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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our Redeemer, thank You for Your abundant mercy and grace. You continue to do for us more than we can ask or imagine.

Guide the steps of our Senators. May they look to You to bring them to Your desired destination, as You surround them with the shield of Your divine favor.

Eternal King, help us all to never forget how Your sustaining grace has kept us in the past. May the memories of Your loving providence in our history infuse us with the spirit of optimism for all of our tomorrows.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

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

GOVERNMENT FUNDING

Mr. MCCONNELL. Mr. President, as recently as a few days ago, our government funding discussions seemed to be in a pretty good place. Bipartisan, bicameral negotiations on finishing out the year's appropriations process seemed to be right on track. We appeared headed toward a compromise result that would have provided much needed investments in border security and completed our remaining appropriations bill to fully fund the government.

Last week, the Democratic leader seemed confident that ''we worked out a plan to refund the government, deal with border security in a way that would be acceptable to all sides. That's working pretty well.'' Just this past Friday, the ranking member of the Appropriations Committee, Senator LEAHY, suggested that ''we're 95 to 98 percent done.''

But then over the weekend, we heard that the talks had suddenly hit a snag. The bipartisan momentum had stalled. What went wrong? Here is what happened. The House Democrats decided to add a poison pill demand into the conversations at the eleventh hour. It is a new demand. It is really extreme—a hard, statutory cap on the number of illegal immigrants who could be detained by the Federal Government. This would result in the release of thousands of criminal aliens and our inability to detain thousands more criminal aliens whom our Federal and State law enforcement authorities will apprehend.

This is a poison pill that no administration—not this one, not the previous one—would or should ever accept. Imagine the absurdity of this. House Democrats want to set a limit on how many criminal aliens our government can detain. This is a limit that is not based on any aspect of reality, such as how many criminal aliens there actually are or what crimes they have committed; it is just an arbitrary number a couple of lawmakers have pulled out of thin air. The consequence of such an arbitrary limit is obvious: Thousands of criminal aliens would simply be released into the interior of our country, both immediately and then on a rolling basis into the future.

The National Sheriffs' Association explained this in a letter to Chairman SHELBY and Senator LEAHY. Here is what the sheriffs had to say:

Capping the number of detention beds . . . not only jeopardizes the integrity of the immigration system, but would cripple ICE's ability to detain criminal aliens and other aliens who pose a risk to public safety or are a flight risk. . . . In order to meet the cap tentatively proposed by Congress, ICE would be compelled to release thousands of aliens from custody.

That is what the National Sheriffs' Association had to say about it—released, just like that, right out into the United States of America. It is hard to believe this is where some Democrats are—a get-out-of-jail-free card for criminals because the radical left doesn't like U.S. Immigrations and Customs Enforcement. Let me say that again. It is a get-out-of-jail-free card for criminals because the radical left doesn't like U.S. Immigrations and Customs Enforcement.

It is hard to believe the ''Abolish ICE'' fringe among House Democrats actually thinks enforcing our laws is wrong. It is hard to believe a group of House Democrats see kneecapping American law enforcement as a higher priority than keeping the government open. But it would be even harder to believe that leading Democrats would be open to this craziness and would let this last-minute poison pill scuttle the entire appropriations process.

Just last year, when the Democratic leader was highlighting productive, bipartisan work on this appropriations process, he said: ''Both sides have worked to avoid poison pill riders. That has meant steady progress.'' Ranking Member LEAHY celebrated that through last year's committee process, ''We avoided new poison pill riders.'' So I hope my Democratic colleagues are able to talk some sense into their side.

Some House Democrats are risking a second partial government shutdown by calling for this absurd, last-minute poison pill. No administration of any party would sign a bill that forced them to release criminal aliens into

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

the interior of the United States. No administration would accept this poison pill forcing the release of criminals now and on a rolling basis going forward.

I understand that the four leaders on Appropriations in both Chambers will be meeting in just a few minutes. I would implore my friends across the aisle: Untangle yourselves from the most extreme far-left voices out on the fringe. Do not let this radical fringe and its absurd demand prevent you from taking yes for an answer. Don't let them torpedo all of this bipartisan work.

This provision would, rightly, be a total nonstarter with the White House—with any White House, not just this one. It would erase our progress and kick us back to square one. It is a total poison pill, pure and simple.

The American people are not clamoring for more aliens with criminal backgrounds to be roaming at large in their communities. I never heard anybody ask for that. And they certainly are not so eager for that outcome that they want another partial shutdown in order to achieve it.

My Democratic colleagues in this Chamber need to see this stunt for what it is, bring their side back to the table, and finish our work for the American people.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATURAL RESOURCES MANAGEMENT ACT—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 47, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 47) to provide for the management of the natural resources of the United States, and for other purposes.

Pending:

Murkowski/Manchin modified amendment No. 111, in the nature of a substitute.

Murkowski amendment No. 112 (to amendment No. 111), to modify the authorization period for the Historically Black Colleges and Universities Historic Preservation Program.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE DEPARTMENT OF HOMELAND SECURITY FOR FISCAL YEAR 2019—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 6, H.J. Res. 1.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 6, H.J. Res. 1, a bill making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I ask unanimous consent to speak for no more than 10 minutes.

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

S. 47

Mr. MANCHIN. Mr. President, Chairman MURKOWSKI and I have been working with the majority leader and minority leader to resolve the few remaining issues on our bill, which is the land management bill we have before us.

I would like to thank all Senators for their cooperation and for the work they have put in to get this to this point. I believe we are making good progress.

We will vote on the motion to invoke cloture at 5:30. I will be joining Chairman MURKOWSKI in voting yes on cloture, and I encourage all of my colleagues to do the same.

I understand that Senator LEE, my dear friend from Utah, may want a vote on his amendment to exempt Utah from the Antiquities Act. I have talked to Senator LEE many times about his concerns with national monuments in his State. While I respect his views, I will oppose any amendment that threatens the success of this lands bill. At this point, any amendment would threaten the success of the bill.

This bill is truly a great piece of legislation for our country. This package includes numerous important provisions that will enhance conservation, recreation, and hunting, fishing, and shooting opportunities for sportsmen on Federal lands.

In my view, one of the most important provisions in the bill is the permanent—I repeat, the permanent—reauthorization of the Land and Water Conservation Fund. I have long supported the permanent reauthorization of the LWCF, which has played a crucial role in making my State all the more wild and wonderful. In fact, since 1965, $243 million of LWCF funds have been spent to enhance recreation and conservation in West Virginia alone.

LWCF funds have been used to provide public access and protect many of West Virginia's most popular recreation sites, including the Dolly Sods Wilderness in the Monongahela National Forest, as well as every access point on the Lower Gauley River in the Gauley River National Recreation Area. As you can see on this chart, LWCF funds have protected 57,000 acres in the Gauley River and the New River Gorge.

While LWCF funds are used to protect important Federal conservation and recreation lands, the program also provides essential funding to States to enhance State and local park and outdoor recreational opportunities. These are not free giveaways to States but, rather, they are matching grants that result in increased recreational opportunities at the State and local levels.

This is Ritter Park in Huntington, WV. Ritter Park offers miles of walking trails along an area called Fourpole Creek. Ritter Park also has numerous tennis courts, playground facilities, and an amphitheater that is used by the community for small events, such as concerts and plays. The rose garden, which you can see here, is a wonderful place to spend some time, and in 2012, Ritter Park was named as one of the ''Great Public Spaces'' by the American Planning Association. Over the years, more than $625,000 in State Land and Water Conservation funds has been spent on improvements at Ritter Park.

The Land and Water Conservation Fund also provides other important financial assistance to States, including funding for the Forest Legacy Program, which helps to protect working forests on private lands; the American Battlefield Protection Program, which helps to protect Civil War and Revolutionary War battlefield sites on State and private lands; and grants to protect endangered species' habitats on non-Federal lands.

On the Federal side, LWCF funds have been used to safeguard some of our Nation's iconic public lands. Here you can see just a few examples of areas where LWCF funds have been used to ensure that we can set aside these areas for future generations and help our land management Agencies follow their conservation missions as directed by Congress.

LWCF funds help to complete the protection of and provide important public access to areas set aside by Congress in recognition of their national significance, including lands managed by the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the Forest Service.

In West Virginia, we have the Canaan Valley National Wildlife Refuge, which is managed by the U.S. Fish and Wildlife Service. Canaan was established in 1994 and was the 500th wildlife refuge to be established. Since 1994, every single acre of the 16,613-acre area was acquired using LWCF funds. As one can see here, the Canaan Valley National Wildlife Refuge is a truly beautiful place that would not have been possible had we not had the LWCF. Permanent reauthorization of the LWCF will ensure States and Federal land management Agencies will continue to protect and conserve nationally significant lands for future generations—all without relying on taxpayer dollars. It is past time for Congress to permanently reauthorize the LWCF.

The Land and Water Conservation Fund is one of the many pieces of legislation in this package. It is another reason we need to pass this bill without

amendments and send it over to the House and then to the President for his signature. I am pleased that we are making good progress, and I hope we will be able to move to its final passage without additional delays.

I thank the Presiding Officer.

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

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

Ms. MURKOWSKI. Mr. President, we are here this Monday afternoon to continue debate on S. 47, which is our Natural Resources Management Act, which we introduced just last month with Senator CANTWELL. We have been working on this bill with not only Senator CANTWELL and Senator MANCHIN but with the chairman and ranking member of the House Natural Resources Committee. We did that last fall when the composition of that committee on the House side was a little bit different and now in this new year. We have been working forward with the commitment from our respective leaderships to bring this measure to the floor early in this Congress, and here we are.

I am very thankful and appreciative to Leader MCCONNELL and Senator SCHUMER for keeping their word to allow us a few days of debate on this very important natural resources and lands package. We have a great partnership going on in working with my new ranking member on the committee, Senator MANCHIN, in working with his team in conjunction with ours, and, again, in building on the great, great work that we have had with my friend and colleague from the State of Washington, Senator CANTWELL, and her team. There have been so many who have really come together in a very collaborative way and in a very dedicated way to help make this happen.

I make mention of the contributions of a few Members on our side and a few Members on the Democratic side who have really been engaged with us throughout this process—Senator GARDNER, Senator DAINES, Senator WYDEN, Senator HEINRICH—and of the dozens of Members who are on this measure as cosponsors. We truly appreciate it.

We made some good progress last week. We reached agreement to enter into debate on our bill. We considered two amendments. Both of those amendments were tabled in order to preserve what we would refer to as the spirit of the bicameral-bipartisan agreement. We anticipate one more amendment to process today before we move to a cloture vote. I am pleased that we are at this point as we near the end of the floor debate on this measure, and I would like to spend just a few moments this afternoon, if I may, speaking to the really extensive process that has gone into this bill.

It is a substantive bill. There is no doubt about it. It is substantive because of the many, many different, discrete, small provisions that have been incorporated into it. Reaching this point has been no small task. I mentioned last week the way that we handle many of these lands matters before the U.S. Senate. It is an imperfect process—that is certainly for sure—but so many of these issues are so parochial that they just do not command the floor time that is available here. Invariably, what we effort to do is to put together a package of these measures. We really haven't seen a lands package before the Congress that has been ready to move out or, actually, be signed into law—that is, I guess, the best way to say it—since 2014. So that is 5 years of really pent-up demand, if you will, to address these matters.

So over the course of several years and multiple Congresses, both the Senate Energy and Natural Resources Committee and the House Natural Resources Committee have held dozens of hearings and business meetings to prepare the more than 100 bills we have now incorporated into S. 47. So when you think about, again, the process that goes into it—this is endless hours, countless hours of Member time, of staff time that go into these meetings as we work on very local priorities and then drafting the legislative text and refining it to make it right and refining it yet again to make it right.

We have also worked for months on a bipartisan, bicameral basis to truly negotiate every word in this bill, literally down to one-tenth of a mile for a certain designation on a specific conveyance there, so really taking a very sharp eye and a sharp pencil to all of the provisions that are in here.

We have really worked to try to incorporate as many local, State, and Member priorities as possible. The process these matters went through in order to get where we are today—the regular order process in the House, in the Senate, and in many cases, in both—is really quite impressive. I mentioned some of the Member priorities last week. Members have come to the floor. I indicated that we have included provisions sponsored by at least 50 different Senators within this bill. That number rises to about 90 Senators when we count the cosponsorship of various Members. So, again, it was very collaborative in terms of how we reached out to everyone to ensure their priorities are heard.

We have heard a lot on the floor about the contributions contained within the sportsmen's provision—something I have worked on with Members over the course of years, with different partners on the other side, whether it was Senator TESTER or Senator HEINRICH. It has been three Congresses running that we have tried to advance a bipartisan sportsmen's bill. So there are so many who are looking with great interest into finally passing these sportsmen's provisions.

There is a provision in here that helps the folks in Tennessee. One of Senator ALEXANDER's priority projects is a special resource study for the James K. Polk Presidential home in Columbia, TN. It was built in 1916. It is the only surviving private residence of our 11th President. What we do within this bill is we take that first step to make a determination, to ask the question of whether this special place should be designated as a national park unit at some point in the future. So pretty parochial, pretty small, but it is important to those in Columbia, TN.

I mentioned some of the Arizona provisions. Udall Park in Tucson, AZ, is a priority for the Arizona delegation. This is one of those issues where they have a pretty popular local community park in the city, and there are all kinds of activities one would anticipate taking place in a small park—baseball, swimming, farmers market. Up until just a couple years ago, the city of Tucson was actually unaware that the Federal Government even owned this local park. So what we do in this bill is we clean up the ownership issue, which allows the city to move forward with the day-to-day activities without facing these Federal bureaucratic hurdles that happen back here. So when they want to do something that would be good for that community, such as expanding a farmers market or improving cell service on the softball fields, they don't have to come to us to ask for permission—pretty common sense.

I mentioned some of the priorities coming out of the State of Louisiana and a measure that Senator CASSIDY has been working on, the Lake Bistineau Land Title Stability Act. I shared the story of some homeowners who had been on a parcel for 13 years, built their home, wanted to sell, and then they found out they couldn't because they didn't have clear title to their land due to an issue with the BLM management survey. So we worked with BLM and the State of Louisiana—all this bipartisan work—to clear up the title. Again, this is something that you wouldn't think you would need an act of Congress to do, but we do that.

Up in the State of Minnesota, we worked with their delegation to modify the boundaries of the Voyageurs National Park.

In Georgia, we are expanding the Ocmulgee National Monument—this is a prehistoric American Indian site—and we are doing this at the request of the local communities and the Tribes. It has strong support from the Creek Indian Tribe and the local community. It is a designation that will help preserve the historic and cultural values of the area as well provide economic benefit by giving greater opportunities for visitors.

So these are some of the various priorities we have included in this very

comprehensive package. These are not things that are going to make the front page of the Washington Post or the New York Times. These are very local. But I can pretty much guarantee that they will be on the front page of the Ocmulgee—I still don't know if I am pronouncing that correctly—within the Creek Indian Tribe. They are going to make sure people know that this is something we have been working on for a long period of time and that it has finally been addressed in Congress.

