NOT VOTING—1

Murray

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

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 the nomination of Neomi J. Rao, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Mitch McConnell, Chuck Grassley, Johnny Isakson, John Cornyn, John Barrasso, Roger F. Wicker, James E. Risch, Steve Daines, John Thune, Lindsey Graham, James M. Inhofe, Tim Scott, Pat Roberts, Thom Tillis, John Hoeven, David Perdue, Mike Crapo.

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 Neomi J. Rao, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY) is necessarily absent.

The yeas and nays resulted—yeas 53, nays 46, as follows:

[Rollcall Vote No. 43 Ex.]

YEAS—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Isakson	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—46

Baldwin	Durbin	Manchin
Bennet	Feinstein	Markey
Blumenthal	Gillibrand	Menendez
Booker	Harris	Merkley
Brown	Hassan	Murphy
Cantwell	Heinrich	Peters
Cardin	Hirono	Reed
Carper	Jones	Rosen
Casey	Kaine	Sanders
Coons	King	Schatz
Cortez Masto	Klobuchar	Schumer
Duckworth	Leahy	Shaheen
Sinema	Udall	Whitehouse
Smith	Van Hollen	Wyden
Stabenow	Warner	
Tester	Warren	

NOT VOTING—1

Murray

The PRESIDING OFFICER (Mrs. BLACKBURN). On this vote the yeas are 53, the nays are 46.

The motion is agreed to.

The clerk will report the nomination.

The legislative clerk read the nomination of Neomi J. Rao, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Hawaii.

UNANIMOUS CONSENT REQUEST—S. RES. 94

Ms. HIRONO. Madam President, the entire Senate Democratic caucus and I are introducing a resolution that simply asks the Department of Justice to do what it is supposed to do—defend the duly enacted laws of this country.

This resolution shouldn't be necessary, but last year, as 19 States joined Texas in challenging the constitutionality of the Affordable Care Act, Attorney General Jeff Sessions refused to defend the ACA in court and, in fact, filed a brief arguing that several vital protections of the law should be ruled unconstitutional, including protections for Americans living with preexisting conditions.

In making his decision not to defend a duly enacted law, Jeff Sessions himself acknowledged that he was going against a ''longstanding tradition of defending the constitutionality of duly enacted statutes if reasonable arguments can be made in their defense.''

Guess what. There are many reasonable arguments for the ACA. Even conservative lawyers who previously argued against the ACA agree. One attorney filed an amicus brief in opposition to the Department of Justice's position calling it ''dangerous,'' ''beyond the pale,'' and ''effectively [usurping] legislative power.''

The Justice Department lawyer who authored the brief opposing the ACA, Chad Readler, was just rewarded with a confirmation to a lifetime position to the Sixth Circuit. In fact, Mr. Readler's circuit court nomination came on the exact same day that he filed the brief on behalf of the Department of Justice. Talk about yet another Trump nominee who auditioned for his position.

The Justice Department's actions were blatantly political and had a specific outcome in mind: accomplishing through the courts what Republicans have tried and failed to achieve through the legislative process; that is, repealing the Affordable Care Act.

Three career attorneys at the Department of Justice withdrew from the case in protest of their Department's failing to defend the ACA.

In December, a Federal court in Texas sided with the Trump administration, Texas, and 19 other States in declaring the entirety of the ACA unconstitutional. Of course, this will be appealed.

The Fifth Circuit—one of the most conservative appellate courts in the country—will hear the case next. The case is destined for consideration by the Supreme Court, wherein Trump-appointed Justices Gorsuch and Kavanaugh will cast two deciding votes on whether to uphold the ACA or cast it aside. I shudder to think which way they are likely to go.

The outcome of this case will have a profound impact on virtually every American, especially the 133 million people living with preexisting conditions.

This is not a game. Lives are at stake. Without the ACA's protections, millions of Americans living with conditions as common as diabetes, obesity, heart disease, or cancer could be charged exorbitant premiums or denied insurance coverage altogether.

The stakes in this ongoing court battle are incredibly high. Our resolution simply asks the Department of Justice to do its job, defend the ACA as a duly enacted act of Congress, and stand up to protect Americans living with preexisting conditions.

Although many of my Republican colleagues profess to support protections for those with preexisting conditions, not a single one of them has signed on to support this resolution.

Under new leadership, the Department of Justice can do the right thing. During his confirmation hearing, newly confirmed Attorney General Bill Barr indicated he was open to reassessing DOJ's decision to oppose the ACA in court. We shall see.

With this resolution, my Democratic colleagues and I urge him to reexamine the Department's position, consider the monumental impact this case would have on millions of Americans, and stand up for the 133 million Americans living with a preexisting condition.

Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 94 and the Senate proceed to its immediate consideration; further, that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. BARRASSO. Madam President.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Hawaii.

Ms. HIRONO. Madam President, I often say that I like to see when people reveal themselves.

With this objection today, my colleague from Wyoming has sent a clear message to Americans living with preexisting conditions that the Republican Party doesn't care about them. I am disappointed with his objection, but I can't say that I am surprised. Today's

action is very consistent with the Republican Party's hostility to the ACA and their belief that healthcare is a privilege reserved only for those who can afford it.

To recap, Republicans voted dozens of times over the past 9 years to repeal the ACA in its entirety. The Senate came within one vote in July 2017 of repealing the law—one vote.

The majority leader and my Republican colleagues from South Carolina and Louisiana proposed—and came close to passing—a bill that would have gutted the ACA and cut hundreds of billions of dollars from Medicaid.

As part of their huge tax cut for the rich and corporations, Donald Trump and congressional Republicans eliminated the individual coverage requirement of ACA, driving up premiums across the country.

So the assault on healthcare continues. The American people are paying attention, and Republicans will be held accountable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

UNANIMOUS CONSENT REQUEST

Mr. BARRASSO. Madam President, I come to the floor today to ask unanimous consent that the Senate proceed to the consideration of the Senate Resolution that is at the desk, expressing the sense of the Senate that efforts to create a one-size-fits-all government-run healthcare system referred to as ''Medicare for All'' should be rejected.

Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Ms. HIRONO. Madam President.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Reserving the right to object, this resolution is a cynical attempt to divide Democrats where no division exists. The Democratic Party is united behind the principle that healthcare should be affordable and accessible to all. As far as I am concerned, healthcare is a right, not a privilege reserved for those who can afford it.

Medicare for All is one way to get to universal healthcare that is affordable for everyone, but it is not the only way. While Democrats are working to build on the success of the Affordable Care Act to cover even more Americans, Senate Republicans have tried time and again to eliminate coverage for tens of millions of Americans. This is particularly evident in the President's budget—a budget that would make over $2 trillion in cuts to Medicare and Medicaid, programs that provide healthcare coverage to one out of every three people in our country.

I call on my Republican colleagues to join us to improve the ACA and expand coverage to more Americans rather than trying to repeal the Affordable Care Act time after time.

It is unfortunate that my colleagues would rather offer this distraction than acknowledge that millions of Americans rely on Medicare, Medicaid, and the ACA for healthcare. In offering this resolution, Republicans continue to do nothing except propose cuts to all three critical programs.

I object.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I would just point out that what my friend and colleague from Hawaii described as a distraction is one of the key points of the Democratic Party.

Medicare for All, as they call it, is part of the so-called Green New Deal, which would bankrupt the country, which is unaffordable, unworkable. The fact is, this Medicare for All proposal, which so many of the Democrats have signed on to, would cost a minimum of $33 trillion and maybe a lot higher after what we have heard from the Presidential candidate, BERNIE SANDERS, as to the things he wants to do going beyond just Medicare for All.

We know that taxes would increase significantly under their proposal. We know that for Americans who have health insurance right now through their work, over 150 million Americans would lose that. We know that for people on Medicare, it would make their ability to use Medicare much harder. Then, of course, there would be the issue of rationing for care—the lines and the time to wait.

There was an article in the New York Times, an opinion piece by David Brooks, on Friday, talking about why the so-called Medicare for All will not work, and it made reference to healthcare in Canada.

I would say to the Presiding Officer that as a Senator who is also a surgeon, I operated on people from Canada in my practice prior to becoming a U.S. Senator and while practicing in Wyoming. People in Canada—where the healthcare is paid for by taxes but is free—I have taken care of people who couldn't afford to wait the amount of time it would take to get their free operation.

The article in the New York Times on Friday made reference to the fact that the waiting times are so long that after you are actually seen by the primary care provider in Canada, the wait time to get to see an orthopedic surgeon is 9 months—9 months. The Democrats are proposing something that has given the people of Canada a waiting time of 9 months.

So what we see under this Medicare for All proposal—and I have just introduced today this Senate resolution saying that Medicare for All should be rejected, and there should also be a rejection of the tax increases, the loss of choice, and the long lines that will come from this Democrat-sponsored proposal for Medicare for All.

Thank you.

I yield the floor.

Ms. HIRONO. Madam President.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Very briefly, I simply want to ask my Republican colleagues whether they believe that healthcare should be accessible and affordable for all. Apparently, they do not, because they have offered absolutely nothing to make sure healthcare is accessible and affordable for all.

In fact, in their continuing efforts to sabotage the Affordable Care Act and, in fact, eliminate the Affordable Care Act, they would rather have a healthcare system where millions of Americans are without healthcare at all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

WOMEN'S HISTORY MONTH AND THE EQUAL RIGHTS AMENDMENT

Mr. CARDIN. Madam President, this month we celebrate the storied history of incredible women in our country. We recognize the sacrifices made and the battles fought to ensure a future where our daughters and granddaughters are born into a world of equality and limitless opportunity.

