

Baygas Propane; Wessels Oil Co. Inc.; West Propane; West Virginia Propane Gas Association; Western Natural Gas Co.; Western Propane Gas Association; Western Propane Services, Inc.; Westhoff, Cone & Holmstedt; WGL; Whidbey Seatac Shuttle; White River Distributors.

Williams Energy Group; Wilson Oil & Propane; WIN Propane; Winnebago County Sheriff's Office; Wisconsin Bus Sales; Wittenberger Bus Service; WJDAYTECH Inc.; WoodFuel.com LP; Woodruff Energy; Worthington Industries; X3CNG; XPO Sales INC.; Yavapai Bottle Gas; YRC Worldwide; Zebulon Innovations.

Mr. GRASSLEY. Mr. President, I hope the next time I have a chance to have the floor, I will not be interrupted.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, I just had an opportunity to speak to President Trump, and I will state to all of my colleagues, he is prepared to sign the bill.

He will also be issuing a national emergency declaration at the same time, and I indicated to him that I am going to support the national emergency declaration.

So for all of my colleagues, the President will sign the bill we will be voting on shortly.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE DEPARTMENT OF HOMELAND SECURITY FOR FISCAL YEAR 2019—CONFERENCE REPORT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Chair lay before the Senate the conference report to accompany H.J. Res. 31.

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

The senior assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H.J. Res. 31), having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of February 13, 2019.)

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the conference report.

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the con-

ference report to accompany H.J. Res. 31, making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

Richard C. Shelby, Shelley Moore Capito, John Cornyn, John Boozman, John Thune, Johnny Isakson, Lindsey Graham, Mike Crapo, Thom Tillis, Kevin Cramer, John Hoeven, Roger F. Wicker, Steve Daines, James E. Risch, Jerry Moran, Mike Rounds, Mitch McConnell.

#### UNANIMOUS CONSENT AGREEMENT

Mr. MCCONNELL. I ask unanimous consent that notwithstanding rule XXII, the cloture vote on the conference report to accompany H.J. Res. 31 occur at 3:30 p.m. today; further, that if cloture is invoked, all postcloture time be yielded back and the Senate vote on the adoption of the conference report.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, as someone who has been here for some period of time, I was glad to see Republicans and Democrats, both in the House and the Senate, come together in the past few weeks, especially this week.

We ignored the distractions and tweetstorms coming from the White House. We reached an agreement to fund our government and make responsible investments for the American people.

Not one of us—none of the final four who did the negotiations, sitting in that room, felt that this was an agreement that any one of us would have individually written.

There are things in this bill that I support and things I disagree with, but that could be said by all four of us, Republicans and Democrats. You try to find as much common ground as you can. Everybody had to give something, but we ended up with a bipartisan compromise. We had to deal with facts that are based on reality, not rhetoric based on political fantasy.

Democrats have always supported border security, but we support smart border security, targeted strategies that address the real problems facing us at our southwest border. That is what we tried to accomplish here. We stood together. We rejected the toxic and hate-filled immigration tweets coming from the other end of Pennsylvania Avenue.

The agreement does not fund President Trump's wasteful wall. After all, he gave his solemn promise to the American public that Mexico would pay for it, so let them work on that. It does not fund President Trump's requested deportation force, and it rejects the unjustified and dramatic increase in the detention bed levels the President would have used to enforce his extreme immigration policy.

But just as important as what this agreement rejects is what we were able to accomplish.

We invested hundreds of millions of dollars in new technology to stop the

flow of illegal drugs through our ports of entry. All Republicans and all Democrats supported that. We provide funds to hire more judges to address the immigration backlog in our country. We provide more than half a billion dollars to support Central American countries, addressing the root causes of undocumented migration. We included \$400 million to improve medical care and address the humanitarian concerns at the border. Every one of us has seen enough of what is going on there; we are trying to show that America—the greatest Nation on Earth, also the wealthiest and the most humanitarian—will address it.

This is what a compromise looks like. This is how the American people expect our government to function—not by tweets but by reasonable, reality-based compromise.

Unfortunately, often lost in this debate over border security were the more than 800,000 public servants and their families who were held hostage by the Trump shutdown for weeks. They once again lived in fear and uncertainty that their next paycheck may not come because the President chose to use them as hostages. This agreement ensures that these public servants remain on the job doing the important work of the American people through the end of the fiscal year, and also all those who are not on a government payroll but support all our different Agencies that were involved in this. They weren't paid either.