Working over the years to help address these priorities is very, very important. We have received the support of not only so many colleagues in the Senate and in the House, Republicans and Democrats, but we have heard it from organizations and communities around the country. Some of these names are pretty well known to us: Ducks Unlimited, the Boone and Crockett Club, Congressional Sportsmen's Foundation, the National Wildlife Federation, the U.S. Travel Association, the Nature Conservancy.

That is just a few of the many that have weighed in. I want to give a couple more examples of groups that have written in to share their support.

The Southeast Tourism Society wrote that ''S. 47 has earned the enthusiastic support of the travel and tourism industry.''

I mentioned last week that so many of the provisions contained in this bill really help these little local economies or the broader economies within the region, so you can see where the travel and tourism industry would be appreciative.

The Outdoor Recreation Roundtable—this is a consortium made up of a number of recreation associations—wrote that our bill should be passed to ''guarantee American's great outdoors receive the attention and resources they so richly deserve and to ensure the outdoor recreation economy continues to grow.''

We are also hearing from communities that have been waiting for congressional action to resolve longstanding Federal land management issues. I mentioned the one in Louisiana. I also mentioned the situation in Tucson, AZ. We did receive a letter from the mayor of Tucson in support of our package because of the provision we have included that he says ''will bring closure to a historic agreement made between the city of Tucson and Bureau of Land Management at a popular urban park in Tucson's northeast business and residential areas.'' That mayor knows this is going to allow the local community to do some of the more simple tasks, such as operating a farmers market, without going through these bureaucratic hoops and hurdles.

Another provision in the bill will convey a parcel of land on the shores of Lake Fannin to Fannin County in Texas. The county commissioner shared that with the conveyance of this land, they will be able to ''continue the process to restore, preserve, and protect the historical significance and beauty this lake has to offer for years to come.''

So, again, there is the encouragement we are getting from the communities and from the organizations. I have certainly heard from a lot of Alaskans who are very pleased about where we are with this lands package.

We heard from Sheri Buretta. Sheri is the chair of Chugach Alaska Corporation, and she wrote that ''Section 1113 of S. 47, while long overdue from our perspective, provides a welcome and extremely helpful mechanism for addressing serious inequities relative to our land settlement.''

Again, the land settlement in Alaska is decades old, and we are still attempting to address some of those inequities, and this legislation allows us to do that.

David Fee, who is the coordinating scientist at the Alaska Volcano Observatory, noted that ''current volcano monitoring capacity in the United States is deficient, and we are unable to accurately forecast and detect eruptions at an adequate level. . . . Passing and funding [this measure will provide] for a safer and more resilient United States.''

The benefits we provide for so many around the country—these are just a few of the examples of the many communities and organizations that support the passage of the bill. We have a full list of our supporters that is available on the committee's website—it runs almost 7 pages long—that I am going to be submitting for the record—not only that consolidated list but also the many, many letters of support we have received. These folks—these individuals, these groups, these communities—are writing in to make their support known because there is good policy in this package. It is policy that fosters economic development in rural America. It is policy that ensures that incredible landscapes are conserved for future generations to enjoy. It is policy that ensures access for sports men and women. It also allows for greater access for some of our off-highway vehicles. It is policy that enhances our volcano-monitoring systems. It empowers local water managers to make decisions on how to conserve water and endangered species.

I want to just kind of segue off of that because there hasn't been a lot of discussion about the water provisions within this bill. I keep referring to S. 47 as the lands package, but the truth is, it is not just about land; it is about water as well, and it includes a number of important western water provisions.

We improve water management by taking important steps to provide greater local control over water resources and promote management that balances the needs of water users with fish and wildlife protection. As an example of this, we create a new Bureau of Reclamation title transfer program. This is going to facilitate conveyance of water facilities to the local agencies that have been managing them for decades and in some cases longer than decades—almost over a century—and that have fully repaid the government for the cost. So effectively what we are talking about here is we are simplifying the process for local utilities, States, and Tribes to pursue title transfers for reclamation projects, not by requiring an act of Congress to do it. So it is simplification. It is common sense. It is making things work. It is a straightforward change in the law that will make a huge difference for the entities in 17 of our Western States that manage water projects, canals, and other water infrastructure that irrigate more than 11 million acres of land—land that provides fresh fruits and vegetables for millions of Americans every day.

In the bill, we also authorize individual title transfers to California and Oklahoma. These provisions will greatly improve water management and incentivize capital investment in water infrastructure while conserving water resources and protecting public safety.

The reauthorization of the Upper Colorado and the San Juan River fish recovery program and phase 3 of the Yakima Basin Water Enhancement Project are both included in this bill. I think both of these are great examples of how a collaborative approach to water challenges, rather than litigation and conflict, results in solutions that benefit water users and the environment. We have certainly heard from Senator CANTWELL on this as it relates to the Yakima Basin project and the very collaborative effort that was involved with that. The Colorado River project involves bringing four species of endangered fish back from the brink of extinction while water development projects move forward.

There are other important water provisions that didn't make it into the bill for various reasons. I think many of us were disappointed, it is fair to say. It is clear to me that there is a lot more that we have to do to address these major challenges with western management of water and drought resilience. We have some issues to work through on that, certainly not the least of which is the Colorado River drought contingency plan. This involves an interstate agreement to keep Lake Mead from dropping to critical levels. It has taken years of negotiation with cities, Tribes, farmers, and elected officials.

I clearly understand that this is a time-sensitive issue. I had hoped we might be able to finalize it for this package, but I am looking forward to working with both Senator MCSALLY, who is the new chairman of the Water and Power Subcommittee of the Energy Committee, and Senator CORTEZ MASTO, who is the ranking member, so we can get this over the finish line as quickly as we can.

We also need to complete our work to reauthorize the Bureau of Reclamation's infrastructure funding programs

to better utilize Federal lands and water facilities for aquifer recharge and eliminate duplication in the permitting of reclamation pump storage projects.

We are making good strides on the water side with this measure as well. I think it is important to remind folks that it is a lands package; it addresses many of the issues related to water; it is a sportsmen's package; and it is truly a conservation package as we look to what we have included and incorporated as the permanent authorization of the Land and Water Conservation Fund.

This is a good bill we have in front of us. We have been able to make it even a little better through our substitute amendment. I do know that we have many colleagues who, if we had more time, would say that they have more amendments they would like to offer for the package. We are not going to have the time or the ability to come to an agreement to add them here, but it is not without a great deal of work that we have gotten to this place. Again, the fact that we have been working for years—literally, years—to put this together is demonstration of our good faith to try to incorporate as much as we possibly can.

I do want to repeat, and I know Senator MANCHIN has, as well, that this is not going to be our last chance to pass natural resources legislation in this Congress. As soon as we get done here—hopefully, no later than early tomorrow—we are going to be right back at work. The Energy and Natural Resources Committee is going back to work, holding hearings, moving lands legislation. This is our effort, what we are dealing with right now, to clear the deck, and then move on to some new issues. We will be back again to move many of the provisions that perhaps weren't quite ready for this particular package.

Later this afternoon, we are going to vote on motions to end debate on S. 47. I strongly, strongly encourage all Members to support that motion and to allow us to take final steps to move this important package with good, strong, robust bipartisan support, and send it over to the House of Representatives so that we can finally get this enacted into law.

I see my friend from Nebraska is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

LEAD PROGRAM STUDENTS

Mrs. FISCHER. Mr. President, I offer my thanks and appreciation to the chairman of the committee, Senator MURKOWSKI, and the ranking member, Senator MANCHIN, for the work they have done on this lands package. They have tried their best to bring to the forefront a number of different viewpoints and, obviously, a wide variety of issues that are included in this package. They have worked hard to meet many demands on all sides, and I thank them for getting that done.

I am going to be installed this week as one of the chairmen of the sportsmen's caucus, and we are thrilled to be able to have the sportsmen's bill included in this package so that we can continue to see this great American tradition of families and friends enjoying the outdoors, hunting, fishing, and recreating in this beautiful land that we have here in the United States of America.

I am very fortunate today to welcome a number of conservationists from Nebraska to Washington, DC. This is a group of bright, young people who are taking part in Nebraska's Leadership Education/Action Development Program, true conservationists who are ag producers, ag business people, and are here visiting us. This is known as the LEAD Program. They are individuals from various backgrounds who participate in this premier agriculture leadership program.

Over the course of 2 years, Nebraska LEAD fellows engage in monthly seminars all across the State; they visit our Nation's Capital; and they even have the opportunity to study agriculture systems overseas. The goal of the LEAD Program is to develop the next generation of innovative thinkers, problem solvers, and decision makers who will work to provide food and fuel to our world.

As a proud LEAD alum myself, I can tell you that it has helped to shape who I am today. This program continues to be near and dear to my heart. Through the LEAD Program, I learned valuable leadership skills that I have carried with me in serving my community in the Nebraska Legislature and right here in the U.S. Senate.

Many may not know this statistic, but by the year 2050, there will be an additional 2 billion people to feed in this world. It is important that the future generations of agricultural leaders are motivated and prepared to deal with unforeseen challenges on the road ahead. The LEAD Program is an extraordinary opportunity for Nebraskans to learn more about international trade, about foreign policy, and the unique agricultural systems that we have in our State, in our country, and in our world. Participants in the program will gain firsthand experience in what it means to be an agricultural leader here at home.

Agriculture is the beating heart of my State's economy. The hard work of our farmers and ranchers in Nebraska produces abundant bounties every year. We feed the world. We are privileged to do this and proud of this responsibility, and we pass it on to the next generation.

We also know that putting food on family dinner tables around the world does not come easy. It is the result of calloused hands and long days. It is chopping ice in the tank for thirsty cattle when it is 20 below, and moving irrigation pipes for thirsty crops when it is 110. It is the product of bright innovations, new technology, critical thinking, and fresh solutions in addressing some of our world's most pressing challenges. Now it is in the hands of the next generation of leaders.

Nebraska's LEAD Class 38 understands this. They know that our future is filled with promise. So I am expecting great things from each and every one of them, and I look forward to meeting with them this afternoon after I leave the floor.

LEAD Class 38, we are grateful for the work that you are doing now and the good work that you will do to help build a stronger Nebraska and a stronger world. I want to again extend a formal, warm welcome to all members of LEAD 38, and I hope you will enjoy your time in our Nation's Capital.

I yield the floor.

The PRESIDING OFFICER (Ms. ERNST). The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I send a cloture motion to the desk for 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 bill 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 pending motion to proceed to Calendar No. 6, H.J. Res. 1, making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

Pat Roberts, Susan M. Collins, Michael B. Enzi, Roger F. Wicker, Lisa Murkowski, Marco Rubio, James M. Inhofe, Deb Fischer, Mike Crapo, Chuck Grassley, Mike Rounds, Lamar Alexander, John Boozman, Richard C. Shelby, John Thune, Joni Ernst, Mitch McConnell

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

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

Mr. MCCONNELL. I withdraw the motion to proceed to H.J. Res. 1.

The PRESIDING OFFICER. The Senator has that right.

The motion is withdrawn.

NATURAL RESOURCES MANAGEMENT ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that I be permitted to proceed as in morning business for up to 10 minutes.

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

Ms. COLLINS. Thank you.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 433 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. COLLINS. Madam President, the second bill that I have introduced is the Home Health Care Planning Improvement Act. I have introduced this bill with my friend and colleague from Maryland, Senator CARDIN. Our legislation will improve the access that Medicare beneficiaries have to home healthcare by allowing physician assistants, nurse practitioners, clinical nurse specialists, and certified nurse midwives to order home health services. All of these healthcare professionals are playing increasingly important roles in the delivery of healthcare, particularly in rural and underserved areas of our Nation, like those represented by the Presiding Officer and the State of Maine.

I have learned of far too many cases of seniors experiencing unnecessary delays in accessing home healthcare because a physician was not available to order the care promptly. To avoid these needless delays, it is common sense that other medical professionals who are familiar with a patient's case should be able to order these services. Under current law, however, only physicians are allowed to certify or initiate home healthcare for Medicare patients, even though they may not be as familiar with the patient's case as the nonphysician provider. In some cases, the certifying physician may not even have a relationship with the patient and must rely on the recommendation of the nurse practitioner, physician assistant, clinical nurse specialist, or certified nurse midwife to order the medically necessary home healthcare. That makes no sense whatsoever. In too many cases, these requirements create obstacles, delays, and unnecessary paperwork before home healthcare can be provided. The result can be an unnecessary hospital readmission or other setback for the patient that would not have occurred had the home healthcare been provided promptly.

The Home Health Care Planning Improvement Act removes the needless delays in getting Medicare patients the home healthcare they need simply because a physician is not available to sign the form required by law. Again, I would make the point that this physician may not even have a relationship with the senior or other patient who needs the home healthcare. That primary care relationship may be between the patient and a nurse practitioner or a physician assistant, and yet that qualified healthcare professional is unable to order the home care that the patient needs.

These two bills will help to ensure the viability and accessibility of home health services now and in the future. By helping patients to avoid much more costly hospital stays and nursing homes, we know that home healthcare saves Medicare, Medicaid, and private insurers' programs millions of dollars each year. At a time when healthcare costs are among our most pressing policy challenges, we should embrace cost-effective solutions like home healthcare.

Thank you, Madam President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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.

GOVERNMENT FUNDING

Mr. THUNE. Madam President, imagine going into a U.S. prison and announcing that a substantial number of the prisoners had to be released immediately—no exceptions, even if the prisoners in question had participated in serious crimes or committed violent offenses. That is an unthinkable scenario, and no one would seriously suggest going into our Nation's prisons and immediately releasing thousands of prisoners, including violent offenders onto the streets. Yet that is exactly what Democrats are proposing as part of a border security agreement.

Over the weekend, Democrats proposed capping the number of illegal immigrants who could be detained by Immigration and Customs Enforcement. Incredibly, they are refusing to allow an exception to the cap for violent criminals. Under Democrats' proposal, if Immigration and Customs Enforcement needed to detain more than 16,500 violent criminals in the interior of our country, they simply wouldn't be able to do it. Instead, immigration enforcement officers would have to choose which violent criminals to release back into our communities. Think about that.

Obviously, everyone who has come here illegally has broken our laws, but in a lot of cases in question, we are talking about people who have violated other laws, like laws against assault, rape, murder, theft, drug trafficking, and more. We are talking about limiting law enforcement's ability to make sure that those individuals are detained.

It isn't just about future detentions either. If the Democrats' enforcement cap went into effect, Immigration and Customs Enforcement would be forced to release criminals already in detention onto our Nation's streets.

Additionally, there are an estimated 180,000 criminal illegal aliens in the United States who currently are not in custody.

So, under the Democrats' proposal, not only would Immigration and Customs Enforcement be forced to release violent criminals, for all practical purposes, it would also be prohibited from trying to take additional dangerous criminals off of our streets.

