

held in pension and retirement accounts. These are the accounts of teachers and cabdrivers and truckdrivers and folks who work at factories and do every other job that our economy depends on, who put a little money away. It may be in a 401(k) plan, in an IRA, or in an employer-sponsored pension plan; these folks own an awful lot of the stock in America. Well, buybacks are good for their investment because, in some cases, it returns cash that can then be redeployed. In other cases, it provides a bid; it provides upward pressure on the stock price, which is good for the value of their savings. Over time, if the stock gets retired, then the diminished supply gets that much greater a share of all of the future earnings. This is completely a win-win for savers and investors.

Let me just conclude by saying it is a very, very bad idea for America to take any steps down the road toward socialism. This is very much an idea of that ilk. In fact, it is a big step in the direction of a collectivist socialist economy, and we should reject this out of hand.

#### U.S. TRADE

Mr. President, I also want to touch on an unrelated topic, but it is an important one; that is, the ongoing discussion we are having in this Congress and across the country with respect to trade.

I think most of us in this Chamber agree that international trade is very good for the United States. I know it is very good for Pennsylvania.

I think we all understand that if we impose tariffs on imported goods, that is a tax that American consumers have to pay on a product or a service just because it originates somewhere else. If you add up the impact of the tariffs that this administration has already applied, according to the Congressional Budget Office, that is already going to take one-tenth of a percent off of our GDP, off of our economic growth. That is assuming no further tariffs occur, which is unknown at this point.

In particular, I want to address a category of tariffs that are known as section 232 tariffs because that is the part of the trade law which justifies these tariffs. This is an old law. It is a Cold War-era trade law that is designed to allow a President to impose tariffs when he believes there is a national security threat that requires these tariffs, these taxes on some foreign product for some reason that affects our national security.

In my view, the recent imposition of these 232 tariffs on aluminum and steel were not really about national security. They had other motives and other purposes, and, in my view, they have done much more harm than good.

If you look at tariffs on imported steel, you might believe that it is helpful to the people who are in the steel industry. We have about 140,000 Americans employed at steel mills. It is possible that the tariffs are helpful to those companies and those employees

at some level. The problem is, we have 6.5 million people in companies that use many, many multiples, and everybody who works in that sector of our economy across a wide range of industries is put at a competitive disadvantage when they have to pay that tax on imported steel and aluminum.

Some examples come to mind. Allegheny Technologies is a company in western Pennsylvania that last year had to pay \$16 million in taxes on the steel they imported. They had no choice but to import it because of the unique nature of that steel. It is threatening one of their production facilities.

American Keg is the only steel keg maker in the United States and makes beer kegs in Pennsylvania. They had to lay off one-third of their workers in March of last year because they are not as competitive as they need to be.

Colonial Metal Products is a small manufacturer. They use steel in fabrication. Their entire workforce is at risk.

The list goes on and on because fundamentally these taxes make many companies that use steel and aluminum less competitive.

That is not the only problem. As we all know, many American exporters are subject to retaliation by companies that experience these tariffs. So there are a lot of problems.

I have introduced legislation that is meant to address this. One aspect of this that I think is very important is that the Constitution unambiguously assigns to Congress the responsibility for managing our economic relations—our competing trade relations with other countries. In the Constitution, that explicitly includes the responsibility for deciding whether and to what extent we should impose tariffs on the products of other countries. Yet for years Congress has just let administration after administration take this responsibility that the Constitution gives to us.

So what my legislation does is pretty simple. It says, let's restore to Congress the responsibility that the Constitution gives to Congress. Let's make sure that national security-related tariffs are only imposed when Congress says they should be imposed.

The legislation has 11 original cosponsors, roughly even between Republicans and Democrats. Senator WARNER is the lead Democrat on this bill, and Senators SASSE and HASSAN are also original cosponsors. Four of the cosponsors are from the Finance Committee, which has jurisdiction over this issue. There is the House companion, which is also bipartisan. There are 61 organizations, business groups and others, that have endorsed this from the outside.

It is important to make the point that our legislation, while it is designed to restore to Congress this important responsibility, doesn't eliminate the ability of a President to invoke section 232 and impose tariffs if

there is a genuine threat to American security. What the President needs to do is explain the threat, make the case to the Congress, and under our legislation, there is a mechanism that requires expedited consideration of the President's request. It can't be filibustered. It doesn't take 60 votes. There is a strict timeline. So this can't languish on a shelf somewhere; Congress has to respond.

One other feature that is important in this bill is that the executive branch determination of whether there is a threat to national security would no longer be conducted by the Commerce Department, as it is now; it would move to the Department of Defense. My view on that is very simple. The Department of Defense is the entity within our executive branch that is best qualified to determine threats to our national security.

I am hopeful that we will grow our support and be able to get a vote on this legislation.

I should point out that there are other legislative approaches. There are other ideas on 232. There is one bill that, like mine, would shift the responsibility for evaluating the threat from the Commerce Department to the Defense Department, but the difference with some of these other pieces of legislation is they contemplate a disapproval resolution. They simply observe that Congress can pass a law to prevent or rescind a 232 designation, but these alternative bills would do nothing to restore that responsibility to Congress today. We could pass a law if we had the votes, and we could override a Presidential veto. We could pass a law to rescind any kind of tariff. The alternative legislation doesn't change that fact. What my legislation does is it would require the affirmative consent of Congress before the tariffs can go into place. That is a fundamental difference.

