

States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

Mitch McConnell, Pat Roberts, Shelley Moore Capito, Mitt Romney, Richard Burr, John Cornyn, Rick Scott, Mike Crapo, Cindy Hyde-Smith, Michael B. Enzi, Kevin Cramer, Mike Braun, John Boozman, Steve Daines, James M. Inhofe, Thom Tillis, Joni Ernst.

NATURAL RESOURCES MANAGEMENT ACT—MOTION TO PROCEED

Mr. MCCONNELL. I move to proceed to Calendar No. 7, S. 47.

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 7, S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 7, S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

Mitch McConnell, Pat Roberts, Shelley Moore Capito, Mitt Romney, Richard Burr, John Cornyn, Rick Scott, Mike Crapo, Cindy Hyde-Smith, Michael B. Enzi, Kevin Cramer, Mike Braun, John Boozman, Steve Daines, James M. Inhofe, Thom Tillis, Joni Ernst.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the mandatory quorum calls be waived.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

S. 1

Mr. THUNE. Madam President, I am pleased the Senate is finally debating S. 1 after three inexplicable Democratic attempts to filibuster the bill. This package of Middle East policy bills, all of which have bipartisan support, addresses a number of key issues.

For starters, this legislation will further strengthen our relationship with our closest ally in the Middle East, Israel. It authorizes 10 years of mili-

tary support funding to Israel. It reaffirms the U.S. commitment to ensuring that Israel has better weapons and equipment than its enemies. It will also foster increased technical cooperation between Israel and the United States to support the security of both of our countries.

The legislation also strengthens our relationship with another close ally of ours in the Middle East, the Kingdom of Jordan. The Senate Intelligence Committee hearing on Tuesday was a timely reminder of the importance of investing in our alliances. Senior intelligence officials testified that China and Russia are becoming increasingly aggressive in seeking to increase their influence, not just in their own regions but in other parts of the world. Russia's support in the Syrian regime is a prime example.

Now, more than ever, it is vital that we maintain close relationships with our allies. The legislation before us also contains the Caesar Syria Civilian Protection Act. This legislation will help hold accountable individuals who have supported the atrocities of the Assad regime. It directs the Treasury Department to investigate whether the Central Bank of Syria launders money for the Syrian Government.

The conflict in Syria has claimed hundreds of thousands of lives and driven literally millions of Syrians from their country. While the United States cannot solve every conflict around the world, it is vital that we make it very clear the United States will not tolerate those who have contributed to the brutality of Bashar al-Assad's government.

Finally, the legislation we are considering today will protect the right of State and local governments to decline to do business with entities that have chosen to boycott Israel. As I said, all of the bills in the legislation before us today have bipartisan support, and I hope the Senate will pass this legislation with a strong bipartisan majority.

AMENDMENT NO. 65

Madam President, I also would like to take a few moments to talk about an amendment the leader has proposed. As I noted, this week, our intelligence community leaders gave a frank assessment of the threats we face to our national security and to our interests, from ISIS and al-Qaida to the danger posed by a growing alignment between Russia and China, to Iran's destabilizing activities in the Middle East. As intelligence officials made clear, the U.S. faces numerous persistent threats, and we should be wary of letting our guard down or becoming complacent about our strength. For that reason, I would like to state my support for Leader MCCONNELL's amendment to express the sense of the Senate that we should be cautious about any premature withdrawal of our troops from Syria and Afghanistan.

We don't have to look back very far for a reminder that prematurely withdrawing our troops can create a power

vacuum that terrorists and others will step in to fill. Our too-hasty withdrawal from Iraq, on a timeline we announced to our enemies, created the circumstances that allowed for the rise of ISIS. We need to be wary about allowing something like that to happen again.

Terrorist groups are not the only entities we have to worry about. Adversaries like Russia and Iran are already trying to flex their power in the Middle East and would be more than happy to take advantage of an early U.S. withdrawal to strengthen their foothold in the region.

While I understand and respect President Trump's desire to bring our troops home and to end these protracted wars, we must do so in a way that ensures enduring stability and protects our interests and those of our allies. The leader's amendment is an important reminder of the need for caution and reflection as we consider troop withdrawals and would reassure our allies that the United States does not intend to abruptly leave them in the midst of the battle.

I hope all my colleagues will support the leader's amendment when we vote on it later this afternoon.

USS "SOUTH DAKOTA"

Madam President, before I close, I would like to mention the commission of the Navy's newest Virginia-class attack submarine, the USS *South Dakota*, which will occur this Saturday, February 2, 2019, in Groton, CT. Designated SSN 790, the USS *South Dakota* will be the 17th submarine of her class, pushing the envelope of U.S. maritime technology and undersea dominance.

We are proud the State of South Dakota will once again be represented in the fleet by this engineering marvel, which will project America's strength and protect our national interests throughout the maritime domain and beyond.

In March 2012, I led the South Dakota delegation, which then included Senator Tim Johnson and Congresswoman Kristi Noem, in writing Secretary of the Navy Mabus to request that the Navy name its next attack submarine the USS *South Dakota*. I join them and all South Dakotans in saying we are excited to see this honor come to fruition.

The *South Dakota* will build off the legacy of her forebears, a Pennsylvania-class armored cruiser that served as a troop escort in World War I and a battleship that was one of the most decorated battleships in World War II. The battleship *South Dakota* was a proud representative of the 68,000 South Dakotans who answered their country's call to serving the war, earning 13 battle stars in the Pacific theater.

The *South Dakota* led with her nine 16-inch guns in the battles of the Santa Cruz Islands and Guadalcanal, which earned her a reputation as a fighting machine by defending U.S. aircraft carriers and disabling the enemy's.

In her second Pacific tour, the *South Dakota* supported marine landings on the Marshall Islands with shore bombardments before joining the Battle of the Philippine Sea and fighting through a bomb hit in order to defend our fast carriers. As information on U.S. military action was limited at the time, she was often referred to as “Battleship X” and “Old Nameless.”

The submarine *South Dakota* will continue this distinguished tradition of service, and as is the nature of the submarine force, the accomplishments of this new boat and her crew may be even more secretive than those of her battleship predecessor's. In fact, it could be decades until we fully appreciate all the *South Dakota* might do in her 30-plus-year service life. We may very well read about her exploits in a sequel to “Blind Man's Bluff”—the daring account of early U.S. submarine espionage and power projection.

Because of the nature of their work, the so-called Silent Service is often an undersung hero of the U.S. military's. I have certainly never seen a submarine at an airshow or coming down Main Street in a parade. The nature of the sub force's mission is as secretive as it is high stakes, but at any given moment, the U.S. submarine force is patrolling the depths of the ocean and is monitoring littoral waters for threats against our Nation and our allies.

The *South Dakota* will project power at sea and ashore with her payload of torpedoes and Tomahawk cruise missiles, which can be delivered without warning. Undetected, she will carry out the seven core competencies of the submarine force—anti-submarine warfare, anti-surface warfare, the delivery of special operations forces, strike warfare, irregular warfare, intelligence, surveillance and reconnaissance, and mine warfare—all while keeping adversaries on their toes.

While Saturday will be a time for our Navy and the country to celebrate this milestone, the *South Dakota* won't just be talked about here at home; around the world, our adversaries are taking note as this submarine will further strengthen our global presence and ability to protect the interests of the U.S. and our allies. Our adversaries are already undertaking significant efforts to challenge U.S. military capabilities and international order.

While they can try to copy our designs, mimic our operational concepts, or even try to replicate the way we train, one thing they will never be able to do is imitate our people. The commissioning crew has proven its aptitude and professionalism in the months leading up to this point. The men and women of our submarine force, like those who serve in the ranks across the Department of Defense, are the root of America's military strength.

As Americans, we are grateful for all who have answered the call to serve and the families who support them, especially those who endure spending

months apart during long deployments. The lives of submariners are not easy, and they are not easy for their loved ones. We thank them for their sacrifice.

The *South Dakota's* complement of 135 talented officers and sailors will put its population in line with those of South Dakota towns like Isabel, Pierpont, and Java. Like South Dakota's rural towns, the USS *South Dakota* will be a tight-knit community of its own, albeit one that is uniquely confined to a submerged vessel just over a football field long and with a nuclear reactor.

The indigenous inhabitants and early pioneer settlers of the State of South Dakota instilled a resourceful and resilient ethic in the culture of our State that continues to this day. This was driven by the remote, austere, and often unforgiving conditions on the Great Plains. I am confident that such hardiness will be replicated in all officers and crew members of the *South Dakota* as they live up to the boat's motto, which means “Under the sea, we rule.”

As boat sponsor Deanie Dempsey brings the boat to life on Saturday, we thank the officers and crew of the *South Dakota* for their dedicated service to our country.

May God bless the USS *South Dakota* and keep watch over her as she patrols the seas.

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

The PRESIDING OFFICER (Mr. SCOTT of Florida). Without objection, it is so ordered.

S. 1

Mr. KENNEDY. Mr. President, I want to continue talking about a subject that I talked about yesterday, and that is our situation in the Middle East—specifically, but not exclusively, with respect to Syria.

To focus my thoughts, I want to begin talking about S. 1, which we are considering and will be considering shortly. We have been considering the procedural matters.

S. 1 is the Strengthening America's Security in the Middle East Act. Its sponsor is the senior Senator from the Presiding Officer's State, Senator RUBIO. He has done an extraordinary job with this bill. We both know Senator RUBIO. He is whip-smart, as I said yesterday. Speaking for me, he has forgotten more foreign policy than I will ever know.

This is a good bill. I will just mention a couple of things. Senator RISCH has worked very hard on it as well. He is, of course, the chairman of our Foreign Relations Committee.

There is a lot to like in S. 1. I just made a list walking over here. No. 1, S. 1 is going to reaffirm our commitment

to protecting Israel. Israel is easily our most important ally in the Middle East and is easily our most important friend in the Middle East. On some days, I think they are easily our only friend in the world, and we should support our friends. Let me say that again. We have to support our friends, and Israel is a friend. This bill will support Israel, and I like that. So I am going to vote for the bill.

No. 2, Senator RUBIO's bill strengthens our bond with Jordan, another key ally. Jordan is a key ally in fighting terrorism and the humanitarian catastrophe caused by Assad's butchering of his own people in Syria, along with the help of Vladimir Putin in Russia.

No. 3, Senator RUBIO's bill will combat a radical economic welfare campaign against Israel. That is very important. You either support Israel or you don't. It is time for everybody to stand up and be counted. I do.

Finally, Senator RUBIO's bill creates new sanctions on the Government of Syria. I am not sure they are going to be enough, but it is a start. It targets those who have been laundering money to help the Assad regime.

I support all of these things. I support S. 1, sponsored by Senator RUBIO. I thank him, Senator RISCH, and everybody who has worked so hard on S. 1.

There is a way to make S. 1 better, and I have an amendment pending that will do that. I have heard some of my colleagues correctly say that S. 1 is about standing with our allies, and that is important. Certainly, America's foreign policy is centered, in part, around interests but not exclusively around interests. Values are important too. If you have a foreign policy just based on your nation's interests, all you do is go from deal to deal to deal, and everything becomes expendable, depending on what day it is.

America's foreign policy has never been based exclusively on interests. I am not saying interests aren't involved, but it has been based on values. One of our values in America is that we stand with our allies. That is what S. 1 does. It stands with our friend Israel. It stands against our enemy Assad. It stands with Jordan.

I will tell you who it doesn't stand with—the Syrian Kurds. The Kurdish people are one of the largest—if not the largest—minorities in the world that is stateless. There are Kurds in Iraq, Iran, Turkey, and Syria. They don't have a caliphate. They don't have a country. They are occupying northeast Syria right now, and I believe they want peace. I believe—some of my colleagues disagree with me—that they believe in democracy, and that they, in large part, embrace Western values.

I understand that is debatable, but I will tell you one thing that is not debatable. We would not have defeated ISIS without the help of the Syrian Kurds. That is just an actual fact. You can write that one down and take it home to Mama.

Before somebody starts saying, well, we haven't defeated ISIS, I say: You

never defeat the terrorist group. They will just change their names. Has every jihadist in the world been eliminated in the Middle East? No. Duh. We will never eliminate all of them, but that doesn't mean the President was wrong to say a couple of years ago, when he became President: I don't know how many jihadists are calling themselves members of ISIS.

There were 100,000. There sure aren't 100,000 today. I know they had a capital in Raqqa. I know they had a caliphate in the Middle East. I know there were at least 100,000 of them, but there aren't 100,000 of them now.

We wouldn't have beaten back ISIS without the help of the Syrian Kurds.

The President has announced that he is going to pull American troops out of Syria, and he is talking about pulling American troops out of Afghanistan. I know there is a lot of debate about that. To be truthful, I don't know who is right and who is wrong.

Senator MCCONNELL has a vote on his amendment to S. 1 today. I am not sure I am going to vote for it. It is not because I think he is wrong, but it is because I am not sure he is right. I am not sure who is right. The President says one thing, his intelligence community says another, and Members of the Senate say a multitude of things, as we always do.

We have to get this one right. There is a lot of talk, not by Senators, but I have seen the opinions in the press. They say that this is all just a bunch of cynical politics, that the whole purpose of S. 1—and I don't believe it, but I have heard people say it, and I guess I can see their point—is about making somebody take a tough vote; that is all it is about.

Well, I don't care about tough votes or easy votes or the politics of this. I think what the American people are looking at is that we have been in Syria, and we have been in Afghanistan and Iraq, and we have spent trillions of dollars. Why are we there? Have we accomplished why we are there? And if not, when are we going to accomplish it? And, by the way, how much more will it cost?