Let's be very clear about what we are talking about here. We are talking about limiting the ability of a law enforcement agency to enforce criminal laws. No administration of either party would accept an arbitrary limit on the number of criminals it would be able to detain. No administration would or should sign off on a law that would force law enforcement agencies to leave violent criminals on our Nation's streets.

As of a couple of days ago, the Republicans, I would say, were encouraged by the bipartisan nature of the negotiations to prevent another government shutdown. Then the Democrats came forward with this absurd proposal to limit law enforcement's ability to detain even dangerous criminals.

Are Democrats trying to derail negotiations with a poison pill at the eleventh hour and force another shutdown? The question has to be asked since no one could seriously think that any President of either party would sign a deal that would limit his administration's ability to enforce the law.

We still have a few days left. I hope the Democrats will abandon this preposterous proposal to release dangerous criminals onto our Nation's streets. We can achieve a deal to avert another shutdown, but we can't do it by jeopardizing law enforcement's ability to protect the American people.

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. 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.

Mr. THUNE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. 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. 47

Mr. LEE. Madam President, a little over a month ago, I stood before this body to object to the massive public lands package that it was poised to pass. This bill, some 680 pages long, was released at 10 a.m. that morning—that very morning when they first wanted us to pass this. My staff and I had not seen it beforehand, and we had been given no time to read it. This is, of course, really bad process—terrible process. This is not the way legislation should be written. It is not the way legislation should be debated. It is, of course, never ever the way legislation should be passed. In addition to the bad process, I objected at the time because I suspected that it also contained bad policy—bad policy that would disproportionately and negatively affect my State of Utah.

Now we find ourselves today, more than a month later, at a moment at which we are considering the bill. During that time period, I have, of course, had time to read the bill. Unfortunately, those suspicions that I had

about the bill have since been confirmed. This bill perpetuates a terrible standard for Federal land policy in the West, particularly for the State of Utah.

To give one some background, the Federal Government owns more than 640 million acres of land. This is a staggering amount of real estate—an amount of land that in its totality is larger than the entireties of France, Spain, Germany, Poland, Italy, the United Kingdom, Austria, Switzerland, and the Netherlands combined—all of them. I don't mean the national parks of those lands combined. I don't mean the government lands owned by those respective nations. I mean the entirety of those countries combined. That is how much land the Federal Government owns just within the United States. That is a problem, especially because of the way it is distributed.

Do you see this? Federal public land is not distributed evenly across the entire country. It is distributed in such a way that the West bears a disproportionate burden. In fact, my home State of Utah is a place that itself bears a disproportionate burden, a disproportionate share of that land, with two-thirds of the land being owned by the Federal Government. You will see, on this map, we have Federal land marked in red, and land that is not owned by the Federal Government is marked in white. You will see there is a big difference, as you move from west to east, in the amount of Federal land that exists.

I remember when Eliza, my daughter, was about 8 years old. It was the first time I ever showed her this map. As best I could, I explained it to her, an 8-year-old.

At the time, she looked at the map and said:

Look, Daddy. They own Utah.

I said:

Yes, Eliza, you're right. They own Utah.

In every State east of Colorado, the Federal Government owns less than 15 percent of the land. In many of those States, it is in the low single digits as a percentage of the total land in a State that is owned by the Federal Government. In Colorado or in every State west of Colorado, the Federal Government owns at least 15 percent of the land, and in many of the States, like mine, it is a lot, lot more than that. This is, of course, an enormous amount of land. Make no mistake—it imposes an enormous burden on my State. In light of this, what are my objections to this bill? Well, there are a few.

First, this bill permanently reauthorizes something called the Land and Water Conservation Fund, or the LWCF, as it is sometimes abbreviated. Passed in 1964 by Congress, the LWCF was enacted to promote and preserve access to recreation opportunities on public land—to promote and preserve access to recreation opportunities. This is an admirable and worthy goal, so the fund was set up to be the principal source of money for new Federal land acquisition and to assist the States in developing recreation opportunities.

As originally conceived and passed by Congress, it directed 60 percent of its funds to be appropriated for State purposes and 40 percent for Federal purposes. Unfortunately, the program has since drifted from its original intent and from its original wording, and it has been a program that has been rife with abuse. I understand that in some States, people like it, and I understand that in some States, this is a program that is well regarded. It is not the case in every State.

To be clear, in 1976, the law was amended, and it was amended to remove that 60-percent State provision, stating simply that not less than 40 percent must be used for Federal purposes. Then it was silent on whether a State would, in fact, receive a penny.

The result? Well, it has been used for more Federal land acquisition than to actually care for, access, and manage the land that we already have, and 61 percent of funds have historically been used for acquisition, compared to the 25 percent that has historically been allocated to State grants. So millions of acres of land have been added to the Federal Government's already vast estate solely through the LWCF program.

Not surprisingly, the Federal Government has not always been a good steward of this land, and that is putting it mildly. Look, the sheer magnitude of unfunded needs on Federal lands is itself staggering. Now, this shouldn't be surprising. The Federal Government is run by human beings, and the Federal Government owns an enormous amount of land—a staggering amount of land. So for any one entity to own and manage that much land is going to be a daunting task, and I am not just talking here about neglect of garden variety BLM lands—those managed by the Bureau of Land Management or one of the other land management agencies of the Federal Government. A lot of those lands that comprise what we might describe as the crown jewels, even of our National Park System—those parts of the Federal public lands that the American people know and enjoy the most and identify most closely with what they like about Federal land management—even many of those have been neglected.

Take, for example, Grand Canyon National Park. We have deferred maintenance costs there of over $329 million. Yellowstone National Park has deferred maintenance of over $515 million. That is an enormous amount of land that is not being properly maintained. So in Yellowstone, here you have a picture of a road going through the park, and that road is completely pockmarked and made dangerous—in some places almost unusable—by potholes that haven't been repaired.

No American would necessarily want to drive down a road that looks like that. This is some of what happens when you continue to acquire more when you can't manage what you have.

Here in the Grand Canyon, we have a picture of a pipe that has sprung a leak and is leaking quite dangerously.

So what we have is a situation that, according to a 2017 CRS report, has resulted in a maintenance backlog of Federal lands totaling $18.6 billion.

Wildfires have run rampant in parts of the country, especially in the West, which the government has failed to prevent, and it is not just that they have failed to prevent those wildfires. It is not just that the Federal Government is not always well equipped to either prevent them in the first place or to fight them because of the vast inventory of lands that it has. In many instances, poor land management processes have resulted in severe environmental degradation that has itself been the predictable cause of widespread environmental catastrophe within Federal public lands.

To cite one of many examples, there is an infestation of a certain type of bark beetle within a certain area of federally owned forest. Locals understand that it is coming and ask the Federal Government to abate the nuisance, to address the infestation. The Federal Government refuses. The State and local authorities come back and say: OK, will you at least let us deal with the nuisance, get rid of the bark beetle so it doesn't destroy the trees, because if it destroys the trees, it is going to create a local environmental and economic catastrophe for our people. The Federal Government says no. So the bark beetle does its damage and destroys hundreds of thousands of acres of wooded area. It kills the trees. The trees then die.

The local populations go back to the Federal Government and say: These trees are dead. Will you cut them down so that we don't have this massive tinderbox of forest fire waiting to happen?

The Federal Government says no.

The people come back, those who live around the area, and say: Can we cut them down because, otherwise, this is going to be a tinderbox. There is going to be a fire. People are going to get hurt, and it is going to wreak havoc on our local environment.

The Federal Government still says no.

Then, guess what happens. Those trees catch on fire. They burn down, creating environmental catastrophe, disrupting the watershed, and this, in turn, leads to floods.

All of these things connect back up to poor Federal land management processes, and those poor Federal land management processes are the result of the fact that we have too much Federal land in the inventory to begin with.

Meanwhile, we have ill-kept roads and trails that, in some cases, have actually kept people away from our national treasures rather than allowing them to access them.

Furthermore, none of the current LWCF funds—not any of them—are directed toward maintenance or upkeep

of these lands, including within our national parks.

But for years now, Congress has perpetuated the status quo of this broken, dangerous, and environmentally reckless program by reauthorizing it in giant omnibus spending bills or continuing resolutions without even the slightest incremental, modest reform. Worse still would be making reauthorization permanent. Indeed, it would deny us any regular opportunity as a Congress to actually reform and improve the program.

Second, the bill creates another 1.3 million acres of wilderness in the West—half of that being in Emery County, UT.

Now, at the outset, I want to say that wilderness designations might sound like a good thing, and sometimes they are. But this highly restrictive designation limits far more activities than is necessary in many, many instances to actually protect the land.

In fact, a wilderness designation prohibits almost all human activity. This land usually cannot be used for any commercial activity or any infrastructure. It cannot be developed for recreational purposes or traveled across by car, bus, automobile, or even a bicycle—even a bicycle made for that specific purpose—to say nothing of any type of agricultural development or timber harvesting. In a State like Utah, where the Federal Government owns more than two-thirds of the land, these designations have big consequences, especially for the poor and middle class in my State.

The amount of Federal land in Utah already sets out a great disadvantage to the people of Utah to begin with. While private landowners would pay property taxes on this land, and those taxes would go to the State and its political subdivisions, the Federal Government does not. It does not pay property taxes. So Utah is deprived of what should be and otherwise would be a huge source of revenue and of opportunity.

What does that mean? Well, as a result, our schools are underfunded, local governments are crippled, fire departments are, ironically, depleted and, therefore, unable to properly take care of the lands they are charged to protect in the first place, and many times strapped in their ability to provide basic services to those most in need.

With so much of this land in the grip of Federal bureaucrats, it is again limited in its use, in its opportunity, in its potential for use for development, for infrastructure, and for jobs that are essential to our State's economy—jobs that would be essential to any State's economy.

But with further wilderness designations by Congress, this is an even tighter grip. As the LWCF perpetuates the acquisition of even more Federal public land, communities like those throughout my State start to suffer even more. Citizens, you see, in this type of an environment have to go to the Federal Government, cap in hand, to ask permission for the use of any of the land at all, for access to any of the land at all, whether that means to dig a well, to build a road, to bury a cable, or to do virtually anything on it at all.

So designating more than 660,000 acres of wilderness in Emery County is of no small consequence.

I understand that a lot of people here like the fact that we are doing that. Make no mistake. They are not the people who live in Emery County. They are not the people who live within hundreds or even thousands of miles of Emery County.

Finally, this bill does nothing to address the imminent threat that Utah faces from unilateral Executive land grabs through the Antiquities Act.

To be clear, anything and everything that is designated as red on this map may be designated as a national monument overnight, at any moment, solely at the discretion of the President. Anything here is fair game to any President, at any time, to say: I now make you a monument.

Now, the Antiquities Act, passed in 1906, was intended to give the President of the United States the power to declare land that is already owned or controlled by the Federal Government as a national monument and to do so by Executive fiat. This was done in order to protect specific historic and cultural objects in the case of an emergency where they couldn't otherwise be protected. But instead of reserving the smallest area compatible with the proper care and management of the objects to be protected, as the law itself requires and as the text of the Antiquities Act itself mandates, Presidents in more modern times have designated enormous, million-acre monuments far beyond the scope of the objects in need of immediate protection.

These monument designations—perhaps the most restrictive of all Federal land designations—often do more harm than good. They radically undermine a State's economy by prohibiting energy production, mining, fishing, ranching, recreation, and a myriad of other uses.

Furthermore, without allowing Congress or the State legislature any actionable input in a decision like this, they effectively silence and disenfranchise the voices of the people closest to and most affected by and connected to the lands in question, depriving them of any say in the process. This is not fair. It is wrong, and it is something that needs to be addressed.

Take, for example, the Grand Staircase-Escalante National Monument, designated by President Clinton in 1996. The Clinton administration designated 1.7 million acres of land—or about 67 percent of Kane County, UT, for the monument, all the while claiming that grazing would remain at historical levels.

But this promise, of course, was not kept. Since then, the BLM has revoked permits and closed much needed range land. You see, the men and women of the Bureau of Land Management, while well educated, well intentioned, and perhaps hard-working in many instances, are not from Utah. They don't respond to or stand accountable to anyone who is from Utah. They don't come from these parts of the country or from my State, where people's day-to-day livelihood and their ability to access their own land for their own purposes and to make a living—they don't have anything to do with this land. So why would they care? They don't.

Today, grazing is down almost one-third from what it had been more than two decades ago when the Grand Staircase-Escalante National Monument was proclaimed by President Clinton—proclaimed and designated as such, by the way, without any advance notice to the people of Utah, without the President even entering the State of Utah to do it.

Now, ranchers were hit hard. Many of them lost their ability to fence in water resources and maintain roads around them. In some cases, they could no longer bring water to their cattle, and many families were forced to reduce their herds, sometimes by half. This may not sound like much to someone who doesn't understand ranching or doesn't know anyone who makes their living off of ranching, but this means all the world to those people whose families for generations have supported themselves through ranching and ranching in that area where they are deeply connected to this land.

Of course, there was the designation of the Bears Ears National Monument by President Obama. The citizens of San Juan County, UT,—incidentally, Utah's poorest county—woke up on December 28, 2016, to find out that the Obama administration had unilaterally designated 1.35 million acres for that monument overnight, even though they had specifically pleaded against that.

Keep in mind that San Juan County has historically had some divisions—some of them along political lines, between Republicans and Democrats, and some of them along ethnic lines, between those who are Native American and those who are not.

This was an issue that united Democrats and Republicans alike in San Juan County. It united Native Americans in San Juan County and non-Native Americans in San Juan County like few issues ever have in San Juan County and few issues ever will in San Juan County. This brought them together because people from all walks of life opposed this if they lived in San Juan County.

President Obama, at the time he declared it, claimed this to have had the overwhelming support of Native American populations. What was often left out of that discussion is they were not the Native American populations in Utah. They were not the people who lived in San Juan County. They were people outside of this area, most of them out of State, who supported it.

Yes, it is easy to designate something as wilderness or a national monument when it is not in your land, when it is not in your community, when it doesn't affect your way of life. That is what happens when we abuse Federal public land ownership. That is what happens when you take one State and decide the Federal Government is going to own more than two-thirds of the land in that State.

Imagine if in your State—or in any other State—any other land owner, whether an individual, a for-profit corporation, a nonprofit foundation, or anything else, owned more than, let's say, 5 percent of the land. People would be understandably, justifiably concerned that that person or that entity or that nonprofit, or whatever it was, could have a disproportionate, outsized impact on that State's economy.

Imagine if that number were increased to include not just 5 percent of the land in your State, but 10, 15, 20, 25 percent of the land. As you rounded the corner of 30 percent, people would start to get freaked out. Imagine if that number then soared above that—35, 40, 45, 50 percent—until it got up to nearly 70 percent of the land in your State. Imagine further that, at that point, that landowner declared itself exempt from all forms of property taxation. That would create problems for your State.

