 3.625 percent.

Again, it is only fair. As David Cox, the American Federation of Government Employees' National President said:

Federal workers are experiencing serious financial hardship from the shutdown. When it ends, employees will not only have to pay more than a month's worth of overdue bills, they will also have to pay late fees and penalties, overdraft fees and interest charges.

The AFGE supports the Back Pay Fairness Act with interest. Again, it is only the right thing to do.

This shutdown, which has lasted for 35 days, could have been avoided. The

deal we got today is going to reopen the government through February 15, and it will go to a conference. We are going to do what the Presiding Officer said to do the other day: Do what we do. I heard his remarks a few minutes ago, and I absolutely agree with them.

This government functions best when this body does what the Founders of the Constitution said we should do: Go to regular order; go to conference.

As Senator BENNET said on the floor yesterday, our Founders contemplated the fact that we are going to have disagreements. That is why we have 100 people here. That is why there are 435. That is why there are nine members of the Supreme Court. We are going to have disagreements, but we don't have to shut down the government over those disagreements, especially when they are political disagreements and not truly substantive disagreements.

This shutdown has had many costs, some that we will never be able to quantify. Some of the losses from the President's misguided shutdown we just can't put a cost on, and it is unfortunate that a while back, back in December, the President of the United States said that he wanted to shut down this government; he would own this shutdown.

It is unfortunate that we had 35 days for which he really didn't take that responsibility, and he still didn't do it today. But the fact is, he could have avoided it.

We have more than a million contractors. Senator WARNER and others were talking about the contractors that have millions of dollars—tens of millions of dollars—of contracts with the Federal Government, many of those in my State of Alabama.

I was in Huntsville, AL, today for the groundbreaking of a Blue Origin plant that is going to build the engines for some of the new, manned spacecraft that the United States will send into orbit. At a time when we were shutting down the U.S. Government, China was putting a spacecraft on the dark side of the Moon. We should be so embarrassed about that. NASA is such an important part of Alabama and our history in this country for what we can accomplish and for what we can do that is good—the leaders in the country—and while we were shut down and those poor NASA employees laid off and the contractors dealing with NASA, China—China—was jumping ahead.

Well, I was so proud today when we started and we broke ground, because we are going to reclaim that right. We are going to get this government open, and we are going to reclaim America's role in space and technology and the human imagination that will take us beyond our borders here, beyond where we are.

I visited a number of folks in Huntsville this past weekend and heard firsthand their stories of families, and it was heartbreaking. Members of our Coast Guard missed paychecks. For the first time in our Nation's history,

members of our Armed Forces were not paid due to a government shutdown. The Coast Guard has boats next to the Navy in places all around the world. The Coast Guard defends this country just like the Army, the Navy, the Air Force, the Marines, the Merchant Marines; yet they didn't get paid. They also do other work. They do wonderful work in disaster relief. They do wonderful work around the country in rescue operations.

Members of the Coast Guard missed their paychecks, and I talked to members of the Coast Guard to hear their stories about how their men and women were suffering. We should be ashamed of that.

It is not just the Coast Guard. Yesterday I took five dozen doughnuts to the TSA workers at the airport in Birmingham. You would have thought it was Christmas, they were so happy. In airports yesterday and today, those TSA agents say: Thank you for doing what you can do. We are here. We are working. That is why they deserve not only their paychecks, but they deserve it with interest.

The S&P estimated the economic cost of this shutdown was \$7.1 billion. We have been arguing over 5.7, and it has already cost this country 7.1. Bloomberg said businesses with contractors tied to the Federal Government would lose a cumulative \$200 million a day. The chamber of commerce says small government contractors have lost more than \$2.3 billion in revenue so far. The administration has admitted economic growth this quarter will likely be zero because of the shutdown.

Payments to farmers hurt by the President's tariffs were delayed because the Department of Agriculture was closed. Now think about that. Farmers in Alabama and elsewhere got a double whammy. They got hurt because of the tariffs and the fact that China started retaliating and dried up their markets, and soybean farmers couldn't send their crops anywhere. So the President, in something I supported, even though it was a bandaid, decided they would give these farmers \$12 billion in relief. Farmers don't like bailouts. These are hard-working, conservative folks who don't like bailouts. They don't want handouts; they wanted their markets back. Then, with this shutdown, half of that money couldn't be disbursed. At a time when those farmers were trying to get their loans in order and were trying to get ready for spring planting, they couldn't get any money from the Department of Agriculture. That is shameful. That is shameful.

The tariff exclusion request for businesses has not been processed, all the while our Commerce Secretary was saying he just couldn't understand why people had to go to food banks. He should be ashamed. We should all be ashamed that a representative of the U.S. Government would say such a thing, when it was the administration that caused the shutdown.

When the economy slows and there is less money to spend in our communities, hiring slows or stops and wages can decline, leaving our communities even more vulnerable. That is something that hasn't been talked about enough here; that is, in the last 35 days, the security of the United States, not just on the southern border but the entire United States has been at risk because of this government shutdown—cyber security threats from Russia, China, North Korea, you name it. While we may have a crisis on the border—and there are many who might dispute that it is a crisis on our southern border as opposed to chaos. Everyone understands there is chaos. Everyone understands our border is not as secure as it should be. There are things we can do to secure that border, and they should be done to secure that border.