I think the President makes a very valid point about nation-building and about mission creep. I have listened to this debate, and I honestly don't know, and I don't think the American people know. I know the intelligence community may be split, but we in the Senate, all of us—I have met every Member of the Senate—all have brains above a single cell organism. We can have experts come over here and brief us and tell us the pros and the cons. We haven't done that, and that really bothers me.

I am not here to criticize Turkey or President Erdogan. I am not saying I agree with everything President Erdogan does or everything Turkey does, but Turkey is a NATO ally, and that means a lot to us. Turkey is supposed to be a friend. I wish we could have better relationships with Turkey.

I would like to have a trade deal with Turkey, but I also want to protect our friends the Syrian Kurds.

It is no secret and it is no understatement to say that President Erdogan, his administration, and Turkey have had some pretty harsh things to say about the Syrian Kurds and about some of the things that Turkey might do if we pull out and the Syrian Kurds are left exposed. I know that puts us in a very difficult situation. It puts the Senate in a very difficult situation. It puts the President in a very difficult situation. Well, that is why we are here.

The purpose of this amendment, which I hope the Senate will support—I hope I will be allowed to bring it up—is not to make anybody take a tough vote or an easy vote. It is not about the 2020 elections. It is not about trying to get back at the House. It is about trying to allow us to focus and, hopefully, resolve a problem coming down the pike, like thunder on a summer night, that we are going to have to face: What are we going to do if we pull out or minimize our presence in Syria, and our friends the Turks attack our friends the Syrian Kurds? What are we going to do?

I don't want to see us wait until that happens and have us all running around like a bunch of sprayed roaches trying to figure it out. We need to deal with it now. We don't need to deal with it on the politics, and we don't need to deal with it in terms of who we are trying to make take a tough vote.

I would like to see the Senate have a briefing. I would like to bring experts over to talk to us—those who believe we ought to remain in Syria, those who believe we ought to leave. While we are at it, let's do the same thing about Afghanistan.

Then let's talk to the American people straight up: Here is what we have decided, and here is why. Here is the game plan. Here is when it is going to be completed, and here is what it is going to cost.

I am going to go back to where I started. I am not naive, nor is the Presiding Officer. A country's foreign policy always has involved with it interests—your own interests—but it is not interests alone. There has to be a moral component to a nation's foreign policy, and our moral principle is that we stand by our friends.

I am glad we are standing by Israel. I am going to vote for the bill. I am not sure I am going to vote for the amendment this afternoon, but I am going to vote for the bill. I just wish we would stand by our friends the Syrian Kurds.

Thank you.

I yield to the chairman of the Foreign Relations Committee.

The PRESIDING OFFICER. I recognize the Senator from Idaho.

Mr. RISCH. Thank you, Mr. President.

First, let me thank Senator KENNEDY. I think he has articulated a number of things that are important to us,

and it is important that we do debate these things. When the Founding Fathers put the Constitution together, they were very clear on article I rights, legislative rights, and some on the executive branch rights. On foreign policy, I think that was a work still in progress with them, and they left it with both branches to have a role in both crafting the foreign policy of this country and also in execution of the foreign policy of this country. In essence, that is what we are doing with S. 1.

S. 1 is a work that has been going on for a considerable period of time, and it addresses the relationships we have with a number of our friends in the Middle East. I think I heard the Senator say he did agree with S. 1 and the things that are in there, trying to help our friends the Israelis, trying to help our friends the Jordanians, and also trying to help what friends we have in Syria to help them shed the yoke of Bashar al-Assad, which is the Caesar bill, which is included in this. This is a conglomeration of about four different bills. It is bipartisan, not something that is common around here these days, but it is bipartisan in almost all respects, and it does do a lot of the things we want it to do. So I appreciate hearing his support for S. 1. I want to talk for just a minute about a couple of issues he raised.

No. 1, talking about the debate that has been going on within the executive branch on certain issues. This is the way it is supposed to work. Most of the time, this is done in the Intelligence Committee and in the Foreign Relations Committee in closed hearings. Occasionally, it bubbles over, as it has recently, where there were some statements made by the intelligence community that the President didn't necessarily subscribe to, but the intelligence community was doing its job.

There are 17 committed intelligence Agencies of the United States. Every day, they gather a massive amount of information which they try to boil down and understand where we are headed. Their job is to gather that and to submit it to policymakers—this body, to the Foreign Relations Committee, to the Intelligence Committee, this entire body, and, most importantly, to the President of the United States and all policymakers throughout government. They do that, and they do a good job doing it. Not everyone agrees.

The intelligence communities—I think I can say without breaching confidences—from time to time have a different level of confidence as to a conclusion they reach regarding a certain situation. Sometimes we debate these things publicly. The vast majority of times, we don't. As policymakers, we do have to make decisions.

The President of the United States has recently talked about the military activities we are doing both in Syria and in Afghanistan, and it has properly spawned a debate as to what we are

doing there, as the Senator suggested, what we have accomplished there, and what our continuing work there should be. I think that is a work in progress today.

I think everyone agrees that no matter what, the nation-building we did after World War II in Germany and Japan and after the Korean war in South Korea was incredibly successful. We spent a lot of money there, we imported American values there, and we did a great job. Over the last few decades, we have tried to use the same model in the Middle East, and it has been very unsuccessful. Before you can be successful, people have to want what you are giving them. That has not been unanimously accepted in the Middle East, and I think the President is right that we need to examine the nation-building and, for that matter, standing up our fighting forces that again have not been particularly competent in the Middle East.

In any event, it is a good debate to have. We are in the middle of that debate right now. I think everyone agrees that, no matter what, we have to maintain a sufficient military presence in the Middle East in various places. I think the military people are better making that decision than we are, but we have to have a military presence in certain places so that when we get a threat to America, we can respond, and we will respond. I don't think there is anything the President has said that backs us away from our commitment to respond, when necessary, to threats to the United States by terrorists. We are going to continue to respond. I think he has rightly identified that we should reexamine our nation-building efforts and expenditures in some areas, and I think he is right there.

I want to touch on, for just a minute, what the Senator said about the situation between the Turks and the Kurds, and then yield to my friend from Texas. You are absolutely right. The Kurds have been a great friend of ours for a long time. They have stood by our side. They have helped us in Syria and in other places when we have been fighting over the recent decades in the Middle East. They are good people. I met with them yesterday, and as I always do, I thanked them for their commitment to us and the sacrifices they have made. I realize they are there in their homeland and protecting their homeland. They have been magnificent fighters, and they are great people to have alongside us.

Some elements of the Kurdish people have had issues with Turkey. Turkey has been a long ally of the United States. We have a significant military presence there and a significant base there. This has been going on for a long time. They are a member of NATO. They are an official NATO ally of ours, which gives us certain responsibilities and gives them certain responsibilities.

The fact that the Kurds and the Turks are having issues with each other should very much concern us. No

matter what happens, as the Senator mentioned, we have American values, and both the Turks and the Kurds have to understand that they need to respect human rights, they need to respect the rule of law, and we have to stand by and watch that this occurs. There have been conversations going on—I don't think it is a secret to anyone—about how this is going to play out and what role the United States plays in this regard, but it is a difficult situation, as the Senator referred to.

At this time, I am going to oppose the amendment the Senator has proposed. I do so reluctantly because I think he is trying to speak to the fact that we need to stand by our friends, and we do need to stand by our friends. Our relationship with the Turks, I don't think it is a secret to anyone that it has hit a rough patch, but simply because we are in a rough patch doesn't mean we throw the baby out with the bathwater.

We are going to have to continue to keep our commitments. We are going to have to, as the Senator suggested, see that we stand by our friends. It is going to be difficult. It is difficult in the situation we are in, but we can do this, we are committed to do this, and we are going to continue to work at it. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

PRESCRIPTION DRUG PRICING

Mr. CORNYN. Mr. President, on Tuesday of this week, the Senate Finance Committee had a very important hearing on the skyrocketing costs of prescription drugs, something the Presiding Officer knows a lot about.

In 2017, a study found that more than half of Americans regularly take some form of prescription medication. Modern medicine has made living with chronic health conditions that would have once been debilitating or fatal—like diabetes, high blood pressure, or asthma—modern medicine has made living with those conditions manageable. That is a blessing for which we are all grateful.

I know, at the same time, many of my constituents and many Americans struggle to buy prescription drugs to treat common health problems, not because they aren't widely available but because they simply are unaffordable. For many higher cost, brand-named drugs, generic alternatives are available at a lower price. For example, I happened to take a drug called Lipitor, which previously was covered by a patent. As a result of that patent, the cost of the drug was higher because the producer of the drug had a monopoly. We grant that monopoly for a period of time—I believe it is 12 years—in order for them to recoup their research and investment dollars. Unfortunately, many of these efforts to come up with lifesaving drugs are unsuccessful. So in order to encourage innovation and lifesaving discoveries, we have to find a way to allow drug companies to recoup their sunk costs and make a profit.

Generic drugs have really been a lifesaver for many people. That same Lipitor that I take now is off of patent and is available for a few dollars for a 30-day supply. That is just one example. One study found that 93 percent of generic prescriptions are filled at \$20 or less, with the average cost being just more than a little over \$6, but for many drugs, there are no low-cost alternatives, and people are increasingly struggling to cover the rising costs of their medication.

One witness from Indiana, Kathy Sego, I think, speaks for a lot of parents who have children suffering from diabetes needing insulin, and I think her story was emblematic of that problem across the country.

In her case, she is a wife, a mother of two, and a choir teacher. Her son Hunter is one of the more than 30 million Americans who suffer from diabetes, and he relies on insulin to manage his blood sugar.

Kathy told us that when her son Hunter started college, he started to go to the pharmacy to pick up his insulin prescription himself. That is when he discovered that it cost \$1,700 a month, even with health insurance. The copay—the part they were responsible for and had been paying for Hunter, unbeknownst to him—is \$1,700 a month. Kathy assured him that, unfortunately, that cost was correct; \$1,700 only covers a 1-month supply.

Over the next few weeks, their family began to notice a change in their son Hunter. He was losing weight, falling behind in school, and was depressed—a far cry from what she said was his normally positive and energetic self. Unbeknownst to his parents, Hunter had only purchased one vial of insulin when he needed four, and he began rationing his supply of the drug. To try to counterbalance that, he began skipping meals—which is dangerous for a diabetic to do, let alone an incredibly active college football player like him. Fortunately, in time, his family realized what had happened, and they intervened, avoiding what could have been fatal consequences, but her family still battles with the expense of this insulin.

Kathy says she worries about what happens when Hunter graduates from college, noting that his life choices are contingent upon his ability to pay for the medicine he needs to keep him alive. She wondered at our hearing: Can he afford an apartment, utility bills, and repay his student loans? Hunter, she said, needs insulin to live, but should that need for insulin keep him from living?

About 1.5 million Americans have type 1 diabetes like Hunter, where their body produces no insulin to deal with the blood sugar, but as I mentioned earlier, 30 million Americans, according to the Centers for Disease Control, have diabetes, and about 3 million of those 30 million are in my State of Texas. Three million Texans have diabetes for which insulin is a required treatment.

While we know it is common to see higher drug prices for new drugs that have recently completed the costly research-and-development phase, that is not the case for insulin, which has been around for nearly a century and is a type of biologic drug which is generally more expensive to produce.

I hope Kathy and Hunter's story—which could be told millions of times by other families across the country—impels us to investigate the causes for these unreasonable costs for some of these prescription drugs. I hope we find a solution—and I am confident we will if we try hard enough—that will allow families like Kathy's to live without the burden of wondering how to pay for their healthcare costs, particularly when it comes to prescription drugs.

At Tuesday's hearing, I also questioned our witnesses about a phenomenon known as rebates and the way pharmacy benefit managers deal with pharmaceutical companies.

I noted that, ordinarily, it was a crime to kick back money to a provider. For some reason that nobody could justify, there was an exclusion for these rebates by pharmacy benefit managers to pharmaceutical companies.

In the case of prescription drug pricing, rebates and discounts provided by manufacturers could mean the difference between a drug being covered by your insurance plan or not, and, certainly, whatever the net price is after the rebate is not transparent to anybody, much less to the consumer, or returned directly to the consumer. Not only does this drive up the list price and out-of-pocket cost of lifesaving drugs, but it makes it impossible for Congress or anybody to determine where each dollar goes.

I find this lack of transparency alarming. It shouldn't take an advanced degree to figure out where your money is going when you buy prescription drugs or how to shop for the most effective drug at the right price. When it comes to prescription drugs, we need to promote transparency first and foremost, and we need to streamline and eliminate regulations and laws that allow the middlemen to unnecessarily drive up prices. We know we have the opportunity to do that in the coming months.

We shouldn't require people suffering from chronic diseases to subsidize the healthcare costs of healthy people. There is something strangely wrong about this picture. I am glad we had the opportunity to listen to witnesses on this topic, and I thank them for taking the time to share their insights.

I look forward to continuing to work with all of our colleagues on the Finance Committee and generally to identify ways to make prescription drugs more affordable and accessible to the American people.

As the Presiding Officer knows, given his background in healthcare, I am confident he can be an important part of that solution, as well.

TRIBUTE TO SUSAN PAMERLEAU

Mr. President, switching gears just a bit, I want to share a quick good-news story of two outstanding Texans who blazed the trail for women in public service.