Throughout Women's History Month, we mark the historic strides women have taken to advance our culture, our sciences, our States, and our Nation. As we recognize these achievements, we must also assess and advocate for the work still to be done, including the ratification of the Equal Rights Amendment, the ERA. Ratifying the ERA would be a major milestone on the road to equality. Not only would ratification enshrine equal rights for women in the Constitution, it would also honor all of those who have fought for justice along the way.

One such inspiring woman is civil rights activist Juanita Jackson Mitchell. A Baltimore native, Mrs. Mitchell fought to end legally sanctioned segregation in her community while she simultaneously reached out to young people and mobilized them into civic engagement. After she received her law degree from the University of Maryland, she was the first African-American woman to practice law in our State, and she worked tirelessly on a number of cases to provide more job opportunities for African Americans. As the President of the NAACP in Baltimore, she advocated for integration and later convinced the city to hire Black social workers, librarians, and police officers, which bolstered the community by helping to bring an end to long-held systemic prejudices.

As a community activist and champion of women's rights, Mrs. Mitchell exhibited true bravery in her engagement with her community. She fearlessly paved the way for other women to join the movement. She worked with the Kennedy and Johnson administrations to find solutions for systemic social and educational discrepancies in communities of color. Mrs. Mitchell

understood the importance of representative democracy and of empowering those who could make differences in their communities. Juanita Mitchell is a shining example of why a constitutional amendment to guarantee women's rights is long overdue.

The ERA, which Congress approved in 1972, guarantees equal protection under the law regardless of one's sex. At that time, Congress imposed a 7-year deadline—later extended to 10 years—for the States to act. By the time this artificial deadline expired in 1982, 35 States had approved the Equal Rights Amendment—three short of the 38 States necessary to add it to the Constitution. Since then, two more States have approved the amendment, which leaves us just one State shy of reaching the goal. Congress must act to authorize additional time for the remaining States to consider the amendment.

Earlier this year, I and the senior Senator from Alaska, Ms. MURKOWSKI, introduced a bipartisan Senate resolution, S.J. Res. 6, to reopen consideration of the ERA. It may come as a shock to many that in a country to which the world looks as being an example of liberty and justice, our Constitution does not guarantee women the same rights and protections as men. That is why this bipartisan resolution is imperative as we urge Congress and the remaining States to finish what we started nearly 50 years ago to ensure equality under the law for all women.

In the early 20th century, women were disenfranchised and had little or no legal, financial, or social opportunities to pursue. Property ownership, jobs, and economic equality were privileges women did not have. Today, a century later, more women have entered the workforce than ever before. Women are filling leadership roles at unprecedented levels, and we are finally on the verge of ratifying the ERA. This change has boosted our economy, strengthened our families, and brought our society to new heights of innovation, enlightenment, and opportunity. We see that change is not only possible, it is essential to realizing our greatest potential as a nation.

While ratifying the Equal Rights Amendment is critical to giving women in our country the rights they deserve, it is not, in and of itself, enough. I will continue to fight for the ERA but also for women's economic opportunities and reproductive rights.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATION OF NEOMI J. RAO

Mr. BLUMENTHAL. Madam President, there are many reasons to care about our Federal judiciary. It touches all of us in our everyday lives even though we often fail to appreciate its enormous impact. No court of appeals in the United States is more important than the DC Circuit, and so few of the nominees whom we will consider in this body will be more important than Neomi Rao to the U.S. Court of Appeals for the DC Circuit.

It has a unique jurisdiction that makes it the court to most frequently hear challenges to the Federal Government's public protections. It considers issues of national consequence, ranging from workers' rights, nondiscrimination policies, consumer protections, immigration policies, money in politics, reproductive rights, access to healthcare, environmental justice, antitrust cases, and regulatory action, like the possible grounding of an unsafe airplane by the FAA.

I have called on the FAA to ground the 737 MAX 8 and MAX 9. I have asked the airlines to do it voluntarily. If the FAA does the right thing, as it should, and orders these planes grounded, its decision may be challenged in the U.S. Court of Appeals for the DC Circuit, and the safety of our skies and our airline passengers will hang in the balance. This is just one example of how the DC Circuit can matter not only to the lives of people within a particular geographic area but to, literally, the entire United States.

When I ask nominees questions that are designed to elicit their views, their opinions, their past positions, and their present policies, I expect direct, candid answers, but I received just the opposite from Neomi Rao on some of the critical, bedrock issues that are important to all of us in this Chamber when judging a nominee.

I asked Neomi Rao whether she thought Brown v. Board of Education—a pillar of our jurisprudence—was correctly decided. She declined to answer. She said she felt it was inappropriate for a nominee to the court to be giving views on specific cases. I asked her for her views and her position on that case. She declined to give them. She also declined to give them on Roe v. Wade and on Griswold v. Connecticut.

One of my Republican colleagues on the Judiciary Committee also has reservations about Neomi Rao's opinions in some of these cases. He fears that Ms. Rao actually supports a woman's right to choose and supports the legal doctrine of substantive due process. Unlike me, he met Ms. Rao in private, and he got straightforward answers about her views on those cases and on the underlying legal theories. She passed his test, the President's litmus test, and the test of those outside groups—extreme rightwing, conservative groups—that have been given authority as a result of the President's outsourcing of these decisions to, in effect, decide on the nominees to our highest Court.

She passed the test established by the President—that he would appoint judges who would overturn Roe v. Wade.

But as abhorrent and objectionable as I find many of her views and her failure to give straightforward answers, she has also written a number of very troubling articles and op-eds about her views on women's rights and women's healthcare. We have in this Chamber a term called ''confirmation conversion,'' and I thought Ms. Rao would completely disavow and abandon those pieces.

In an op-ed about date rape, she wrote: ''If [a woman] drinks to the point where she can no longer choose, well, getting to that point was part of her choice.'' In another op-ed criticizing aspects of feminism, Rao wrote that women ''must be thoroughly educated about the consequences of their sexuality in order to prevent such problems'' as date rape. From early in her career, these writings indicate that she believes women bear a major part of responsibility for date rape.

These writings are from early in her career, and I thought she would completely break with them and reject them, but she failed to do so. Only after the hearing did she disavow them, without directly apologizing, and that kind of confirmation conversion is inherently unbelievable.

Undermining her credibility even more are the actions she took later in her career—after those writings and before she was nominated.

She serves as the head of the Office of Information and Regulatory Affairs, also known as OIRA. Her job is to review all regulatory actions—all of them—proposed by the administration. In that capacity, Ms. Rao approved rescinding guidance provided to schools on how to address and prevent campus sexual assault. Under the new rules, sexual assault survivors would be required to undergo live cross-examination by their attacker's representative. In the course of an administrative proceeding, there would be cross-examination by the attacker's lawyer or other representative. Schools would be required to use a higher standard of proof for claims of sexual misconduct.

Under this administration's own analysis, these rules would have a profound, chilling effect on the number of campus sexual assault investigations that are conducted. That is the reason they are proposing the new rules—to discourage survivors from coming forward to seek justice.

It is not only Rao's early writings that stigmatize and blame women survivors of sexual assault; the recent policies she approved and authorized institutionalize these really regrettable and unacceptable views. Her deeply troubling positions on sexual assault and her victim-blaming rhetoric—which she tried to excuse initially as the reckless musings of a college student rather than breaking with them and rejecting them—place the

rights of women and others at risk. We should deny her confirmation.

Equally important, she has also used that position at OIRA to restrict reproductive rights.

Let's be clear. One of the important features of the Affordable Care Act is a requirement that health insurers cover contraceptives as an essential health benefit—no charge to consumers because it is an essential health benefit.

Last year, the Trump administration issued rules that would allow any and all private companies to deny contraception coverage if the CEO had a moral or religious objection. Two Federal courts found that the rules were illegal because they violate the due process clause—the legal process required by law to implement the new rules—and that objection was found to be an inadequate justification for, in effect, violating the rights of women who would seek that kind of care at no charge. As the head of OIRA, Neomi Rao not only approved of the substance of the new rules but was so committed to implementing them that she signed off on an illegal process to do so.

That is not all Neomi Rao has done to, in effect, discourage and deter reproductive health. The Department of Health and Human Services recently finalized a new title X regulation. Under this rule, ''Any organization that provides or refers patients for abortions is ineligible for title X funding to cover STD prevention, cancer screenings, and contraception.'' As with any rule, OIRA had to conduct a cost-benefit analysis in order to approve that rule, and I am deeply troubled by Rao's views and actions on reproductive rights that led her to approve that rule and encouraged and condoned the rule and its disastrous effects on women's rights and healthcare.

We are living in an era fraught with abuses of power, under a President who has shown nothing but disdain for the rule of law. In this dark and dangerous era, it is all the more important that we have someone willing to set limits on executive power to prevent an imperial Presidency.

In fact, Ms. Rao is a proponent of a fringe theory on executive power known as the unitary executive theory. She believes that the President, as the head of the executive branch, holds absolute control over executive power.

As recently as 2014, she outlined the implications of this theory in the Alabama Law Review. According to her, the President must be able to remove at his sole discretion all principal officers, including the heads of independent Agencies.

She has criticized the Supreme Court's decision in Morrison v. Olson, which upheld the independent counsel statute in effect at that time. In her view, the President must be able to fire at will anyone in the executive branch. In her view, that includes special prosecutors tasked with investigating wrongdoing by the President.