Everybody—there is no one in this body who says they are for open borders. Last year, when the President nominated an individual who used to work with Customs and Border Patrol to be head of ICE, I asked him, in his entire career, has he ever heard of anyone who was in the public sector who was for open borders. He said: No, sir. It was an important question because we hear so much, and we see so many allegations coming from the other side that we are all for open borders. That is not true. We want to make sure we have secure borders.

Let me tell you something, folks. I also want to have a heart. I want to make sure the United States is the moral leader of the world. There are people coming across, and they are fleeing violence, destruction, and their families are being put in danger in their home countries. We at least can try to figure out a way to help them; that we don't gas children on the border; that we don't separate families and put little children in jail; and that we don't charge people \$11 for a tube of toothpaste in what amounts to a private prison; that we at least can recognize that we have an element of humanity about us; that when people flee and seek refuge in the United States of America, they do so for a reason. It is because we don't have to make this America great again. We are great. That is why they are coming here, to get away. We have to make sure we understand and recognize that.

What I want to see is that good-faith effort. What I have said from the very beginning is, that good faith the President talked about today, I want to make sure—I wanted to open this government in December. We are doing today essentially what this body did on December 19—35 days ago, 37 days ago.

We voted unanimously to keep this government open and let people talk about the border security; let folks talk about whether we have a threat of a national security emergency. That is what we do, as Senator ALEXANDER said on the floor earlier. I agree with him, and I agree with Senator MUR-

KOWSKI and Senator WARNER and all those who spoke before me whom I heard.

Senator ALEXANDER said that two things went wrong in December; one, we should never have a shutdown as an option. Our Federal workers should never be held hostage. Yes, people have said this is a hostage crisis because that is what it was. Those poor workers have been held hostage, and now we have a threat again. If we don't do something in 3 weeks, they will do it again. The sad thing is, unlike a hostage crisis that you might see on television on the news or on television in TV shows, it is the same hostages every time. Every time this government shuts down, it is the same hostages who are taken, and we cannot let that happen.

Senator ALEXANDER said the other thing that we didn't do is we didn't do what we were supposed to do. We didn't have that regular order. We saw all of the political fights play out on TV between this side or the other side, and we didn't get back to what this body does best, why I came to this body, why I am so proud to be a part of this body, why I am so proud to be here with Senator PATRICK LEAHY, who was in the U.S. Senate when I was just a staffer for Senator Heflin. We need to be doing those things for the American people and for the people in my State. That is what we need to be doing.

As I listened to the President today, I appreciated the fact that he is signing this bill that I think will pass both Houses. I feel confident it will. As I listened to him today, I am thinking to myself: Mr. President, you talk about good faith, and you want people to have good-faith dialogue. They will in this body, but good faith is a two-way street—a two-way street. It is not just one side or the other, but it is a two-way street. I worry sometimes that the President of the United States doesn't always do that.

We saw last year, when we had a bill for \$25 billion that he decided he didn't like, after he initially said it was one of the areas he wanted to do. We saw it in December, when this body came to the floor and passed unanimously a measure to keep the government open, that I know would not have come to this floor by Senator MCCONNELL had the President not indicated he would sign it and changed in 24 hours. So good faith, Mr. President, is a two-way street.

I am willing to do that. I have always said that. I heard a lot of people on both sides of this aisle who are ready, willing, and able to try to do the things we need to do to secure our borders, but we have to have good faith coming out of the administration as well.

We have to make sure the administration takes care of those families who are trying to get away; that we will look to maybe try to provide some help to those countries so they can stem the tide of that violence and try to do some things to move these asylum seekers along and not just build

walls to stop them. Let's be humanitarians as well as security agents. We can do that. That is not inconsistent with the American way. That is not inconsistent at all.

I appreciate the time on the floor today. I urge all my colleagues to vote for this compromise to open this government back up. Importantly, I urge my colleagues and in the House—let's not give these Federal workers just their backpay, as we passed before, let's do what is right. If we mean what we say about how we appreciate our Federal workers, if we mean what we say when we call and say how patriotic they are, let's do to them what the government would do otherwise. Let's give them the interest on these 35 days of backpay. Then we will truly fulfill our obligations as best we can.

Importantly, let's not let this happen again. For God's sake, do our duty. Let's not let this happen again in 3 weeks and go through this process once more. Let's get to work. Let's knuckle down. Let's secure the borders, but let's also let this crisis within our borders that has been created over the last 35 days end forever. Let that crisis go away and never come back.

Thank you.

I yield the floor.

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

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. Without objection, it is so ordered.

REMEMBERING DEIDRE "DEE DEE" MENGEDOHT

Mr. McCONNELL. Mr. President, it is my sad duty today to pay tribute to a fallen Kentucky hero, Louisville Metro Police Department Detective Deidre Mengedoht. Dee Dee, as her friends called her, was tragically killed in the line of duty on Christmas Eve. Her family and our community are left to mourn this painful loss and to recognize her incredible service to Louisville.