While I was in San Antonio, my hometown, a couple of weeks ago, I had the chance to congratulate our new U.S. marshal for the Western District of Texas, Susan Pamerleau. Over the years, she has held many impressive titles—general in the Air Force and sheriff—and now she is a U.S. Marshal. In addition to each of those, I have always been proud to know her under a different title—as a friend.

At Susan's ceremonial swearing-in, Chief Judge Orlando Garcia opened by noting the historical significance of her being the first female marshal ever in the Western District of Texas, which was established in 1857.

Susan's long and impressive career began at Lackland Air Force Base in Texas, where my dad happened to have been stationed at one time, where she received her commission through officer training school. Over the course of her 32-year career in the Air Force, she rose through the ranks and retired, ultimately, as an Air Force major general in the year 2000.

When she returned to Texas, Susan joined USAA as a vice president and later became senior vice president. It wasn't until 10 years later that her career in law enforcement began when she was elected sheriff of Bexar County, TX, which is the 11th largest sheriff's office in the Nation.

Susan was the first woman to hold that role as well, but she said:

It was not about being the first woman. It was really about redefining the role of what the Bexar County sheriff does.

Over the years, I have had the opportunity to work with her on a number of issues impacting my constituents and our constituents, including mental health and law enforcement reforms. I think she has made an enormous contribution to both of those areas.

Needless to say, I was thrilled when the President nominated Susan to be the new U.S. marshal for the Western District of Texas and when she was confirmed last fall. Her integrity, leadership, and management skills are critical to the Western District of Texas, which comprises 68 counties and more than 6 million people.

I wish, once again, to congratulate my dear friend Susan Pamerleau on becoming the U.S. marshal, and I look forward to continuing to work with her as we serve together the people of Texas.

REMEMBERING MARY LOU ROBINSON

Mr. President, finally, when you talk about women opening doors in Texas, you can't leave out Mary Lou Robinson, who sadly passed away last weekend at the age of 92.

Her long and distinguished legal career began at the University of Texas School of Law, where she met her husband, A.J. After law school, they re-

turned to Amarillo, TX, where they opened up the firm appropriately named Robinson & Robinson.

In 1955, she left the private practice of law when Potter County commissioners appointed her judge of the Potter County Court at Law, making her the first in a series of firsts for this remarkable woman.

Judge Robinson found her passion, and she was hooked. In the coming decades, she became an advocate for women's rights, and she helped to promote the passage of the Texas Equal Rights Amendment, a constitutional amendment voted on by the people in 1972.

Over the course of her remarkable 63-year judicial career, Judge Robinson served as the 108th District Court judge, followed by associate and then chief justice of the 7th Court of Appeals, located in Amarillo.

In 1979, she was appointed by President Jimmy Carter to be a judge of the U.S. District Court for Northern District of Texas, where she served for nearly 40 years.

Her career is impressive, not only for its length but for its quality. One attorney practicing before Judge Robinson noted: "Lawyers may disagree on a lot of things, but almost all agree that she treats everyone equally and fairly." That is high praise for a district judge.

Judge Robinson will be remembered as an inspiring and devoted judge, an early advocate for women's rights, and a beloved member of her community.

Last summer, Senator CRUZ and I introduced a bill to rename the Federal building and courthouse in Amarillo the J. Marvin Jones Federal Building and the Mary Lou Robinson United States Courthouse.

This lasting testament to her judicial career will live on for generations, and I am proud that Senator CRUZ and I were able to cement this legacy for this legal pioneer.

While our family sends our prayers to the family of Mary Lou Robinson, we can all be proud of her distinguished career of service, not only to her beloved community in Amarillo but to the State of Texas and to the Nation as a whole.

I yield the floor.

The PRESIDING OFFICER. I recognize the Senator from North Carolina.

COMBUSTIBLE CIGARETTES

Mr. BURR. Mr. President, I was not next in the queue. Senator GARDNER was, but since I don't see him, I am going to jump in, in great Senate fashion.

I rise today to educate my colleagues and the American people on actions that are currently being taken by the Food and Drug Administration. It deals with one specific thing that is familiar to all of us: combustible cigarettes. It revolves around a decision the FDA has just announced earlier this year: their plan to ban menthol combustible products. Their rationale for doing this is that menthol is the doorway for youth usage of tobacco products.

Let me start and end at the same point. I am going to start with this chart. This chart displays, from 2011 to 2017, the CDC's annual study of youth usage of tobacco products. Specifically, this one addresses the use of menthol cigarettes, where we have seen a reduction of 5.8 percent to 2.5 percent.

Somehow, as this chart displays, we have had a significant reduction in the use of menthol products for youth in this country. With this trend line, we are now making the case, as the Federal Government, that we have to ban this product because it is what is fueling an increase in youth usage.

Over the same period, youth usage of combustible cigarettes has dropped by 12.5 percent. By any standard we would look at, we would say that we have an education program in America that is actually having the right impact here. Between what we educate, parental guidance, and school pressures, the usage of our youth is going down.

This would be something that typically we would praise, but, no, an administration that came in primarily saying that we are here to reduce the regulation of the Federal Government, has picked one area that not only is it not reducing, but it is disregarding the trends that we see, and it is coming out with new regulations that, at the end of the day, are going to impact adults for whom we haven't either provided the tools to stop using combustible cigarettes or who have made a conscious choice that they want to use a legal product they know up front is harmful to their health.

To successfully talk about this, I have to hit rewind and go back 10 years, because it was 10 years ago, in 2009, that the Congress of the United States took up the Tobacco Control Act. I will say that it was a controversial debate. I spent hours on this floor.

Here are some of the points I made in 2009—that H.R. 1256, which was the Tobacco Control Act, did not provide a pathway to market for new tobacco products. New tobacco products were products that technologically we could create that provided a level of satisfaction for its users but didn't have the harmful effects of the combustion of tobacco. Innovative products—we see them in the market place today. They are there not because of the guidance of the Food and Drug Administration, with over 10 years of total control over the tobacco industry. They are there because the marketplace demanded it. Consumers said: Give me a tool to switch. We have gone from gum to patches, to now electronic cigarettes.

It was believed, at the time, that because we centralized tobacco regulation within an Agency that understands how to use scientific information to make decisions, they would look at trend lines like this and would make decisions that were consistent with it—that as technology became more available, we could determine how to put a heart valve in with it being less invasive through the use of

technology. Over 10 years, we haven't figured out how to write a foundational rule to tell companies how they need to apply to get an e-cigarette approved.

When we went into this 10 years ago, HHS claimed that the Department would need \$100 million to establish an Agency solely focused on tobacco products. We did them one better. We imposed user fees on the tobacco industry. For every piece of tobacco product that is sold, they paid to the FDA a user fee on that product. It is that user fee that has funded the FDA effort.

In 2019, the FDA received \$712 million in user fees from the industry. Let me put that in perspective. Everybody who buys a tobacco product is paying a higher price today so that this money can go to the FDA so the FDA, hopefully, will create a foundational pathway that will allow them to approve and receive applications for reduced-harm products.

It is very consistent with this trend line of money we pumped into education to reduce youth usage and to encourage adults to switch, but until it is illegal in the United States, adults ought to have the freedom to choose the products they want.

Unfortunately, 10 years later, we are in no better position than we were 10 years ago, where the choices are combustible products or products that have yet to even have an established pathway by the FDA.

Those who are venturing out today offering e-cigarettes and alternatives are doing it with the understanding that tomorrow the FDA could walk in and say: We are going to pull this product off the marketplace because it hasn't been approved. Yet the FDA has never created the pathway and shown an individual or a company the application process to get a product like this approved.

Ten years ago, before TCA was signed into law, there were 14 Agencies that regulated tobacco in the United States. It was the Treasury Department, the Transportation Department, Commerce, Justice, the Executive Office of the President, HHS, Education, Labor, and the General Services Administration. It is now consolidated into one. You would think that we would do a much better job of doing it.

I am going to share with you the conclusion, and I will come back to this a couple of times.

There is an age restriction on the purchase of tobacco today. It is 18. We can have a debate as to whether it should be 21. We can have a debate about moving the age.

But when an agency that has the sole control of tobacco cannot enforce the age requirement for it to be purchased, you have to ask yourself, by taking away options that adults have, does that in any way, shape, or form affect youth usage when the youth are illegally accessing the product today?

You see, back when 14 agencies controlled it—and being a former Governor, the Presiding Officer may re-

member some of this—States actually enforced because the Federal mandate was to enforce the age requirements. They do it on alcohol today, and in some places, they do it on tobacco. But when we centralized all of the authority at the FDA, the FDA apparently gave up on the age requirement, and they only focused on things like this, where they can manipulate through government regulation, through onerous actions on the consumers, what they want to accomplish, which I would suggest to my colleagues and to the American people is not driven by facts or science; it is driven by politics. It is driven by those who want to see this product eliminated.

I will say what I said 10 years ago: I am ready for the debate. Let's bring it to the floor, and we can talk about it and debate it.

This is eerily similar to Canada a few years ago when they banned menthol products. How did they follow that up? This year, they legalized cannabis. Maybe that is the route we are on. We can have that debate at any point, but right now, that is illegal in the United States, and we put up with it with States that have legalized it. I am not sure it is a good move for adults, and I am not sure it is a good move for our youth. It certainly has the same combustible concerns we have with tobacco products. But there is a difference between the two—this is legal. We have agreed that if you are over 18, you can choose to use it—with an extensive educational campaign to tell everybody why it is harmful to their health.

Also 10 years ago, I offered an amendment to create a department within HHS known as the Tobacco Harm Reduction Center, requiring public ranking of tobacco products according to their risk. That amendment would have allowed for the development of new products to encourage individuals to give up traditional tobacco products and turn to less harmful products.

I remember the debate well. My colleagues who were opposed to me in the debate said: If we centralize this at FDA, the natural reaction will be that they will migrate to not only the application being understood as to how to process it, but they will be inclined to approve those products quickly because of the alternative that we know today.

Here we are 10 years later, and we have no transitional, foundational pathway for a manufacturer to know how to apply to the FDA or what standards they have to meet. It is almost as if we are going to make it up as we go along. Therefore, these products are on the marketplace, but there is no application process at the FDA. They are susceptible to millions of dollars of investment being yanked tomorrow because somebody wakes up and says: My gosh. Youth have started using e-cigarettes. The Presiding Officer knows there is an 18-year-old age requirement on e-cigarettes as well. Is the answer to that to remove all of

that product for every American because we can't figure out a way to enforce an age limitation? I would suggest to my colleagues, if that is where we are headed, we are going to eliminate some products that will cause chaos in this country.

I suggest that this will not cause chaos, but this will be the wrong signal to send to adults who prefer to use this product, and we do it under the false pretense that we are doing this because of America's youth. America's youth are doing the right thing. They are reducing their usage of combustible products. They are not enticed by things like menthol. Yet they are the ones whom we are using to be the fig leaf of all this new government regulation that the Food and Drug Administration is proposing to do.

Within the office of tobacco control, there are 778 employees. There are close to 1,000 employees in the center for drug review. Put that in perspective—all the drugs that are out there, all the applications they are going through. We have almost as many people in the tobacco control agency as we do in drug review.

Well, the one thing I can assure you about drug review is that they actually do process applications. It is long. It is laborious. We would like to speed that up. Under the latest PDUFA reauthorization, the user fee for drugs, there is a 304-day average to process an application. Well, the review of a modified risk—if you change the risk of a combustible, if you have decided as a manufacturer that you are going to change the paper on the cigarette because there is technology that assures you that paper is not going to burn and somebody is not going to fall asleep and burn down a house—when they change that, that has to go through a modification review at the FDA. How long does a modification review currently take? It takes 360 days—56 days longer than that of a new drug application actually working its way through the Food and Drug Administration. They can't claim there are not enough people. There are ample people, and the FDA has hired 267 employees in tobacco control since 2017. The numbers may actually be identical now.

As I said earlier, in 2019 the FDA will receive \$712 million in user fees from the industry. Of the \$582 million in user fees collected by the FDA in 2018, which we have just completed, \$205 million originated from the sale of combustible menthol cigarettes. So this one proposal is going to reduce by one-third the amount of money that the regulatory agency has.

I might share with the Presiding Officer—because I think he would find this of great interest, having left the State of Florida as Governor—that there is a tax revenue piece tied to this. A ban on the sale of menthol cigarettes will generate a significant revenue loss for State, Federal, and local governments. Last year, menthol sales brought in \$4.1 billion in Federal excise tax, it

brought in \$9.1 billion in State and local excise tax, and it brought in \$1.8 billion in State and local sales tax. That is a total of \$15.2 billion. Two-thirds of it is—State and local governments will lose over \$10 billion in revenue from this one decision, the elimination of a choice for adults—all under the belief and sales pitch to the American people that this is going to stop youth usage of tobacco. Bull. We are not going to stop youth usage until we enforce the age limit, whether it is 18, 20, 21, wherever we set it. We eliminated enforcement of the age when 10 years ago we consolidated all of this into one entity at the Food and Drug Administration.

So my suggestion to my colleagues is we have gotten no benefit out of this. If anything, we have lost because we don't enforce age. We have gotten no new innovative products. We are not even on the horizon looking at a proposed pathway. There is not a pathway. I question whether there is even one perceived, even though we have 1,000 people working at CTP—soon to be cut by one-third by their own proposal that is going to eliminate user fees based upon the loss of sales of menthol products.