This is what I beg and plead for my colleagues from around the country, particularly those who live east of Colorado, to understand. It is really easy to support these things when it is in somebody else's State. It is really for people on the northeastern seaboard to look at Utah and say: Well, it is just one of those square States. They have plenty of land out there. They have plenty of room. They don't need to worry about it.

Try living there. Try earning a living there for your family. It is not right. This goes against so much of what we believe in, in this country.

Federal land ownership is not the only unfair thing about this. Again, Federal land ownership makes possible the designation unilaterally, by one person, of a national monument, and if that one person happens to decide that a particular State ought to be the next victim, that person will make it so.

It just so happens that, just as Utah has a disproportionate share of Federal public land in its State, so, too, is it a disproportionate victim under the Antiquities Act. Since the passage of the Antiquities Act, Presidents have designated 77.85 million acres of land as national monuments, and 87 percent of that has been designated in the last 40 years. Of the land that has been designated as a monument over the last 25 years, 3.23 million acres, or 28 percent, are in Utah. All of the land in the United States designated as a monument in the last 25 years, that portion—nearly 30 percent—is in my State. Why is that fair? It is not, especially when you consider the harm done to the economies, the disruption that takes place as a result of these designations, the widespread opposition from Democrats and Republicans alike, and in San Juan County the Native American population and the non-Native American population alike are overwhelmingly against this.

What was intended to be an act of cultural preservation has, sadly, deteriorated into a greedy, harmful Federal land grab. As it currently stands, there is always the threat of a decision coming down from on high that will utterly decimate the livelihoods of people in Utah. There is no good reason for this.

Already, two other States have felt the abuse of the Antiquities Act within their borders, and they have received relief. In the 1950s, Wyoming and Alaska successfully called on Congress to grant them Antiquities Act protections. Why? Because they had been disproportionately burdened by this law. As a result of their efforts, in Wyoming, any monument designation must be approved by Congress, and, in Alaska, any designation made by Presidential fiat that exceeds 5,000 acres must be approved by Congress.

To be clear, in both of these States, Congress still has the power to designate this. It is just that they are saying, for those States where it has been abused in the past, Congress as a whole—people's elected lawmakers as a whole in Congress—ought to be the ones designating, rather than putting it in the hands of one person.

There is no reason why the people of Utah, who have suffered more under the Antiquities Act than any other population in the entire country, should be treated any differently. There is no reason Utahns should live under this constant threat of abuse. That is why we have offered an amendment that would remedy this.

With permanent authorization of the LWCF, which will result only in a greater Federal land footprint, and with the roughly 660,000 acres of new wilderness designation in Utah, I fear my State is at even greater risk for yet another monument designation. Thus, at a bare minimum, Utah deserves the same protection Wyoming has received. Our amendment would add just two words: ''or Utah.'' Without it, I simply cannot vote for this bill. With it, it gives us the protection we deserve and protection that other States like ours have already received.

In a day and age when we have to deal with 680-page bills dropped on our desks at 10 a.m. on the day we are asked to pass it or a 2,232 page spending bill, as we faced last March for the omnibus spending package, a bill that is not two pages long, but just two words long, should be welcomed.

There is much that is wrong with our Federal land policy in the West, and, unfortunately, much of that is something that this bill fails to correct. Utahns, and Americans, deserve better than the stranglehold that the Federal Government is exercising over so much of our country's lands. Yet Washington greedily continues to grab more, year after year, imposing tighter and tighter restrictions, all the while failing to maintain the lands that it already owns. These lands will not be national treasures for everyone if we can't take care of them in the first place. Indeed, they will be treasures for no one if we continue along this same pattern of willful neglect.

Let me be very clear. My opposition today is not about whether our national treasures or parks or monuments or lands should be protected. It is not about whether they should be, but how to do that and who is best equipped to do that and who is most knowledgeable to do it well.

What I am asking for is for Utah's elected leaders—its elected lawmakers in Congress—to at least be given a chance to weigh in on these matters before they become law, rather than to have those decisions being made from thousands of miles away by just one person. Indeed, the very best way to ensure that these national treasures are protected and recreation available is to empower our States and our local communities, which understand and appreciate their backyards best. They know which land to prioritize, and they know how to make that happen.

Just look at the State and local ballot initiatives in the last few decades to see the evidence. Since 1988, these State initiatives have approved over $72 billion in combined expenditures for recreation and conservation. These things matter to States and local communities, and they have already raised huge funds and found ways to preserve and competently manage their public lands.

Protection of our lands will happen without the Federal Government's thumb on the scale, and it will happen in a way that actually makes these treasures more available for future generations. We will not be helping them preserve them, however, by denying access to the people who are in the best position themselves to preserve them; that is, the people who live and work and recreate on them, the people whose lives are interwoven with them and have been for generations. And we will not be helping the American people by depriving them of their livelihoods. That is why I have introduced amendments that would make reforms and improvements to the LWCF, the Emery County wilderness designation bill and other provisions in this package—amendments that would steer our lands policy in a better direction, at least as a starting point.

These are conversations worth having. They need to be had, and we ought to have them. But at a bare minimum, with the least shred of compromise, we could add just those two words—''or Utah''—to give Utahns justice, to give them a voice in managing and caring for their lands.

AMENDMENT NO. 187 TO AMENDMENT NO. 112

Mr. LEE. Mr. President, I call up my amendment No. 187 to amendment No. 112.

The PRESIDING OFFICER (Mr. BOOZMAN). The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. LEE], for himself and others, proposes an amendment numbered 187 to amendment No. 112.

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

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

The amendment is as follows:

(Purpose: To limit the extension or establishment of national monuments in the State of Utah)

At the appropriate place, add the following:

SEC. _____. LIMITATION ON THE EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301(d) of title 54, United States Code, is amended—

(1) in the heading, by striking ''WYOMING'' and inserting ''THE STATE OF WYOMING OR UTAH''; and

(2) by striking ''Wyoming'' and inserting ''the State of Wyoming or Utah''.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, just to speak very, very briefly to the good Senator's amendment to amend the Antiquities Act to prohibit the President from designating national monuments in Utah.

He and I have had some opportunity to speak to this issue, and I certainly agree with him when it comes to the policy goals that he is seeking to assert here. I clearly understand the frustration he has.

With the previous administration, I believe we have seen a real abuse of authority—certainly an abuse of the spirit—of the Antiquities Act. We saw that in Utah when millions of acres were locked up through Executive designation. This was done despite some pretty robust local opposition and objection.

This is a scenario that I know pretty well because, in my State, we have a Federal landlord that owns about 63 percent of the State, 224 million acres. We have a provision in ANILCA that is a specific no-more clause, prohibiting the withdrawal of more than 5,000 acres absent congressional approval. The Obama administration circumvented that law. They placed hundreds of thousands of additional acres off limits to development.

What my colleague is seeking here, the ability to affirm or reject a monument designation by the State of Utah, is something that, again, I truly understand. I have supported legislation and introduction of legislation to do just as he has done—maybe not specific to one State but making sure that we truly do respect the spirit of the Antiquities Act and making sure, when monuments and monument designations move forward, that they are done with local support.

I am in a bit of a quandary here because what he is advocating for is something that, again, I have been there with him on. But our dilemma, if you will, is that we have a package before us of lands bills, of water bills, of sportsmen's provisions, of conservation provisions that we have been working to kind of—not kind of, but to build that level of consensus.

This measure is one that has been identified by those with whom we have been trying to work, not only here in this body but with the House as well. They have identified this as one of those measures that would bring down this effort. So we are in a position where, while I support the goals the Senator is seeking to achieve, I don't see a path forward for it in this Chamber at this time.

As I mentioned—as you have heard me say—we have some very important provisions that we have been working on for a period of years. I want to ensure those proceed. I don't want to see S. 47 fall. So I am going to move to table the Lee amendment, but I want to once again commit to the Senator from Utah that I will work with him, as the chairman of the Energy Committee, to address these monument designations.

Given the vehicle that we have in front of us, I will move to table and ask that colleagues join me in this tabling motion.

Mr. President, at this moment, I move to table the Lee amendment No. 187.

The PRESIDING OFFICER. We have a cloture motion that has ripened. The motion to table is not in order unless you have unanimous consent.

UNANIMOUS CONSENT AGREEMENT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that we be allowed to proceed to table Lee amendment No. 187.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MOTION TO TABLE

Ms. MURKOWSKI. Mr. President, I move to table Lee amendment No. 187.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), the Senator from North Dakota (Mr. HOEVEN), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting the Senator from Texas (Mr. CORNYN) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

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

The result was announced—yeas 60, nays 33, as follows:

[Rollcall Vote No. 20 Leg.]

YEAS—60

Alexander	Graham	Reed
Baldwin	Harris	Roberts
Bennet	Hassan	Rosen
Blumenthal	Heinrich	Rounds
Booker	Hirono	Sanders
Brown	Hyde-Smith	Schatz
Burr	Isakson	Schumer
Cantwell	Jones	Shaheen
Capito	Kaine	Shelby
Cardin	King	Sinema
Carper	Leahy	Smith
Casey	Manchin	Tester
Collins	Markey	Tillis
Coons	Menendez	Udall
Cortez Masto	Merkley	Van Hollen
Daines	Murkowski	Warner
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Peters	Wyden
Gardner	Portman	Young

NAYS—33

Barrasso	Fischer	Paul
Blackburn	Grassley	Perdue
Blunt	Hawley	Risch
Boozman	Inhofe	Romney
Braun	Johnson	Rubio
Cassidy	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Lee	Sullivan
Crapo	McConnell	Thune
Enzi	McSally	Toomey
Ernst	Moran	Wicker

NOT VOTING—7

Cornyn	Hoeven	Stabenow
Cruz	Klobuchar	
Gillibrand	Sasse	

The motion is agreed to.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to enter into a colloquy with my colleague from California, Senator FEINSTEIN.

While I was pleased that we could reach agreement to include a designation of the Sacramento-San Joaquin Delta National Heritage Area in the substitute amendment, I want to clarify what this designation does and, perhaps more importantly, what it does not do.

The purpose of this designation, as with congressionally designated National Heritage Areas in general, is to celebrate the region's history and cultural heritage by promoting education, tourism, recreation, and other historic values. It also creates the opportunity for Federal participation in promoting these regional attributes.

In no way does this designation implicate or interfere with any water facilities or operations associated with the Sacramento-San Joaquin Delta. We are not creating new regulatory authority or modifying existing regulatory authority, including those related to land or water use, at any level of government.

Further, S. 47 includes protections to ensure that private property will not be impacted by the designation, protections that apply to the ownership and use of water rights both inside and outside of the National Heritage Area's boundary.

I ask Senator FEINSTEIN, you have championed this National Heritage

Area designation for quite some time. In her view, have I properly characterized the intended effect of this designation?

Mrs. FEINSTEIN. I thank my colleague from Alaska and appreciate her help with this measure. Yes, her characterization of this provision is exactly right. There is no intent that this designation will have any impact on water rights or water-related management decisions. The general protections and limitations, along with the inclusion of language specific to Delta water operations, makes certain that the designation of the Sacramento-San Joaquin Delta National Heritage Area will not affect or influence water operations of the Central Valley Project, State Water Project, or other water supply facilities within the Bay-Delta watershed, including a reduction in water exports from the Bay-Delta. I am pleased that we have included additional language to dispel any such concerns and make absolutely certain that no one reads anything into the legislation that is not there and was never intended.

I thank her for including this designation in S. 47 and for all of her work to move this historic public lands package forward. The public lands package includes a number of provisions that will benefit California, and I appreciate her leadership in building bipartisan agreement to steer it through the Senate.

Ms. MURKOWSKI. I thank Senator FEINSTEIN. As we have explained, the purpose of this designation is straightforward and intended to promote and celebrate the cultural heritage of the Sacramento-San Joaquin Delta region, without any broader implications on water or land management.

Mr. MURPHY. Mr. President, I wish to engage in a colloquy with the chairman of the Energy and Natural Resources Committee, Senator MURKOWSKI, regarding S. 47, the Natural Resources Management Act, often referred to as the lands package, of which Chairman MURKOWSKI is the sponsor and which is currently under consideration by the full Senate. In particular, I am interested in clarifying the intent of title IV, regarding ''Sportsmen's Access and Related Matters.''

This title of the legislation deals with—among other issues—the amount of Federal lands open to hunting, fishing, and recreational shooting. If I understand the bill correctly, nothing in S. 47 opens existing Federal lands to hunting, fishing, and recreational shooting that are not currently open to those activities. Moreover, under this bill, those lands may be closed for reasons, including public safety and environmental protection, among other reasons.

Is that a correct reading of the bill?

Ms. MURKOWSKI. Senator MURPHY's reading of the bill is correct.

Mr. MURPHY. Thank you. It is also my understanding that S. 47 makes uniform the process by which Federal lands may be closed to hunting, fishing, and recreational shooting Moreover, it is my understanding that S. 47 does nothing to change the standards that the Federal Government uses to determine whether to close Federal lands to hunting, fishing, and recreational shooting or to otherwise limit those activities.

Is that a correct reading of the bill?

Ms. MURKOWSKI. Senator MURPHY's reading of the bill is correct.

Mr. MURPHY. Thank you.

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 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 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, Lisa Murkowski, Kevin Cramer, Mike Braun, Mike Rounds, Mike Crapo, Michael B. Enzi, Steve Daines, John Cornyn, John Thune, Thom Tillis, Tom Cotton, Richard Burr, Shelley Moore Capito, Rob Portman, 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 S. 47, a bill to provide for the management of the natural resources of the United States, 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 bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from TX (Mr. CORNYN), the Senator from TX (Mr. CRUZ), the Senator from ND (Mr. HOEVEN), and the Senator from NE (Mr. Sasse).

Further, if present and voting, the Senator from TX (Mr. CORNYN) would have voted ''yea'' and the Senator from ND (Mr. HOEVEN) would have voted ''yea''.

Mr. DURBIN. I announce that the Senator from MN (Mrs. KLOBUCHER) and the Senator from MI Mrs. STAVENOW) are necessarily absent.

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

The yeas and nays resulted—yeas 87, nays 7, as follows:

[Rollcall Vote No. 21 Leg.]

YEAS—87

Alexander	Boozman	Casey
Baldwin	Braun	Cassidy
Barrasso	Brown	Collins
Bennet	Burr	Coons
Blackburn	Cantwell	Cortez Masto
Blumenthal	Capito	Cotton
Blunt	Cardin	Cramer
Booker	Carper	Crapo
Daines	Leahy	Sanders
Duckworth	Manchin	Schatz
Durbin	Markey	Schumer
Enzi	McConnell	Scott (FL)
Ernst	McSally	Scott (SC)
Feinstein	Menendez	Shaheen
Fischer	Merkley	Shelby
Gardner	Moran	Sinema
Gillibrand	Murkowski	Smith
Graham	Murphy	Sullivan
Grassley	Murray	Tester
Harris	Perdue	Thune
Hassan	Peters	Tillis
Hawley	Portman	Udall
Heinrich	Reed	Van Hollen
Hirono	Risch	Warner
Hyde-Smith	Roberts	Warren
Isakson	Romney	Whitehouse
Jones	Rosen	Wicker
Kaine	Rounds	Wyden
King	Rubio	Young

NAYS—7

Inhofe	Lankford	Toomey
Johnson	Lee	
Kennedy	Paul	

NOT VOTING—6

Cornyn	Hoeven	Sasse
Cruz	Klobuchar	Stabenow

The PRESIDING OFFICER. On this vote, the yeas are 87, the nays are 7.