A graduate of Eastern High School and the University of Louisville, Detective Mengedoht chose to dedicate her life to the service of her community. In 2011, she joined the LMPD's training academy. Since the day she took her oath, Detective Mengedoht proved herself worthy of the trust placed in her. With real love for the community under her protection, she worked as a beat officer before earning the rank of detective.

For 7 and a half years, Detective Mengedoht served the department and the people of Louisville. She quickly gained the respect of her colleagues, who recognized a passion for law en-

forcement and for community engagement. According to those who had the privilege to know her, Detective Mengedoht displayed the attributes of a true public servant. Police Chief Steve Conrad said she "would fight tirelessly to seek justice for victims whose cases she was investigating." In her important work for the city of Louisville, Detective Mengedoht would always give more of herself than was asked.

While families throughout Kentucky and the Nation celebrated Christmas Eve, Detective Mengedoht was at her post, protecting the community. That afternoon, she conducted a traffic stop, a routine procedure for any member of law enforcement. Tragedy struck without warning as a semi-truck hit her police cruiser. Detective Mengedoht was killed at the scene.

The heartbreaking incident left the community shaken. The LMPD lost a critical member of its force, and Detective Mengedoht's family—especially her 9-year-old son, Preston, will never be the same. Almost immediately, expressions of condolences and support poured into the city. Downtown, the city hall clock shone with a blue light, in honor of the incredible sacrifice our men and women of law enforcement undertake each and every day to protect the public. The Louisville Metro Police Foundation also established a fund in Detective Mengedoht's name to support her family.

At a funeral service filled with tributes to her character, bravery, and integrity, the Kentucky State Police volunteered to take over the shifts of her colleagues so they could attend. More than 3,000 law enforcement officers traveled from around the Commonwealth and the Nation to join the LMPD in saluting Detective Mengedoht. Even in the rain, hundreds of Kentuckians lined the streets to pay their respects.

To Detective Mengedoht's family, including her brothers and sisters at the LMPD and her parents, her sister, and Preston, I would like to extend my sincere condolences. Her sacrifice bestows great honor onto all those who wear the LMPD uniform. During this difficult time, Elaine and I hope that the memories of Detective Mengedoht's life and her selfless service can provide much-needed comfort. It is my privilege to remember Detective Deidre Mengedoht's exemplary service to the people of Louisville, and I ask that my Senate colleagues join me in honoring this Kentucky hero.

TRIBUTE TO CHAD SCHULKEN

Mr. SCHATZ. Mr. President, today, we say farewell to a member of our Senate family: Chad Schulken. For more than 16 years, Chad has served the U.S. Senate as a professional staff member and, most recently, clerk on the Appropriations Committee.

He started his career on the committee working for Senator Byrd in

2003 as staff of the Subcommittee on Commerce, Justice, State, and Judiciary. He specialized in budgetary and policy matters affecting the Department of Justice and the Federal judiciary, including the FBI, DEA, ATF, and the U.S. Marshall Service. Two years later, when the Appropriation Committee reorganized, he joined a newly formed subcommittee responsible for Military Construction and Veterans Affairs matters. As the lead staff handling the Department of Veterans Affairs, Arlington National Cemetery, the U.S. Court of Appeals for Veterans Claims, the American Battle Monuments Commission, and the Armed Forces Retirement Home, Chad was charged with developing, managing, and negotiating the policy and funding priorities for the VA. Ultimately, it was his job to make sure that Congress kept its promise to the men, women, and the families who have served our country.

Chad has forgotten more about the resource and management needs of the VA than most anyone working in government will ever know, so no one was surprised when he was promoted to be the subcommittee's clerk in 2017. As the lead Democratic staffer, Chad negotiated and helped develop the Military Construction and Veterans Affairs appropriations bill. He helped me in my role as the subcommittee's ranking member. He worked with Republican staff, stewarding the interests of all Democratic Senate offices. He managed the bill across the Senate floor and negotiated a final conference agreement with the House.

Chad has become one of the Senate's foremost experts on budgetary policy and appropriations law. His mastery of Senate rules and procedure have made him a formidable legislative tactician and negotiator. His commitment to his work—to the unique collaborative process that fulfills the Congress's constitutional duty to appropriate taxpayer dollars—is clear in the many weekends and holidays he missed with family and friends to be here to negotiate appropriations bills. It is no wonder he left an impression on many Members, including those he served directly: Senators Byrd, Inouye, Mikulski, LEAHY, Hollings, FEINSTEIN, JOHNSON, REED, TESTER, and myself.

For his professionalism and commitment to our country and the people who have served in our military, we owe a great deal to Chad for his service in the U.S. Senate. We thank him and wish him well as he embarks on a new adventure, one we hope will give him more time with his family: his wife Jessica; three daughters Abi, Bella, and Hundley; and his son Griffin. From all of us in our Senate family, I extend a sincere thank you to Chad and his family.

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 Ms. MURKOWSKI (for herself, Ms. CORTEZ MASTO, Ms. CANTWELL, Mr. SULLIVAN, Mr. COONS, Mr. CRAMER, Mr. UDALL, Mr. TESTER, Mr. HEINRICH, Mr. TILLIS, Mr. MERKLEY, and Mr. HOEVEN):

S. 227. A bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. CASSIDY (for himself and Mr. JONES):

S. 228. A bill to amend title XVIII of the Social Security Act to restructure the payment adjustment for non-emergency ESRD ambulance transports under the Medicare program; to the Committee on Finance.