So I say to my colleagues, it is extremely important that you understand that when Commissioner Gottlieb announced his reform initiative for the regulation of tobacco on July 28, 2017—and I recognize the fact that we move from administration to administration, we move from Commissioner to Commissioner, and most come in and say: The last guy did it all wrong; I am going to do it differently. I hold him to his word on July 28 when he said that. He said in that announcement: The goals of the new approach will include the development of foundational regulations to provide the rules of the road for the review of tobacco product applications and a path to market for less harmful products as part of the solution to end the cycle of disease and death.

Let me repeat what I said earlier. The FDA has yet to issue a single foundational rule as called for in July of 2017. The proposed version of one SE rule is currently under review at the OMB.

If you are now the single agency in charge of the regulation of tobacco and you are looking at how to reduce the harm of the product, wouldn't your focus first be on how you approve technological products that meet the threshold of reduced risk? If you saw an increase in youth usage, would you not look at a period of time, like 7 years, and ask yourself, is this an anomaly?

We will have a report next month from CDC of their annual tobacco survey. There must be something alarming in it relative to youth usage of e-cigarettes alone, and I don't dispute what they found. If, in fact, we find that menthol took a spike up and they say 11 percent of our youth are using

it, I will question the science of their survey, with the trend that has consistently built over the last 7 years.

But I would also make this point: If there is an age limitation on e-cigarettes, just as there is on combustibles, are we not smart to first go in and find an enforcement mechanism for age if, in fact, our concern is that our youth are using the product?

In essence, what they have done with the menthol rule is they suggested: We don't want to enforce the age thing. That is hard. What is easy for us to do is to do something that is political. It doesn't change much, but we can go out and say "Look at what we did. We eliminated access to this product."

The majority of the people who use this product are adults. The tax revenues at the State, local, and Federal levels are huge.

As a matter of fact, one of the settlements that were made prior to the Tobacco Control Act was the Master Settlement Agreement. That was before the Presiding Officer was Governor and before some in this room might have been born. It was in 1998, and it was a significant change for an industry. They agreed not only to defray Medicaid costs at the State level; they agreed to an annual payment. That annual payment was more than \$200 billion in manufacturer funds to defray the cost of healthcare to States through Medicaid resulting from the use of tobacco products and to develop cessation programs to get Americans to quit smoking.

Let me suggest to you that it is not the industry that is fighting this; it is the industry that is fueling this. They are funding it. They are the ones funding the CTP. They are the ones funding the education programs. They are actually the ones that are supplementing Medicaid funding in States.

Well, let me say to Commissioner Gottlieb and to those bright folks over at CTP: When you do this, you are eliminating a portion of that \$200 billion that is calculated based upon the sale of products in the marketplace, and you are reducing the shared cost of Medicaid. For many States that have diverted that money to other things, you are reducing economic development. I think one State was building sidewalks with tobacco money in one large city.

I could be critical of how they have done it and what they have used it for, but I do know this: I went far enough in math to know that if you reduce the amount of sales and if the payment is figured based on sales, then you reduce the take States and cities are going to get from taxes or from the settlement.

So I say to my colleagues, concentrate on this number—2.5 percent was the last number the CDC came out and said that of our youth, this is the percentage that use menthol products.

We should not quit until that number is zero. If you want to make that number zero for youth under 18 today for all tobacco products, I have the answer: enforce the law. Hold retailers

accountable. Do the same raids on tobacco that you do with alcohol. We probably will never get to zero, but we might do better than 2.5 percent of menthol or 8.5 percent of overall tobacco usage.

I want to summarize because I know there are other colleagues who wish to speak. I assure my colleagues, and I assure Commissioner Gottlieb and all the individuals who work at the CTP at the Food and Drug Administration, I am going to be down here every week. These speeches are going to get longer and longer and they will get more and more detailed because I want my colleagues who aren't here to understand the debate we went through, the decisions we made, and the assumptions that were made for consolidating these Agencies into one Agency versus multiple Agencies, and what they said would happen. I can give my own report card, and I am giving it to you. They have done zero. All of these matters about reduced-harm products that the FDA was going to set up, transitional, foundational rules don't exist.

It is 10 years later. It is 2 years after the current Commissioner got in and said: We are going to do this.

Well, I am still waiting. Rather than produce things which adults can take advantage of—tools to get off of combustible cigarettes—what is the action all of a sudden they take? To everybody's amazement, they said: We are going to ban menthol from the marketplace.

I mentioned Canada earlier. They banned menthol and, 3 years later, they approved cannabis as a legal product. I am not accusing the administration of having that pathway, though it does raise suspicion because it is not the administration of reduced regulation and onerous government when you see what the FDA is proposing to a legal consumer product, but I will state that the Commissioner announced not long ago that they were beginning to review products that were derived from cannabis, oils, and other things that they thought they could safely approve for use in the United States.

Well, Mr. Commissioner, you are only fueling my fears that you are following the roadmap Canada followed; that this is all a bait-and-switch situation. Not only is it not valid to suggest we are doing this because of our youth, you are doing it to prove that the Food and Drug Administration can overreach and not be slapped and that somewhere down the road you may come to the same conclusion Canada did; rather than enforce cannabis and illegal drugs, let's just approve them. Let's make them legal. Boy, that is a sad day. It is shocking to me as one who has been engaged in this debate for now 25 years.

We are extremely worried about the combustible impact of cigarettes—and we should be—but States don't have any concerns about the combustible nature of cannabis. There are no filters on it. There are no regulations on the

paper that is used, even though it is legal in some States. As a matter of fact, we have less research on cannabis in this country than any legal product that exists, including band-aids.

There is more research and development and approval that goes into band-aids than goes into cannabis in the States where it is legal for either recreational or medical use.

So I would state to Commissioner Gottlieb, in the insane world you have created, if you are going to head down this road, No. 1, expect Congress to weigh in but, No. 2, understand that if you begin to loosen up the legal use of cannabis, then we are going to hold you to the same standards you display for everyone else, everything that you hold a drug manufacturer to, that you hold a drug device manufacturer to, and, quite honestly, that you hold the tobacco industry to. Don't think you are going to slide this by and there are not going to be regulations or that we are going to adopt the Canada model or we are going to continue letting States do what they are doing.

If you are worried about somebody burning a product and inhaling it into their lungs, there better be as much concern about that as it relates to marijuana use. Why is there no effort—given that this is legal from a recreational and medical standpoint—from the FDA to study this and put the science out?

It only suggests to me that science is not important. Yet this is the institution that is the gold standard for the use of science. There is a scientific reason for why it takes 304 days to get a new drug approved. There is no scientific reason that it takes 360 days to approve as acceptable changing the paper on a combustible cigarette.

I am not creating this pathway, the FDA did. It started with the U.S. Congress providing this much authority to one Agency, an Agency they believed could do everything. Because they are not funded by the U.S. Congress for this piece—they are funded by the industry—do you know what? They think Congress has no say in it.

Do you know who funds 75 percent of new drug applications that are filed, reviewed, and approved? The drug industry. Seventy-three percent of applications they review and approve for the medical device industry are funded by the medical device industry.

With regard to generic drugs, which we all want more of because they drive down the cost of drugs in America, all of a sudden the FDA has a backlog that is years-long for approving generic applications. They said, if only we had a user fee agreement for generic drugs, and that user fee agreement is over 60 percent of the cost of approving a generic drug. What has happened? The backlog is every bit as big today as it was when the user fee was created. So if my colleagues wonder why I am standing in the way of a user fee agreement for over-the-counter drugs, it is because I figured this out.

They get funded by the industry. Their actual work goes down. The American people pay the tab for the user fees that are sent to the FDA, while the price of drugs, devices, cigarettes, and over-the-counter drugs goes up. When Congress stands up and says explain this, they look at us—and we control 25 percent of their budget for any given center—and they say: We are going to go talk to the people who pay 75 percent of our budget, not to you.

The last thing I will share is that 25 years ago it wasn't like this. Twenty-five years ago, we appropriated everybody's budget in the administration. One hundred percent of the money for the FDA was appropriated by Congress. When I, as a Member of the U.S. Senate, picked up the phone and called the FDA, they didn't want to answer my question over the phone. They wanted to come to my office that day and answer it. They wanted to actually solve the problem.

I just went through a period of time where I gave FDA 2 weeks to respond to letters and, in some cases, it took a month to get a response.

They don't think we play a role in this. Yet we set legislation priorities for the country. I would suggest to my colleagues that this is an isolated example, that is true, but it is an example of a much bigger problem within the Food and Drug Administration and this Commissioner; that Congress is insignificant to them; that you can be called up to provide oversight in front of a committee, and you can say whatever because we have no clarity and no transparency inside the system. So they can tell me the review time has gone down 47 days since last year. I don't know whether it is accurate. I can only tell you this. I don't see it in the numbers of third parties that do reviews. I see actions such as this with no science to substantiate it, and I have to question the science they use across the landscape of products they review.

The Food and Drug Administration regulates 25 cents of every dollar of the U.S. economy. This ought to be something that not just my colleagues but the American people should be concerned with.

If you believe my argument is half accurate and this is ill-advised, for God's sake, pick up the phone and call the White House switchboard and tell the President, who came in to reduce regulation, that there is an Agency that is not listening.

Not only is there an Agency that is not listening, the President has a Commissioner that went on Twitter, and there was a tweet that said the President's numbers are going down, and the Commissioner "liked" the tweet. Maybe I will say that a few more times so the President will see it or hear it, but maybe somebody is listening who will tell him.

I am not interested in a single individual's political goal. This has to be an individual political goal because

there is no science to substantiate what they are doing, and the losers are the localities and States in taxes and States in settlement payments but, more importantly, adults who choose this product because it is legal.

Now the FDA says, with the strike of a pen: We can eliminate it. It is no longer a choice you have.

That is not the America I signed up for, but I did sign up to come here and fight for things I thought weren't in the best long-term interests of the country. This is at the top of my list right now. You will hear me often.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Iowa.

(The remarks of Ms. ERNST pertaining to the introduction of S. 285 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

(The remarks of Mr. SANDERS pertaining to the introduction of S. 309 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

Mr. THUNE. Mr. President, I ask unanimous consent that the cloture vote on the McConnell amendment occur at 3 p.m. today, and the filing deadline for second-degree amendments apply as if the vote occurred at the originally scheduled time of 3:30 p.m.

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

Mr. THUNE. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Ms. COLLINS pertaining to the introduction of S. 296 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

TRANSPORTATION AND SAFETY

Mrs. FISCHER. Mr. President, I rise to discuss challenges that influence nearly every component of our day-to-day lives and the opportunity to address these challenges in the 116th Congress.

No matter who you are, where you live, or your level of income, every one of us is affected by our Nation's transportation system. I believe, as most Nebraskans do, that a core responsibility of the Federal Government is to provide sufficient and sustainable transportation and infrastructure to all of our citizens. Our transportation system is critical to our national security, to our economy, and to our public safety. Here in the Senate, I have worked hard to remove the unnecessary obstacles to the safe and efficient flow of goods and people throughout our country and around the world, and I plan to continue that work as we begin this Congress.

This is a priority that is of particular importance to my State of Nebraska. Agriculture is the economic engine of our State's economy. According to the U.S. Trade Representative's office, Nebraska is the fifth largest agricultural exporting State. To continue moving our products from the heartland to the coasts and beyond, we need an efficient, an effective, and a safe transportation system. Few understand this better than Nebraskans. We rely on the connection of our roads and highways, railroads, ports, and ocean carriers to bring goods and services to the world market. We use trucks to haul livestock across the country. Our railroads and waterways move vast quantities of grain across the prairie and to the coasts, and our ports and ocean vessels move these commodities around the world.

For Nebraska to continue benefiting from domestic and international trade, it is vital that we build and maintain our infrastructure, reduce unnecessary regulatory burdens, and promote safety across the surface transportation network. We must also recognize that connections across all of these modes—truck, rail, waterway, ocean, and air—must function smoothly for the system to work.

In the Senate Commerce, Science, and Transportation Committee, I am proud to, once again, chair the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, which oversees the important surface transportation issues. This will be my fifth year as chairman, and I am looking forward to continuing the effective accomplishments that my colleagues and I have made.

Specifically, in 2015, we worked across party lines to pass the Fixing America's Surface Transportation Act, more commonly known as the FAST Act. This was the first long-term highway bill that had been passed by Con-

gress in over a decade, and it included several positive reforms to our surface transportation system. It recognized the importance of freight movement as part of the broader infrastructure debate by including a new freight formula program and a freight specific grant program. It gave key State and local officials the flexibility they needed to develop strategic investments in their communities.

Together, we have improved the flow of commercial traffic and increased the safety of America's roads, but there is still much work to be done. With the 116th Congress underway, we have much to do on transportation policy.

Of note is the quickly approaching expiration of the FAST Act reauthorization in September of 2020. The transportation and safety subcommittee, which oversees the Department of Transportation and a number of modal administrations, will be hard at work on our part of that FAST Act reauthorization. Administrations under the jurisdiction of the subcommittee include the Federal Motor Carrier Safety Administration, the Federal Railroad Administration, and the National Highway Traffic Safety Administration. Each of these modal administrations will be closely examined by the subcommittee.

We will be holding hearings on Federal trucking policy and will be providing oversight for the FMCSA. The trucking industry is critical to our economy because it moves the most freight by volume and value across this country. As such, we will be examining a number of trucking issues, including hours of service requirements, the Compliance, Safety, Accountability Program, and the very wide scope of trucking regulations. Moving forward, we will work together to find safe, practical solutions to these issues.