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

The Senator from Florida.

AMENDMENT NO. 182 TO AMENDMENT NO. 112

Mr. RUBIO. Mr. President, I call up my amendment No. 182 to amendment No. 112.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO] proposes an amendment numbered 182 to amendment No. 112.

Mr. RUBIO. Mr. President, I ask unanimous consent that the reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: To give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping)

At the end, add the following:

SEC. 2402A. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—Section 2(b) of the Strengthening Coastal Communities Act of 2018 (Public Law 115–358) is amended by adding at the end the following:

''(36) The map entitled 'Cape San Blas Unit P30/P30P (1 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.

''(37) The map entitled 'Cape San Blas Unit P30/P30P (2 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.''.

(b) EFFECT.—Section 7003 shall have no force or effect.

The PRESIDING OFFICER. The Senator from the great State of Alaska.

ORDER OF PROCEDURE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 4:30 p.m. on Tuesday, February 12, all postcloture time be considered expired on S. 47; that following the disposition of any pending amendments, the substitute amendment, as amended, if amended, be agreed to, the bill, as amended, be

read a third time, and the Senate proceed to vote on passage of the bill, as amended.

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

Ms. MURKOWSKI. Mr. President, I appreciate the cooperation of the body on the very substantive vote, and I look forward to tomorrow.

The PRESIDING OFFICER. The Senator from Oklahoma.

BORDER SECURITY

Mr. LANKFORD. Mr. President, 2½ weeks ago, Democrats and Republicans—the House, the Senate, and the White House—agreed to reopen the government for 3 weeks to be able to continue negotiations on border security.

A very simple statement that was made by my Democratic colleagues was this: Reopen the government for 3 weeks. We will negotiate on border security and come to an agreement, but only if the government is open, and it would be limited to border security.

It was a pretty straightforward conversation.

President Trump said: We trust you on this.

We agreed to reopen the government for 3 weeks to focus on border security.

Now it appears that based on the negotiations that are happening right now in this building, this has become a Lucy-and-the-football-type negotiation because this doesn't seem to be about border security anymore.

My Democratic colleagues have said: Now we want to add one thing. We will vote for fencing at the border as long as you agree to defund a section of ICE.

The whole negotiation now is this: Yes, we will add border fencing, but you have to agree to defund ICE.

Here is the way that works. Their agreement is this: You will have to limit the number of people that ICE can detain.

Now, to our credit, this Congress has always allocated funding to say: Here is x amount of dollars for detention facilities and for bed space for ICE, knowing that if somebody is picked up at the border, when they are picked up at the border as they cross, the Border Patrol does not house them. They are not detained by Border Patrol. They are arrested by Border Patrol, and then they are turned over to ICE.

So the plan is not to allocate enough dollars for ICE detention but to create a new arbitrary cap for the number of people that ICE could actually detain, so that ICE could only hold x amount of people. That is what they want to get a negotiation—for the first time ever to have a maximum cap of the number of people that ICE could detain.

Why does that matter? One is to allow funding for it, and another one is to have a cap. A cap is very different, and my Democratic colleagues know it.

In real life, here is what it would look like. If ICE, at any point, already had the number they have in custody at that point and they arrest someone else, they would have to choose to release someone currently in detention before they could arrest someone and put them in detention.

Let me give an example.

Coyotes now try for any adult who is coming to try to have them bring a child with them because they know if a child travels with the adult, they are going to get a special lane into the country, as if they are coming as a family. They get their own fast lane into being released into the country.

If you have this ICE detainer cap, coyotes will know: Bring people in mass migration because ICE can't release enough people at once. So if you come as a thousand across the border or 500 across the border, they have to be released into the country because ICE can't quickly release 500 people from detention to add the new 500 people who are coming through.

My Democratic colleagues also know that it currently takes about 41 days for someone who is in detention to go through the whole process to get a hearing and get finished. This would accelerate the process of getting those people out and released into the country, rather than getting them through the actual hearing.

The better solution on this is to add judges and actually get people to go through the process and get due process faster, instead of releasing people into the country. Once someone crosses our border illegally and they are released into the country, the vast majority of those individuals never get deported because they either don't show up for the hearing at all or, when they do show up for the hearing and they are told, no, you can't legally stay, they disappear.

This cap negotiation that is going on right now is exactly the wrong direction to go. It is not about border security. It is about releasing people into the country.

Several years ago, there was a young lady named Sarah Root. She was in Iowa. It was graduation night from college, and she was hit by a drunk driver and killed. Sarah Root's loss drew the Nation's attention for a moment to the issue of not only drunk driving but illegal immigration, because the person that hit Sarah was illegally present in the country and had a blood alcohol level three times above the legal limit.

Local law enforcement, at that time under the Obama administration, asked ICE to detain them. ICE said they didn't meet the minimum qualification that had been set by the administration to detain them. So they released this person on bond. Sarah later died from her injuries, and they have never been able to find that guy again. He is gone. He is somewhere in the United States, or maybe he is running internationally. We don't know, but he is on our most wanted list instead of being held.

That was a decision made by a previous administration just on priorities. My Democratic colleagues are trying to force ICE to make those kinds of decisions every single day now—to determine who needs to be released and who needs to be kept based on an arbitrary cap that they want to put in on the maximum number of people that ICE can detain.

There is no State in the country that sets an arbitrary cap, other than the bed space that they have available. But this conversation is that we have enough bed space to hold someone, but you can't use that bed space because we want to limit the number of people that ICE can detain.

This is the current debate on border security. It is not about border security anymore. It is not about fencing anymore. It is now about giving ICE a maximum cap they can detain and, literally, forcing ICE to release people illegally present into the United States. That is not border security. That is the opposite of border security, and we should not go for a deal that puts a cap on ICE that is an arbitrary number.

I hope this administration rejects that. I hope we can finish negotiations. I hope the American people see this for what it is. This is no longer about border security. This is about trying to force this administration to release people into the country who are illegally present and prevent ICE from doing its job. Enough is enough on this. Let's allow the ICE folks to be able to do their job—they are Federal law enforcement—and not put a cap on them, saying: You can only enforce the law this far, and then after that, you cannot enforce the law anymore because we have an arbitrary cap. That needs to be rejected, and that is not a serious offer in negotiations.

The reason we don't already have a deal that is already done right now, with this body debating it, is that debate about capping ICE detentions got added into the conversation last weekend and blew up the whole negotiation.

This is not the White House blowing up negotiations. This is not Republicans blowing up negotiations. This is my Democratic colleagues saying they want a cap on ICE detentions and allowing coyotes to be able to rush large quantities at the border or forcing ICE to have to make difficult choices about which gang members they are going to release and which they are going to hold, literally getting a briefing every morning saying: We can't arrest anyone today because we don't have enough detention space, so today we have to look the other way.

That is an absurd proposal, and we should reject it.

With that, 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. 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.

THE ECONOMY

Mr. TOOMEY. Mr. President, I rise to discuss two economic issues this evening. The first is a reaction to a proposal that comes to us from our colleagues on the other side of the aisle. Let me preface this with the observation that I am pretty sure we are living through the strongest economy in the United States in my adult lifetime. It has been fantastic for the people I represent.

Our unemployment rate is pretty much at a 50-year low. African-American and Hispanic unemployment is the lowest that has ever been recorded. The youth unemployment rate is extremely low. It is at historically low levels. Our economy has accelerated, and wages are growing exactly as we said they would. It is very simple. The demand for workers has grown so much that employers are being forced to bid ever higher for the services of the workers.

Now we are in a tremendously enviable position of having more job openings in America than there are people looking for work in America. It is fantastic. This is exactly what we want to have happen.

Last week, the President was right when he said that our economy is the envy of the world. It is totally true.

So what do our colleagues on the other side of the aisle propose to do in light of the fact that we have this fantastic economy? Well, Senator SANDERS and Senator SCHUMER joined up and made a proposal that we adopt legislation that would severely restrict the ability of American companies to buy back their own stock. This is just the latest iteration of a socialist tendency that seems to be growing on the far left. This is a horrendous idea.

I suppose we shouldn't be surprised when we hear a Socialist-leaning idea coming from a self-described Democratic Socialist or a Socialist Democrat—whatever the description is—but I am surprised to hear this coming from the Senate minority leader.

Let's talk about this a little bit. First of all, what is a stock buyback? It is not that complicated. It is when the owners of a company take some or all of their money out of the company.

Let's think about it this way. A business is owned by its shareholders, and the shareholders hire a management team to take their money and invest it in a way that will generate a return for the investor, for the shareholder. That is the role of the management team.

So why would they buy back their own stock? The reason they would buy back their own stock is that sometimes it happens that the management team of a company is just not able to deploy any more capital in a way that would generate a better return than what is generally available in the marketplace. What sometimes happens is companies might make huge investments; they may be investing tremendous amounts—record amounts—in expanding their capabilities, expanding their production, more R&D, and expanding their staff, but they can reach a limit as to how much they can expand and how much they productively invest at any given point. If they have more money—more cash—than they can productively deploy, they have an obligation to return that to the people who actually own it; that is, the shareholders, the investors. That is their obligation.

Shockingly, Senators SANDERS and SCHUMER are suggesting that companies be forbidden from being able to return some portion of their excess capital to their shareholders unless the company first complies with a list of political demands that Senators SCHUMER and SANDERS are advocating.

Let me tell you why this is such a bad idea. I will give you three reasons. No. 1, it is a disturbing and profound attack on freedom. No. 2, it would be terrible for the economy. And, No. 3, it would hurt the very people they presumably intend to help. Let me go through them in order.

First of all, as far as freedom goes, whose company is it? To whom does a given company in America belong? I have always thought they belonged to the shareholders of those companies—the people who saved up and invested in them, the people who have launched those companies, and the people whose capital made it possible. So, of course, it should be within the rights of the people who own a company to decide what to do with the profits after all expenses have been covered and taxes have been paid. That is what we are talking about here.

I have a question for my colleagues. The question is, What principle confers on politicians the right to control whether and when and under what circumstances an investor can withdraw his own money from a business in which he invested? I don't know what that principle is.

I will say, to me, it seems exactly equivalent to confiscating the property of somebody—in this case, their ownership in a business—and redistributing that confiscated asset to whomever they choose. That strikes me as pretty close to the definition of socialism. It clearly is an attack on the economic freedom that underpins our entire economy, an entire market economy.

My second point, and related, is this would be terrible for the economy. It would do great harm to an economy that is doing quite well right now. The main way it would be so damaging is it would scare away capital.

Just stop and think about it. Our economy thrives when people are willing to invest in existing businesses, in new businesses, and in startup businesses, but that investment is an absolutely essential part of a thriving economy. Well, people are much less likely to make an investment if Congress makes it harder to take that investment out. So what we would do is we would dry up sources of capital for companies that need that capital because investors would understandably say: Well, we are heading down the road of putting all kinds of limits on my ability to ever get my money out. I think it may be good to just park it and not invest it.

That would be a very bad development.

The proponents of this idea of restricting companies this way say they want to ''incentivize productive investment.'' I have to laugh because I have a secret for our colleagues. You see, the free enterprise system already provides an incentive for productive investment. It is called the profit. That is the whole idea. So we don't need to punish people for making an investment as a way to incentivize productive investment. In fact, it will not work at all.

I think some of what they have argued displays a little bit of confusion about how this works. In their argument about why something has to be done, they say that 90 percent of profits go to buybacks and dividends. What else would you use it for? I mean, you first have to cover all of your expenses before you have a profit. So you could have record amounts of research and development, record amounts of expansion, records amounts of employment, and growth in employment, but after all of that is covered, only then do you have the profit. That is what is left over. And after you have covered all of those things, why wouldn't you have buybacks and a distribution to the investors?

That raises this question: Exactly what problem is it that our colleagues think they are solving here? We are running at record high levels of investment in our economy. Capital expenditures have gone through the roof in response partly—largely—due to the change in the tax law that we made. The buybacks that have been occurring have coincided with record levels of investment. What is the problem here?

By the way, as I pointed out earlier, wage growth has accelerated at the highest rate we have seen in many, many years. I really don't understand what problem they think we are solving.

By the way, there is an alternative to distributing excess capital to shareholders. The alternative is keeping the capital trapped in the company where it is not being put to its most productive use. You see, one of the great dynamics of a market economy is that by returning excess capital to shareholders, the shareholders get to decide what new idea deserves to be funded by recycling this capital. Whether it is in the form of dividends or stock buybacks, we encourage this capital to find a new home—a new startup, a new idea, or an expansion of an existing business. The capital is constantly being redirected to the best ideas, as long as you allow it to happen.

Finally, this idea would be very harmful to the people it is, presumably, meant to help. About 40 percent of all equities in the United States are

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 determined 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 Secretary 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 Veterans 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):

S. 437. A bill to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on the deduction for State and local taxes and restore the 39.6 percent individual income tax rate bracket; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. RUBIO:

S. Res. 62. An original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship; from the Committee on Small Business and Entrepreneurship; to the Committee on Rules and Administration.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Mr. WHITEHOUSE):

S. Res. 63. A resolution expressing support for the designation of February 12, 2019, as ''Darwin Day'' and recognizing the importance of science in the betterment of humanity; to the Committee on Commerce, Science, and Transportation.

By Mr. ALEXANDER:

S. Res. 64. An original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions; from the Committee on Health, Education, Labor, and Pensions; to the Committee on Rules and Administration.

By Mr. JOHNSON (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. MURPHY, Mr. TILLIS, Mr. COONS, Mr. BARRASSO, Mr. GARDNER, Mr. RUBIO, Mr. CRAMER, and Mr. ENZI):

S. Res. 65. A resolution congratulating the Hellenic Republic and the Republic of North Macedonia on ratification of the Prespa Agreement, which resolves a long-standing bilateral dispute and establishes a strategic partnership between the 2 countries; to the Committee on Foreign Relations .

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Ms. KLOBUCHAR, Ms. SMITH, Mr. CARDIN, and Mr. BLUMENTHAL):

S. Res. 66. A resolution rejecting the use of Government shutdowns; to the Committee on Appropriations.

ADDITIONAL COSPONSORS

S. 74

At the request of Mr. DAINES, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 74, a bill to prohibit paying Members of Congress during periods during which a Government shutdown is in effect, and for other purposes.