In 2016, she was interviewed on Hugh Hewitt's radio show. She was asked whether she believes the current special counsel regulations have similarly restrictive effect on executive power and whether the President can direct the actions of the Attorney General or Acting Attorney General. Her view? The Constitution vests all executive power in the President. He can direct his subordinates. He can fire the special counsel.

I hoped that during her confirmation proceedings, she would disavow those views. I asked her whether she thought the President could fire Robert Mueller, the current special counsel. She refused to answer my question.

That extreme view of Presidential power is deeply alarming when it is held by a member of one of the most important courts in the country, which may review decisions of that special counsel to subpoena the President or potentially indict the President or take other actions in the course of an investigation.

I am more than alarmed; I am strongly opposed to this nomination. I hope my colleagues will join me in voting no on final confirmation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. 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. 556

Mr. GRASSLEY. Madam President, I recently reintroduced the Accountability through Electronic Verification Act this Congress, as I have in previous Congresses. This commonsense bill would require all employers to use E-Verify programs, which in turn would ensure that they are employing nothing but a legal workforce.

As most Americans have realized, the immigration debate here in the Congress today—and for a long time—has become highly partisan and obviously has been controversial. Of course, worst of all, it has become completely unproductive.

I believe there is a sliver of hope, however, and that is through the passage of an E-Verify program that makes E-Verify mandatory.

Whether you are a Democrat or a Republican, whether you are for open borders or you want secure borders, we all ought to agree that enforcing the law and protecting Americans is a bipartisan goal.

In 1986, the Immigration Reform and Control Act made it, for the first time, a Federal crime to employ undocumented workers. Ten years later, in 1996, Congress created a new tool to verify employment eligibility known as E-Verify.

Today, E-Verify is a voluntary program that gives employers a web-based tool to verify the identify and employment eligibility of new employees.

I have worked to renew and expand the program for use in all 50 States and to allow for information-sharing between Federal Agencies, including the Department of Homeland Security.

Participating employers then tap into a user-friendly, free electronic system that cross-matches documents provided by employees on their I–9 forms with Federal records available to show the U.S. Citizenship and Immigration Services, the Social Security Administration, and the Department of Homeland Security. So the records of a worker applying for a job can be compared with government records to know whether somebody is legally in the country.

Today E-Verify provides instant verification for more than 750,000 employers and businesses all across America. In fact, my Senate office uses E-Verify when hiring employees whom the taxpayers pay for, but I am responsible for their employment. My Senate office uses E-Verify when hiring our staff, and I have found it to be quick and easy to use.

At my annual 99 county meetings that I have throughout Iowa, I regularly hear about the growing economy, rising wages, and the vitality on Main Streets. Iowa now ranks first in the Nation for the lowest level of unemployment. That also means there are growing challenges for employers in my State to hire the workforce needed to grow and expand. I will bet a lot of my colleagues hear that in their respective States as well.

We need to make sure hiring practices don't harm U.S. workers or those authorized to work in the United States. That is why I reintroduced the bill I announced in the first words of my speech today, the accountability through electronic verification bill.

This legislation will help businesses comply with immigration laws by certifying the legal status of their workforce. The bill will permanently authorize the E-Verify Program, and require employers to use the program to determine workers' eligibility. It would then make every employer have to use it, except as contrasted for the last couple of decades on a voluntary basis.

For decades, E-Verify has served as a proven tool for employers that want to use it. It has helped to reduce incentives for illegal immigration and safeguard job opportunities for Americans and other legal workers. Expanding the system to every workplace will improve accountability for all businesses and take another very important step toward putting American workers first.

Current law requires all contractors doing work for the Federal Government to use E-Verify, repeating for a third time now the mandatory aspect of this compared to the voluntary aspect of the present law.

States that have passed laws mandating the use of E-Verify also may require employers to participate, for example, as a condition of business licensing. With low unemployment

across the country, and with Iowa leading the way, policymakers have a responsibility to ensure the growing economy has the workforce it needs to continue to do the growth of the last few years.

As the former chairman of the Senate Judiciary Committee, I worked extensively to protect the integrity of employment visas and work permits for foreign workers. A top priority must be to ensure immigration policies aren't displacing American workers or depressing wages.

Making E-Verify a permanent and mandatory requirement for all U.S. employers will bring across-the-board certainty to hiring practices throughout our country. Certifying the legal status for prospective hires makes common sense, and having in place the tools at one's fingertips makes it a simple, convenient solution.

E-Verify is a proven tool to encourage legal immigrants to apply for unfilled jobs and to deter illegal immigration and human trafficking.

In addition to making E-Verify permanent and mandatory within 1 year of enactment, my bill will increase penalties for employers who illegally hire workers unauthorized to work in our country. The bill will also require employers to check the status of all current employees within 1 year using the E-Verify system and terminate employment of those found unauthorized to work in the United States.

This bill establishes a demonstration project in rural areas without internet capabilities to assist small businesses.

Finally, the bill will require the Social Security Administration to improve its efforts to detect identity theft using Social Security numbers.

Expanding E-Verify will help restore integrity and trust in our Nation's immigration system by curbing incentives for hiring persons unauthorized to work in America.

I was pleased to hear my colleague, now-Chairman GRAHAM of the Judiciary Committee, highlight the benefits of E-Verify in a Judiciary Committee hearing held last week. He is right. Nationwide E-Verify would go a long way to relieve concerns about illegal immigration and workforce displacement.

Let me repeat. This bill will not change immigration law. All it does is ensure that businesses are complying with existing Federal law through a quick, cost-efficient, and proven online method of proving that people are legally in the country and legally able to work here.

It is a simple first step toward tackling larger issues within immigration; in other words, bringing credibility to our immigration system where credibility has been lost because for the last 20 or 25 years, we in Congress have been telling the American people we are going to control the border and people can only come here legally, and we haven't done it.

We have to do things to build up credibility if we are going to deal with issues like what do you do about the 10 or 11 million people who are unauthorized to live and unauthorized to work in America.

Some people say: Well, you are going to load them up and get them out of the country, but that isn't realistic, and it wouldn't be humanitarian. To deal with that issue, we have to have credibility for the whole immigration system, and E-Verify will help that, along with everything we are doing to control the borders, and we have to do more to control the borders.

Again, to repeat, this is a simple first step to tackling larger issues within immigration. Best of all, it has the support of the American people.

A recent Zogby poll showed that mandatory E-Verify enjoys widespread support from voters. Seventy-four percent of all voters polled support mandatory E-Verify. In fact, the support is very bipartisan. The poll showed that roughly 55 percent of Democrats, 78 percent of Independents, and nearly 91 percent of Republicans support the idea of E-Verify.

Support for Nationwide E-Verify isn't just nonpartisan, it is supported by Americans across all ethnic boundaries. Fifty-eight percent of Hispanic voters, 52 percent of Black voters, and 74 percent of Asian voters polled all support E-Verify.

I will close with this. Perhaps it is time that Congress and both parties take a very deep breath and listen to the American people instead of to our own echo chambers.

Before we discuss expanding guest worker programs or discuss comprehensive immigration reform, let's first codify E-Verify and restore the American people's trust in our immigration system.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MILITARY WIDOW'S TAX ELIMINATION BILL

Mr. JONES. Thank you, Mr. President.

Mr. President, I rise today to talk about something that, quite frankly, I find to be completely abhorrent, and that is the short-changing of our Nation's military widows when it comes to survivor benefits they paid for and earned. It is something that I was dismayed to learn is happening to some 65,000 surviving spouses of American military servicemembers—including more than 2,000 Alabamians—who were killed in action or died as a result of service-connected causes.

After suffering the loss of a loved one, military widows and their families can find themselves unexpectedly losing out on vital survivor benefits they had planned to receive in these tragic circumstances. That is because, under current law, surviving spouses are entitled to receive VA dependency and indemnity compensation benefits, or what is known as DIC.

Some families go a step further. Like many families in the private sector, many go a step further by voluntarily paying into the Defense Department's Survivor Benefits Plan, which acts like an additional life insurance policy. Again, they are entitled to the DIC benefits, but they pay for additional coverage should there be a tragic accident or tragic death, which acts like an additional life insurance policy. That policy is something these families voluntarily pay into, and like any other life insurance plan you or I might buy, they expect to get the benefits they have paid for.

For those who are entitled to receive these benefits from both programs, they are subject to what has been known as the widow's tax. Again, this is only for those folks who are getting benefits from both programs—the DIC and the survivor's benefit programs. That is because our law prohibits widows from receiving their full benefits from both programs. That is the widow's tax. Instead, their SBP annuity is prorated because their DIC payment is subtracted from it. They don't get the full benefit of both programs when one gets subtracted from the other.

Simply put, it is really a way for the Federal Government to save a few bucks by simply ripping off military widows whose family paid extra to receive these additional benefits. They voluntarily paid extra to receive these benefits.

This isn't just a problem facing Active-Duty families. It is far bigger, folks, because it impacts anyone who has a service-connected death.

To put that in context, in Alabama alone, there are over 60,000 Department of Defense retirees whose families could be impacted by the widow's tax if the veteran were to pass from a service-connected cause.

Now, I understand that we have to be careful stewards of taxpayer dollars. I am fully aware of that. But give me a break when it comes to military spouses and widows. This is a benefit that families paid for out of their own pockets. If they are not getting the money, then, it begs the question: Who is?

No surviving spouse should be faced with this kind of unexpected and completely unfair cut to the benefits they ought to be able to count on in these heartbreaking circumstances.