Additionally, we must carefully consider policies to support our port facilities and the connections they make between truck and rail networks to ocean shipping. It may sound funny to my colleagues that a Senator from a triple landlocked State like Nebraska is advocating the support of our ports and ocean shipping industry. Yet, as I noted earlier, Nebraska is the fifth largest agriculture exporting State in the Nation, and whether it is beef or grain or equipment, we depend on our ports to ensure our quality products reach around the world.

There are currently a wide variety of issues facing this key portion of our transportation system. Ocean carriers are using even bigger vessels, which has greatly increased the amount of freight moving through the ports and is affecting the connections to other transportation modes.

Port operations are becoming increasingly complex, and stakeholders are examining ways to support freight movement by better utilizing data, such as GE Portal at the ports of Los Angeles and Long Beach.

Ports are taking advantage of new types of infrastructure, like inland

ports, while also addressing new challenges such as a shortage of chassis to move the containers.

State and local governments, industry, labor, and the Commissioners at the Federal Maritime Commission are reviewing these and other important issues to the maritime commerce system. We need to hear from all of these stakeholders to better understand these challenges and these opportunities before us.

Additionally, last year, the Federal Railroad Administration oversaw one of the biggest changes to our railroad network in recent history—the implementation of positive train control, or PTC.

There are 41 railroads that are required by Congress to install and to use PTC on their systems. I was glad to see the statement from the FRA that all 41 railroads met the deadline to submit documentation that they are either utilizing PTC or that they have completed the requirements to receive an extension, as required by the Positive Train Control Enforcement and Implementation Act of 2015. This, however, was the first of two major deadlines for PTC implementation.

Railroads that receive an extension must complete their PTC systems no later than December 31, 2020. Congress must continue its oversight of PTC implementation, especially as railroads work to achieve that interoperability across the network.

The Transportation and Safety Subcommittee will be looking at PTC but also at regulations and railroad investments more broadly, both at the Federal Railroad Administration and at the Surface Transportation Board.

Late in the 115th Congress, the Senate confirmed Patrick Fuchs and Martin Oberman to be members of the STB, and I look forward to working with the Board and its new members on rail commerce issues.

The Transportation and Safety Subcommittee will also examine pipeline safety issues as we prepare for a reauthorization of the Pipeline and Hazardous Materials Safety Administration. For families, consumers, workers, and businesses, the safety and security of our pipeline network must remain a top priority. America's pipelines move vital energy to homes and businesses in Nebraska and throughout our Nation. Congress must continue its robust oversight of our pipeline network.

In 2016, we worked in a bipartisan manner to pass a bill I introduced—what ultimately became known as the PIPES Act—to reauthorize PHMSA through fiscal year 2019.

The Transportation and Safety Subcommittee will be working to reauthorize PHMSA with an eye toward improving the efficiency and the effectiveness of the Agency's pipeline oversight. We will continue ensuring the Agency has what it needs to complete its pending rulemakings.

As Congress begins its work on these surface transportation issues, I look

forward to working with the administration on policies that cut redtape and improve the movement of people and freight across our system.

During the last Congress, I was very pleased to twice host Transportation Secretary Elaine Chao to Nebraska, and I look forward to continuing to work with the Secretary and the Modal Administrators. I also look forward to working with Senator DUCKWORTH, the new ranking member of the Transportation and Safety Subcommittee, and with all of my colleagues on the subcommittee so we can find bipartisan solutions for our surface transportation system.

We have a very unique opportunity to work together to improve the daily lives of all Americans. This is so much more than just drawing a few lines on the map. It means making decisions that will help parents get their children to school using safe and reliable roads. It means ensuring our commercial truckdrivers, railroads, ports, ocean carriers, and all those in between can ship products made in Nebraska to the rest of the country and all over the world. It means connecting American communities.

During my chairmanship, I will encourage strategic, targeted, and long-term investments that improve safety and more efficiently facilitate commerce. By working together, we can deliver solutions that will allow American families, communities, and businesses to thrive for generations to come.

Thank you.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 65

Mr. RUBIO. Mr. President, I come to speak about the pending amendment we are going to vote on in about 25 minutes. It is an amendment that says it is a mistake to proceed with the withdrawal from Syria in the pace and scale that is currently proposed or that the White House has announced they are going to undertake.

What I will say here today is what I said about it initially; that is, that I think it is a bad idea. I said it then, and I said it to the President in a subsequent meeting, and I think it is important to restate it here as we begin to vote, since I believe this issue is going to be covered in the press more as a political issue than as a foreign policy one.

It is unfortunate that a lot of these issues are wrapped up as political decisions. These are not votes on political decisions. These are votes on the conduct of American foreign policy, which oftentimes have no partisan lines but rather are ideological, in some cases, or just simply a different way to view an issue.

I share the White House's and the President's desire that as quickly as possible—the key words being “as possible”—we end conflicts abroad. It is in the best interest of our Nation, our

families, and the families of the service men and women who are stationed abroad and involved in conflict zones that this be the case. The problem is, if you do so in the wrong way, you end up dramatically increasing the likelihood of a future conflict that will involve even bigger wars, with an even higher investment of lives and resources to win.

Our foreign policy in the Middle East today—particularly in this region we are talking about with Syria and Iraq—is focused on two primary objectives, as clearly stated by the policymakers. The first is the regional threat of Iran, its growing influence and its spreading reach, and the other is counterterrorism. These are the two linchpins of why we are there in the first place.

The Iran threat is self-explanatory. They pose a threat to our allies in the region, particularly Israel but ultimately to the United States. The terror threat is one that reminds us how quickly we as a nation have a tendency to forget things.

Now, no one has forgotten September 11, 2001, but what we sometimes fail to remember is what made it possible in the first place. What made September 11, 2001, possible in the first place was that a terrorist organization—al-Qaida—led by Osama bin Laden, had established within Afghanistan a safe haven. Al-Qaida was not the Government of Afghanistan—that was the Taliban—but the Taliban allowed them to have a safe haven in Afghanistan, and from that safe haven, they were able to plot terrorist attacks against America and ultimately strike us here in the homeland. It was possible because they had a place that allowed them to do this.

It is, in fact, the key to any terrorist organization that would like to conduct external attacks and that would like to attack America. They have to have a place to operate from, and it cannot be a place where they are being followed, where they are being attacked, and where they are being wiped out by Americans or coalition forces. It has to be a safe haven.

My No. 1 concern about this decision that has been made is that it could lead to the reestablishment of safe havens inside of Syria from which ISIS and al-Qaida could reconstitute themselves, conduct external plotting, and ultimately attack the United States.

We already face this risk. In Northwest Syria today, there is very little sustained pressure on ISIS elements. In Idlib, there is virtually no pressure on al-Qaida. Now, imagine with even less coalition pressure being put upon them, how capable they can become and how quickly they can establish a place from which they can plot against us.

To understand why ISIS needs to plot against us and conduct spectacular attacks against Europe and the United States—this is a group that needs to prove it is still alive, and it is still strong. If they can't prove it, they

can't recruit people, and they can't raise money.

They are also in competition with other terrorist groups. In fact, ISIS is a spinoff of al-Qaida. These groups actually compete with one another for members and for resources. Both of them have a vested interest in attacking us abroad, not just in fulfillment of some ideological aims but as a means of survival because if these groups are able to conduct or inspire these kinds of attacks, it gives them credibility, they attract members and fighters, and it allows them to raise money for more attacks.

Some people will tell you: Well, let the others who are in the region take care of them—Turkey or Iran or the regime or the Russians. The problem is, none of these groups have shown any interest in fighting ISIS, not even a limited interest.

The Turks are largely interested in a buffer zone in the northern part of Syria—a buffer zone which the Kurds do not dominate because of their own internal politics. I am not claiming the Turks are fans of ISIS. I am saying ISIS is not their No. 1 priority.

Their No. 1 priority is defeating Kurdish forces and gaining control of a buffer zone in the northern part of Syria. That is what they are going to prioritize above anything and everywhere else. They are not a reliable partner, nor do they have the capability to be a reliable partner in sustaining pressure on ISIS.

Interestingly enough, if you look at what Turkey will need—even if they wanted to be a sustained partner against ISIS—it is logistical support from the United States of America. In essence, they can't even do what they are promising to do unless we are there with them to do it, but they don't want us to be there. That tells you they really just want us to leave so they can create this zone in the northern part of Syria.

The regime only cares about ISIS if they are in population areas or if ISIS is threatening critical infrastructure. If ISIS is taking hold of an oil facility somewhere, they will care. If ISIS is in the middle of a big city, they will care. All of these other vast spaces, they don't have the resources, and frankly they don't care, as long as they don't pose a threat to the regime, they don't pose a threat to population centers they want to control, and they don't pose a threat to critical infrastructure like oil. If they are not there, they are not going to spend their limited resources.

All things being equal, they probably want to defeat them, but they don't have the wherewithal to sustain pressure on them. They have limited resources, and they are going to invest those resources in controlling population centers and in controlling critical infrastructure.

So here is the answer: If the United States and the anti-ISIS coalition are not in Syria and operating until ISIS is

completely wiped out, there will be no sustained pressure on ISIS or on al-Qaida, and they will both grow back stronger, and they will have the capability to plot against the homeland and American interests around the world. That is something we cannot allow to happen. We cannot have that happen.

Some may say: Well, we can target them. We just don't have to have 1,500 or 1,800 special operators on the ground. We don't need to do that. We can do it through the air and so forth. ISIS is becoming an insurgency. An insurgency is much different than a group with a flag that controls buildings and territory. You can find those people, and you can strike them. An insurgency is people who blend into the population.

By day, they are a baker or an accountant or a merchant, but in the evenings and at night, they are an ISIS fighter planting bombs and killing people. Insurgencies are very difficult to fight and almost impossible, if not impossible, to fight with simply airpower, which is why the situation in Syria has been so positive. Two thousand American servicemen and special operators, alongside thousands of Syrian Democratic Forces and Kurds—who are primarily doing the ground fighting with our logistical support and air support—have eroded ISIS's control of territory in the country, but they have not eliminated it, and there is enough of it left that it could reconstitute itself. In fact, it is in the process of doing so already. They are clearly capable of killing American servicemen, as they did a few days ago, and since that time, there have been a series of other IED attacks inside of Syria, some of which could have killed Americans.

This is a group who has openly talked about their desire to possess chemical weapons, which they could use at any moment, potentially, against Syrian Democratic Forces and Kurds in that area—and, by the way, putting directly in danger our remaining service men and women alongside them. This remains a dangerous group capable of conducting attacks not just in Syria but potentially—especially if they have a safe haven abroad—here in the United States.

That is not to even mention a group who doesn't get talked about enough anymore—al-Qaida. Al-Qaida still exists, and there is a part of Syria in which they are completely uncontested. No one is going after them. They completely dominate the area, and they do whatever they want from there. And I promise you they are not there starting a car wash; they are there working to expand their brand and reach, to resurrect the al-Qaida brand around the world. What is the fastest way to do that? By conducting an attack against the United States and our interests. We should be worried about that alone.

The first reason why I am against this policy and why I support this amendment is that this policy directly

undermines one of the two pillars of our strategy and our policy in this region, and that is counterterrorism. The second is the spread of Iranian influence. Let there be no doubt that this withdrawal as currently structured is a win—perceptually at a minimum but I believe in reality—for Iran.

Let's begin in Southern Syria, the areas that border Israel and Jordan. Our withdrawal means Iran and their pro-Iranian forces that include Hezbollah militias will now have even more operating space from which to target Israel and will now be able to set up a more reliable ground route by which they can send weaponry into Lebanon to support Hezbollah so that one day they can attack Israel from the air with rockets, precision-guided munitions, and the like.

We see it already, for example, in Natanz, where the United States still maintains a presence very near a huge refugee camp. We can already see the pro-Iran, pro-regime forces beginning to encroach closer and closer upon the American position, to the point where we may have to leave simply because we no longer have a defensive posture we can sustain. But what the withdrawal has done is it has allowed Iran and the pro-regime forces to go to our allies, to go to the groups on the ground whom we have been working with to fight ISIS and say to them "The Americans are unreliable. The Americans are leaving. You might as well partner up with us now. We are the only ones who can protect you" or "You can lay down your weapons and just go back to your families because Americans are leaving." I fear it is working. I fear that they may dictate the pace of our withdrawal, because that announcement alone has undermined our credibility in the eyes of the partners we have worked with in Southern Syria.

What I just outlined is also true in the north, where the Kurds are facing the risk of military attack from the Turks, and they are saying: America is leaving, and the only people left whom we can partner up with to protect us are Iran and the regime and/or the Russians.

In fact, we have left them no choice but to join up with Iran and the Russians and pro-regime forces because if the choice is between annihilation by a Turkish military attack and joining up with a regime to stop a Turkish intrusion, they are joining up with a regime in Iran, further increasing Iran's power in this country.

It is not just contained within Syria; this announcement has actually accelerated the process of putting pressure on us to also get out of Iraq. All of the pro-Iran political parties inside the Iraqi Parliament are pushing very hard, very aggressively to pass a law that kicks America out of Iraq, and they are moving quickly on this. We see their tentacles in Afghanistan, where they are beginning to create internal political pressure through their

parliamentary body to force America to pick a date: Tell us when you are leaving, a date certain.

People may say: What is wrong with this? Get out of Syria. Get out of Iraq. Get out of Afghanistan. Why are we fighting other people's wars?

We are not. These are not other people's wars; these are ours. These people who are going to operate in these safe havens and Iran—we are their target. They want to strike at us. And if we are not in Afghanistan and we are not in Iraq and we are not in Syria, then from where exactly are we going to conduct operations against terrorism? From where exactly are we going to be postured to defend ourselves if Iran decides to strike our other military facilities in the region? The answer is, we won't have anyplace to do that from. We won't. Not to mention what it says to the region.