By Mr. UDALL (for himself, Mr. TESTER, Ms. CORTEZ MASTO, Ms. SMITH, Mr. HEINRICH, Ms. WARREN, and Mr. SCHATZ):

S. 229. A bill to provide advance appropriations authority for certain accounts of the Bureau of Indian Affairs and Bureau of Indian Education of the Department of the Interior and the Indian Health Service of the Department of Health and Human Services, and for other purposes; to the Committee on the Budget.

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

S. 230. A bill to require a report on foreign nationals who flee from the United States while awaiting trial or sentencing for a criminal offense committed in the United States, to establish a list of countries who have assisted or facilitated with such departures, to penalize parties connected to such departures, and to amend the Internal Revenue Code of 1986 to prohibit the exclusion from gross income from certain investments made by foreign governments who are identified on such list; to the Committee on Finance.

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

S. 231. A bill to express the sense of Congress regarding the likely involvement of the Government of Saudi Arabia in assisting no fewer than two Saudi nationals to avoid criminal prosecution in the United States, and to require the Secretary of State to submit a report to Congress that describes such involvement, and for other purposes; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself and Ms. MURKOWSKI):

S.J. Res. 6. A joint resolution removing the deadline for the ratification of the equal rights amendment; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. DUCKWORTH (for herself, Mr. DURBIN, Mr. MARKEY, Ms. HASSAN, Mr. KING, Mrs. SHAHEEN, Ms. HARRIS, Mr. BROWN, Ms. CANTWELL, Mr. VAN HOLLEN, Mr. CARDIN, Ms. BALDWIN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BENNET, Mrs. MURRAY, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. STABENOW, and Ms. ROSEN):

S. Res. 29. A resolution expressing support for the designation of a "Women's Health Research Day"; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. DURBIN, and Mr. MURPHY):

S. Res. 30. A resolution condemning efforts to undermine democracy in Hungary and urging President Trump to defend the universal human rights and democratic norms under attack by the Orban government; to the Committee on Foreign Relations.

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

S. Res. 31. A resolution honoring the life of Harris L. Wofford, Jr.; considered and agreed to.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. THUNE, the names of the Senator from Texas (Mr. CRUZ) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 21, a bill making continuing appropriations for Coast Guard pay in the event an appropriations act expires prior to the enactment of a new appropriations act.

S. 61

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 61, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 69

At the request of Mr. CORNYN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 69, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 72

At the request of Mr. SCHATZ, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Nevada (Ms. ROSEN), the Senator from Michigan (Mr. PETERS), the Senator from Vermont (Mr. SANDERS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 72, a bill to suspend the enforcement of certain civil liabilities of Federal employees and contractors during a lapse in appropriations, and for other purposes.

S. 104

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 104, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 113

At the request of Mr. BRAUN, his name was added as a cosponsor of S. 113, a bill to appropriate funds for pay and allowances of excepted Federal employees, and for other purposes.

S. 162

At the request of Ms. SMITH, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 162, a bill to provide back pay to low-wage contractor employees, and for other purposes.

S. 165

At the request of Mr. BLUMENTHAL, the names of the Senator from Michi-

gan (Mr. PETERS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Virginia (Mr. WARNER) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of 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.

S. 197

At the request of Mr. HEINRICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of 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.

S. 198

At the request of Mr. WARNER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of 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.

S. 205

At the request of Mr. WYDEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Ohio (Mr. BROWN), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from New Hampshire (Ms. HASSAN), the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Pennsylvania (Mr. CASEY), the Senator from Iowa (Ms. ERNST) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 205, a bill to amend title XIX of the Social Security Act to prevent the misclassification of drugs for purposes of the Medicaid drug rebate program.

S. 222

At the request of Mr. JONES, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 222, a bill to amend section 1341 of title 31, United States Code, to require payment of interest on back pay for employees affected by a lapse in appropriations.

S.J. RES. 1

At the request of Mr. CRUZ, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

AMENDMENT NO. 53

At the request of Mr. CARDIN, the names of the Senator from Arizona (Ms. SINEMA), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of amendment No. 53 intended to be proposed to H.R. 268, a bill making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

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

S. 230. A bill to require a report on foreign nationals who flee from the United States while awaiting trial or sentencing for a criminal offense committed in the United States, to establish a list of countries who have assisted or facilitated with such departures, to penalize parties connected to such departures, and to amend the Internal Revenue Code of 1986 to prohibit the exclusion from gross income from certain investments made by foreign governments who are identified on such list; to the Committee on Finance.

Mr. WYDEN. Mr. President, today I am introducing the Preserving American Justice Act to ensure that foreign governments face serious consequences if they assist their citizens to escape legal accountability in the United States.

Recently, Oregon's largest newspaper, The Oregonian, uncovered that five Saudi nationals with criminal charges departed the Nation before facing justice. These men were arrested for serious crimes including vehicular murder of an innocent teenager, sexual assault, rape, and child pornography. According to news reports, U.S. government officials believe the Saudi government helped these five men with actions ranging from posting bail to facilitating their escape from the United States. These reports claiming the Saudi government is whisking away criminals facing justice in Oregon show a shocking disdain for our Nation's criminal justice system. Given the disturbing similarities in these five cases, a thorough investigation is essential to better understand the involvement of the Saudi government.