This agreement funds nine Federal Departments. Keep in mind—it is not just the borders; it is nine Federal Departments and their related Agencies. I will give a couple of examples. It increases funding for the Environmental Protection Agency. It supports our national parks. It rejects the anti-science know-nothingism of the administration by supporting research and our dedicated scientists.

This is extremely important to me because Senator CRAPO and I wrote the last Violence Against Women authorization. We wrote the expansion of that law. Our bill today provides the highest funding level ever for the Office on Violence Against Women to support programs that prevent domestic violence. It also provides more than half a billion dollars to combat the opioid crisis. In my earlier career, I saw too many deaths because of the violence against women. I saw too many deaths of young people from drug overdoses, and the numbers have only dramatically increased from the days when I was a prosecutor. Supporting the Violence Against Women Act brought Republicans and Democrats together.

The agreement invests in rural America, secures our interests abroad, rebuilds our highways, and supports public housing.

This week, four of us met—first in Chairman SHELBY's Appropriations Committee office and then later into the evening several times in my office here in the Capitol. Senator SHELBY,

Representative LOWEY, Representative GRANGER, and I proved that we can set aside the political struggles in Washington to find a path to progress for the American people—two Republicans and two Democrats who are four of the most senior Members of the House and the Senate. I thank them for their effort.

If I can go to a personal matter for just a moment, I want to thank Senator SHELBY for his friendship and his partnership. Senator SHELBY and I come from different parts of the country. We are much different politically, but he is one of the closest friends I have here. He and his wonderful wife, Dr. Annette Shelby, my wife Marcelle, and I have traveled to so many places together. Some were very grim areas of this world. But we understand how grownups have to act in the Congress and how they have to work together. We worked together with our House counterparts—the senior Democrat and senior Republican in the House—on this conference. We worked together. We didn't pass just Homeland Security; we passed all 12 appropriations bills on a bipartisan basis. I hope we do the same thing for fiscal year 2020. I hope that we can begin very soon, with Senator SHELBY and me working together, to pass the fiscal year 2020 bills. We passed the ones last year out of our committee virtually unanimously. We were able to get Members of both parties to join us. I thank him.

I also thank the Appropriations Committee staff on both sides of the aisle for their hard work. I joke that Senators are merely constitutional impediments to their staff. Evening after evening, sometimes into the wee hours of the morning, weekend after weekend, I saw dedicated men and women in the Appropriations Committee staff working line by line to try to get us through this.

Mr. President, I ask unanimous consent that a list of their names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Charles E. Kieffer, Chanda Betourney, Jess Berry, Jay Tilton, Hannah Chauvin, Dianne Nellor, Adrienne Wojciechowski, Teri Curtin, Jean Toal Eisen, Jennifer Eskra, Blaise Sheridan, Jordan Stone, Ellen Murray, Diana Gourlay Hamilton, Reeves Hart, Scott Nance, Chip Walgren, Drenan E. Dudley, Rachael Taylor, Ryan Hunt, Tim Rieser, Alex Carnes, Kali Farahmand, Dabney Hegg, Christina Monroe, Jordan Stone, Shannon H. Hines, Jonathan Graffeo, David Adkins, Margaret Pritchard, Carlisle Clark, Patrick Carroll, Elizabeth Dent, Hamilton Bloom, Amber Beck, Allen Cutler, Matt Womble, Sydney Crawford, Andrew Newton, Lauren Nunnally, Brian Daner, Courtney Bradford, Adam Telle, Peter Babb, Chris Cook, Thompson Moore, Christian Lee, Leif Fannesbeck, Lucas Agnew, Emy Lesofski, Nona McCoy, Clare Doherty, Gus Maples, Rajat Mathur, Jason Woolwine, LaShawnda Smith, Robert W. Putnam, Christy Greene, Blair Taylor, Jenny Winkler, Hong Nguyen, Clint Trocchio, George A. Castro, Elmer Barnes, Penny Myles, Karin Thames, Shalanda Young, Chris Bigelow, Anne Marie Chotvacs,

Johnnie Kaberle, Gerry Petrella, Meghan Taira.

Mr. LEAHY. I conclude by saying it takes a lot of long days and it takes a lot of long nights to produce a bill of this magnitude. I appreciate their hard work.

I think we may have others who will want to speak.

Mr. President, how much time do we have before the vote?

The PRESIDING OFFICER. Four minutes remains.

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, the Senate will soon vote on the agreement by the conference committee and keep the government open. The agreement was a product of a lot of hard work and long nights and weekends by members of the conference committee and their staffs. I want to salute Senator LEAHY and Senator SHELBY. I want to salute all of the conferees.