Understand this: The Iranians and our enemies in the region have been telling everyone for a long time—and the Russians echo this—"The Americans are unreliable. They always abandon their friends. You can't count on them" or "America is a declining power." That is the other argument they use openly: "America is a great power in decline, and every year that goes by, you will see that they can't back up their words, and that is why you can't count on them. America is weakened." I don't believe that is true. In fact, we know that is not true. But halfway around the world, they do, and when we take actions that prove it, it makes it true in the minds of a lot of people and a lot of countries, and it actually is dangerous because it could invite someone to take a reckless and irresponsible action on the basis of miscalculation. Someone may actually believe "America is now weak; let's attack them," and then we will be in a war.

The best way to prevent a war is to make sure those who want to fight you know they have no chance of winning. If you give them any belief that they have a chance to win because you have withdrawn and, as a result, reinforced the narrative being used against you, I believe you will have increased the chance of war.

This is being used against us right now. Iran is openly parroting this. They are holding this up as an example of an Iranian win. They are saying: This proves our strategy has been working. The Americans are leaving Syria. They are going to have to leave Iraq. They are going to leave Afghanistan with their tail between their legs. We are winning, and they are losing.

It reinforces a narrative, by the way, that is also used against us by the Chinese and other parts of the world.

This is a very dangerous situation. That is why this is a bad idea. This is about a lot more than just pulling out and not wasting any more money in these other places. There is no one in the world who wishes that more than I do. I wish the money, I wish the lives,

I wish all of this investment had not had to be spent. I openly wonder, how much more could we be doing if we didn't have this threat? But here is the problem: Whether or not we want it to exist, the Iranian threat and the threat of terrorism exist.

We cannot deal with the world the way we want it to be; we have to deal with the world the way it is. We didn't create the terror threat, but it is there. We can ignore ISIS, we can ignore al-Qaida, and we can ignore Iran, but they will not ignore us. We can decide not to go after them, but they will come after us.

I think it is a grave mistake because if we allow al-Qaida or ISIS or both to have a resurgence, they will attack the United States of America, they will attack our allies and our interests around the world, and they will try and they will plot to attack us here at home. The Iranian influence operation and their growth and influence in Iraq and Syria and now in Lebanon and increasingly in Yemen—and God forbid, in the future, in Bahrain—pose an existential threat to all of our allies in this region—none more so than the State of Israel. That is why I support this amendment. That is why I hope all of my colleagues will support this amendment.

It is important that the legislative branch and the Senate, which has a constitutional role to play in the setting of American foreign policy—they come to us to confirm people, and they come to us to fund these things—that we play our rightful role in the setting of American foreign policy. It is important that the Senate be on the right side of this issue so that we can hope to influence future actions and policies before they are taken and we can help change them once they have been taken in places headed in the wrong direction.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, the McConnell amendment expresses the sense of the Senate regarding the withdrawal of U.S. troops from Syria and Afghanistan, an action I have long supported. Many Senators, including several of the cosponsors of the amendment, have supported the exact opposite position and would prefer to send more U.S. troops to both countries.

I believe that our military and diplomatic presence in Syria and Afghanistan should be determined by strategy and not by Presidential whims. I believe that our strategy should be developed with the thoughtful input of experts, both in executive agencies and in Congress. I believe that strategy should be consulted and coordinated with allies and partners and that it should be debated thoroughly in Congress. I believe that our commitments should not be open-ended and should have realistic and achievable goals that bring them to completion.

As the new Congress convened, amidst a government shutdown, the majority leader sought to bring S. 1,

this so-called Middle East security bill, to the floor. Now, he has brought a hastily drafted amendment to the table, one that on its face seems to rebuke the President's impulsive announcement earlier this month that he was precipitously withdrawing troops from Syria. Congress should debate this issue. I support bringing our troops home from Syria and Afghanistan, and the manner and pace in which that occurs should be the subject of a full debate here in the Senate. We should have a debate about the scope of authorities under current authorizations for the use of military force, AUMFs, and whether new AUMFs are warranted. This amendment may be designed to put Members on the record opposing the President's announcement, but in Congress, we should have more meaningful debates that influence policy and practice rather than fuel headlines.

I hope the majority leader will soon schedule that debate.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the vote scheduled for 3 p.m. occur now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Senate amendment No. 65 to Calendar No. 1, S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

Mitch McConnell, John Thune, Thom Tillis, John Cornyn, Mike Crapo, Roy Blunt, Josh Hawley, Rick Scott, Deb Fischer, David Perdue, Mike Rounds, John Barrasso, Johnny Isakson, Cory Gardner, Dan Sullivan, Steve Daines, Todd Young.

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

The question is, Is it the sense of the Senate that debate on amendment No. 65, offered by the Senator from Kentucky, Mr. McCONNELL, to S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), and the Senator from Alaska (Mr. SULLIVAN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “yea,” the Senator from Kansas (Mr. MORAN) would have voted “yea,” and the Senator from Alaska (Mr. SULLIVAN) would have voted “yea.”

Mr. SCHUMER. I announce that the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) are necessarily absent.

The PRESIDING OFFICER (Mr. BRAUN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 23, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—68

Barrasso	Feinstein	Reed
Bennet	Fischer	Risch
Blackburn	Gardner	Roberts
Blumenthal	Graham	Romney
Boozman	Grassley	Rosen
Braun	Hassan	Rounds
Burr	Hawley	Rubio
Cantwell	Hoeven	Sasse
Capito	Hyde-Smith	Scott (FL)
Carper	Inhofe	Scott (SC)
Casey	Johnson	Shaheen
Cassidy	Jones	Shelby
Collins	Kaine	Sinema
Coons	King	Stabenow
Cornyn	Lankford	Tester
Cortez Masto	Manchin	Thune
Cotton	McConnell	Tillis
Cramer	McSally	Toomey
Crapo	Menendez	Warner
Daines	Murkowski	Whitehouse
Duckworth	Murray	Wicker
Enzi	Peters	Young
Ernst	Portman	

NAYS—23

Baldwin	Kennedy	Schatz
Booker	Klobuchar	Schumer
Cardin	Leahy	Smith
Cruz	Lee	Udall
Gillibrand	Markey	Van Hollen
Harris	Merkley	Warren
Heinrich	Murphy	Wyden
Hirono	Sanders	

NOT VOTING—9

Alexander	Durbin	Paul
Blunt	Isakson	Perdue
Brown	Moran	Sullivan

The PRESIDING OFFICER (Mr. BRAUN). On this vote, the yeas are 68, the nays are 23.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The clerk will report the bill by title.

The bill clerk read as follows:

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

The PRESIDING OFFICER. The Senator from New Jersey.

AMENDMENT NO. 96 TO AMENDMENT NO. 65

Mr. MENENDEZ. Mr. President, I call up Menendez amendment No. 96.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] proposes an amendment numbered 96 to amendment No. 65.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To clarify that the amendment shall not be construed as a declaration of war or an authorization of the use of military force)

At the end of the amendment, add the following:

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a declaration of war or an authorization of the use of military force.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. I would like to ask Senator MENENDEZ, is it your understanding that your amendment does not affect any existing legal authorities governing the use of military force?

Mr. MENENDEZ. Yes, that is my understanding. My amendment should not be construed to affect in any way any existing authorities governing the use of military force. It only clarifies that the McConnell amendment is not an authorization for the use of military force or a declaration of war.

Mr. RISCH. I thank Senator MENENDEZ. Based on our understanding of your amendment, I will be supporting it.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, the Senate just invoked cloture on the majority leader’s amendment, and I now rise to urge support for my second-degree amendment, the one where the colloquy included in the RECORD between the chair of the Senate Foreign Relations Committee and me leads to the conclusion of his support. I believe the amendment will also have the support of the majority leader and the rest of the body. The inclusion of my vote in support in terms of moving forward.

As I have stated over the past month, I continue to be seriously concerned that precipitously withdrawing U.S. troops from Syria and Afghanistan will deeply harm American interests and security. With that in mind, I am generally supportive of Senator MCCONNELL’s amendment to S. 1, which echoes what I have been saying for much of the past 2 years, calling on the administration to develop a real strategy for securing our interests in the Middle East, including combating terrorist groups and effectively confronting Iranian and Russian aggression, and calling on the administration

to more effectively engage with the legislative branch.

I share in the belief that the way in which the President announced his Syria withdrawal—with no plan, without consultation with Congress or our allies or consideration of the implication for our partners—is not in our interest. American troops on the ground are on the frontline, fighting for our interests and also providing leverage to achieve diplomatic success.

At the same time, it is imperative that this body, which has the responsibility to authorize the use of military force, emphasize that such force alone will not protect our interests; that military force alone cannot defeat ISIS, al-Qaida, or other nonstate actors; and that military force alone will not provide enduring, sustainable peace and security against our adversaries.

More importantly, when we do send our sons and daughters into combat, we should do so only after careful consideration and consultation and with clear objectives and strategy—a strategy that requires investments into diplomatic efforts in coordination with our allies and partners.

I want to make it crystal clear that the McConnell amendment cautioning against a precipitous withdrawal of U.S. troops in no way constitutes Senate support for their permanent presence for an undefined mission. As a legal matter, my amendment makes clear one critical point: Nothing in the McConnell amendment can be construed as an authorization for the use of military force. Authorizing military force is simply not part of the debate on either the McConnell amendment or S. 1.

At the end of the day, I would like to see all of our troops back home and off the battlefield. I believe we must continue to have comprehensive strategies to achieve that outcome.

So, in conclusion, I believe the majority leader’s amendment sends an important message to the President—that while he is the Commander in Chief, the legislative branch will continue to exercise the due diligence and oversight of his actions regarding our security and interests abroad. It also sends a message that the United States will not abandon our allies and our partners.

I particularly worry about the Kurds in this regard, who have been some of the most significant fighters on the ground in Syria and who are also in pursuit of our interests there. We cannot send a global message that once we have finished using you for our purposes, we will leave you to die on the battlefield. That sends a message across the globe: Don’t fight, and don’t join the United States because when it finishes with you, it will leave you to die on the battlefield.

I want to make it clear to the American people, however, that we are not in the business of authorizing open-ended conflicts or of keeping our troops on the battlefield forever. Our safety

and security depend on holistic, comprehensive strategies, and I look forward to working with my colleagues on both sides of the aisle to ensure that we are effectively using our powers to make sure the President is effectively using his.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

SELECT COMMITTEE ON INTELLIGENCE'S
HEARING ON WORLDWIDE THREATS

Mr. KING. Mr. President, I rise to discuss for a few moments reflections upon the hearing we had this week in the Intelligence Committee on worldwide threats. This is an annual hearing and is in public, at least the first part. Then there is a closed session afterward with the heads of our intelligence Agencies—the CIA, the FBI, the NSA, the Defense Intelligence Agency, and, of course, with the Director of National Intelligence.

This is an important hearing because it basically outlines to the American people the threats we face and the seriousness of those threats. It is an opportunity for those of us on the committee and for Members of the Senate in general to understand the nature of the threats, what the intelligence is, and what the information is that we have to help us make good policy decisions.

Good intelligence is crucial to making good decisions. We live in an incredibly complex world, and my work on the Intelligence and Armed Services Committees over the past 6 years has educated me as to just how complex and difficult a lot of these issues are. I remember a long discussion about the Middle East at one of the Intelligence Committee meetings, and one of the members on the committee said that this is a really hard, complicated subject. The witness that day, who was from the CIA, said: “Welcome to the Middle East.”

These are very difficult issues, but in order to make rational, thoughtful, important, and very results-oriented decisions based upon the information from these hearings, we have to know the facts. We have to understand what the implications are and what the likely results are but also, more fundamentally, just what is going on, on the ground. Whether you look back 50 years, 100 years, or 150 years, often our worst foreign policy misadventures have been based on one of two things—either bad intelligence or intelligence that was somehow skewed in order to meet the desires of the policymakers. If we don't have good intelligence, we can't make good decisions.

A lot of attention has been paid to the people who were testifying at that hearing—as I mentioned, the heads of the FBI and the CIA and the Directors of National Intelligence, Defense Intelligence, and the National Security Agency. Yet those individuals were speaking on behalf of thousands of other people who are scattered around the world, who often risk their lives to gain the information they were sharing

with us that day. It was not Dan Coats' opinion or Gina Haspel's opinion or Paul Nakasone's opinion. They were distilling and presenting to us the intelligence and the information that had been developed by their good people over the course of the past month, week, years to inform us and to inform the President of the best information available so we can make the best decisions.

After the hearing, what disturbed me was the reaction of the President of the United States. Instead of absorbing and listening to this information, he dismissed it. He not only dismissed the information, but he dismissed the messengers and said they had to go back to school or that they were being naive. Now, I don't want to be heard as having said that the intelligence community always gets it right. I know, in my having sat through hearings on Afghanistan and Syria and on many of the other difficult subjects we face, that there are mistakes made and that Dan Coats does not have a direct line to the Almighty in terms of the facts. They are not always right. Yet, if one is going to dismiss their findings, it should be based upon some additional set of facts or information from some source.

There were two things that bothered me about the President's reaction. One was he essentially dismissed the facts in a whole series of cases—of Iran and ISIS. Those were two we talked about. With regard to North Korea and Russia, basically, he said: I don't believe any of it. The problem with that is, it undermines the confidence you have in the decision-making authority at the highest level if facts don't matter. The information that is supplied is not by Dan Coats, not by Gina Haspel, not by Paul Nakasone but is the view—the distilled wisdom—of the thousands of people whose job it is, whose profession it is, to ferret out the truth.