S. 162

At the request of Ms. SMITH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 162, a bill to provide back pay to low-wage contractor employees, and for other purposes.

S. 203

At the request of Mr. CRAPO, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 203, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit, and for other purposes.

S. 204

At the request of Mr. KAINE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 204, a bill to amend the Internal Revenue Code of 1986 to waive certain penalties for affected Federal employees receiving a distribution from the Thrift Savings Plan during a lapse in appropriations, and for other purposes.

S. 213

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 213, a bill to amend the SOAR Act.

S. 235

At the request of Mr. COONS, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 235, a bill to authorize the Secretary of Education to award grants to establish teacher leader development programs.

S. 262

At the request of Mr. VAN HOLLEN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 262, a bill to provide for a pay increase in 2019 for certain civilian employees of the Federal Government, and for other purposes.

S. 274

At the request of Mr. ENZI, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 274, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 296

At the request of Ms. COLLINS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 319

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 319, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 367

At the request of Mr. UDALL, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 367, a bill to provide for the administration of certain national monuments, to establish a National Monument Enhancement Fund, and to establish certain wilderness areas in the States of New Mexico and Nevada.

S. 368

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 368, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 378

At the request of Mr. BROWN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 378, a bill to amend the Internal Revenue Code of 1986 to establish an excise tax on certain prescription drugs which have been subject to a price spike, and for other purposes.

S. 380

At the request of Mr. JOHNSON, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 380, a bill to increase access to agency guidance documents.

S. 382

At the request of Mr. BARRASSO, the names of the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 382, a bill to authorize a special resource study on the spread vectors of chronic wasting disease in Cervidae, and for other purposes.

S. 385

At the request of Ms. HARRIS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 385, a bill to amend the Fair Labor Standards Act of 1938 to provide increased labor law protections for agricultural workers, and for other purposes.

S. 387

At the request of Mr. BOOKER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 387, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 408

At the request of Mr. THUNE, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 408, a bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

S. 409

At the request of Ms. HARRIS, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 409, a bill to posthumously award a Congressional Gold Medal in commemoration of Aretha Franklin.

AMENDMENT NO. 134

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 134 intended to be proposed to S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

AMENDMENT NO. 157

At the request of Mr. SCHATZ, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of amendment No. 157 intended to be proposed to S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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.

Ms. COLLINS. Mr. President, I rise today to urge my colleagues to support two bills that I have introduced that will help to preserve and to expand access to home healthcare.

I have been a strong supporter of home care since my very first home visit early in my Senate service. This experience gave me the opportunity to meet and to visit with home healthcare patients, where I saw firsthand what a difference highly skilled, caring visiting nurses and other healthcare professionals make in the lives of patients and their families. I have been a passionate advocate of home healthcare ever since.

The highly skilled and compassionate care that home health agencies provide in the State of Maine and across the country have enabled millions of our most frail and vulnerable individuals to avoid hospitals and nursing homes and to stay just where they want to be—in the comfort, privacy, and security of their own homes.

As we look to the future, home health services will continue to be in high demand. The Census projects that by the year 2030, the proportion of U.S. residents older than age 65 will have nearly doubled from 2010.

The Home Health Payment Innovation Act, which I have introduced with Senator STABENOW, Senator KENNEDY, Senator JONES, Senator CASSIDY, and Senator PAUL, preserves access to existing home health services under the Medicare Program, while also providing a pathway for innovative approaches to using these vital services. This bipartisan legislation is endorsed by the National Association of Home Care and Hospice, as well as by the Partnership for Quality Home Healthcare.

Our bill would make two key adjustments in home health payment reform provisions that were passed last year. First, it would prevent unwarranted payment rate cuts by basing any behavioral adjustments on actual evidence. Second, it would limit the risk of disruption in care by providing a phase-in for any necessary rate increases or decreases. This phase-in is critical for home health providers, as CMS has already proposed cutting Medicare payment rates in 2020 by more than $1 billion in the first year alone, based purely on assumptions of changes in behavior.

Our bill also provides the pathway to expanded use of home healthcare in the Medicare Program without increasing program spending.

It provides flexibility on waiving what is called the ''homebound requirement'' for home health services when a plan or innovative care delivery model, such as an accountable care organization, determines that providing care to the patient in the home would improve outcomes and reduce spending on patient care.

As plans and providers continue to experiment with innovative ways to deliver care and improve value in Medicare spending, allowing them the flexibility to waive this limitation—the homebound limitation—will help to advance the goals of ensuring that care is delivered at the right time, in the right place, and at the right cost.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 62—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. RUBIO submitted the following resolution; from the Committee on Small Business and Entrepreneurship; which was referred to the Committee on Rules and Administration:

S. RES. 62

Resolved,

SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business and Entrepreneurship (in this resolution referred to as the ''committee'') is authorized from March 1, 2019 through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.—The expenses of the committee for the period March 1, 2019 through September 30, 2019 under this resolution shall not exceed $1,708,807, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2020 PERIOD.—The expenses of the committee for the period October 1, 2019 through September 30, 2020 under this resolution shall not exceed $2,929,383, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.—The expenses of the committee for the period October 1, 2020 through February 28, 2021 under this resolution shall not exceed $1,220,576, of which amount—

(1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed $10,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019 through September 30, 2019;

(2) for the period October 1, 2019 through September 30, 2020; and

(3) for the period October 1, 2020 through February 28, 2021.

SENATE RESOLUTION 63—EXPRESSING SUPPORT FOR THE DESIGNATION OF FEBRUARY 12, 2019, AS ''DARWIN DAY'' AND RECOGNIZING THE IMPORTANCE OF SCIENCE IN THE BETTERMENT OF HUMANITY

Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Mr. WHITEHOUSE) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 63

Whereas Charles Darwin developed the theory of evolution by the mechanism of natural selection, which, together with the monumental amount of scientific evidence Charles Darwin compiled to support the theory, provides humanity with a logical and intellectually compelling explanation for the diversity of life on Earth;

Whereas the validity of the theory of evolution by natural selection developed by Charles Darwin is further strongly supported by the modern understanding of the science of genetics;

Whereas it has been the human curiosity and ingenuity exemplified by Charles Darwin that has promoted new scientific discoveries that have helped humanity solve many problems and improve living conditions;

Whereas the advancement of science must be protected from those unconcerned with the adverse impacts of global warming and climate change;

Whereas the teaching of creationism in some public schools compromises the scientific and academic integrity of the education systems of the United States;

Whereas Charles Darwin is a worthy symbol of scientific advancement on which to focus and around which to build a global celebration of science and humanity intended to promote a common bond among all the people of the Earth; and

Whereas February 12, 2019, is the anniversary of the birth of Charles Darwin in 1809 and would be an appropriate date to designate as ''Darwin Day'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of ''Darwin Day''; and

(2) recognizes Charles Darwin as a worthy symbol on which to celebrate the achievements of reason, science, and the advancement of human knowledge.

SENATE RESOLUTION 64—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER submitted the following resolution; from the Committee on Health, Education, Labor, and Pensions; which was referred to the Committee on Rules and Administration:

S. RES. 64

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Health, Education, Labor, and Pensions is authorized from March 1, 2019, through September 30, 2019; October 1, 2019, through September 30, 2020; and October 1, 2020, through February 28, 2021, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2019, through September 30, 2019, under this resolution shall not exceed $5,451,418, of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2019, through September 30, 2020, expenses of the committee under this resolution shall not exceed $9,345,288, of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2020, through February 28, 2021, expenses of the committee under this resolution shall not exceed $3,893,870, of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $25,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 29, 2019, and February 28, 2020, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2019, through September 30, 2019, October 1, 2019, through September 30, 2020; and October 1, 2020, through February 28, 2021, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''

SENATE RESOLUTION 65—CONGRATULATING THE HELLENIC REPUBLIC AND THE REPUBLIC OF NORTH MACEDONIA ON RATIFICATION OF THE PRESPA AGREEMENT, WHICH RESOLVES A LONG-STANDING BILATERAL DISPUTE AND ESTABLISHES A STRATEGIC PARTNERSHIP BETWEEN THE 2 COUNTRIES

Mr. JOHNSON (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. MURPHY, Mr. TILLIS, Mr. COONS, Mr. BARRASSO, Mr. GARDNER, Mr. RUBIO, Mr. CRAMER, and Mr. ENZI) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 65

Whereas, in 2017, Prime Minister of the Hellenic Republic Alexis Tsipras and Prime Minister of the Republic of Macedonia Zoran Zaev displayed great political courage and leadership by intensifying efforts to resolve a nearly 30-year dispute between the 2 countries;

Whereas, on June 17, 2018, the foreign ministers of the Hellenic Republic and the Republic of Macedonia signed the Prespa Agreement, in which, subject to ratification by the parliament of each country, both parties agreed that the official name of the Republic of Macedonia would be changed to the Republic of North Macedonia;

Whereas, on September 30, 2018, the Republic of Macedonia held a consultative referendum on the proposed name change in which over 90 percent of those voting supported joining the North Atlantic Treaty Organization (referred to in this preamble as ''NATO'') and the European Union (referred to in this preamble as the ''EU'') by accepting the Prespa Agreement;

Whereas, on January 11, 2019, the Assembly of the Republic of Macedonia, in accordance with the Prespa Agreement, approved constitutional amendments to change the name of the country to the Republic of North Macedonia;

Whereas, on January 25, 2019, the Hellenic Parliament ratified the Prespa Agreement, pledging not to object to the Republic of North Macedonia joining international organizations, including NATO and the EU;

Whereas the Hellenic Republic is an important ally of the United States, hosting United States Naval Support Activity Souda Bay on the island of Crete in the Mediterranean Sea;

Whereas the Hellenic Republic has been a NATO member since 1952, and has faithfully met the 2 percent of gross domestic product defense-spending goal established at the 2014 Wales NATO Summit;

Whereas the Republic of Macedonia made important contributions to the United States-led Operation Iraqi Freedom and to the International Security Assistance Force of NATO in Afghanistan;

Whereas the Republic of North Macedonia continues to provide soldiers to the Resolute Support Mission of NATO in Afghanistan;

Whereas the Republic of Macedonia joined NATO's Partnership for Peace in 1995, commenced a NATO Membership Action Plan in 1999, fulfilled the terms necessary for accession to NATO by the 2008 Bucharest Summit, and was invited, in 2018, to begin NATO accession talks;

Whereas the Republic of Macedonia was the first western Balkan country to sign a Stabilization and Association Agreement with the EU, and became an official candidate to join the EU in 2005;

Whereas, in June 2018, the European Council set out the path toward opening EU accession negotiations with the Republic of Macedonia; and

Whereas the resolution of the naming dispute between the Hellenic Republic and the Republic of North Macedonia paves the way for the Republic of North Macedonia to become a member of NATO and the EU: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Hellenic Republic and the Republic of North Macedonia for resolving their nearly 30-year naming disagreement;

(2) commends the leadership and courage of Prime Minister of the Hellenic Republic Alexis Tsipras and Prime Minister of the Republic of North Macedonia Zoran Zaev;

(3) asserts that the agreement between the Hellenic Republic and the Republic of North Macedonia advances stability, security, and prosperity in Southeast Europe;

(4) supports the integration of the Republic of North Macedonia into Euro-Atlantic institutions, including the North Atlantic Treaty Organization and the European Union; and

(5) encourages other countries in the region to follow the example of the Hellenic Republic and the Republic of North Macedonia in peacefully resolving long-standing disputes.

SENATE RESOLUTION 66—REJECTING THE USE OF GOVERNMENT SHUTDOWNS

Mrs. FEINSTEIN (for herself, Ms. COLLINS, Ms. KLOBUCHAR, Ms. SMITH, Mr. CARDIN, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Appropriations:

S. RES. 66

Whereas the Government shutdown that began on December 22, 2018 (referred to in this preamble as the ''Government shutdown''), lasted 35 days before ending on January 25, 2019, becoming the longest shutdown in the history of the United States;

Whereas the Congressional Budget Office has estimated that the Government shutdown caused an $11,000,000,000 decline in the gross domestic product of the United States, $3,000,000,000 of which will never be recovered;

Whereas the Government shutdown caused significant harm to the United States by disrupting important activities and services carried out by—

(1) the Department of Agriculture;

(2) the Department of Commerce;

(3) the Department of Homeland Security;

(4) the Department of Housing and Urban Development;

(5) the Department of the Interior;

(6) the Department of Justice;

(7) the Department of State;

(8) the Department of Transportation;

(9) the Department of the Treasury;

(10) the Environmental Protection Agency;

(11) the National Aeronautics and Space Administration;

(12) the National Science Foundation; and

(13) other Federal agencies;

Whereas, according to the Administrative Office of the United States Courts, the Government shutdown caused delays and uncertainty within the judicial branch of the Government, a branch co-equal with the legislative branch and the executive branch;

Whereas the Government shutdown created unnecessary chaos and, in many cases, financial hardship for the approximately 800,000 Federal workers who were forced to go without paychecks during the duration of the Government shutdown and for the families of those Federal workers;

Whereas the Federal workers working without pay or furloughed as a result of the Government shutdown experienced preventable hardship due to no fault of their own, and Federal contractor employees affected by the Government shutdown may never recover the entirety of their lost wages;

Whereas private businesses working with Federal agencies affected by the Government shutdown saw a reduction in income and indirect consequences, including—

(1) issues with obtaining Federal permits, loans, and grants; and

(2) in the case of small businesses with federal contracts, not having enough work for the employees of those small businesses;

Whereas airports experienced delays during the Government shutdown, as Transportation Security Administration agents and air traffic controllers, who remained on the job, dedicated to the safety of every flight, were forced to work without pay in an already stressful profession;

Whereas the Government shutdown—

(1) suspended the use of E-Verify technology by employers to verify the immigration status of their workers;

(2) caused a 10-percent increase in the backlog of cases in the immigration court system; and

(3) forced members of the Coast Guard, U.S. Customs and Border Protection, and U.S. Immigration and Customs Enforcement to miss 2 paychecks and suffer severe financial hardship;

Whereas the Government shutdown threatened public health by hampering the operations of the Food and Drug Administration, limiting—

(1) the ability to address critical medical drug shortages; and

(2) Federal oversight of the food supply and medical products in the United States;

Whereas, according to the FBI Agents Association, the Government shutdown inhibited the Federal Bureau of Investigation from carrying out the full operations of the Bureau;

Whereas seniors at the Maritime Academies were unable to take licensing exams due to the Government shutdown, which will significantly delay the job searches of those seniors, and merchant mariners were unable to renew licenses;

Whereas thousands of low-income senior or disabled households were at risk of losing rental assistance during the Government shutdown;

Whereas small nonprofit groups across the United States that assist the homeless and victims of domestic violence were unable to access grants when employees were furloughed;

Whereas, in the wake of one of the deadliest and most destructive wildfires in the history of the United States, the Forest Service was forced to suspend wildfire prevention efforts due to the Government shutdown;

Whereas the Government shutdown harmed the National Parks and tourism that supports the National Parks, and resulted in—

(1) iconic Joshua trees being damaged and chopped down;

(2) historical artifacts being stolen;

(3) animals being harassed; and

(4) sensitive habitat being trampled;

Whereas the Government shutdown—

(1) severely limited the ability of the National Oceanic and Atmospheric Administration (referred to in this preamble as ''NOAA'') to fulfill critical regulatory and resource management responsibilities;

(2) kept numerous fishermen off the water in New England and other coastal areas because those fishermen were unable to obtain required permits from NOAA; and

(3) created a significant backlog of work on many critical initiatives of NOAA; and

Whereas the Federal Government has experienced 21 shutdowns since 1976, ranging in duration from 1 day to 35 days: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that, no matter how long a Government shutdown lasts, a Government shutdown causes unnecessary pain—

(A) to Federal workers; and

(B) to the people of the United States;

(2) rejects the future use of a Government shutdown as a negotiating tactic; and

(3) believes that the Government should never resort to a shut down again.