When anyone commits a crime in the United States, they must be held accountable. The Trump administration has failed to explain what, if anything, it is doing to ensure these men face American justice. That failure is completely unacceptable. Foreign governments cannot disregard our laws and abuse diplomatic privileges by helping criminals escape. No one is above the law, and I am committed to making sure the Saudi government understands that it cannot behave this way here in Oregon or anywhere in the United States.

The legislation I introduced today would direct the Department of Justice to investigate these five cases and bring to light the involvement of the Saudi government. If the Department of Justice concludes that the Saudi government was involved, then my bill would bar Saudi Arabia's leaders from the United States until their government returns the suspects who have fled. The legislation would also create a major tax penalty on governments and sovereign wealth funds for any country that help its citizens escape American justice. More broadly, my

legislation would help Americans understand how widespread this practice is, direct the Department of Justice to maintain a list of any foreign governments that help their citizens evade American justice, and create tough consequences for those governments and their leaders.

I believe that my colleagues who talk about "putting America First" would agree that foreign governments cannot undermine American laws. I'm all for doing more to protecting Americans from real threats and ensuring that the victims of these crimes get the justice they deserve in an American court of law. So I urge my colleagues to join me in supporting measures that would hold foreign governments accountable.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 29—EX-
PRESSING SUPPORT FOR THE
DESIGNATION OF A "WOMEN'S
HEALTH RESEARCH DAY"

Ms. DUCKWORTH (for herself, Mr. DURBIN, Mr. MARKEY, Ms. HASSAN, Mr. KING, Mrs. SHAHEEN, Ms. HARRIS, Mr. BROWN, Mrs. CANTWELL, Mr. VAN HOLLEN, Mr. CARDIN, Ms. BALDWIN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. BENNET, Mrs. MURRAY, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Ms. STABENOW, and Ms. ROSEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor and Pensions:

S. RES. 29

Whereas women constitute 50.8 percent of people in the United States;

Whereas women of different races, ethnicities, ages, and socioeconomic status experience many diseases and disorders differently than men experience those diseases and disorders;

Whereas those different experiences are reflected in the incidence, prevalence, symptomatology, and severity of the disease or disorder;

Whereas the risks and benefits of medical therapies vary based on the race, ethnicity, age, and socioeconomic status of a woman;

Whereas women and men have fundamental biological differences;

Whereas, for many years, women of different races, ethnicities, ages, and socioeconomic status were underrepresented in biomedical and clinical research;

Whereas the improvement of the health of women relies on sex- and gender-based biomedical and clinical research;

Whereas the promise of individualized medicine cannot be realized without sex- and gender-based parity in research;

Whereas, on January 25, 2016, the National Institutes of Health implemented a policy requiring federally funded investigators to consider sex as a biological variable in pre-clinical research; and

Whereas that policy ushered in a new era of inclusivity and parity in research relating to the health of women: Now, therefore, be it Resolved, that the Senate—

(1) expresses support for the designation of a "Women's Health Research Day"; and

(2) supports efforts—

(A) to recognize the importance of biomedical and clinical research to the health and well-being of women;

(B) to increase awareness of the value of sex- and gender-based biomedical research; and

(C) to encourage individuals, including researchers and patients, to advocate on behalf of sex- and gender-inclusive research for women of different races, ethnicities, ages, and socioeconomic status.

SENATE RESOLUTION 30—CON-
DEMNING EFFORTS TO UNDER-
MINE DEMOCRACY IN HUNGARY
AND URGING PRESIDENT TRUMP
TO DEFEND THE UNIVERSAL
HUMAN RIGHTS AND DEMO-
CRATIC NORMS UNDER ATTACK
BY THE ORBAN GOVERNMENT

Mrs. FEINSTEIN (for herself, Mr. DURBIN, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 30

Whereas the United States and Hungary have a shared history dating to the times of Lajos Kossuth, whose bust graces the halls of the United States Congress;

Whereas Hungarians have come to the United States since its founding as immigrants and refugees, enriching our national fabric;

Whereas the United States first established diplomatic relations with Hungary in 1921;

Whereas the United States supported Hungary's accession to the North Atlantic Treaty Organization in 1999, improving Hungary's national security and building upon our common alliance;

Whereas NATO member states have collectively identified corruption and poor governance, including within member states, as "security challenges which undermine democracy, the rule of law and economic development";

Whereas Viktor Orban has led the Fidesz party since 2003 and has continuously served as Hungary's Prime Minister since 2010;

Whereas, since 2010, the Fidesz government has retained a super majority in Parliament despite not winning a majority of votes, and Prime Minister Orban has systematically undermined the Hungarian Constitution, independent media and judiciary;

Whereas Hungary's 2011 law on religion discriminates against some minority faiths by stripping legal recognition from more than 300 previously recognized faiths, violating their rights to freedom of association and freedom of religion, and has spurred a legal challenge from a range of religious faiths in Hungary, including the Hungarian Evangelical Fellowship and Mennonite, reform Jewish, and Buddhist congregations;