No surviving spouse should have to fight for what their families are owed—in the wake of family tragedy, no less. Again, this is what they are owed. This is the thing they have paid for in more ways than one.

No surviving spouse should have to mount a massive lobbying effort in the Capitol of the United States, of this great country, to get folks to understand that this is wrong and we need to

fix it. Every year, there is a campaign to fix this program. Yet, it doesn't get done.

Instead, these families should be focusing on helping their families begin to heal and find strength. They should be given the space and time to breathe.

It is an absolute shame that this is even a problem we need to address. That is why I have introduced bipartisan legislation with several of my colleagues on both sides of the aisle—Senators COLLINS, TESTER, CRAPO, and 31 others—to repeal the law that prevents these families from receiving their just due.

The Military Widows Tax Elimination Act of 2019 reflects our belief that people who put their lives on the line for our country deserve to know their families will be taken care of if something, God forbid, ever happens to them.

Our bill has support from the Gold Star Wives of America, the VFW, the Military Officers Association of America, the National Military Family Association, the Tragedy Assistance Program for Survivors, and so many others. In fact, some of the most dedicated activists from the Gold Star Wives are watching today from the Gallery right now, including Crystal Wenum, Harriet Boyden, and Donna Eldridge. I thank them all for their leadership and for their continued contributions to our country.

This legislation has been introduced in previous sessions of Congress, but it has yet to pass—in large part because of concerns about the cost. As I said, while I certainly understand that there is going to be a cost associated with this, we are talking about a benefits plan that these families paid for on their own accord. It is their money that went into this fund, not taxpayer money and not money that is appropriated every year. It is their money, and they deserve to get it back.

I think we can all agree that ending the widow's tax is the right thing to do for our military families. Why don't we finally get it done in this, the 116th Congress? Let's show our troops and their families that we support them not just in word but in deed. Let's show these surviving spouses and their children that we stand with them long after their loved ones have made the ultimate sacrifice for this country and long after we know that they, too, have made a sacrifice in the name of this country. Let's right this wrong and finally pass the Military Widows Tax Elimination Act.

I urge my colleagues to do the right thing. It is never ever too late to do it. Even though this has been tried before, it is never ever too late to do the right thing and support this bill.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oklahoma.

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

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

CHINA

Mr. LANKFORD. Mr. President, China is no doubt a Communist country. It also has the largest population on Earth, which means it has the largest consumer market on Earth. It is a growing economy, although it has had a significant slowdown in the previous couple of years. It is a $400 billion market for the United States currently, in our trade, and it is a significant place of trade when dealing with agriculture in particular.

We have a lot of issues and differences with China, but we should be able to work out those differences long term, as we do with every other nation. We have to resolve some of these things.

I am proud that the administration is full force taking on the issue of China. Over the past couple of decades, every administration has tried to work out some kind of ongoing conversation with China on trade, and all of them have been somewhat successful, but significant issues are still prevailing. This administration has had a singular focus on trade in dealing with China and trying to resolve those issues with them, and I hope it is successful long term. I hope that we will be very specific in how we actually handle that strategy and that at the end of it, we will still be openly trading and reducing some of those barriers.

It is a Communist country. It doesn't always play by the rules. It also uses some of the rules to its own advantage in ways unlike any other country. For instance, when they joined the WTO—the World Trade Organization—they self-declared themselves as a ''developing nation.'' Developing nations are able to waive a lot of the World Trade Organization rules because they are developing. May I remind this body that China is the second largest economy in the world—second only to ours? They are not a developing nation. They have used the rules of WTO to call themselves developing so they do not have to live up to the international standard of basic trade.

On March 22, 2018, President Trump signed a Memorandum on Actions by the United States related to what is called a 301 investigation. They are targeting what the White House calls ''economic aggression'' from China. Let me give some specifics on that.

China uses joint venture requirements on any foreign investment. They want to have ownership in those companies actually doing business there. They put pressure on technology firms to transfer their technology to China if they are going to actually sell to China. The result of that is that they may not take the product that is manufactured there, that those original companies sell back to the United States, but they will take that information and then actually sell to other parts of the world from that stolen information from a technology transfer.

Akin to that, China maintains unfair licensing practices. Typically, in other parts of the world, our intellectual property that we have is guarded by that nation, or we actually have a licensing agreement with them that is fair market value. Not so with China. They put pressure on entities and actually cheat and steal our intellectual property at times. That doesn't happen with every company but especially certain types of firms, where, long term, China wants to produce it on their own rather than buy it from other countries. If that production is done in China, China will take the intellectual property, and the plan is clearly to then take that intellectual property and use it for themselves in the days ahead.

China is notorious for supporting cyber intrusions to take the information that they can't get, especially from American companies or Western companies. If there is a design they are interested in, whether that be an airplane or 3D printing or whatever it may be that is designed somewhere else, they reach in and try to hack and steal it. This is not recent; this has been going on for quite a while. In 2014, the Department of Justice indicted five Chinese military actors for cyber espionage against multiple U.S. corporations. Recently, in 2017, the Department of Justice charged three Chinese nationals with hacking and theft of trade secrets. And it goes on and on.

Just in the past couple of weeks, the World Trade Organization has agreed with the United States in our complaint against China and how they handle agriculture subsidies. Agriculture subsidies from any country are limited in that country, but China uses large ag subsidies through their farmers and ag companies to subsidize those products with state taxes. Let me give an example of that. Thirty-two percent of the return for rice in China is a government subsidy back to rice farmers.

I have heard folks say: Well, in the United States, we also have a farm program. We have a farm bill. We provide subsidies as well.

That is true, but our rice farmers have a 2-percent subsidy. Chinese rice farmers have a 32-percent subsidy.

The World Trade Organization agreed with us on this, and they have determined that China is in violation and the United States can retaliate on that.

China is using that policy and abusing that policy on subsidizing. It is not only causing problems in China and with trade with China and their pricing, what they sell for, it is also causing uncertainty worldwide. Let me give a for-instance. Cotton farming. Oklahoma is big in cotton farming, but China has oversubsidized cotton for years through its cotton farmers, and so they are overproducing what they need or what they can sell. Currently,

60 percent of the world's cotton supplies are stacked up in China, just in piles, not being used anywhere, but because China is subsidizing people to produce it, they are overproducing it in mass quantities. They have nowhere to send it, and they are just stacking cotton up in piles. The same thing with wheat. Forty percent of the world's wheat supplies are currently piled up in stacks in China. That destabilizes worldwide wheat prices and worldwide cotton prices because no one knows what China is going to do with that massive stack. WTO has considered them to be in violation for that, and we are allowed to reach back and retaliate.

The United States is not the only one watching China's trade policies and how they actually interact and the subsidies they give; the rest of the world sees this same issue with China. They would engage with us more to cooperate and push back on China, but currently, we have so many steel and aluminum tariffs on our friends around the world that they are not engaging with us to the level they could be to have a clear focus against China.

We need to not isolate our friends but gather friends and say that China and their policies are clearly a worldwide issue, and it needs to be resolved. Worldwide collaboration is going to be the only way that we are going to really isolate an economy as large as China.

I encourage our administration to resolve trade issues worldwide and resolve tariff issues with our friends worldwide. Instead of saying it is a national security threat with Canada and Mexico and others, and so we need to have steel and aluminum tariffs, see the real national security threat that we have from China, and gather a cooperative group and focus on that one area.

One of those areas is those 301 tariffs that I mentioned before. Any tariffs that go into place must first and foremost not hurt American consumers, American companies, and American workers. My concern is that 301 tariffs—as they have grown—will hurt and are currently hurting American consumers, American employees, and American companies.

The 301 tariffs—these are products that are manufactured in China. They are often designed so the engineering, the marketing, all of those things, the design of those—the intellectual property is here in the United States. Companies in the United States look for manufacturing expertise. They find expertise in certain types of products, like electronics, lighting, and other things, where there is a lot of that manufacturing and expertise—in China. It is a natural thing to say: There is a large body of groups and individuals and technology that is already there to do it. Let's do the manufacturing there and the design and engineering here.

It makes sense just on the supply chain function.

This administration has laid down tariffs—so far, three different tiers of tariffs.

The first tier. Every American company was allowed to say ''Is there any other place that can do it?'' and to ask for exclusions through that process. If they could find exclusions, they could petition the government and get out of it.

The second tier. They were also allowed to ask for exclusions through the process, to ask for basically a waiver, to say: This is the best place to do it. There is no other competition. There is no one pressuring us not to do it here.

But when the third and largest tier came out—$200 billion in products—no exclusion process was given for these American companies. A 10-percent tariff was laid down on these companies. Here is what that means. If you are a company that produces a consumer electronic or lighting or one of the other resources that is manufactured in China, most of the people you are selling it to—you made a contract a year or two ago on what the price would be.

Whether selling to Lowe's or Home Depot or Walmart or Best Buy or whatever it may be, you made a deal about how much you are going to sell that product for and how much you are going to sell. With a 10-percent tariff laid down, who pays that tariff? It is not going to be the end user initially because the contract has already been made. It is not going to be the Chinese manufacturing location. It is going to be the companies doing the production in the United States. The American workers and the American companies pay the brunt of all of those, and, by the way, there is no way to file an exemption on this group. For $200 billion worth of products, Americans are actually facing the brunt of that.