AMENDMENTS SUBMITTED AND PROPOSED

SA 171. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table.

SA 172. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 112 proposed by Ms. MURKOWSKI to the amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, supra; which was ordered to lie on the table.

SA 173. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 174. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 175. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 176. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 177. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 178. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 179. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 180. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, supra; which was ordered to lie on the table.

SA 181. Mr. BRAUN (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms . MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, supra; which was ordered to lie on the table.

SA 182. Mr. RUBIO (for himself and Mr. SCOTT of Florida) proposed an amendment to amendment SA 112 proposed by Ms. MURKOWSKI to the amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, supra.

SA 183. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the

bill S. 47, supra; which was ordered to lie on the table.

SA 184. Mr. SCHATZ (for himself, Mr. CASSIDY, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, supra; which was ordered to lie on the table.

SA 185. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, supra; which was ordered to lie on the table.

SA 186. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 187. Mr. LEE (for himself, Mr. LANKFORD, Mr. TOOMEY, and Mr. ROMNEY) proposed an amendment to amendment SA 112 proposed by Ms. MURKOWSKI to the amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, supra.

TEXT OF AMENDMENTS

SA 171. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of tile V, insert the following:

SEC. 5_____. CADASTRE OF FEDERAL REAL PROPERTY.

(a) DEFINITIONS.—In this section:

(1) CADASTRE.—

(A) IN GENERAL.—The term ''cadastre'' means an inventory of real property developed through collecting, storing, retrieving, or disseminating graphical or digital data depicting natural or man-made physical features, phenomena, or boundaries of the earth, and any information related to the data, including—

(i) surveys;

(ii) maps;

(iii) charts;

(iv) satellite and airborne remote sensing data;

(v) images; and

(vi) services, including services of an architectural or engineering nature performed by 1 or more professionals, such as—

(I) a surveyor;

(II) a photogrammetrist;

(III) a hydrographer;

(IV) a geodesist; and

(V) a cartographer.

(B) INCLUSIONS.—The term ''cadastre'' includes—

(i) a reference frame consisting of a current geodetic network;

(ii) a series of current and accurate large-scale maps;

(iii) an existing cadastral boundary overlay delineating all cadastral parcels;

(iv) a system for indexing and identifying each cadastral parcel; and

(v) a series of land data files, each including the parcel identifier, which can be used to retrieve information and cross-reference between and among other existing data files that may contain information about the use, assets, and infrastructure of each parcel.

(2) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(3) REAL PROPERTY.—The term ''real property'' means real estate consisting of—

(A) land;

(B) buildings, crops, forests, or other resources still attached to or within the land;

(C) improvements or fixtures permanently attached to the land;

(D) any structure on the land; or

(E) any interest, benefit, right, or privilege in the property described in subparagraphs (A) through (D).

(b) CADASTRE OF FEDERAL REAL PROPERTY.—

(1) IN GENERAL.—The Secretary shall develop and maintain a current and accurate multipurpose cadastre of Federal real property and any real property included under paragraph (2)(A) to support Federal land management activities on Federal real property, including—

(A) resource development and conservation;

(B) agricultural use;

(C) active forest management;

(D) environmental protection; and

(E) other use of the real property.

(2) COST-SHARING.—

(A) IN GENERAL.—The Secretary may enter into cost-sharing agreements with States to include any non-Federal land in a State in the cadastre under paragraph (1).

(B) COST SHARE.—The Federal share of any cost-sharing agreement described in subparagraph (A) shall not exceed 50 percent of the total cost to a State for the development of the cadastre of non-Federal land in the State.

(3) CONSOLIDATION AND REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing—

(A) the existing real property inventories or any components of any cadastre of Federal real property currently authorized by law or maintained by the Department, including—

(i) the statutory authorization for each existing real property inventory or component of a cadastre; and

(ii) the amount expended by the Federal Government for each existing real property inventory or component of a cadastre in fiscal year 2017;

(B) the existing real property inventories or any components of any cadastre of Federal real property currently authorized by law or maintained by the Department that will be eliminated or consolidated into the multipurpose cadastre under paragraph (1);

(C)(i) the existing real property inventories or any components of any cadastre of Federal real property currently authorized by law or maintained by the Department that will not be eliminated or consolidated into the multipurpose cadastre under paragraph (1); and

(ii) a justification for not eliminating or consolidating an existing real property inventory or component of a cadastre described in clause (i) into the multipurpose cadastre under paragraph (1);

(D) the use of existing real property inventories or any components of any cadastre currently maintained by any unit of State or local government that can be used to identify Federal real property within that unit of government;

(E) the cost-savings that will be achieved by eliminating or consolidating duplicative or unneeded real property inventories or any components of any cadastre of Federal real property currently authorized by law or maintained by the Department that will become part of the multipurpose cadastre under paragraph (1);

(F) a plan for the implementation of this section, including a cost estimate and an assessment of the feasibility of using revenue from any transactional activity authorized by law to offset any costs of implementing this section;

(G) an assessment described in subparagraphs (A) through (E) with regard to each cadastre and inventory of Federal real property authorized, operated, or maintained by each other Federal agency, which shall be conducted in consultation with the Director of the Office of Management and Budget, the Administrator of the General Services Administration, and the Comptroller General of the United States; and

(H) recommendations for any legislation necessary to increase the cost-savings and enhance the effectiveness and efficiency of replacing, eliminating, or consolidating Federal real property inventories or any components of any cadastre of Federal real property currently authorized by law or maintained by the Department.

(4) COORDINATION.—

(A) IN GENERAL.—In carrying out this section, the Secretary shall—

(i) participate (in accordance with section 216 of the E–Government Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347)) in the establishment of such standards and common protocols as are necessary to ensure the interoperability of geospatial information pertaining to the cadastre under subsection (b)(1) for all users of the information;

(ii) coordinate with, seek assistance and cooperation of, and provide liaison to the Federal Geographic Data Committee pursuant to Office of Management and Budget Circular A–16 and Executive Order 12906 (43 U.S.C. 1457 note; relating to coordinating geographic data acquisition and access: the National Spatial Data Infrastructure) for the implementation of and compliance with such standards as may be applicable to the cadastre under subsection (b)(1);

(iii) integrate, or make the cadastre interoperable with, the Federal Real Property Profile established pursuant to Executive Order 13327 (40 U.S.C. 121 note; relating to Federal real property asset management);

(iv) to the maximum extent practicable, integrate with and leverage current cadastre activities of units of State and local government; and

(v) to the maximum extent practicable, use contracts with the private sector to provide such products and services as are necessary to develop the cadastre under subsection (b)(1).

(B) CONTRACTS CONSIDERED SURVEYING AND MAPPING.—

(i) IN GENERAL.—A contract entered into under subparagraph (A)(v) shall be considered to be a contract for services of surveying and mapping (within the meaning of chapter 11 of title 40, United States Code).

(ii) SELECTION PROCEDURES.—A contract under subparagraph (A)(v) shall be entered into in accordance with the selection procedures in chapter 11 of title 40, United States Code.

(c) TRANSPARENCY AND PUBLIC ACCESS.—The Secretary shall—

(1) make the cadastre under subsection (b)(1) publically available on the Internet in a graphically geo-enabled and searchable format;

(2) ensure that the inventory referred to in subsection (b) includes the identification of all land suitable for disposal in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) in consultation with the Secretary of Defense and the Secretary of Homeland Security, prevent the disclosure of any parcel or parcels of land, any buildings or facilities on the land, or any information related to the land, buildings, or facilities if that disclosure would impair or jeopardize the national security or homeland defense of the United States.

(d) EFFECT.—Nothing in this section—
(1) creates any substantive or procedural right or benefit; or
(2) requires or authorizes—
(A) any new surveying or mapping of Federal real property;
(B) the evaluation of any parcel of land or other real property for potential management by a non-Federal entity;
(C) the disposal of any Federal real property; or
(D) any new appraisal or assessment of—
(i) the value of any parcel of Federal land or other real property; or
(ii) the cultural and archaeological resources on any parcel of Federal land or other real property.

SA 172. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 112 proposed by Ms. MURKOWSKI to the amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, after line 8, add the following:

SEC. 2402A. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—Section 2(b) of the Strengthening Coastal Communities Act of 2018 (Public Law 115–358) is amended by adding at the end the following:

''(36) The map entitled 'Cape San Blas Unit P30/P30P (1 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.

''(37) The map entitled 'Cape San Blas Unit P30/P30P (2 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.''.

(b) EFFECT.—Section 7003 shall have no force or effect.

SA 173. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 1 day after enactment.

SA 174. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''1 day'' and insert ''2 days''.

SA 175. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 3 days after enactment.

SA 176. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''3'' and insert ''4''.

SA 177. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

The provisions in this Act shall go into effect 5 days after enactment.

SA 178. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''5'' and insert ''6''.

SA 179. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. 11___. SAN JUAN COUNTY SETTLEMENT IMPLEMENTATION.

(a) EXCHANGE OF COAL PREFERENCE RIGHT LEASE APPLICATIONS.—
(1) DEFINITION OF BIDDING RIGHT.—In this subsection, the term ''bidding right'' means an appropriate legal instrument or other written documentation, including an entry in an account managed by the Secretary, issued or created under subpart 3435 of title 43, Code of Federal Regulations, that may be used—
(A) in lieu of a monetary payment for 50 percent of a bonus bid for a coal lease sale under the Mineral Leasing Act (30 U.S.C. 181 et seq.); or
(B) as a monetary credit against 50 percent of any rental or royalty payments due under any Federal coal lease.
(2) USE OF BIDDING RIGHT.—
(A) IN GENERAL.—If the Secretary retires a coal preference right lease application under the Mineral Leasing Act (30 U.S.C. 181 et seq.) by issuing a bidding right in exchange for the relinquishment of the coal preference right lease application, the bidding right subsequently may be used in lieu of 50 percent of the amount owed for any monetary payment of—
(i) a bonus in a coal lease sale; or
(ii) rental or royalty under a Federal coal lease.
(B) PAYMENT CALCULATION.—
(i) IN GENERAL.—The Secretary shall calculate a payment of amounts owed to a relevant State under section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)) based on the combined value of the bidding rights and amounts received.
(ii) AMOUNTS RECEIVED.—Except as provided in this paragraph, for purposes of calculating the payment of amounts owed to a relevant State under clause (i) only, a bidding right shall be considered amounts received.
(C) REQUIREMENT.—The total number of bidding rights issued by the Secretary under subparagraph (A) before October 1, 2029, shall not exceed the number of bidding rights that reflect a value equivalent to $67,000,000.
(3) SOURCE OF PAYMENTS.—The Secretary shall make payments to the relevant State under paragraph (2) from monetary payments received by the Secretary when bidding rights are exercised under this section.
(4) TREATMENT OF PAYMENTS.—A payment to a State under this subsection shall be treated as a payment under section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).
(5) TRANSFERABILITY; LIMITATION.—
(A) TRANSFERABILITY.—A bidding right issued for a coal preference right lease application under the Mineral Leasing Act (30 U.S.C. 181 et seq.) shall be fully transferable to any other person.
(B) NOTIFICATION OF SECRETARY.—A person who transfers a bidding right shall notify the Secretary of the transfer by any method determined to be appropriate by the Secretary.
(C) EFFECTIVE PERIOD.—
(i) IN GENERAL.—A bidding right issued under the Mineral Leasing Act (30 U.S.C. 181 et seq.) shall terminate on the expiration of the 7-year period beginning on the date the bidding right is issued.
(ii) TOLLING OF PERIOD.—The 7-year period described in clause (i) shall be tolled during any period in which exercise of the bidding right is precluded by temporary injunctive relief granted under, or administrative, legislative, or judicial suspension of, the Federal coal leasing program.
(6) DEADLINE.—
(A) IN GENERAL.—If an existing settlement of a coal preference right lease application has not been implemented as of the date of enactment of this Act, not later than 180 days after that date of enactment, the Secretary shall complete the bidding rights valuation process in accordance with the terms of the settlement.
(B) DATE OF VALUATION.—For purposes of the valuation process under subparagraph (A), the market price of coal shall be determined as of the date of the settlement.
(b) CERTAIN LAND SELECTIONS OF THE NAVAJO NATION.—
(1) CANCELLATION OF CERTAIN SELECTIONS.—The land selections made by the Navajo Nation pursuant to Public Law 93–531 (commonly known as the ''Navajo-Hopi Land Settlement Act of 1974'') (25 U.S.C. 640d et seq.) that are depicted on the map entitled ''Navajo-Hopi Land Settlement Act Selected Lands'' and dated April 2, 2015, are cancelled.
(2) AUTHORIZATION FOR NEW SELECTION.—
(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D) and paragraph (3), the Navajo Nation may make new land selections in accordance with the Act referred to in paragraph (1) to replace the land selections cancelled under that paragraph.
(B) ACREAGE CAP.—The total acreage of land selected under subparagraph (A) shall not exceed 15,000 acres of land.
(C) EXCLUSIONS.—The following land shall not be eligible for selection under subparagraph (A):
(i) Land within a unit of the National Landscape Conservation System.
(ii) Land within—
(I) the Glade Run Recreation Area;
(II) the Fossil Forest Research Natural Area; or
(III) a special management area or area of critical environmental concern identified in a land use plan developed under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) that is in effect on the date of enactment of this Act.
(iii) Any land subject to a lease or contract under the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Act of July 31, 1947 (commonly known as the ''Materials Act of 1947'') (30 U.S.C. 601 et seq.) as of the date of the selection.
(iv) Land not under the jurisdiction of the Bureau of Land Management.

(v) Land identified as ''Parcels Excluded from Selection'' on the map entitled ''Parcels excluded for selection under the San Juan County Settlement Implementation Act'' and dated December 14, 2018.

(D) DEADLINE.—Not later than 7 years after the date of enactment of this Act, the Navajo Nation shall make all selections under subparagraph (A).