At the beginning of the hearing, Dan Coats gave the best synopsis I have ever heard of the mission of the intelligence Agencies, of the mission of our intelligence community. It was very simple—to seek the truth and to speak the truth. That is exactly what they did at that hearing. They sought the truth through the auspices of these very professional, very thorough Agencies that are scattered throughout the world. Then they spoke the truth by telling us what they learned.

The second problem I have with the President's reaction is a little more subtle, and this goes to the heart of the relationship between the intelligence community and policymakers. The subtle message that was being sent was: Don't tell the boss things he doesn't want to hear. Don't give it to us unvarnished. Style the information; sly the information; amend the information in order to meet what is perceived to be what the boss wants to hear. Whether the boss is this President, a past President, or a future President, that is disastrous. The intelligence community

has to deal in facts and information, not policy, but if the message is sent down through the ranks of “don't give me an assessment that disagrees with where I started,” that will start to happen.

Indeed, it is human nature. All of us want to be in the good graces of the boss. All of us want to give our superiors information they want to get. I was in law school over 50 years ago and had a friend who had been a captain in Vietnam. He told the story of being on the ground in Vietnam. There was a skirmish in which a half a dozen Viet Cong were killed. He filed his report. His report went to the division. At that point, half a dozen became 15. It went to headquarters where 15 became 50. It then went to Washington where 50 became 150. That is because Washington wanted to see higher counts. That was the perception that corrupted the process, not because people were being corrupt in the sense of being evil or of wanting to do wrong but because they were doing what is human nature, which is “I want to please the person above me in the chain of command.”

If the President of the United States is not so subtly telling the intelligence community what he wants to hear, that will inevitably affect the quality of the product he receives, which, indeed, will also inevitably affect the quality of decisions he makes.

Again, I am not saying the intelligence community is always right. I certainly believe the President or any other policymaker, including Members of Congress who receive this information, need to review it critically—ask questions, probe and prod—and try to be sure the information is correct, but to dismiss it out of hand in a tweet, it seems to me, is dangerous. It is dangerous because it undermines the Executive's authority to make good decisions based upon the facts, and it is dangerous because it has the potential for skewing the information itself in the future. Either one of those things is a danger to national security.

If the President has facts that are different than those that are presented by the intelligence community, he should at least present them and say: This isn't consistent with what I learned at “such and such” a conference or what I am hearing from the State Department or from what I am hearing from Homeland Security. Yet to simply say they are naive, that they don't know what they are doing, and they should go back to school denigrates the work of thousands of loyal, patriotic Americans who are doing their level best to produce information upon which good decisions can be made.

I stand today not to say the intelligence community always gets it right but to say the intelligence community should at least get an honest hearing and that the information they present is important to this country. It is important to the President, and it is important to the Congress. The day we

start encouraging them to skew the information of this country is at risk.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 65

Mr. MURPHY. Mr. President, I come to the floor today to express my opposition to the amendment before the Senate right now with respect to the disposition of American forces in Syria.

First, for my colleagues, let me stipulate that President Trump's Syria policy has been an absolute mess. It has been a train wreck. It has been a dumpster fire on a daily basis. That is something Republicans and Democrats can agree on, and I assume that is the reason we are having this debate right now.

There is bipartisan consternation over a policy in Syria that seems to change daily. It often changes based upon who the last person was to walk into the Oval Office or catch the President's ear.

The current policy seems to be that the President is intent on pulling out the 2,000 or so troops that are there at the request of the leader of Turkey. He would love to see the United States pull out so that he could move his troops in and overrun the Kurdish forces, which have been our partners for several years in trying to root out ISIS and extremist groups from Syria.

Let me also stipulate that I was one who did not support sending American troops into Syria in the first place. I have never believed that there is a military solution, led by the United States, to the host of problems that ravage that country. But once you have made that commitment, if you are going to undo it, you have to do it in some orderly fashion. To simply decide on a moment's notice, without any discussion with our allies or partners, that we are moving troops out is the wrong way to undo a commitment that I would argue was wrong in the first place.

You have to have a plan in place for the security of those you are leaving behind—both the Kurdish forces that you have pushed to bring the fight to ISIS, as well as all of the civilians who could be caught in the crossfire between an advancing Turkish force and a defensively oriented Kurdish force.

This is not why I am on the floor today—to try to, once again, rehash all of the ways that Trump's policy in Syria has gone wrong. I want to talk about why this amendment is not the right way for us to proceed as a means of correcting Trump's backward policies and how it could, frankly, get us

more deeply mired into a series of conflicts in the Middle East, which are not supported—nor will they be supported—by the American people.

First, we should be debating an authorization of military force for American forces in Syria, not an amendment that restricts an illegal use of military force.

The President does not have congressional authorization to use U.S. troops to fight ISIS in Syria or anywhere else. He claims he does because he has taken the 2001 AUMF and suggested that because some elements of al-Qaida eventually became elements of ISIS, that authorization continues. There is no one who voted then for that authorization some 17 years ago who thought that it would now be used as a means to fight a very different terrorist organization.

We should be having a debate about renewing America's authorization of military force so that it is updated for the enemies we are actually fighting, instead of conceding that the President has what is now, potentially, unlimited ability to fight anyone, anywhere around the world, who has any kind of affiliation to a terrorist group named 17 years ago. We are not doing that. Instead, through this amendment, in some way, shape, or form, we are ratifying the President's extra-constitutional use of military force overseas, green-lighting the continued end-around on congressional authorization that this President and many other Presidents would like to continue.

Let me also concede that this perversion of the 2001 AUMF was not invented by President Trump. It was invented by President Obama. I opposed it then, as I oppose it now.

Second, the language of this bill suggests that our mission inside Syria is not just to fight ISIS. The language of this bill suggests that our troops are in Syria to fight Iran as well. Over and over again, this amendment is peppered with references to the rationale for our existence in Syria being not just to fight ISIS but also to counter Iranian influence.

In fact, the amendment lists a series of conditions that we believe need to be filled before troops are to be withdrawn. Among those conditions is a strategy to “stop Iran from dominating the region.” That is an interesting debate for us to have: What should be the role of the United States to stop Iran from dominating the region?

I agree with my Republican colleagues that it is not in the security interests of the United States, nor our allies, for Iran to continue to gain a bigger foothold in the region, but there is absolutely no congressional authorization for U.S. forces to be in Syria to counter Iran or to fight Iran or to try to be a bulwark against Iranian aggression. No matter what kind of hoops you jump through to try to contort the 2001 AUMF to counter ISIS, you cannot get it to cover Iran.

This resolution—I don't know that it suggests, but it essentially admits—it

asserts—that our troops are inside Syria today not just to fight ISIS but to stop Iran from gaining a bigger foothold there and, in fact, makes a condition of our troops' withdrawal be a strategy to continue to press back against the Iranians. There is no AUMF for that.

Let me tell you my real worry. Putting a bipartisan stamp of approval today on an amendment that suggests our troops are inside Syria, in part, to counter Iran will ultimately empower those in the administration who are rooting for actual war with Iran. If Democrats and Republicans say here, today, that our mission inside Syria is ultimately to fight Iran, then doesn't that potentially put some imprimatur of congressional support for a bigger conflagration with Iran that some in the administration may be trying to achieve?

Third, this amendment leaves the impression that there is an American-led military solution to all of the vexing problems inside Syria. There is none. There is none. If we really want to have a debate about the future of American policy in Syria, then we need to come to the conclusion that, ultimately, if we want to be a real player in the long-term disposition of Syria for the betterment of the Syrian people, then American diplomats, American refugee programs, and American economic development aid are going to be much more dispositive than 2,000 American troops.

Let me give you an example. In Northern Syria, where the Kurds exist and where American troops are for the time being, we have a problem. As I outlined before, the problem is a relatively simple one. We have pushed the Kurds to become more and more influential in the military and governance matters of that region. That was important for us because the Kurds were the most likely fighting force to be able to oust ISIS, but we knew ahead of time that this was going to create a problem with the Kurds, who see the YPG—the Kurdish military—as a terrorist group. We don't agree with them, but we knew ahead of time that the Turks would not stand for the long-term empowerment of the YPG in those portions of Syria.

We have now reached the point at which the rubber hits the road—at which Erdogan has said: We are not going to stand for that. We are going to bring our troops in, creating a potential flashpoint there.

There is a solution here, and Erdogan outlined it in an op-ed he wrote for a major American newspaper. He said: Well, listen, we understand the Kurds are going to have to be influential, but it has to be Kurds we support, not Kurds we believe to be affiliated with terrorist groups. That is a really tricky needle to thread, and I am not sure that it ever can be threaded. But the way you do that is, frankly, not with tanks or with American marines but with diplomats and with experienced

foreign policy hands—people who know how to work out a complicated political arrangement in which the Kurds continue to be able to run that region but the Turks decide to hold back and not press forward militarily. That is a diplomatic and political quandary that cannot be solved by the American military.

This amendment seems to suggest that we can solve all of our problems—or many of our problems—if we just keep 2,000 troops there.

Fourth, the back end of this amendment lays out a series of criteria that have to be fulfilled before the troops can be removed. I mentioned one of them—that there has to be a strategy to combat Iranian influence. The final of these criteria is that ISIS has to have been substantially defeated in the region and a certification has to be made to that effect.

Well, let me ask my colleagues this—it is a legitimate question, not a rhetorical one. I don't know the answer, and maybe someone can provide it to me. When was the last time this Congress tied the Executive hands in that way? When was the last time this Congress actually laid out the conditions by which the Executive cannot withdraw troops from a region? That seems to be a very curious exercise of our foreign policy oversight responsibility.

I am someone who has suggested for a long time that we have largely abdicated that responsibility. I would love for us to be debating foreign policy and exercising our oversight more often, but the idea that we would, as a legislative body, tell the President that he cannot withdraw troops from a place unless x, y, and z criteria are met seems to be dangerous and restrictive because there are all sorts of conditions that you can imagine that aren't listed in this amendment by which a President may feel it is in our best interest to bring troops home.

The Constitution doesn't vest in this Congress the power to undeclare war. It vests in us the power to declare war. To me, I worry that by restricting the aperture by which the President can make an argument to bring troops home, we ultimately will end up having them be in harm's way for longer than is necessary.

Maybe this isn't unprecedented. Maybe there are other times where we have done this, but it does seem to be fairly unprecedented for the legislature to tie the Executive's hands and tell him or her that he has to keep troops in a place for a certain period of time.

I wanted to come down to the floor and express my reservations about this amendment. Again, I wish we were having a debate on an AUMF. I wish this weren't the way in which we were exercising our constitutional prerogative on foreign policy. I am deeply worried—deeply worried—about language in this amendment that empowers those in the administration who are jonesing for a fight with Iran. I do not believe that however capable and brave

our troops are in Syria, they ultimately are the answer. If we want to have a debate on Syria policy, let's talk about all the other ways that we need to engage in Syria in order to bring stability to that place. I do worry about how we tie this President's hands or any President's hands when they want to bring our troops home and get them out of harm's way.

Trump has completely botched policy in Syria, but that shouldn't go—even Trump's most ferocious opponents—from endorsing endless wars. That shouldn't require Democrats to be against everything that he is for. He is pulling our troops out in a way that I oppose, but I worry about the long-term implications of this Congress asking for a fight in Syria that is unauthorized and then tying the President's hands when it comes to getting troops out of harm's way in places in far-off lands.

I oppose the amendment and encourage my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

LILLY LEDBETTER AND PAYCHECK FAIRNESS ACT

Mr. JONES. Mr. President, I rise to talk about the issues of fairness, of equality, and of basic dignity.

In the greatest Nation on Earth and the leader of the free world, women are paid 80 cents for every dollar paid to men—80 cents for every dollar. That disparity is starker yet for women of color. Black women are paid 61 cents on the dollar. Latina women are paid just 53 cents on the dollar. Alabama, my home State, has the fourth biggest gender wage gap of any State in the country. That is just inexcusable.

Those cents add up to real money, about \$10,000 on average for every woman working a full-time year-round job. That is a total of about \$900 million lost each year for American women—every single year, a total of \$900 million. That is real money, and that is increasing.

This gap persists regardless of education status and across different jobs, opportunities, and industries. It persists despite laudable efforts here in Congress over the past 50 years to start chipping away at this problem.

Most importantly, these lost wages impact women's ability to pay their rent or mortgages, to save for their children's college tuition, or to pay off existing debt. Think about this. This disparity can have lifelong consequences for the quality of life of women and their families.

Fortunately, there are steps we can take that have already had tremendous support.

I want to bring this home a little bit because we were looking at some statistics recently. If you factor in the fact that women are making so much less—a total of \$900 million; think about this—this is not just a matter of discrimination. It is a matter of economics. According to a 2015 Center for American Progress report, 42 percent of

mothers were the sole or primary breadwinners for their families in 2015, bringing in at least—at least—half of their family's incomes. Black and Latina mothers are more likely to be the breadwinners than White mothers. In fact, 70.7 percent of Black mothers and 40.5 percent of Latina mothers were the primary or sole breadwinners in 2015, compared with 37.4 percent of White mothers.