So far, Americans have paid $12 billion in tariffs. It is not punishing the Chinese; it is punishing us. By the end of the year, if this continues, those contracts will have run out, and they will be repricing consumer electronics products all over the country, and the American consumer will be the one to pay higher prices on this. So 301 tariffs disproportionately hurt those in the middle class and those in poverty who have fixed incomes. This needs to be resolved.

First and foremost, there needs to be a way to have a waiver process. As we have done in the first two sections, there is no opportunity to get it out of the third and largest group. It is a reasonable thing for American companies to say: How can we actually produce this?

I have partnered with Senator COONS in the Senate and Representatives KIND and WALORSKI in the House, and we put together a basic bill dealing with import tax relief, dealing with this 301, laying down for the first time how we would actually manage tariffs in the days ahead and what exclusion process there would be and has to be.

It is reasonable to have a predictable level to benefit the American consumer, especially those in poverty and with fixed incomes, and to benefit American workers. We can't have tariffs on a foreign country that actually hurt American workers. That is an issue we still have to resolve. I am glad to have a partnership with Senator COONS to work on that, and we hope to get that done this year to guard workers for the future.

Along with that, in any trade negotiations, we have what is called trade promotion authority. We have basic standards. An example would be environmental concerns. We don't want to work with another country that is ignoring environmental concerns. We are concerned about where we are in the environment—the air we breathe and the water we drink. That is important to us as Americans because we want to protect our families. We understand it pushes up the cost of some products, but the long-term benefit is greater, and we are very careful in evaluating our regulations. When we overregulate and it drives up costs, we push back on that, saying that we don't want to overregulate and drive up costs, but we want to have clean air and water.

For the Chinese, that is not so. In many areas of China, you can't breathe, and on a regular daily basis people wear masks over their faces because of the exhaust, the fumes, and the toxic air they breathe, based on their limitations on the environmental quality of the air. It is becoming a worldwide issue because of the amount of trash the Chinese are allowing to go into the Pacific Ocean, filling the Pacific Ocean with plastic and trash.

Part of our trade promotion authority and one of the agreements we have is to lean in and have dialogue with individuals we trade with, saying that we want to resolve trade issues, but we also want to protect our environment, and we think it is a reasonable thing to do.

It is reasonable, as Americans, to place a high value on religious liberty and human rights. It is part of our trade promotion authority and, in fact, an area I worked very hard to get implemented as a part of our trade promotion authority—that when we negotiate trade issues with countries, we also deal with the basic issue of human rights and freedom of religion.

We, as Americans, believe that our religious belief is our most precious private property, and no government should be able to step in and steal private property. Your most private possession is your faith. Every individual should have the right to have any faith they choose, be able to change their faith, or have no faith at all. That should be their choice, but that is not so in China right now.

In fact, in 1999, the State Department designated China as what is called ''a country of particular concern.'' This

deals with the issue of religious freedom in their country and China's aggressive move to limit religious freedom in their country. Recently, President Xi has worked toward secularization of religion to try to make everything in the country—every area—equal and the same, stripping away religious symbols from buildings of all types, stripping away religious practice that is not approved by the Government of China. This discrimination has impacted Tibetan Buddhists, Muslims, Catholics, and Falun Gong practitioners. It has led to the destruction of houses of worship, demolition of religious educational institutions, restrictions in the practice and study of faith by people of whatever culture or language, restrictions on religious attire, religious rituals, and imprisonment of religious leaders and followers.

In fact, right now we are tracking the imprisonment of a pastor named Pastor Cao. Pastor Cao and his wife are American citizens, and his children are American citizens. He is allowed to have legal residency in the United States, but 2 years ago as of this month, he was imprisoned in China.

Pastor Cao has a hearing coming up on the 22nd of this month, and we hope for Pastor Cao and for his family that hearing happens. It has been postponed again and again.

On the 22nd of March, we anticipate the Chinese Government will have his hearing and will give him a moment to have this finally resolved. There is no reason for Pastor Cao to be in prison right now.

We don't want to see, in China, forced reeducation facilities, intimidation, lack of medical attention for people of faith. Let's see for the people of China what people worldwide have the opportunity to have—freedom of religion. In our trade conversations we think it is highly advisable to engage in that type of dialogue for people like Pastor Cao, whose children are looking forward to holding him in their arms again and for him to be released.

China is an important part of the worldwide conversation. They are a powerful nation. We should be able to work together on key issues. The Chinese Government needs to determine how they are going to trade and if they are a developing country or if they are really a worldwide leader.

We need to determine how we are going to do fair trade with them, and we need to determine who they are going to be on the world stage, dealing with human rights and dignity. It is not all about sameness of a world; this is about the power of the individual within the country.

I am sure the people of China are very proud of their country. We would love to engage with the people of China, and we appreciate their engagement with us as we receive thousands of Chinese students and visitors every single year.

This is a point where we should resolve the trade issues that have been lingering for decades now, and we hope we can get to an agreement that is right, from our administration being attentive so that the tariffs don't hurt our own citizens to the Chinese economy that is slowing down due to the ongoing trade conversation. Let's work toward the benefit of all of our people to see if we can't resolve trade issues together.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ENES KANTER

Mr. WYDEN. Mr. President, I have come to the Senate floor this afternoon to talk about a young man named Enes Kanter, who plays basketball for my hometown Portland Trail Blazers.

I wish I could be here to run through Saturday's box score or preview tonight's match up against the Clippers, but, unfortunately, Mr. Kanter is facing dangers that are far more serious than the outcome of any basketball game. His family is now facing those dangers as well.

Mr. Kanter is from Turkey. His love of basketball brought him to the United States in 2009, and he was selected third overall in the 2011 NBA draft by the Utah Jazz. Enes is a bright, intelligent, and soft-spoken guy. He pays attention to what goes on back home in Turkey; he cares deeply about his country's future; and he rightfully believes that he ought to be able to express his opinion as he sees it on these important issues. For that, Turkey's President Erdogan has labeled Enes Kanter a terrorist.

President Erdogan and his cronies are too thin-skinned to tolerate Enes Kanter's eloquence and inspirational dissent off the court. Erdogan revoked Mr. Kanter's passport based on accusations that lacked any real proof. President Erdogan has demanded that INTERPOL issue a red notice on Mr. Kanter, which means he has to stay in the United States whenever his team travels outside the country. It has kept Mr. Kanter from going to London and going to Toronto.

As Mr. Kanter himself wrote in a recent Washington Post opinion article, ''I am definitely a target, and Erdogan wants me back in Turkey where he can silence me.''

Following strategies right out of ''The Dictator's Playbook,'' Erdogan has responded like a coward to Mr. Kanter's criticism and has tried to silence him by threatening his family—his family who still lives in Turkey.

Mr. Kanter recently told reporters that his father would be going on trial this week, in just a few days, in Turkey. The details of that trial are shrouded in the fog of secrecy—where authoritarians thrive. Yet Mr. Kanter's powerful words cut cleanly through that fog just a few days ago. When asked what his father was on trial for, Enes said for ''just being my dad.''

Enes is a young man who has already sacrificed so much. As a teenager, he moved thousands of miles away from home to pursue his dream of playing in the NBA. For the crime of just voicing his opinions on the future of Turkey—a nation that is supposedly an American ally—Enes was labeled a terrorist. Years ago, he cut off contact with his family because he believed Erdogan would punish them for speaking with someone who was critical of Erdogan's government. Now, without being able to contact them, Enes has to live in constant fear of what is going to happen to his loved ones back home.

So, as I stand on the floor of the U.S. Senate, I want to make sure there isn't any confusion on two important topics.

First, Mr. Erdogan, the world is watching how you treat Enes Kanter's father this week and in the weeks ahead. Mr. Erdogan, the world is watching how you treat Mr. Kanter both when he is on American soil and when Enes travels abroad.

Second, the United States cannot and must not stand idly by while Enes and his family are subjected to this autocratic torment.

I have called on Secretary of State Mike Pompeo to raise Mr. Kanter's case with his counterparts, and I have asked our Secretary of State to state clearly that our country will actively resist these contrived red notices or extradition requests. The fact is, our State Department should be taking all of the necessary steps to ensure that Mr. Kanter can travel safely with the Trail Blazers or to advocate for the freedom of his people. Enes Kanter is a young man—an American resident—who is exercising the right to free speech that is enshrined in our Constitution. The United States must not stay silent in the face of such a blatant attack on free thought and expression.

In my view, this is not exactly an isolated issue. It is certainly not just a sports story. The situation ought to be examined in a broader context—a government that is taking a supposed NATO ally down an increasingly authoritarian road.

When the Saudis brazenly killed Washington Post columnist Jamal Khashoggi in a consulate in Turkey, Erdogan styled himself a fierce defender of journalists, but this is a classic situation of actions speaking louder than words, for Erdogan jails more journalists than do the Saudis. In fact, Erdogan jails more journalists than do the Russians, the Chinese, and more than any other authoritarian regime that is out there.

Erdogan does not only target journalists or independent media outlets, all of whom knowingly, bravely risk such oppressive actions when they just want to report the truth; Erdogan has thrown peaceful demonstrators into

jail as well. Just last Friday, he cracked down on people who were assembling peacefully in Istanbul for International Women's Day.

It gets worse—worse because Erdogan is brazen enough to push his assaults on democratic norms right here on American soil. Less than 2 years ago, Erdogan gave the go-ahead for his security detail to brutally attack nonviolent demonstrators right here in the Nation's Capital. That assault, to emphasize the point, took place on American soil—right here, just a short walk from the White House. Americans ought to be outraged over this sort of behavior, especially from a supposed friend and ally like Turkey.