(E) WITHDRAWAL.—Any land selected by the Navajo Nation under subparagraph (A) shall be withdrawn from disposal, leasing, and development until the date on which the selected land is placed into trust for the Navajo Nation.

(3) EQUAL VALUE.—

(A) IN GENERAL.—Notwithstanding the acreage limitation in the second proviso of section 11(c) of Public Law 93–531 (commonly known as the ''Navajo-Hopi Land Settlement Act of 1974'') (25 U.S.C. 640d–10(c)) and subject to paragraph (2)(B), the value of the land selected under paragraph (2)(A) and the land subject to selections cancellation under paragraph (1) shall be equal, based on appraisals conducted under subparagraph (B).

(B) APPRAISALS.—

(i) IN GENERAL.—The value of the land selected under paragraph (2)(A) and the land subject to selections cancelled under paragraph (1) shall be determined by appraisals conducted in accordance with—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(ii) TIMING.—

(I) LAND SUBJECT TO SELECTIONS CANCELLED.—Not later than 18 months after the date of enactment of this Act, the appraisal under clause (i) of the land subject to selections cancelled under paragraph (1) shall be completed.

(II) NEW SELECTIONS.—The appraisals under clause (i) of the land selected under paragraph (2)(A) shall be completed as the Navajo Nation finalizes those land selections.

(4) BOUNDARY.—For purposes of this subsection and the Act referred to in paragraph (1), the present boundary of the Navajo Reservation is depicted on the map entitled ''Navajo Nation Boundary'' and dated November 16, 2015.

(c) DESIGNATION OF AH-SHI-SLE-PAH WILDERNESS.—

(1) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 7,242 acres of land as generally depicted on the map entitled ''San Juan County Wilderness Designations'' and dated April 2, 2015, is designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the ''Ah-shi-sle-pah Wilderness'' (referred to in this subsection as the ''Wilderness'').

(2) MANAGEMENT.—

(A) IN GENERAL.—Subject to valid existing rights, the Wilderness shall be administered by the Director of the Bureau of Land Management in accordance with this subsection and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(B) ADJACENT MANAGEMENT.—

(i) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(ii) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within the Wilderness shall not preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(C) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of the Wilderness that is acquired by the United States shall—

(i) become part of the Wilderness; and

(ii) be managed in accordance with—

(I) the Wilderness Act (16 U.S.C. 1131 et seq.);

(II) this subsection; and

(III) any other applicable laws.

(D) GRAZING.—Grazing of livestock in the Wilderness, where established before the date of enactment of this Act, shall be allowed to continue in accordance with—

(i) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(ii) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(3) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the land within the Ah-shi-sle-pah Wilderness Study Area not designated as wilderness by this subsection has been adequately studied for wilderness designation and is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

(d) EXPANSION OF BISTI/DE-NA-ZIN WILDERNESS.—

(1) IN GENERAL.—There is designated as wilderness and as a component of the National Wilderness Preservation System certain Federal land comprising approximately 2,250 acres, as generally depicted on the map entitled ''San Juan County Wilderness Designations'' and dated April 2, 2015, which is incorporated in and shall be considered to be a part of the Bisti/De-Na-Zin Wilderness.

(2) ADMINISTRATION.—Subject to valid existing rights, the land designated as wilderness by paragraph (1) shall be administered by the Director of the Bureau of Land Management (referred to in this subsection as the ''Director''), in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(B) the San Juan Basin Wilderness Protection Act of 1984 (Public Law 98–603; 98 Stat. 3155; 110 Stat. 4211).

(3) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—Congress does not intend for the designation of the land as wilderness by paragraph (1) to create a protective perimeter or buffer zone around that land.

(B) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within the land designated as wilderness by paragraph (1) shall not preclude the conduct of the activities or uses outside the boundary of that land.

(4) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of the land designated as wilderness by paragraph (1) that is acquired by the United States shall—

(A) become part of the Bisti/De-Na-Zin Wilderness; and

(B) be managed in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.);

(ii) the San Juan Basin Wilderness Protection Act of 1984 (Public Law 98–603; 98 Stat. 3155; 110 Stat. 4211);

(iii) this subsection; and

(iv) any other applicable laws.

(5) GRAZING.—Grazing of livestock in the land designated as wilderness by paragraph (1), where established before the date of enactment of this Act, shall be allowed to continue in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(e) ROAD MAINTENANCE.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary, acting through the Director of the Bureau of Indian Affairs, shall ensure that L–54 between I–40 and Alamo, New Mexico, is maintained in a condition that is safe for motorized use.

(2) USE OF FUNDS.—In carrying out paragraph (1), the Secretary and the Director of the Bureau of Indian Affairs may not require any Indian Tribe to use any funds—

(A) owned by the Indian Tribe; or

(B) provided to the Indian Tribe pursuant to a contract under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304 et seq.).

(3) ROAD UPGRADE.—

(A) IN GENERAL.—Nothing in this subsection requires the Secretary or any Indian Tribe to upgrade the condition of L–54 as of the date of enactment of this Act.

(B) WRITTEN AGREEMENT.—An upgrade to L–54 may not be made without the written agreement of the Pueblo of Laguna.

(4) INVENTORY.—Nothing in this subsection requires L–54 to be placed on the National Tribal Transportation Facility Inventory.

SA 180. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 7003 and insert the following:

SEC. 7003. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

Section 2(b) of the Strengthening Coastal Communities Act of 2018 (Public Law 115–358) is amended by adding at the end the following:

''(36) The map entitled 'Cape San Blas Unit P30/P30P (1 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.

''(37) The map entitled 'Cape San Blas Unit P30/P30P (2 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.''.

SA 181. Mr. BRAUN (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 695 of the amendment, after line 22, add the following:

SEC. 90____. REPORT ON MAINTAINING FEDERAL LAND HOLDINGS UNDER THE JURISDICTION OF THE SECRETARY OF THE INTERIOR.

Not later than 120 days after the date on which the President submits to Congress the budget of the United States for fiscal year 2020, the Secretary shall submit to Congress a report that describes—

(1) all Federal land holdings under the jurisdiction of the Secretary; and

(2) the total cost of maintaining the Federal land holdings described under paragraph (1) for each of fiscal years 2017 through 2019, including an accounting of holdings and expenditures by each Federal agency with respect to the land holdings.

SA 182. Mr. RUBIO (for himself and Mr. SCOTT of Florida) proposed an amendment to amendment SA 112 proposed by Ms. MURKOWSKI to the amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; as follows:

At the end, add the following:

SEC. 2402A. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—Section 2(b) of the Strengthening Coastal Communities Act of 2018 (Public Law 115–358) is amended by adding at the end the following:

''(36) The map entitled 'Cape San Blas Unit P30/P30P (1 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.

''(37) The map entitled 'Cape San Blas Unit P30/P30P (2 of 2)' and dated December 19, 2018, with respect to Unit P30 and Unit P30P.''.

(b) EFFECT.—Section 7003 shall have no force or effect.

SA 183. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3002.

SA 184. Mr. SCHATZ (for himself, Mr. CASSIDY, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title II, add the following:

SEC. 24_____. MODIFICATIONS TO THE PRESERVE AMERICA PROGRAM.

(a) PURPOSES.—The purposes of this section are—

(1) to strengthen economic development across the United States by supporting cultural heritage tourism and historic preservation activities through the Preserve America Program; and

(2) to encourage the Director of the National Park Service to partner with gateway communities (including Native American communities and National Heritage Areas) to leverage local cultural and historic heritage tourism assets.

(b) PRESERVE AMERICA GRANT PROGRAM.—

(1) ESTABLISHMENT.—Section 311102 of title 54, United States Code, is amended—

(A) in subsection (d)—

(i) in paragraph (1), by inserting ''and the Secretary of Commerce'' after ''Council''; and

(ii) by adding at the end the following:

''(3) ADVISORY ROLE OF SECRETARY OF COMMERCE.—The Secretary of Commerce shall advise the program with respect to job creation, economic growth, and tourism policy and promotion.''; and

(B) by adding at the end the following:

''(f) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—For any fiscal year for which funds are not made available to provide grants under this section, to the extent practicable, the program shall, in lieu of the grants, provide technical assistance to the eligible entities described in subsection (a) for projects that meet the eligibility requirements described in subsection (b), as identified on the list of projects prepared by the Secretary in accordance with subsection (d).

''(2) LIMITATION.—The Secretary may take into account the availability of staff resources at the Department of the Interior, the Council, and the Department of Commerce for purposes of determining the number of projects that are provided technical assistance under this subsection.

''(3) FORM.—The form of technical assistance under paragraph (1) may include technical assistance provided by—

''(A) the Director, with respect to—

''(i) best practices in visitor services;

''(ii) the conduct of research, inventories, and surveys;

''(iii) the documentation of historic resources; and

''(iv) the interpretation and promotion of cultural and heritage assets;

''(B) the Council, with respect to historic preservation initiatives and best practices in stewardship; and

''(C) the Secretary of Commerce, with respect to economic development and job creation resources.''.

(2) PROGRAM METRICS.—Chapter 3111 of title 54, United States Code, is amended—

(A) by redesignating section 311105 as section 311106; and

(B) by inserting after section 311104 the following:

''§ 311105. Reports

''(a) METRICS.—Not later than 180 days after the date of enactment of the Natural Resources Management Act, the Secretary, in consultation with the Council and the Secretary of Commerce, shall develop specific metrics to measure the effectiveness of the program, including—

''(1) the economic impact of the program on local communities (including Native American communities and National Heritage Areas); and

''(2) the effect of the program on efforts to preserve heritage resources.

''(b) GRANTEE REPORT.—Not later than 2 years after the date on which a grantee receives a grant or technical assistance under this chapter, the grantee shall submit to the Secretary a report that—

''(1) describes the outcome of the project that was provided a grant or technical assistance under this chapter; and

''(2) based on the metrics developed under subsection (a), assesses—

''(A) the accomplishments of the project; and

''(B) the impact of the project on the community in which the project was carried out.

''(c) ANNUAL REPORTS.—The Secretary shall submit an annual report to the appropriate committees of Congress that includes data provided by grantees to demonstrate the economic impact of the program.''.

(3) CONFORMING AMENDMENT.—The table of sections for chapter 3111 of title 54, United States Code, is amended by striking the item relating to section 311105 and inserting the following:

''311105. Reports.

''311106. Authorization of appropriations.''.

(c) NATIONAL PARK SERVICE PARTNERSHIPS WITH GATEWAY COMMUNITIES.—

(1) IN GENERAL.—Subdivision 1 of division B of subtitle III of title 54, United States Code, is amended by adding at the end the following:

''CHAPTER 3092—PARTNERSHIPS WITH GATEWAY COMMUNITIES

''§ 309201. Definitions

''In this chapter:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term 'appropriate congressional committee' means—

''(A) the Committee on Commerce, Science, and Transportation of the Senate;

''(B) the Committee on Energy and Natural Resources of the Senate;

''(C) the Committee on Appropriations of the Senate;

''(D) the Committee on Energy and Commerce of the House of Representatives;

''(E) the Committee on Natural Resources of the House of Representatives; and

''(F) the Committee on Appropriations of the House of Representatives.

''(2) GATEWAY COMMUNITY.—The term 'gateway community' means a community adjacent to a unit of the System, including a Native American community or a National Heritage Area.

''(3) HERITAGE TOURISM.—The term 'heritage tourism' has the meaning given the term in section 311101.

''§ 309202. Partnerships with gateway communities

''(a) IN GENERAL.—The Secretary shall, to the extent practicable, offer to enter into partnerships with gateway communities to leverage heritage tourism assets to strengthen local economies and create jobs in the gateway communities with the goal of establishing a standardized framework for partnerships throughout the System, including through—

''(1) providing financial assistance to gateway communities to support outreach and promotional efforts;

''(2) providing technical assistance to gateway communities based on Service best practices in tourism development and visitor management, such as—

''(A) inventorying tourism resources in the gateway community;

''(B) identifying historic heritage and cultural resources;

''(C) engaging collaborative partners and stakeholders;

''(D) designing community outreach and participation strategies;

''(E) developing concept plans for trails, parks, historic resources, and natural areas;

''(F) developing sustainable tourism development frameworks for community planning; and

''(G) encouraging regional strategies for tourism development and promotion; and

''(3) assisting gateway communities in accessing additional Federal resources available to strengthen tourism assets and support economic development.

''(b) OBTAINING FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary, in consultation with stakeholders of System units, shall establish a process through which States, units of local government, and Tribal governments may apply for designation as a gateway community to become eligible for financial and technical assistance made available under this section.

''(c) METRICS.—The Secretary, in consultation with gateway communities, shall develop metrics to measure the impact of the financial and technical assistance provided to gateway communities under this section.

''§ 309203. Report

''Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that—

''(1) describes the efforts of the Secretary to partner with gateway communities under this chapter;

''(2) analyzes the results of the financial and technical assistance using the metrics developed under section 309202(c); and

''(3) identifies—

''(A) the next steps that should be taken to improve partnerships with gateway communities; and

''(B) any actions that the Secretary will take to improve the partnerships.

''§ 309204. Authorization of appropriations

''There are authorized to be appropriated such sums as are necessary to carry out this chapter.''.

(2) CONFORMING AMENDMENT.—The table of chapters for title 54, United States Code, is amended by inserting after the item relating to chapter 3091 the following:

''3092. Partnerships with gateway communities ..... 309201''.

SA 185. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 595 strike line 16 and all that follows through page 603, line 16.

SA 186. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 568 strike line 9 and all that follows through page 576, line 9.

SA 187. Mr. LEE (for himself, Mr. LANKFORD, Mr. TOOMEY, and Mr. ROMNEY) proposed an amendment to amendment SA 112 proposed by Ms. MURKOWSKI to the amendment SA 111 proposed by Ms. MURKOWSKI (for herself and Mr. MANCHIN) to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. _____. LIMITATION ON THE EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301(d) of title 54, United States Code, is amended—

(1) in the heading, by striking ''WYOMING'' and inserting ''THE STATE OF WYOMING OR UTAH''; and

(2) by striking ''Wyoming'' and inserting ''the State of Wyoming or Utah''.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHUCK GRASSLEY, intend to object to proceeding to the nomination of Donald W. Washington, of Texas, to be Director of the United States Marshals Service, dated February 11, 2019.

PRIVILEGES OF THE FLOOR

Mr. THUNE. Mr. President, I ask unanimous consent that Stephanie Miller, detailee with the Energy and Natural Resources Committee, be granted floor privileges through May 15.

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

ORDERS FOR TUESDAY, FEBRUARY 12, 2019

Mr. TOOMEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, February 12; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate resume consideration of S. 47 and that the Senate recess from 12 noon until 2:15 p.m. to allow for the weekly conference meetings; finally, that all time during recess, adjournment, morning business, and leader remarks count postcloture on S. 47.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. TOOMEY. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

Thereupon, the Senate, at 7:24 p.m., adjourned until Tuesday, February 12, 2019, at 10 a.m.