Not all of those women are going to be the subject of pay discrimination. We know that. But the fact is that there is likely to be a huge percentage. If there is \$900 million, that is a pretty big percentage. By equalizing the pay for men and women—equal pay for equal work, which we all talk about but which in theory and in practice just doesn't happen—we can raise the standard of living for families across this country, and we can raise the standard of living for families in a State like Alabama, where it is desperately needed.

These disparities, as I said, can have lifelong consequences for the quality of life of women and their families. Fortunately, there are steps that have already been taken.

Just yesterday, I was proud to join my colleague Senator MURRAY and a host of others—in fact, I think it is almost all Democrats in the Senate, all Democrats in the House, and one Republican in the House—to reintroduce the Paycheck Fairness Act, a modest, commonsense solution to the problem of pay inequity which persists despite the existence of Federal and State equal pay laws.

Introduction of the Paycheck Fairness Act also just so happened to fall on the day after the 10th anniversary of the signing of the Lilly Ledbetter Fair Pay Act. The group who introduced this bill yesterday was joined here in Washington by Ms. Ledbetter herself.

Lilly Ledbetter, from Alabama, is a great friend of mine and a native Alabamian. She was born in Jacksonville, AL, about an hour and a half hour from where I grew up, just outside of Birmingham, in Fairfield. She married her husband Charles after graduating from high school, and they had two children, Vicky and Phillip.

After almost 20 years working at the Goodyear Tire and Rubber plant in Gadsden, AL, just as she was nearing retirement, Ms. Ledbetter learned she was making thousands of dollars a year less than the men in her same position. She decided to take some action. She sued to try to get her backpay and to try to end that discrimination. The case went all the way to the U.S. Supreme Court.

Unfortunately, the Court found that her claims were time-barred because she hadn't filed a lawsuit 180 days from the day of her first paycheck, 20 years earlier, even though she was totally unaware of the discrimination that existed for that 20-year period.

Because of her fight—which, again, she took all the way to the Supreme

Court of the United States—Congress ultimately passed in 2009 the Lilly Ledbetter Fair Pay Act, which restarts the 180-day clock every time a discriminatory paycheck is issued.

Now, for the 12th time, Congress has introduced the Paycheck Fairness Act, which ensures robust protection against sex-based pay discrimination. This vital legislation has been introduced in every single congressional session since 1997. It is absolutely inexcusable that versions of this very commonsense bill have had to be introduced 12 times and that it has yet to become law.

The Paycheck Fairness Act would require employers to prove that disparities in pay are job-related and necessary and not based on sex. It would make it illegal to retaliate against workers for discussing their wages.

It doesn't require employers to make wages public, unlike all of us who work for the government. It doesn't require that. It doesn't make them public, but it does make it illegal to retaliate against workers who simply discuss how much money they are making.

It would amend the Equal Pay Act of 1963 so that wronged workers can participate in class-action lawsuits challenging systemic—systemic—pay discrimination. It would also prohibit employers from relying on salary history in determining future pay so that pay discrimination doesn't follow women from job to job. Finally, this legislation would help businesses to facilitate equal pay practices.

Earlier this month, a historic number of women were sworn in to the 116th Congress—a historic number. Women are increasingly the primary breadwinner or the cobreadwinner in their families. Statistics are showing that every year those numbers increase. They cannot afford to get shortchanged.

The Lilly Ledbetter Fair Pay Act of 2009 was an essential step forward in the fight for equal pay. I am proud, as we commemorate the 10th anniversary of the Lilly Ledbetter Fair Pay Act, to once again be a cosponsor of the Paycheck Fairness Act, which will continue the fight started by my friend Ms. Ledbetter more than 20 years ago and provide employees and employers—employees and employers—with new tools to battle pay gaps and pay discrimination.

Yesterday, Ms. Ledbetter came by to visit the office, as she always does. She comes by to see me. We were talking about this. My wife Louise was there, and we were having a discussion about how she was doing and how the bill 10 years ago affected her and so many others, and she made a really interesting statement.

She said: You know, I really don't want to be here, Senator.

Actually, she called me Doug. That is what she does, and she should.

She said: I don't want to be here. I shouldn't have to be here. I shouldn't have to come up to the Congress of the

United States every year simply to advocate for equal pay for women who are doing the same job as the men. I would prefer to be home, back in Alabama, playing with the family and the grandkids. I don't need to be here.

It really struck me: Why are we doing this every year? What could be the possible reason?

Then, this morning, I was doing a media call with some folks back in Alabama, and I was asked about this. There was a recent editorial in one of our media and in our newspapers. As is it always with all of the comments online, which these days I just refuse to read because they get so crazy, there were so many that talked about the fact that this is just fake news—that women really aren't treated differently and that their pay is not below. I couldn't believe it. Every statistic shows that.

My response to that is, also, this: If that is the case, then no one should be afraid of this bill. If every business is treating their women employees as fair as their men, they shouldn't worry about this. They should encourage it, because we know there will be some out there that are not doing it.

So if this is fake news, all the better. Let's pass this bill. Let's make sure we have in law the opportunity for women to get those equal wages.

I have a daughter who is getting into the workforce after getting a Ph.D. She deserves the same pay as the Ph.D.s with similar experience wherever she ends up in colleges or universities.

I have two granddaughters, Ever and Ollie, whom I want to grow up in a world where they don't have to worry about this, where they don't have to come to Congress in 30 years or 40 years—just like Ms. Lily Ledbetter has to do each year—to advocate for women and their rights, to make sure their families are taken care of in the same manner as their male counterparts' families.

It is the least we can do for the women in our country who work so hard, who represent the backbone of the American way with their families, who raise their children, who work hard and do all of those things we need to be proud of. It is the least we can do to simply say: The Congress of the United States acknowledges you, we appreciate you, and we want to make sure you are treated fairly.

I would urge all of my colleagues—particularly my colleagues on the other side of the aisle—to get behind this legislation, and let's get this passed this year so that we don't have to worry about it again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

S. 130

Mr. SASSE. Mr. President, this place fancies itself the world's greatest deliberative body, but we would be deceiving ourselves if we ignored the biggest debate that has been happening in America over the last 36 hours.

A publicly elected official—Governor of one of the 50 States—has been defending a practice that is morally repugnant. The Governor of Virginia has been defending a practice that is repugnant to civilized people across the entire world.

Here is just one of the ugly nuggets from Ralph Northam, the Governor of Virginia: "If the mother is in labor . . . the infant would be delivered, the infant would be kept comfortable, the infant would be resuscitated (if that's what the mother and the family desired) and then a discussion would ensue between the physician and the mother."

Let's be very clear about what we are talking about. We are talking about fourth-trimester abortion or what anyone in the normal world calls infanticide. That is what we are talking about, and the Governor of Virginia has been defending this all day yesterday and again today, going out and trying to equivocate and qualify and then double down and again say he wants to defend this practice, which is infanticide.

Let's be clear about what we are talking about. We are talking about killing a baby who has been born. We are not talking some euphemism. We are not talking about a clump of cells. We are talking about a little baby girl who has been born and is on a table in a hospital or a medical facility, and then a decision or a debate would be had about whether you could kill that little baby. We are talking about the most vulnerable among us, and we have a public official in America out there again and again defending this practice. This is infanticide that we are talking about.

This should be so far beyond any political consideration. We are talking about a little baby—a baby with dignity, an image bearer. We are talking about a tiny life that has done nothing wrong to warrant being left to die cold and alone on a table.

Everyone in the Senate ought to be able to say unequivocally that killing that little baby is wrong. This doesn't take any political courage, and if you can't say that, if there is a Member in this body who can't say that, there may be lots of work you can do in the world, but you shouldn't be here. You should get the heck out of any calling in public life where you pretend to care about the most vulnerable among us. There should be no politics here that are right versus left or Republican versus Democrat. This is the most basic thing you could be talking about. We are talking about a little baby born alive, and we have a public official in America defending the idea: Well, you could have a debate about killing her.

That is why today I am starting a dual-track legislative process to make sure this body has a clear-eyed look at the issue before us, has a clear-eyed look at this atrocity, and to make sure the 320 million men and women who are actually our bosses—to be sure

they have a clear-eyed look at what we stand for. Do we stand with those little, vulnerable babies in desperate need of care and comfort and support, medical treatment, food, or do we stand with the comments of the Governor of Virginia over the last 2 days?

Tonight, I am beginning what is known as the rule XIV process. That is an expedited procedure for floor consideration of my legislation, the Born-Alive Abortion Survivors Protection Act.

In addition, I want to announce that on Monday night, I am going to be sure that every Senator has the opportunity to come to the floor and say whom we stand for and what we stand against. So I want to announce that in addition to the rule XIV process that I am going to initiate in a moment, I also want Senators to be aware that on Monday evening, I am going to be asking unanimous consent for Senators to come to the floor and pass the Born-Alive Abortion Survivors Protection Act legislation. I am going to ask all 100 Senators to come to the floor and be against infanticide. This shouldn't be complicated.

MEASURE READ THE FIRST TIME—S. 311

Mr. SASSE. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 311) to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

Mr. SASSE. Mr. President, I now ask for a second reading and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

Mr. SASSE. Thank you. I look forward to the debate in this body on Monday evening.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

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

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. DURBIN. Mr. President, today I made the decision to return to Illinois

because of the challenges faced by the region's residents due to the extreme cold. As a result, I was necessarily absent from this afternoon's cloture vote on McConnell amendment No. 65 to the Strengthening America's Security in the Middle East Act of 2019 S. 1.

On vote No. 13, had I been present, I would have voted nay on the motion to invoke cloture.●

HONORING PRIVATE FIRST CLASS FLOYD K. LINDSTROM

Mr. BENNET. Mr. President, I wish to pay tribute to the bravery and service of PFC Floyd K. Lindstrom, a Colorado Springs World War II veteran who has earned our Nation's highest military decoration, the Medal of Honor. I also want to recognize the significance of February 3, 2019, which marks the 75th anniversary of his death. He was killed in action at the battle of Anzio.

It is my pleasure to commend the efforts of the VA Eastern Colorado Health Care System and Colorado's veterans community, which worked to bring a Medal of Honor for display at the Lindstrom Colorado Springs Community-Based Outpatient Clinic.

Much has been said about the battle that compelled Lindstrom to act above and beyond the call of duty where he earned his place in the Hall of Heroes. According to the citation, Lindstrom acted with "conspicuous gallantry and intrepidity" in defeating a German counterattack on a hill near Mignano, Italy, November 11, 1943. When the enemy counterattacked, Lindstrom and his platoon were forced to fall back to a defensive position. Unable to eradicate the enemy nest from this position, Lindstrom fearlessly picked up his heavy machine gun and ran up the hillside to gain a new position, only 10 yards away from the enemy machine-gun; yet again, Lindstrom was unable to reach the gunners who were hiding behind a large rock. Lindstrom charged uphill once more facing a steady stream of fire and killed both gunners with his pistol. In this moment, Lindstrom embodied the true spirit of self-sacrifice.

Every day, men and women in uniform like Lindstrom heroically serve on the front lines of our Nation's defense. I stand with Coloradans today to honor his sacrifice and his memory.

ADDITIONAL STATEMENTS

TRIBUTE TO MARILYN MADDOX

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Marilyn Maddox of Lewis and Clark County. This week marks Marilyn's 100th birthday. She is being honored this week at the Montana State capitol, not only for her birthday, but also for 80 years of service with the Montana Federation of Republican Women.

Marilyn was born in Chicago on January 31, 1919, and grew up in Ohio. She

attended Ohio State University where she performed as a professional dancer and concert violinist. She joined the National Federation of Republican Women in 1939 and still has her original membership card.

While in Ohio, she married Thomas Maddox to whom she would be married for 71 years. Tom, was a journalist with the Associated Press, and they lived in several Midwestern cities before Tom received a transfer out West to Helena, MT. They packed up their 1951 Plymouth station wagon with two young daughters and two dogs and headed for Montana. Like many folks who find themselves in Montana, the Maddoxes fell in love with Big Sky Country.

Marilyn is an avid outdoors woman and loves hunting and fishing. She also worked for the Montana Stockgrowers Association for many years. Marilyn has 2 daughters, 6 grandchildren, 14 great-grandchildren, 6 great-great-grandchildren, and a Shih-tzu named Toby Wong.

I congratulate Marilyn on reaching this milestone and thank her for her many years of service to the people of Montana and the Helena community.●

RECOGNIZING CARROLL BRADFORD, INC.

• Mr. RUBIO. Mr. President, it is my privilege to honor a Florida small business that exemplifies what it means to provide quality service and to give back to the community when it matters the most. As chairman of the Committee on Small Business and Entrepreneurship, each week I recognize a small business that exemplifies the value of hard work and the unique American entrepreneurial spirit. This week, it is my pleasure to recognize Carroll Bradford, Inc., of Orlando, FL, as the Senate Small Business of the Week.

Carroll Bradford, Inc., is a full-service construction and landscaping company that was founded in 2010 by Stephen Barnett and Jon Menke, who were both born and raised in central Florida. Stephen and Jon are related by marriage and were driven to follow in the footsteps of their grandfathers, who were both successful small business owners in the 1940s. The company's name combines the names of each co-founder's grandfather: Stephen's grandfather, Carroll Barco, and Jon's grandfather, G.L. Bradford.

Carroll Bradford started in the Baldwin Park community in Orlando and now has expanded to Jacksonville. Through hard work and dedication, Stephen and Jon built a reputation of providing quality construction and landscaping services, being honest with their customers, and giving back to the community.

In its first 8 years, Carroll Bradford has grown exponentially, leading the company to create an app to respond to the expanding base of customers. A testament to this growth is the company's partnership with the Orlando Magic