It has not gone unnoticed that Erdogan recently doubled down on his decision to make a major military purchase from Vladimir Putin's Russia, and his use of fraudulent INTERPOL red notices is right out of Vladimir Putin's playbook.

It is past time for the State Department to stand up to this behavior. The State Department needs to call this behavior out. It is not a far-off threat to other people the Federal Government can conveniently ignore. Erdogan's abuses are happening right here in our country, on American soil. People like Enes Kanter are the victims.

As a younger man back in the day, I went to school on a basketball scholarship. I often tell people at my townhall meetings that I wanted to play in the NBA—a ridiculous idea because I was too small, but I made up for it by being quite slow. My abilities on the court were certainly light years removed from Enes Kanter's, but I can tell you, from playing in college, I certainly remember the value of a full-court press. I am firmly committed and will state once more that our State Department must put a full-court press on Turkey to treat Mr. Kanter—and all of those who speak out against Erdogan's totalitarian regime—with respect for their human rights and freedom of expression.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. MCSALLY). Without objection, it is so ordered.

BUDGET PROPOSAL

Mr. DURBIN. Madam President, the President's inauguration over 2 years ago was a historic moment. Though my candidate didn't win, I attended it in my capacity here in the U.S. Senate and saw a lot of people, but the one person I saw who was nothing short of remarkable was Jimmy Carter.

The reason why it was remarkable to see the former President, who left office in 1980—39 years ago—was the fact that most everyone had counted him for dead. If you will remember, he was diagnosed with a form of cancer that was supposedly fatal. People were talking about making their last trip to Plains to attend his church on Sunday and hear his last sermon. I thought it was over, and most everyone did, too, but then something amazing happened. There was a new drug that came along, and it turned out to be just the right drug to save his life.

When I saw Jimmy Carter a little over 2 years ago, I thought to myself: I never thought I would see him again, and I never thought I would see him looking this good.

Those things don't just happen. Those drugs aren't just discovered. They are the product of a great deal of work and research and application.

I remember asking Dr. Collins at the National Institutes of Health what Jimmy Carter's story was. He explained that early research at NIH, which is the premier medical research facility in the world, had led to some new possibilities in treating cancers. It just so happened that Jimmy Carter's cancer was responsive to that drug. Others have been, too, and I hope that even more are discovered.

The good news is that the U.S. Senate and Congress understand this. Do you know what has happened over the last 4 years? What has happened over the last 4 years is a dramatic show of bipartisanship when it comes to medical research. ROY BLUNT, from Missouri, is in my neighboring State. I, of course, represent Illinois. He is the head of the Appropriations subcommittee that funds the National Institutes of Health. LAMAR ALEXANDER, from the State of Tennessee, is the chairman of the authorizing committee for the National Institutes of Health. PATTY MURRAY, my Democratic colleague from the State of Washington, serves in both the appropriations and authorization committees and couldn't be a stronger advocate when it comes to medical research. We have a little team together, the four of us, and we said we were going to do something or try to do something each year.

Here is what we set out to do. We set out to take the appropriations for the National Institutes of Health and give it 5 percent real growth every single year—because Dr. Collins told me: If you do that, Senator, then the people who do the research believe that next year could be a good year, too, to continue their research, and they will stick with it, and when they stick with it, amazing things happen.

So we did. I want to give credit to Senator BLUNT, Senator ALEXANDER, and Senator MURRAY. I was happy to be a part of the effort. For 4 straight years, we added 5 percent real growth to the National Institutes of Health. In total, when you look at all of the increase of that period, there is a 30-percent increase in medical research in a period of 4 years and more to follow—more to follow, if we get a chance.

That is why, when we received President Trump's budget yesterday, it was such a heartbreaking disappointment. He has given up in terms of our continued increases in medical research. In fact, he wants to cut $5 billion out of the appropriations for the National Institutes of Health.

Each of us decides why we want to be here and what is worth fighting for. I think medical research is worth fighting for. The team that has been fighting for it has been a bipartisan team in the Senate, and I hope they felt the same way I did—a feeling of real disappointment in President Trump's budget.

I have to tell you that he believes his wall is the most important thing on Earth. I believe medical research and saving lives are among the most important things on Earth. As for cutting money out of medical research—for whatever reason you are going to use it—I just have to say to the President and others that you are in for a fight. There are a lot of us who are standing up and representing patients that are counting on that research to find a breakthrough and families who are dealing with Alzheimer's.

How many friends of mine and how many families could I tell you about who have some form of Parkinson's or dementia or Alzheimer's that has changed the family dramatically? Can we and should we be looking for more medical research to delay the onset of Alzheimer's and, God willing, to find a cure some day?

We are reaching a point where this is going to absolutely take over the medical budget of America if we are not careful. Shortsighted cuts in medical research jeopardize those new cures for cancer, heart disease, diabetes, Parkinson's, Alzheimer's, and dementia.

The President is just wrong in his priorities—just wrong. Some of the other things he has done in the budget are equally troubling. According to his budget request, the President wants to cut $1.5 trillion from Medicaid—$1.5 million from Medicaid.

What is the Medicaid Program? It is health insurance for poor people. Who are those poor people? In my State of Illinois, out of all the babies born in my State each year, half of them are paid for by Medicaid. There are low-income moms delivering babies—we hope healthy babies—because Medicaid as health insurance is there to help them.

But that isn't the biggest charge on the Medicaid Program. The biggest charge on the Medicaid Program—that health insurance program—is for your mom, your grandmother, or your father. When they reach that stage in life where nothing is left, when there is no savings and maybe a little Social Security check, and they have medical needs, it is the Medicaid Program that comes through for them.

If we cut what the President is suggesting, $1.5 trillion in Medicaid, which of those groups do you want to reduce care for—the mothers with their new babies or the parents and grandparents at a stage in life where they have no

place to turn and no savings to turn to? That is not a good outcome.

Then there was the suggested cut of $845 billion in the Medicare Program. Medicare is health insurance for the elderly. When you reach age 65, you have paid into it through your working life and you have that Medicare insurance plan. The President cuts $845 billion out of Medicare.

Does Medicare work? There is one way to test it. What is the life expectancy of senior citizens today, after Medicare, compared to their life expectancy before Medicare? It is dramatically different. People are living longer and more independent lives because Medicare gives them quality care when they reach age 65, and President Trump believes we should cut that program by $845 billion. That, to me, is shortsighted.

When it comes to our health, is there anything more important? When it comes to the health of our families, of seniors, of the disabled, and of women who are about to have a baby, is there anything more important than to make sure that turns out right? It is hard for me to think of what it might be.

The cut to the Centers for Disease Control of $1.3 billion in the President's budget is another one you just shake your head at. The Centers for Disease Control shows up when no one else will enter the room, when they are facing diseases that are life-threatening. For the Ebola crisis in western Africa and the fear that it would spread throughout that continent and maybe to the United States, it was the Centers for Disease Control that stepped in and said: We are going to tackle it. We will take it on.

They did, and they did it successfully.

We are only one plane ticket away from some of those diseases making it into the United States. I want the Centers for Disease Control to stop them in their tracks before they come to the United States, and the President cuts $1.3 billion.

The SNAP food stamp program is another one—a cut of $220 billion. This is a program that provides supplements for food for families. Many of them are working families who just don't make enough money to get by. I can't tell you how many food pantries I visited in Illinois where the people who run it—many of them volunteers with churches and charities—say: The people who are coming in to see us now are folks who are working and not making enough money.

Some of them qualify for food stamps, and some of them don't, but feeding America should be fundamental in this country; shouldn't it? Shouldn't that be one of the basic things we pride ourselves on as Americans?

Remember when President Trump spoke about the aging infrastructure of America during his campaign? Even though I wasn't supporting his candidacy, I certainly cheered those remarks. Infrastructure is bipartisan. The roads and bridges in Arizona and Illinois and in every other State all need help, and they count on us in Congress to come through with it. Well, the budget that the President released this week slashes infrastructure funding by 22 percent. When we should be putting more into making a more modern and more efficient infrastructure to build our economy, the President cuts it. He cuts 31 percent from the Army Corps of Engineers.

Today, I had a visit from the Illinois corn growers. We are proud. There is a lot of corn in Illinois, and we are proud of being No. 2 to Iowa, I might add, when it comes to corn production. But do you know what they talked about in addition to ag programs? They talked about the locks and dams on the Illinois and Mississippi Rivers. Those are the avenues of commerce for agriculture in the Midwest, and they are old and getting older and falling apart.

The Army Corps of Engineers are counted on to modernize them, and the President cuts 31 percent of their budget—one-third of their budget—and 16 percent of the Department of Housing and Urban Development.

The President's budget completely ignores the threat of climate change, cutting the Environmental Protection Agency by 30 percent.

Here is one that hits home. The President cut the Great Lakes Restoration Initiative by an outrageous 90 percent. They did a survey a few years ago and asked the people of Chicago, the city I am proud to represent: What do you think is the defining characteristic of the city?

The overwhelming response was Lake Michigan. That beautiful lake, a part of the Great Lakes, is not just a source of pride, but it is a source of good, clean drinking water and of recreation and commerce. We know it is threatened in every direction, from chemical runoffs to invasive species, and we fight to make sure those lakes will survive for another generation. The President cuts the funds for that effort by 90 percent.

These are just a few examples of decisions made in the President's budget.