So I think, for the sake of expanding trade, but importantly, in my mind, for the sake of restoring the constitutional responsibility that is assigned to Congress, we ought to pass this legislation.

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

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

#### MORNING BUSINESS

#### NOMINATION HOLD

Mr. GRASSLEY. Mr. President, due to the actions of the Department of Justice, I have placed a hold on Donald Washington to be Director of the U.S. Marshals Service. This hold does not reflect any misgivings I may have

against Mr. Washington. I believe he is a man of great integrity, and his previous role as a U.S. Attorney has prepared him for the post he has been nominated to. Mr. Washington is an excellent candidate, and I look forward to supporting his nomination. However, I cannot allow his nomination to proceed at this time due to the actions of the Department of Justice.

On December 10, 2018, the Department of Justice agreed to provide my staff with a briefing on the Marshals' apparent misuse of the Assets Forfeiture Fund. Then on January 7, 2019, less than 24 hours before the briefing was set to take place, the Department cancelled on account that I was no longer the chairman of the Judiciary Committee.

As I have explained several times, it is the constitutional duty of every Member of Congress to conduct oversight. Furthermore, at the time that the Department communicated their cancellation, I was still chairman of the Judiciary Committee.

I am placing this hold on Mr. Washington, a Department of Justice nominee, until the Department of Justice fulfills the promise to provide my staff with a briefing of the Assets Forfeiture Fund.

#### ADDITIONAL STATEMENTS

##### HONORING CLAYTON JOEL TOWNSEND

● Ms. SINEMA. Mr. President, today I wish to honor the life and legacy of Officer Clayton Townsend, killed in the line of duty on January 8, 2019, at the age of 26. Officer Townsend was born in Glendale, AZ, on May 30, 1992. He was a dedicated, loyal, and highly skilled police officer at the Salt River Police Department. Our State will miss him dearly.

Officer Townsend served the Salt River Police Department for 5 years and was applauded by superiors on numerous occasions for excellent communication skills and performance on the job. He had always dreamed of becoming a police officer and truly embodied a genuine, caring, and compassionate commitment to protect and serve others.

Officer Townsend is survived by his wife Deanna, his 10-month-old son Brixton, and his mother Toni. He will be dearly missed by other family members, friends, and hundreds of bereaved members of the Salt River community. In the words of his older brother Cole, Clayton "brought a warmth with him wherever he went. He had a smile that everyone felt." Please join me in honoring his memory.●

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2019, the Sec-

retary of the Senate, on February 8, 2019, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 439. An act to amend the charter of the Future Farmers of America, and for other purposes.

#### MESSAGE FROM THE HOUSE

At 3:25 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 450. An act to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes.

H.R. 494. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, and for other purposes.

H.R. 507. An act to direct the Attorney General to study issues relating to human trafficking, and for other purposes.

H.R. 752. An act to amend titles 5 and 28, United States Code, to require the maintenance of databases on awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes.

H.R. 840. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs.

##### ENROLLED BILL SIGNED

The President pro tempore (Mr. GRASSLEY) announced that on today, February 11, 2019, he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 439. An act to amend the charter of the Future Farmers of America, and for other purposes.

#### MEASURES REFERRED

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

H.R. 450. An act to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes; to the Committee on the Judiciary.

H.R. 494. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, and for other purposes; to the Committee on the Judiciary.

H.R. 507. An act to direct the Attorney General to study issues relating to human trafficking, and for other purposes; to the Committee on the Judiciary.

H.R. 752. An act to amend titles 5 and 28, United States Code, to require the maintenance of databases on awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

H.R. 840. An act to amend title 38, United States Code, to direct the Secretary of Vet-

erans Affairs to provide child care assistance to veterans receiving certain medical services provided by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RUBIO, from the Committee on Small Business and Entrepreneurship, without amendment:

S. Res. 62. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. Res. 64. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, Ms. MURKOWSKI, Mr. MANCHIN, and Mr. MERKLEY):

S. 430. A bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Energy and Natural Resources.

By Ms. BALDWIN:

S. 431. A bill to promote registered apprenticeships and on-the-job training for small and medium-sized businesses within in-demand industry sectors, through the establishment and support of eligible partnerships; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 432. A bill to amend title 18, United States Code, to provide an additional tool to prevent certain frauds against veterans, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Ms. STABENOW, Mr. KENNEDY, Mr. JONES, Mr. CASSIDY, Mr. PAUL, and Mrs. SHAHEEN):

S. 433. A bill to amend title XVIII of the Social Security Act to improve home health payment reforms under the Medicare program; to the Committee on Finance.

By Mr. BRAUN:

S. 434. A bill to provide for a report on the maintenance of Federal land holdings under the jurisdiction of the Secretary of the Interior; to the Committee on Energy and Natural Resources.

By Mr. CARPER (for himself and Mr. PORTMAN):

S. 435. A bill to require the Director of the Office of Management and Budget to issue guidance on electronic consent forms, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VAN HOLLEN (for himself, Mr. REED, Ms. WARREN, and Mr. MENENDEZ):

S. 436. A bill to amend title 49, United States Code, to require the development of public transportation operations safety risk reduction programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. WYDEN, Mr. DURBIN, Mrs. MURRAY, Mr. BOOKER, Mr. CARDIN, Ms. HARRIS, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. BLUMENTHAL, and Mr. MURPHY):