When Leader MCCONNELL and I met—as we moved to open up the government for a short period of time—I suggested that we do a conference committee because I had a great deal of faith in the members of the conference committees on both sides of the aisle, and that faith has proved to be vindicated. I thank Senator LEAHY, Senator SHELBY, their staffs, and all the members of the conference committee for the great job they have done.

The agreement will provide smart border security, increasing support for technologies at our ports of entry. It will not fund the President's expensive, ineffective wall. It will provide desperately needed humanitarian assistance—medical support, transportation, food, and clothing—for children and families in detention. It will provide funding to our neighbors in Central America to fight the actual root causes of migration—the violent gangs and drug cartels.

In short, it represents a fair compromise that includes priorities from both sides of the aisle. I expect the legislation will pass this Chamber with a significant bipartisan majority, pass the House, and be sent to the President with plenty of time to avoid a government shutdown tomorrow at midnight.

There is word that the President will declare a national emergency. I hope he won't. That would be a very wrong thing to do. Leader PELOSI and I will be responding to that in short order, but before that, I just want to say that in order to reach this point, in order to attain this bipartisan compromise, 800,000 public servants were forced to suffer without pay for over a month as President Trump put the country through a completely unnecessary shutdown that snarled airports, delayed loans for farmers and small businesses, trashed our national parks, and took billions of dollars out of our economy.

We still need to address the plight of government contractors who still have

not been made whole. Regrettably, we were unable to include that in the agreement, but we are going to keep working and fighting for Senator SMITH's proposal to ensure our contractors are made whole again.

The Senate was in the very same position just before Christmas, with a deal in hand, when the President reversed himself and engineered the longest shutdown in American history. After all of the pain of the shutdown caused by President Trump, we are basically right back where we started, with nearly the same parameters of a bipartisan agreement we were ready to pass around Christmas. Leader PELOSI and I, for instance, offered the President \$1.37 billion for border security with the same language that would have prohibited the wall then as is in the agreement now.

Let this be a lesson. Government shutdowns don't work. I hope President Trump has learned that lesson once and for all. I hope we never go down the road to shutdowns again. The American people suffer and very little is accomplished.

President Trump should sign this bill ASAP.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I will be brief.

First of all, I thank Senator LEAHY, the vice chairman of the Appropriations Committee, who worked diligently for the past year to get to where we are today in a bipartisan way and also, recently, in the conference committee, which we thought last week had broken down. I also thank MITCH MCCONNELL, the majority leader, and CHUCK SCHUMER, the Democratic leader. I thank everybody else who has contributed to get us to this point.

Nothing is perfect, but we think this is a good bill for the American people. It opens up all of the government—the 25 percent that we had not addressed.

The conference report includes a robust and comprehensive investment in border security, providing funding for personnel, technology, and infrastructure that is critical to keeping our nation secure and our people safe. Critically, the bill provides nearly \$1,400,000,000 to further construction of a barrier along the southwest border. But that is only a down payment. More resources are required. Fortunately, the President has at his disposal both constitutional and existing statutory authorities that allow him to supplement the congressional investment in border security that was made today. This bill preserves those authorities, and I support action by the President to use them to the fullest extent permissible to secure our border. In particular, this bill does not restrict the President's ability to declare a national emergency or to exercise emergency authorities under such a declaration. Nor does this bill further restrict the Administration's ability, previously granted by the Congress, to

transfer funds in support of efforts to gain operational control of our southwest border and to cease the trafficking of persons and drugs across it.

I am going to get on with the vote.

I want to say thank you to everybody, including Shannon Hines on our staff and everybody else who contributed to this.

At this point, I ask unanimous consent to waive the mandatory quorum call with respect to the cloture vote on the conference report to accompany H.J. Res. 31.

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

#### CLOTURE MOTION

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

The 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 conference report to accompany H.J. Res. 31, making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, and for other purposes.

Richard C. Shelby, Shelley Moore Capito, John Cornyn, John Boozman, John Thune, Johnny Isakson, Lindsey Graham, Mike Crapo, Thom Tillis, Kevin Cramer, John Hoeven, Roger F. Wicker, Steve Daines, James E. Risch, Jerry Moran, Mike Rounds, Mitch McConnell.

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 the conference report to accompany H.J. Res. 31, an act making further continuing appropriations for the Department of Homeland Security for fiscal year 2019, 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 Senator is necessarily absent: the Senator from North Carolina (Mr. BURR).

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

The yeas and nays resulted—yeas 84, nays 15, as follows:

[Rollcall Vote No. 25 Leg.]