Needless to say, I have saved the best for last. Though he has cut everything I just talked about—from medical research to protecting our Great Lakes, to transportation and infrastructure, to taking care of senior citizens, to making sure that health insurance is there for expectant mothers—the President needs $8.5 billion for his almighty wall, this wall on our southern border.

We have given the President 120 miles of fencing—new and replacement fencing—over the first 2 years he was in office. That is 120 miles to add to the 640 already on our border. Do you know how many miles have been built, as I stand here today, for the last 2 years that we have given the President? None. It takes a long time to build these fences, and the President is learning it the hard way. Yet he wants to take money out of programs across the board on the possibility that they may be built in the future—needed or not. Congress needs to step up—and I hope on a bipartisan basis—to assert our constitutional authority and to find a bipartisan way to put together a budget that is much more balanced and that realizes the real values of America.

JUDICIAL NOMINATIONS

Mr. DURBIN. Mr. President, this week, Senate Republicans are looking to confirm two more circuit court nominations, which would make a total of six circuit court confirmations this year.

None of these six circuit court nominees have had any prior judicial experience. Some have had very little courtroom experience at all.

Four of them have been put forward over the opposition of Senators in their home State: Eric Miller, who was opposed by both Washington Senators; Chad Readler and Eric Murphy, who were opposed by Senator BROWN; and now Paul Matey, who was nominated over the objections of both Senators BOOKER and MENENDEZ.

I believe the Republican majority is making a serious mistake by abandoning blue slips for circuit court seats. They have set a precedent that could affect each and every one of our States.

Already, the Trump administration has nominated a person for a Ninth Circuit California seat, Daniel Bress, who has only lived in California for 1 year since high school and who practices in Washington, DC.

It is absurd to see a nominee to a California-based seat with such minimal ties to California. That is what the Republicans have brought about by abandoning circuit court blue slips. It is a big mistake.

This week, Majority Leader MCCONNELL plowed right through with a vote on Paul Matey, President Trump's nominee for a Third Circuit seat based in New Jersey. Mr. Matey had recently served for 4 years as the general counsel for University Hospital in Newark, NJ. While Mr. Matey was there, a patient safety organization gave this hospital annual grades of ''C,'' ''D,'' ''D,'' and ''F'' for patient safety. The grades got worse while Mr. Matey was there.

Previously, Mr. Matey had been a longtime staff member to New Jersey Governor Chris Christie. He served as Governor Christie's chief ethics officer and deputy chief counsel. Mr. Matey said he provided a rigorous system of ethics training, monitoring, and oversight for staff members in the Governor's office; yet it is unclear what steps, if any, he took to ensure that ethics rules were followed. It certainly appears that Mr. Matey's ethics guidance fell way short during the so-called Bridgegate scandal in 2013. That is when Christie administration officials arranged to close lanes on the George Washington Bridge as retaliation

against a mayor who had not endorsed the Governor's reelection. The deputy chief of staff, Bridget Kelly, was sentenced to 18 months in prison for her role in this scandal.

In addition to being a former staffer to a Republican-elected official, Mr. Matey is a longtime member of the Federalist Society. But just because a nominee meets the ideological litmus tests of the Republican Party and the Federalist Society doesn't mean he has the experience and judgment to be a good circuit court judge. More likely, it is a sign the nominee will be an ideological judge.

New Jersey's two Senators opposed Mr. Matey's nomination, but the White House and Senate Republicans plowed right through with this controversial nominee.

Also this week, Senator MCCONNELL has scheduled a vote on D.C. Circuit nominee Neomi Rao. The DC Circuit is often considered the second most important court in the land, and typically the nominees to this court bring with them a wealth of legal and judicial experience.

Ms. Neomi Rao has virtually no practical experience in law. She has never tried a case in court. She has never argued an appeal in court. She has never made an appearance in an American court, and she has filed one court brief in her entire career.

How in the world could someone suggest that this woman get a lifetime appointment to the second highest court in the land, never having tried a case, never having argued an appeal, never having made an appearance in the court, and having filed only one court brief in her entire career?

She was a political appointee of the President, working at the Agency known as the Office of Information and Regulatory Affairs. When she was there, she set out to rescind a lot of Federal regulations—regulations, however, that might have been better left on the books—that protected workers, the environment, and Americans facing discrimination. She was out to put an end to those regulatory protections.

She has been an academic. She has written a lot. In the year 2009, she wrote: ''The President may also decide not to follow Supreme Court precedent, and in the rare instance, may decide against the enforcement of a particular judgment.''

That would be considered a radical statement by most standards. It is a radical view of Executive power that Ms. Rao put forward. It flies in the face of Supreme Court rules and decisions, where the final word on constitutional interpretation was decided and established two centuries ago in Marbury v. Madison.

Ms. Rao has also published a number of articles in college, in which I can't even describe to you what she was thinking. They were shocking and inflammatory writings on issues involving race, sexual orientation, sexual assault, and date rape.

In April of 1993, this woman—destined for the circuit court and a lifetime appointment, where she will use her judgment on a daily basis to decide the outcomes of cases and the legal framework of America—wrote: ''Date rape exemplifies the attempts of the nurture feminists to develop an artificial, alternative world in which women are free from sexual danger and 'no always means no.' ''

In October of 1994, she wrote of date rape survivors: ''If she drinks to the point where she can no longer choose, well, getting to that point was part of her choice.''

In September of 1994, she wrote that a group at Yale called the Bisexual, Gay and Lesbian Co-Op was ''spreading myths about AIDS.''

In November of 1993, she wrote:

> Myths of sexual and racial oppression propagate themselves, create hysteria, and finally lead to the formation of some whining new group. One can only hope to scream, ''Perspective, just a little perspective, darling!''

These are a few examples of writings, which are difficult to describe in the fairest terms and inflammatory at the least.

While she wrote a letter to the Judiciary Committee apologizing for some of these writings, what does it say about her values, her thinking, and whether she should be in this legal position for the rest of her life?

The bottom line is this. Ms. Rao has minimal practical experience in the law. Her legal views are beyond extreme, and her personal views, as reflected in her own personal writings, are deeply troubling.

I would like to say to the President and those who are in charge of picking his nominees: Please, isn't there a good Republican conservative somewhere in this area who has actually been in a courtroom, who has actually made an appearance in a case, who has maybe even tried a case, who has maybe even filed a motion, or who would know a courthouse if they saw it and not on television? Is that too much to ask for a lifetime appointment to the second highest court in the land?

This nominee may be ideologically perfect for somebody who decided she was destined for this court, but this nomination is not a perfection when it comes to the legal system in America. It is an imperfection, which, if approved by the Senate, is going to be with us for a lifetime.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

NOMINATION OF NEOMI J. RAO

Ms. WARREN. Madam President, I come to the floor to oppose the nomination of Neomi Rao to be a judge of the second most powerful court in the country.

My decision boiled down to just this one question: Will Ms. Rao advance equal justice for all or will she continue to tilt the courts in favor of the rich and powerful?

Ms. Rao's record shows that she will continue to tilt our courts in favor of the powerful few and leave everyone else behind, and that is why I oppose her nomination, but that is also exactly why she was selected by the President for this important lifetime appointment.

In the last 2 years, with the Trump administration controlling the White House and Republicans, until January, controlling both Houses of Congress, the rich and powerful have had unparalleled access to the Federal Government, and they have been terrifyingly effective at making Washington work even better for themselves.

Just think of some of their high-profile victories: a tax plan that takes away money from working Americans and gives it straight to the biggest corporations and wealthiest individuals, rollbacks of countless protections to protect public health, consumer welfare, and environmental safety. Those are just the policies that people have been paying attention to.

For decades now, billionaire-funded rightwing groups have operated in the shadows to take over our courts by installing rightwing judges who will put the interests of giant corporations and wealthy individuals ahead of everyone else. For those special interests, Neomi Rao is the ideal candidate.

In 2017, I came to the floor to oppose Ms. Rao's nomination to lead the Office of Information and Regulatory Affairs—the small but powerful Agency that reviews and signs off on economically significant Federal rules. I was concerned about Ms. Rao's advocacy for weakening or handcuffing Federal Agencies that are there to help protect the public from giant corporations that prey on consumers, that mistreat their workers, and that pollute our environment.

I worried that confirming her to lead OIRA would threaten the health and safety of all Americans. For example, Ms. Rao attacked the Consumer Financial Protection Bureau—the Agency that has returned $12 billion to working families who were cheated—arguing against its authority to protect consumers from predatory lending practices.

That was exactly the kind of candidate that Big Business and billionaires wanted, so the Republican-controlled Senate confirmed Ms. Rao, and the all-too-predictable happened.

Under Ms. Rao's leadership, OIRA approved the EPA's decision to roll back important environmental positions, OIRA rubberstamped changes at the Department of Labor that allowed certain employers to hide workplace injuries, and Ms. Rao blocked a proposed measure from the Equal Employment Opportunity Commission that would have helped uncover pay discrimination. The list goes on.

Ms. Rao pairs her pro-corporate stance with harmful, regressive views about sexual assault. In college, she wrote an article placing blame on the

survivors of sexual assault if they drank alcohol, claiming that such behavior was ''part of their choice.''

At her hearing, she refused to fully disclaim this line of thought, claiming she was just recommending certain actions women could take to make themselves less likely to be assaulted.

If that wasn't worrisome enough, Ms. Rao also argued in a book review that public protections for women, for people of color, and for Americans with disabilities are bad because they have eroded the power of traditional elites, going so far as to call affirmative action the ''bane of all good elitists.''