Whereas, following the 2014 Parliamentary elections in Hungary, the OSCE noted that Fidesz enjoyed an undue advantage because of restrictive campaign regulations, biased media coverage, and campaign activities that blurred the separation between political party and the state;

Whereas Prime Minister Orban used his parliamentary super majority to redraw Hungary's electoral map and reduce the number of seats in Hungary's Parliament, providing an advantage which has allowed the Prime Minister to more easily remain in power;

Whereas the Government of Hungary created the National Media and Communications Agency and empowered it to impose fines against independent media outlets for coverage the government finds unbalanced or offensive;

Whereas, in November 2018, more than 400 media publications, websites, television

channels and radio stations in Hungary, already concentrated in the hands of a few owners, were donated, without compensation, by their owners to a central holding company which, according to a subsequently passed law, is exempt from competition oversight;

Whereas, according to the Department of State's 2017 report on human rights, Hungary has passed a series of laws modifying the judicial system by restricting the Constitutional Court, altering the rules for electing Constitutional Court justices, and vested the president of the National Office for the Judiciary, a position appointed by the parliament, with significant decision-making power;

Whereas, according to a Human Rights Watch analysis of Hungary's judicial reforms since 2011, changes to the judiciary have undermined an important check on the government by curbing the judiciary's independence, forcing nearly 300 judges into early retirement, and imposing limitations on the Constitutional Court's ability to review laws and complaints;

Whereas the Government of Hungary has enacted legislation stigmatizing non-governmental organizations that receive financial support from abroad, drawing a legal challenge from the European Court of Justice;

Whereas, in 2017, the Government of Hungary adopted a law on nongovernmental organizations that, according to the Department of State, "unfairly burdens a targeted group of Hungarian civil society organizations, many of which focus on fighting corruption and protecting human rights and civil liberties";

Whereas, in February 2018, more than 250 nongovernmental organizations signed a letter in opposition to Hungary's "escalating effort to crackdown on the legitimate work of civil society groups in Hungary seeking to promote and defend human rights, provide legal and social services to people in need in the country, and publicly express dissenting opinions in the press and online";

Whereas, in 2018, the Government of Hungary adopted amendments to a law on "aiding illegal migration," which criminalizes the provision of assistance to refugees and asylum-seekers, including public advocacy and humanitarian assistance, and makes the distribution of know-your-rights leaflets punishable by up to one year in prison;

Whereas, in 2018, the Government of Hungary introduced a 25 percent tax on organizations that engage in disfavored speech regarding immigration, thereby establishing a content-based punishment to restrict free speech;

Whereas, in 2017, the Government of Hungary enacted a law requiring the mandatory detention of all asylum-seekers in "transit camps" while their asylum applications are reviewed and permitting the immediate deportation of certain asylum-seekers to Serbia;

Whereas, in response, the United Nations High Commissioner for Refugees said that "this new law violates Hungary's obligations under international and EU laws, and will have a terrible physical and psychological impact on women, children and men who have already greatly suffered"; and

Whereas the erosion of democratic institutions and norms in Hungary has been found to be in clear violation of the European Union's values, resulting in the initiation of sanctions proceedings against the Orban government: Now, therefore, be it

Resolved, That the Senate—

(1) rejects the Government of Hungary's efforts to undermine the independence of the judiciary, restrict civil society groups, infringe on the freedom of the press, and vio-

late the rights of asylum-seekers in Hungary; and

(2) urges the President to vigorously defend the universal freedoms and democratic norms under attack by the Orban government in Hungary.

SENATE RESOLUTION 31—HONORING THE LIFE OF HARRIS L. WOFFORD, JR.

Mr. CASEY (for himself and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 31

Whereas the life of service and commitment of Harris L. Wofford, Jr., is an inspiration to the people of the United States and people around the world and will be for years to come;

Whereas Harris L. Wofford, Jr., served in the Army Air Corps during World War II;

Whereas Harris L. Wofford, Jr., served on the Civil Rights Commission established by President Dwight D. Eisenhower;

Whereas Harris L. Wofford, Jr., was a champion of civil rights and nonviolence and helped create and pass the Civil Rights Act of 1957 (Public Law 85-315; 71 Stat. 634), the first civil rights legislation since Reconstruction;

Whereas Harris L. Wofford, Jr., served as Special Assistant to the President for Civil Rights and Chairman of the Subcabinet Group on Civil Rights under President John F. Kennedy;

Whereas Harris L. Wofford, Jr., played a key role in the formation of the Peace Corps and served as the special representative to Africa and director and associate director of operations in Ethiopia;

Whereas Harris L. Wofford, Jr., participated in the Selma to Montgomery Civil Rights marches in 1965 in support of voting rights for African Americans;

Whereas Harris L. Wofford, Jr., was a staunch advocate for higher education and served as the President of the State University of New York at Old Westbury and the President of Bryn Mawr College;

Whereas Harris L. Wofford, Jr., served as Secretary of Labor and Industry in the Commonwealth of Pennsylvania from 1987 to 1991;

Whereas Harris L. Wofford, Jr., served as a United States Senator for Pennsylvania from May 8, 1991, to January 3, 1995;