#### YEAS—84

|              |            |           |
|--------------|------------|-----------|
| Alexander    | Crapo      | King      |
| Baldwin      | Daines     | Klobuchar |
| Barrasso     | Duckworth  | Lankford  |
| Bennet       | Durbin     | Leahy     |
| Blackburn    | Enzi       | Manchin   |
| Blumenthal   | Ernst      | McConnell |
| Blunt        | Feinstein  | McSally   |
| Boozman      | Fischer    | Menendez  |
| Braun        | Gardner    | Merkley   |
| Brown        | Graham     | Moran     |
| Cantwell     | Grassley   | Murkowski |
| Capito       | Hassan     | Murphy    |
| Cardin       | Heinrich   | Murray    |
| Carper       | Hirono     | Perdue    |
| Casey        | Hoeven     | Peters    |
| Cassidy      | Hyde-Smith | Portman   |
| Collins      | Isakson    | Reed      |
| Coons        | Johnson    | Risch     |
| Cornyn       | Jones      | Roberts   |
| Cortez Masto | Kaine      | Romney    |
| Cramer       | Kennedy    | Rosen     |

Rounds  
Sanders  
Schatz  
Schumer  
Scott (FL)  
Shaheen  
Shelby

Sinema  
Smith  
Stabenow  
Sullivan  
Tester  
Thune  
Tillis

Udall  
Van Hollen  
Warner  
Whitehouse  
Wicker  
Wyden  
Young

#### NAYS—15

Booker  
Cotton  
Cruz  
Gillibrand  
Harris

Hawley  
Inhofe  
Lee  
Markey  
Paul

Rubio  
Sasse  
Scott (SC)  
Toomey  
Warren

#### NOT VOTING—1

Burr

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 15.

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

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate adopt the Conference Report to accompany H.J. Res. 31?

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from North Carolina (Mr. BURR).

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

The result was announced—yeas 83, nays 16, as follows:

[Rollcall Vote No. 26 Leg.]

#### YEAS—83

Alexander  
Baldwin  
Barrasso  
Bennet  
Blackburn  
Blumenthal  
Blunt  
Boozman  
Brown  
Cantwell  
Capito  
Cardin  
Carper  
Casey  
Cassidy  
Collins  
Coons  
Cornyn  
Cortez Masto  
Cramer  
Crapo  
Daines  
Duckworth  
Durbin  
Enzi  
Ernst  
Feinstein  
Fischer

Gardner  
Graham  
Grassley  
Hassan  
Heinrich  
Hirono  
Hoeven  
Hyde-Smith  
Isakson  
Johnson  
Jones  
Kaine  
Kennedy  
King  
Klobuchar  
Lankford  
Leahy  
Manchin  
McConnell  
McSally  
Menendez  
Merkley  
Moran  
Murkowski  
Murphy  
Murray  
Perdue  
Peters

Portman  
Reed  
Risch  
Roberts  
Romney  
Rosen  
Rounds  
Sanders  
Schatz  
Schumer  
Scott (FL)  
Shaheen  
Shelby  
Sinema  
Smith  
Stabenow  
Sullivan  
Tester  
Thune  
Tillis  
Udall  
Van Hollen  
Warner  
Whitehouse  
Wicker  
Wyden  
Young

#### NAYS—16

Booker  
Braun  
Cotton  
Cruz  
Gillibrand  
Harris

Hawley  
Inhofe  
Lee  
Markey  
Paul  
Rubio

Sasse  
Scott (SC)  
Toomey  
Warren

#### NOT VOTING—1

Burr

The PRESIDING OFFICER. On this vote, the yeas are 83 and the nays are 16.

The conference report is adopted.  
The majority leader.

#### PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.J. RES. 31

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 4.

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

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 4) providing for a correction in the enrollment of H.J. Res. 31.

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

Without objection, it is so ordered.

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

Mr. McCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 4) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

#### BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT—Motion to Proceed

Mr. McCONNELL. Mr. President, I move to proceed to Calendar No. 17, S. 311.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 17, S. 311, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

#### CLOTURE MOTION

The PRESIDING OFFICER. Mr. 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 motion to proceed to Calendar No. 17, S. 311, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

Mitch McConnell, David Perdue, Mike Crapo, Pat Roberts, John Cornyn, Johnny Isakson, James M. Inhofe, Thom Tillis, Roger F. Wicker, Lindsey Graham, Ben Sasse, Roy Blunt, John Thune, John Boozman, John Barrasso, Joni Ernst, James E. Risch.