For President Trump, congressional Republicans, and their billionaire buddies, Ms. Rao's commitment to protecting the interests of the rich and powerful over everyone else was a feature of her tenure at OIRA, not a bug. Now, as a reward for spending a year and a half rolling back public protections and rubberstamping corporate America's wish list, the Trump administration has selected her to be a judge on the second highest court in this country.

At the DC Circuit, Ms. Rao would have even more power to stop Federal efforts to protect Americans from abusive corporations and billionaires. She would rule on attempts to protect the air we breathe and the water we drink. She would have the power to overturn protections for workers from unsafe working conditions, and she would have the chance to upend rules to prevent big corporations from discriminating against people of color, LGBTQ Americans, and other marginalized communities.

Throughout her career, Ms. Rao has made very clear what her preferred hierarchy looks like: corporations and billionaires up at the top, and everybody else at the bottom.

As a judge on the U.S. Court of Appeals, Ms. Rao will have an opportunity to practice that philosophy at an even larger scale.

Madam President, our Federal courts are supposed to defend equal justice for all Americans, not cater to the wealthy and well connected. Neomi Rao's record shows that she will continue the corporate takeover of our courts.

A vote for her is a vote against the millions of Americans who have already borne the consequences of the radical, pro-corporate policies she has advanced throughout her career. That is why I believe the Senate should reject her nomination.

NOMINATION OF WILLIAM BEACH

Madam President, I also want to express my strong opposition to the nomination of William Beach to run the Bureau of Labor Statistics. BLS's accurate and impartial analysis is crucial to policymakers, workers, and businesses.

In Mr. Beach, President Trump has chosen someone who has spent years at so-called think tanks that are funded by radical rightwing billionaires pushing so-called studies that criticize Social Security and support draconian budget cuts and tax cuts for the richest Americans—studies that have since been discredited. That is not whom we need running one of our country's most important statistical Agencies.

Besides Mr. Beach's radical, pro-corporate background, I want to join Ranking Member MURRAY in expressing my serious concern with my Republican colleagues' refusal to confirm Democratic nominees to other important Agencies for workers—the National Labor Relations Board and the Equal Employment Opportunity Commission. This obstruction is a total departure from precedent, and it is preventing these Agencies from protecting the rights of millions of American workers to bargain collectively and to go to work without worrying about illegal discrimination and harassment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak as in morning business for probably about 15 minutes, and should Senator VAN HOLLEN from Maryland—who is scheduled to arrive—arrive, that I be able to engage in colloquy with him.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, there is now no doubt that climate change is happening, that it is caused by human activity, and that we must act now to avoid the worse of it.

As science guy, Bill Nye, has said: ''Climate change is happening, it's our fault, and we've got to get to work on this.''

For too long we have seen the fossil fuel industry and its army of front groups use manufactured doubt, phony doubt, as their weapon of choice to obstruct any solution. Well, science studies things, and it even studies doubt. A scientific study published by Nature has found that the evidence of human-caused climate change occurring has now achieved what scientists call the five sigma level of certainty.

What does that mean? This scientific standard means there is 99.9999 percent confidence that Earth is warming due to human activity. Put another way, there is a 1 in 3.5 million chance that human-caused warming is not occurring.

To compare, you have a 1 in 15,000 chance that you will be struck by lightning in your life. You have a 1 in 100,000 chance of being born a conjoined twin, and you have a 1 in 3.5 million chance the fossil fuel industry's phony doubt about climate change is true.

Yet, just one Republican has signed on to Senator CARPER's resolution stating the basics—that climate change is real and caused by human activity, and Congress should take action now to address it.

In an editorial last week—this one here—even the middle-of-the-road USA Today said climate change is ''a true crisis facing the United States and the world,'' that ''fossil fuel polluters keep using the atmosphere as a free waste dump,'' and, finally, that ''[t]he public is growing impatient.''

Well, last week, here on the Senate floor, we actually had something resembling a climate debate break out. It was a little weird. As a debate, it coughed and banged and sputtered, and we didn't really engage. Many of our Republican colleagues had a very hard time mentioning the actual phrase ''climate change.'' They found it impossible to talk at all about the costs of climate change—the floods, the fires, the rising seas, the worst yet to come. No one could mention the 1.5 degree centigrade limit that we need to meet.

They mostly wanted to have fun bashing an imaginary Koch brothers-invented version of the Green New Deal. However, some did say that they accepted the science. In particular, I was happy to see the chairman of the Environment and Public Works Committee clearly accept that climate change is real, that it is caused by humans, and that we have a responsibility to do something about it.

I appreciate that he pointed to the bipartisan work he and I have done on carbon capture and removal. I enjoyed working with him on that legislation, and I hope we can get its successor bill passed too. We just had a very good bipartisan committee hearing on it, but put those two bills together, and you are still nowhere near the scale of action that science demands.

Our scientists report that we must aim for net zero carbon emissions by the middle of this century to avoid the worst consequences of climate change. Carbon capture will be a part of that, but there is zero chance it alone will be sufficient, and any plan that falls short of that mark amounts to its own diluted brand of climate denial. Bashing the Green New Deal doesn't solve the problem.

This is a good moment for me to interrupt my remarks because I see the majority leader on the floor. If I may, I will yield to him to close out the Senate and then have myself and Senator VAN HOLLEN recognized at the conclusion of the majority leader's comments.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Madam President, I ask unanimous consent that all postcloture time on the Rao nomination expire at 12 noon tomorrow; further, that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. I further ask unanimous consent that if cloture is invoked on the Beach nomination, all postcloture time expire at 1:45 p.m. tomorrow; and that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ARMS SALES NOTIFICATION

Mr. RISCH. Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 19–12 concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost $240.5 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 19–12

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment * $219.6 million.

Other $ 20.9 million.

Total $240.5 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Government of Australia has requested to buy defense articles and services from the U.S. Government in support of the National Advanced Surface to Air Missile System (NASAMS).

Major Defense Equipment (MDE):

One hundred eight (108) AIM–120C–7 Advanced Medium-Range Air-to-Air Missiles (AMRAAM).

Six (6) AIM–120C–7 AMRAAM Air Vehicles Instrumented.

Six (6) Spare AIM–120C–7 AMRAAM Guidance Sections.

Non-MDE: Also included are containers, weapon system support equipment, support and test equipment, site survey, transportation, repair and return warranties, spare and repair parts, publications and technical data, maintenance, personnel training, and training equipment, U.S. Government and contractor representative engineering, logistics, and technical support services, and other related elements of logistics support.

(iv) Military Department: Air Force (AT–D–YAI).

(v) Prior Related Cases, if any: AT–D–YLD.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: March 12, 2019.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia—AIM–120C–7 Advanced Medium-Range Air-to-Air Missiles

The Government of Australia has requested to buy up to 108 AIM–120C–7 Advanced Medium-Range Air-to-Air Missiles (AMRAAM); six (6) AIM–120C–7 AMRAAM Air Vehicles Instrumented; and six (6) spare AIM–120C–7 AMRAAM guidance sections. Also included are containers, weapon system support equipment, support and test equipment, site survey, transportation, repair and return warranties, spare and repair parts, publications and technical data, maintenance, personnel training, and training equipment, U.S. Government and contractor representative engineering, logistics, and technical support services, and other related elements of logistics support. These items are in support of Australia's purchase of the National Advanced Surface to Air Missile System (NASAMS). The estimated total program cost is $240.5 million.

This sale will support the foreign policy and national security of the United States by helping to improve the security of a major ally that is an important force for political stability and economic progress in the Western Pacific. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

This proposed sale is in support of the Australian Defence Force (ADF) Project LAND 19 Phase 7B for acquisition of a ground based air and missile defense capability. Australia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment will not alter the basic military balance in the region.

The prime contractor will be Raytheon Missile Systems, Tucson, Arizona. There are no known offset arrangements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 19–12

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. AIM–120C Advance Medium Range Air-to-Air (AMRAAM) is a radar guided missile featuring digital technology and micro-miniature solid-state electronics. AMRAAM capabilities include look-down/shoot-down, multiple launches against multiple targets, resistance to electronic counter measures, and interception of high flying and low flying and maneuvering targets. AIM–120 Captive Air Training Missiles are non-functioning, inert missile rounds used for armament load training, and which also simulates the correct weight and balance of live missiles during captive carry on training sorties. The AIM–120C–7, as employed in the National Advanced Surface-to-Air System (NASAMS), protects national assets from imminent hostile air threats. The AMRAAM All Up Round is classified CONFIDENTIAL, major components and subsystems range from UNCLASSIFIED to CONFIDENTIAL, and technology data and other documentation are classified up to SECRET.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Australia.

ADDITIONAL STATEMENTS

TRIBUTE TO HARRY C. LABONDE, JR.

● Mr. BARRASSO. Madam President, today I recognize the distinguished career of Harry C. LaBonde, Jr., who, following decades of service in the State of Wyoming, is retiring this week.

Harry began his career shortly after graduating from college with a civil engineering degree. His first job allowed him to specialize on issues related to water and wastewater treatment. In 1991, he became the public works director for the city of Riverton. He went on to serve in the same position for the city of Laramie, until he later became city manager. For the past 15 years, Harry worked for the State of Wyoming, first as Wyoming's Deputy State Engineer and, more recently, as director of the Wyoming Water Development Office.

When at the State Engineer's office, Harry was involved with addressing a backlog of coal-bed methane reservoir permits in the Powder River Basin and transitioning the office from paper to electronic records, which required the modernization of millions of documents related to water and permits.