Whereas Harris L. Wofford, Jr., was an advocate for health care access;

Whereas Harris L. Wofford, Jr., championed national service and was instrumental in passing the National and Community Service Trust Act of 1993 (Public Law 103-82), which established AmeriCorps, the Senior Corps, and Learn and Serve America, and served as head of AmeriCorps;

Whereas Harris L. Wofford, Jr., helped establish the Federal holiday marking the birthday of Martin Luther King, Jr., as a national day of service and worked on legislation directing the Corporation for National and Community Service to spearhead the effort marking this day of service; and

Whereas, in 2012, Harris L. Wofford, Jr., was awarded the Presidential Citizens Medal, the second-highest civilian honor in the United States, for his lifetime of humanitarian work: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) notes with deep sorrow and solemn mourning the death of Harris L. Wofford, Jr.;

(B) extends heartfelt sympathy to the entire family of Harris L. Wofford, Jr.;

(C) honors and, on behalf of the United States, expresses deep appreciation for the

outstanding and important service of Harris L. Wofford, Jr., to the United States; and

(D) respectfully requests that the Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy of this resolution to the family of Harris L. Wofford, Jr.; and

(2) when the Senate adjourns today, it stands adjourned as a further mark of respect to the memory of Harris L. Wofford, Jr.

AMENDMENTS SUBMITTED AND PROPOSED

SA 54. Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the joint resolution H.J. Res. 28, making further continuing appropriations for fiscal year 2019, and for other purposes.

SA 55. Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the joint resolution H.J. Res. 31, making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

TEXT OF AMENDMENTS

SA 54. Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the joint resolution H.J. Res. 28, making further continuing appropriations for fiscal year 2019, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the "Further Additional Continuing Appropriations Act, 2019".

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115-245) is further amended—

(1) by striking the date specified in section 105(3) and inserting "February 15, 2019"; and

(2) by adding after section 136 the following:

"SEC. 137. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to subsection (c) of section 1341 of title 31, United States Code.

"SEC. 138. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

"SEC. 139. (a) If a State (or another Federal grantee) used State funds (or the grantee's non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee's employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

"(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

"(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

"(3) the State (or such other grantee) may use funds available to the State (or the

grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

“(b) For purposes of this section, the term ‘State’ and the term ‘grantee’ shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, ‘to continue carrying out a Federal program’ means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

“(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

“SEC. 140. Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the timetable in section 254(a) of such Act, the final sequestration report for fiscal year 2019 pursuant to section 254(f)(1) of such Act and any order for fiscal year 2019 pursuant to section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 105(3), and for the Office of Management and Budget, 15 days after the date specified in section 105(3).

“SEC. 141. Section 319L(e)(1)(A) of the Public Health Service Act (42 U.S.C. 247d-7e(e)(1)(A)) shall continue in effect through the date specified in section 105(3) of this Act.

“SEC. 142. Section 405(a) of the Pandemic and All Hazards Preparedness Act (42 U.S.C. 247d-6a note) shall continue in effect through the date specified in section 105(3) of this Act.”

SEC. 102. For the purposes of division C of Public Law 115-245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

SEC. 103. Subsection (c)(2) of section 1341 of title 31, United States Code, is amended by inserting “, and subject to the enactment of appropriations Acts ending the lapse” before the period.

SEC. 104. For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

SA 55. Mr. MCCONNELL (for Mr. SHELBY) proposed an amendment to the joint resolution H.J. Res. 31, making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

The Continuing Appropriations Act, 2019 (division C of Public Law 115-245) is further amended—

(1) in section 105—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3)—

(i) by inserting “except as provided in paragraph (4),” before “December”; and

(ii) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) with respect to appropriations and funds made available, and other authorities granted, pursuant to section 101(5) of this joint resolution for the Department of Homeland Security, February 15, 2019.”; and

(2) in section 110, by adding at the end the following:

“(c) With respect to mandatory payments whose budget authority was provided in the Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115-141), subsections (a) and (b) shall be applied by substituting ‘section 105(4)’ for ‘section 105(3)’ each place it appears.”

FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that H.J. Res. 28 be considered read a second time and the Senate proceed to its immediate consideration.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 28) making further continuing appropriations for fiscal year 2019, and for other purposes.

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

Mr. MCCONNELL. I ask unanimous consent that the amendment at the desk be considered and agreed to and the joint resolution, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 54) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the “Further Additional Continuing Appropriations Act, 2019”.

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115-245) is further amended—

(1) by striking the date specified in section 105(3) and inserting “February 15, 2019”; and

(2) by adding after section 136 the following:

“SEC. 137. Amounts made available in this Act for personnel pay, allowances, and benefits in each department and agency shall be available for obligations incurred pursuant to subsection (c) of section 1341 of title 31, United States Code.

“SEC. 138. All obligations incurred and in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and

bringing about orderly termination of Government function, and for purposes as otherwise authorized by law, are hereby ratified and approved if otherwise in accord with the provisions of this Act.

“SEC. 139. (a) If a State (or another Federal grantee) used State funds (or the grantee’s non-Federal funds) to continue carrying out a Federal program or furloughed State employees (or the grantee’s employees) whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

“(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

“(2) the State (or such other grantee) shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon calculated under section 6503(d) of title 31, United States Code; and

“(3) the State (or such other grantee) may use funds available to the State (or the grantee) under such Federal program to reimburse such State (or the grantee), together with interest thereon calculated under section 6503(d) of title 31, United States Code.

“(b) For purposes of this section, the term ‘State’ and the term ‘grantee’ shall have the meaning as such term is defined under the applicable Federal program under subsection (a). In addition, ‘to continue carrying out a Federal program’ means the continued performance by a State or other Federal grantee, during the period of a lapse in appropriations, of a Federal program that the State or such other grantee had been carrying out prior to the period of the lapse in appropriations.

“(c) The authority under this section applies with respect to any period in fiscal year 2019 (not limited to periods beginning or ending after the date of the enactment of this Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in this section with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

“SEC. 140. Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the timetable in section 254(a) of such Act, the final sequestration report for fiscal year 2019 pursuant to section 254(f)(1) of such Act and any order for fiscal year 2019 pursuant to section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 105(3), and for the Office of Management and Budget, 15 days after the date specified in section 105(3).

“SEC. 141. Section 319L(e)(1)(A) of the Public Health Service Act (42 U.S.C. 247d-7e(e)(1)(A)) shall continue in effect through the date specified in section 105(3) of this Act.

“SEC. 142. Section 405(a) of the Pandemic and All Hazards Preparedness Act (42 U.S.C. 247d-6a note) shall continue in effect through the date specified in section 105(3) of this Act.”

SEC. 102. For the purposes of division C of Public Law 115-245, the time covered by such division shall be considered to include the period which began on or about December 22, 2018, during which there occurred a lapse in appropriations.

SEC. 103. Subsection (c)(2) of section 1341 of title 31, United States Code, is amended by

inserting “, and subject to the enactment of appropriations Acts ending the lapse” before the period.

SEC. 104. For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

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

The joint resolution was read the third time.

Mr. MCCONNELL. I know of no further debate on the joint resolution, as amended.

The PRESIDING OFFICER. If there is no further debate, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 28), as amended, was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE DEPARTMENT OF HOMELAND SECURITY FOR FISCAL YEAR 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that H.J. Res. 31 be considered read a second time and the Senate proceed to its immediate consideration.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 31) making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

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

Mr. MCCONNELL. I ask unanimous consent that the amendment at the desk be considered and agreed to and the joint resolution, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 55) was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

The Continuing Appropriations Act, 2019 (division C of Public Law 115-245) is further amended—

(1) in section 105—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3)—

(i) by inserting “except as provided in paragraph (4),” before “December”; and

(ii) by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(4) with respect to appropriations and funds made available, and other authorities granted, pursuant to section 101(5) of this joint resolution for the Department of Homeland Security, February 15, 2019.”; and

(2) in section 110, by adding at the end the following:

“(c) With respect to mandatory payments whose budget authority was provided in the Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115-141), subsections (a) and (b) shall be applied by substituting ‘section 105(4)’ for ‘section 105(3)’ each place it appears.”.

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

The joint resolution was read the third time.

Mr. MCCONNELL. I know of no further debate on the joint resolution, as amended.

The PRESIDING OFFICER. If there is no further debate, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 31), as amended, was passed.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that it be in order at this time for me to request a conference with the House on H.J. Res. 31.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

COMPOUND MOTION

Mr. MCCONNELL. I move to insist upon the Senate amendment, request a conference with the House, and authorize the Presiding Officer to appoint conferees with respect to H.J. Res. 31.

I know of no further debate on the motion.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion.

The motion was agreed to.

APPOINTMENT OF CONFEREES

The Presiding Officer appointed Mr. SHELBY, Mrs. CAPITO, Mr. HOEVEN, Mr. BLUNT, Mr. LEAHY, Mr. DURBIN, and Mr. TESTER conferees on the part of the Senate.

HONORING THE LIFE OF HARRIS L. WOFFORD, JR.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 31, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 31) honoring the life of Harris L. Wofford, Jr.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

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

Mr. MCCONNELL. I further ask that the resolution be agreed to, the preamble be agreed to, and 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. 31) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills or joint resolutions today through Monday, January 28.

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

ORDERS FOR MONDAY, JANUARY 28, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, January 28; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 1; finally, that notwithstanding the provisions of rule XXII, at 5:30 p.m. on Monday, the motion to proceed to the motion to reconsider cloture on the motion to proceed to S. 1 on January 8 be agreed to, the motion to reconsider cloture on the motion to proceed to S. 1 be agreed to, and the Senate vote on the motion to invoke cloture on the motion to proceed, upon reconsideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 3 P.M. MONDAY

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the provisions of S. Res. 31 and do so as a further mark of respect for the late Harris Wofford, Jr., former Senator for the Commonwealth of Pennsylvania.

The PRESIDING OFFICER. Under the previous order and pursuant to S. Res. 31, the Senate stands adjourned until 3 p.m. on Monday, January 28,

and does so as a further mark of respect for the late Harris L. Wofford, Jr., former Senator from Pennsylvania.

There being no objection, the Senate, at 4:42 p.m., adjourned until Monday, January 28, 2019, at 3 p.m.